



Nevada State Board of Medical Examiners

***** PUBLIC NOTICE *****

NEVADA STATE BOARD OF MEDICAL EXAMINERS BOARD MEETING

*Conference Room at the Offices of the
Nevada State Board of Medical Examiners
1105 Terminal Way, Suite 301, Reno, Nevada 89502*

Videoconferenced to:

*Conference Room at the Offices of the
Nevada State Board of Dental Examiners
6010 S. Rainbow Boulevard, Building A, Suite 1, Las Vegas, Nevada 89118*

Friday, September 14, 2007 – 8:30 a.m.

***** AGENDA *****

Please Note:

- 1) Persons wishing to attend this meeting may do so at either of the above-listed locations for each day of the meeting.
- 2) Agenda items, other than those items posted with a specific date and time, may be taken out of sequence to accommodate persons appearing before the Board and/or to aid in the effectiveness of the meeting.

1. Call to Order and Announcements - Javaid Anwar, M.D., President
 - Roll Call/Quorum
 - Announcement of Appointment by the Governor and introduction of new Board member Renee West
- 2.* Approval of Minutes
 - May 2, 2007 Board Retreat Meeting – Open Session
 - June 8 & 9, 2007 Board Meeting – Open/Closed Sessions

3.* Personnel *(tabled from June 8 & 9, 2007 Board meeting)*

Closed Session

- Annual Review and Discussion of Professional Competency of Staff; Staff Announcements
 - Sohail U. Anjum, M.D., Vice-President and Chairman of the Internal Affairs Committee; Donald H. Baepler, Ph.D., D.Sc., Secretary-Treasurer; Drennan A. Clark, J.D., Executive Director/Special Counsel

Open Session

- Set Staff Compensation
 - Sohail U. Anjum, M.D., Vice-President and Chairman of the Internal Affairs Committee; Drennan A. Clark, J.D., Executive Director/Special Counsel

4.* Consideration and Approval of 2006-2007 Audit by Solari & Sturmer

Friday, September 14, 2007, at 9:00 a.m., or as soon thereafter as it may be heard

- David Silva, CPA, Solari and Sturmer, LLC; Donald H. Baepler, Ph.D., D.Sc., Secretary-Treasurer

5.* Committee Report on Board's Public Service Announcement Program

Friday, September 14, 2007, at 9:20 a.m., or as soon thereafter as it may be heard

- Jean Stoess, M.A., Board Member, Chairperson; Drennan A. Clark, J.D., Executive Director/Special Counsel

6.* Consideration of Adoption of Amendments to Nevada Administrative Code

Chapter 630

Friday, September 14, 2007, at 9:25 a.m., or as soon thereafter as it may be heard

- Review of Public Comments on, and Consideration of Adoption of, Proposed Amendment to Nevada Administrative Code Chapter 630, Authorizing Physician Assistants to Act Under the Supervision of Any Physician at the Scene of an Accident or a Natural or Manmade Disaster When Rendering Emergency Care (a temporary regulation is already in effect; if approved, the regulation will become permanent)
- Review of Public Comments on, and Consideration of Adoption of, Proposed Amendment to Nevada Administrative Code Chapter 630, to Require Licensees and Applicants to Sign All Notifications, Applications and Communications They Have with the Board (a temporary Regulation is already in effect; if approved, the regulation will become permanent)
- Review of Public Comments on, and Consideration of Adoption of, Proposed Amendment to Nevada Administrative Code Chapter 630, to Provide a Procedure for Licensure of Eminent Physicians (a temporary regulation is already in effect; if approved, the regulation will become permanent)
- Consideration of Amendment to Nevada Administrative Code Chapter 630, to Revise Time Limits and Number of Attempts Allowed for Passage of All Three Steps of the USMLE
- Consideration of Amendment to Nevada Administrative Code Chapter 630, to Add Additional Circumstances Under Which an Applicant Will be Deemed to Have Satisfied the Requirements of NAC 630.080(2) (Ten-Year Rule)
- Consideration of Amendment to Nevada Administrative Code Chapter 630, Creating Grounds for Initiating Administrative Sanctions Against a Licensee for Failure to Submit to the Board a Report as Required Under NRS 630.30665
- Consideration of Amendment to Nevada Administrative Code Chapter 630, to Add Language to Define a "Chemotherapeutic Agent"
 - Edward O. Cousineau, J.D., Deputy General Counsel

- 7.* Review of Status of Mini-Internship Program Attended by Glen D. Lybbert, M.D. and Potential for Full Reinstatement of License *(tabled from June 8 & 9, 2007 Board meeting)*
Friday, September 14, 2007, at 10:00 a.m., or as soon thereafter as it may be heard
- Glen D. Lybbert, M.D.
- 8.* Consideration of Appointment of Task Force to Develop a Program for Re-Entry Into Practice of Medicine
- Javaid Anwar, M.D., President; Cindy Lamerson, M.D., Board Member; S. Daniel McBride, M.D., Board Member
- 9.* Report on Status of the Board's Contract with Nevada Health Professionals Assistance Foundation for the Board's Diversion Program for July 1, 2007 through June 30, 2009
- Drennan A. Clark, J.D., Executive Director/Special Counsel
- 10.* Ethics CME for Physician Members of the Board for Participation as Members of the Board *(tabled from June 8 & 9, 2007 Board meeting)*
- Charles N. Held, M.D., Board Member
- 11.* Reports
- Diversion Program - Quarterly Report - Peter A. Mansky, M.D., Director, Nevada Health Professionals Assistance Foundation
- Physician Assistant Advisory Committee - John B. Lanzillotta, P.A.-C, Advisory Committee Member
- Consideration of Request for Approval of Appointment of Replacement Committee Member
- Practitioner of Respiratory Care Advisory Committee - Peggy Alby, R.R.T., Advisory Committee Member
- Investigative Committees - Charles N. Held, M.D., Board Member, Chairperson, Investigative Committee A
Sohail U. Anjum, M.D., Vice President, Chairperson, Investigative Committee B
- Consideration of Cases Recommended for Closure by the Committees
- Investigations Division - Douglas C. Cooper, Chief of Investigations;
Terri L. Ward, Investigator/Compliance Officer
- Status of Investigative Case Load
- Compliance Report
- Nevada State Medical Association Liaison Report - Cindy Lamerson, M.D., Board Member; Lawrence P. Matheis, Executive Director, Nevada State Medical Association
- Clark County Medical Society Liaison Report - Benjamin J. Rodriguez, M.D., Board Member; Weldon Havins, M.D., J.D., CEO and Special Counsel, Clark County Medical Society
- Washoe County Medical Society Liaison Report - Cindy Lamerson, M.D., Board Member; Jeanie L. Catterson, Executive Director, Washoe County Medical Society
- Secretary-Treasurer - Donald H. Baepler, Ph.D., D.Sc., Secretary-Treasurer
- Status of Finances
- 12.* Executive Staff Reports - Drennan A. Clark, J.D., Executive Director/Special Counsel
- Consideration of Request for Staff Attendance at Educational Meetings
- Consideration of Utilizing Same Hotel (Embassy Suites on Paradise Road) Used for December 2006 Meeting for December 2007 Meeting or Looking for Another Hotel
- Informational Items

13. Legal Reports - Bonnie S. Brand, J.D., General Counsel
Christine M. Guerci-Nyhus, J.D., Chief Deputy Attorney General
- Board Litigation Status
- 14.* Adjudication in the Matter of the Nevada State Board of Medical Examiners vs. Jerry Hunter, M.D., BME Case No. 04-9238-1
Friday, September 14, 2007, at 10:30 a.m., or as soon thereafter as it may be heard
- Christine M. Guerci-Nyhus, J.D., Chief Deputy Attorney General
Closed Session for consideration
Open Session for adjudication
Adjudicating Board Members: Sohail U. Anjum, M.D., Vice President; Donald H. Baepler, Ph.D., D.Sc., Secretary-Treasurer; Charles N. Held, M.D., Board Member; Jean Stoess, M.A., Board Member; Cindy Lamerson, M.D., Board Member; S. Daniel McBride, M.D., Board Member; Benjamin J. Rodriguez, M.D., Board Member; Renee West, Board Member
- 15.* Adjudication in the Matter of the Nevada State Board of Medical Examiners vs. James Allen, M.D., BME Case No. 06-9697-1
Friday, September 14, 2007, at 10:50 a.m., or as soon thereafter as it may be heard
- Christine M. Guerci-Nyhus, J.D., Chief Deputy Attorney General
Closed Session for consideration
Open Session for adjudication
Adjudicating Board Members: Javid Anwar, M.D., President; Sohail U. Anjum, M.D., Vice President; Jean Stoess, M.A., Board Member; S. Daniel McBride, M.D., Board Member; Benjamin J. Rodriguez, M.D., Board Member; Renee West, Board Member
- 16.* Consideration of Stipulation for Settlement in the Matter of the Nevada State Board of Medical Examiners vs. David Evans, M.D., BME Case No. 04-29123-1
- Bonnie S. Brand, J.D., General Counsel
Closed Session for consideration
Open Session for adjudication
Adjudicating Board Members: Javid Anwar, M.D., President; Jean Stoess, M.A., Board Member; S. Daniel McBride, M.D., Board Member; Benjamin J. Rodriguez, M.D., Board Member; Renee West, Board Member
- 17.* Consideration of Stipulation for Settlement in the Matter of the Nevada State Board of Medical Examiners vs. Kurt Buzard, M.D., BME Case No. 06-9589-1
- Bonnie S. Brand, J.D., General Counsel
Closed Session for consideration
Open Session for adjudication
Adjudicating Board Members: Javid Anwar, M.D., President; Sohail U. Anjum, M.D., Vice President; Jean Stoess, M.A., Board Member; S. Daniel McBride, M.D., Board Member; Benjamin J. Rodriguez, M.D., Board Member; Renee West, Board Member

- 18.* Consideration of Stipulation for Settlement in the Matter of *the Nevada State Board of Medical Examiners vs. Dennis Hooper, M.D.*
BME Case No. 07-7744-1
- Bonnie S. Brand, J.D., General Counsel
Closed Session for consideration
Open Session for adjudication
Adjudicating Board Members: Javaid Anwar, M.D., President; Sohail U. Anjum, M.D., Vice President; Jean Stoess, M.A., Board Member; S. Daniel McBride, M.D., Board Member; Benjamin J. Rodriguez, M.D., Board Member; Renee West, Board Member
- 19.* Consideration of Stipulation for Settlement in the Matter of *the Nevada State Board of Medical Examiners vs. Frank Shallenberger, M.D.*
BME Case No. 06-7127-1
- Edward O. Cousineau, J.D., Deputy General Counsel
Closed Session for consideration
Open Session for adjudication
Adjudicating Board Members: Javaid Anwar, M.D., President; Jean Stoess, M.A., Board Member; S. Daniel McBride, M.D., Board Member; Benjamin J. Rodriguez, M.D., Board Member; Renee West, Board Member
- 20.* Recommendation for Dismissal Without Prejudice in the Matter of *the Nevada State Board of Medical Examiners vs. Sanjay Vohra, M.D.*
BME Case No. 06-8654-1
- Edward O. Cousineau, J.D., Deputy General Counsel
Closed Session for consideration
Open Session for adjudication
Adjudicating Board Members: Javaid Anwar, M.D., President; Sohail U. Anjum, M.D., Vice President; Jean Stoess, M.A., Board Member; S. Daniel McBride, M.D., Board Member; Benjamin J. Rodriguez, M.D., Board Member; Renee West, Board Member
- 21.* Recommendation for Dismissal With Prejudice in the Matter of *the Nevada State Board of Medical Examiners vs. Theodore Potruch, M.D.*
BME Case No. 06-4905-1
- Lyn E. Beggs, J.D., Deputy General Counsel
Closed Session for consideration
Open Session for adjudication
Adjudicating Board Members: Javaid Anwar, M.D., President; Sohail U. Anjum, M.D., Vice President; Jean Stoess, M.A., Board Member; S. Daniel McBride, M.D., Board Member; Benjamin J. Rodriguez, M.D., Board Member; Renee West, Board Member

- 22.* Recommendation for Dismissal Without Prejudice in the Matter of *the Nevada State Board of Medical Examiners vs. Thomas Daly, M.D.*, BME Case No. 07-11505-1
- Bonnie S. Brand, J.D., General Counsel
Closed Session for consideration
Open Session for adjudication
Adjudicating Board Members: Javaid Anwar, M.D., President; Sohail U. Anjum, M.D., Vice President; Jean Stoess, M.A., Board Member; S. Daniel McBride, M.D., Board Member; Benjamin J. Rodriguez, M.D., Board Member; Renee West, Board Member
- 23.* Petition for Advisory Opinion from the Board Regarding the Scope and Definition of the Practice of Medicine in NRS 630.020
Friday, September 14, 2007, at 1:30 p.m., or as soon thereafter as it may be heard
- Bonnie S. Brand, J.D., General Counsel; John Hunt, J.D.; Clive Segil, M.D.
- 24.* Licensure Ratification
- Ratification of Licenses Issued, and Reinstatements of Licensure and Changes of Licensure Status Approved Since the June 8 & 9, 2007 Board Meeting
- 25.* Appearances for Consideration of Acceptance of Applications for Licensure
Closed Session
- | | | | |
|-----|------------------------|-----|--------------------------|
| (a) | Pankaj Bhatnagar, M.D. | (g) | David Harshfield, M.D. |
| (b) | Joshua Jewell, M.D. | (h) | Arthur Smith, M.D. |
| (c) | Azza Halim, M.D. | (i) | Daniel Icenogle, M.D. |
| (d) | Jeffery Gardner, M.D. | (j) | Leila Poole, P.A.-C |
| (e) | Ati Hakimi, M.D. | (k) | Joseph DeCorso Jr., M.D. |
| (f) | Kent Elliott, M.D. | | |
26. Matters for Future Agenda
27. ****Public Comment**

* Denotes items on which action may occur.

** Under the Public Comment agenda item, members of the general public may bring matters not appearing on this agenda to the attention of the Board. The Board may discuss the matters, but may not act on the matters at this meeting. If the Board desires, the matters may be placed on a future agenda for action. In consideration of others, who may also wish to provide public comment, please avoid repetition and limit your comments to no more than five (5) minutes.

NOTICES POSTED AT THE FOLLOWING LOCATIONS:

Nevada State Board of Medical Examiners - Reno
Washoe County Court House - Reno
Reno City Hall - Reno
Office of the Attorney General - Carson City

Office of the Attorney General - Las Vegas
Clark County Health Department - Las Vegas
Elko County Court House - Elko
White Pine County Court House - Ely

PLEASE NOTE:

- 1) Persons/facilities desiring copies of the Board's agenda must submit their request in writing every six months. Check the address label for this agenda for expiration date.
- 2) With regard to any Board meeting, it is possible that an amended notice will be published adding new items to the original agenda. Amended notices will be posted in accordance with the Open Meeting Law; however, they will not be mailed to individuals on the Board's mailing list.
- 3) Members of the public who are disabled and require special accommodations or assistance at the meeting are requested to notify the Board office in writing at P.O. Box 7238, Reno, NV 89510 or by calling 775/688-2559 prior to the date of the meeting.