

### MINUTES OF THE NEVADA BOARD OF HOMEOPATHIC MEDICAL EXAMINERS

\*\*Date:\*\* March 22, 2024

\*\*Time:\*\* 6:07 PM PDT – 7:18 PM PDT

\*\*Location:\*\* Sierra Integrative Medical Center, 521 Hammill Lane, Reno, NV 89511, and Virtual Meeting via Zoom

\*\*Recording:\*\* recorded via Zoom

#### ATTENDANCE

\*\*Board Members Present (Via Zoom):\*\*

- Dr. Bruce Fong (President)
- Dr. Frank Schallenberger
- Dr. Greg Olson
- Dr. Melvin Nario
- Charles Green (Secretary-Treasurer)
- Karen Dickerson

\*Public Present (Via In person):\*\*

- Shawn Devlin (Former President, non-voting attendee)
- Michael and Inge Gerber

\*\*Public Present (Via Zoom):\*\*

- Dr. David Edwards
- Dr. Glavinovich
- Dr. Forsythe
- Matthew Feeley (Deputy Attorney General)

\*\*Note:\*\* A quorum was established through roll call, as confirmed by Dr. Fong at the start of the meeting.

#### #### CALL TO ORDER

- Meeting called to order by Dr. Bruce Fong at 6:07 PM PDT.
- Dr. Fong conducted a roll call to confirm the presence of board members and establish a quorum.

#### #### APPROVAL OF AGENDA

- \*\*Motion:\*\* Charles Green moved to approve the agenda.
- \*\*Second:\*\* Dr. Greg Olson seconded.
- \*\*Discussion:\*\* None.
- \*\*Vote:\*\* All members (Dr. Fong, Dr. Schallenberger, Dr. Olson, Dr. Nario, Charles Green, Karen Dickerson) voted "Aye"; no "Nay" votes. Motion carried unanimously.

#### #### PUBLIC COMMENT (Initial)

- \*\*Dr. David Edwards:\*\*
  - Recommended the board start a regular newsletter, citing examples from the Nevada and Idaho Boards of Medicine. Suggested distribution after each board meeting or 2-3 times a year, plus on an emergency basis (e.g., during COVID-19), to all licensees and Nevada legislators. Proposed sections including policy reviews, medical articles (e.g., integrative treatments for COVID-19), and rotating contributions from board members, with potential CME credits for article submissions.
  - Expressed concerns about the board's fiduciary responsibility, noting a debt to the Attorney General's office exceeding \$100,000, unpaid for two years under previous leadership despite his protests and requests for independent accounting.
  - Criticized the Secretary-Treasurer for procedural failures: a December emergency meeting was canceled due to inadequate notice, and a fee increase process for NAC 638 was mishandled (lacking workshops, public comment, and sufficient notice during the

holidays). Suggested fee increases for homeopathic assistants (lower earners) should be reconsidered.

- Questioned why an executive director was not hired per board Policy Manual 7, Sections 1–2, and Article 9, Sections 1–3, despite Dr. Edwards identifying three candidates willing to work for \$1,500/month (20 hours). Noted the issue was not agendized or discussed.

- Highlighted historical issues during his tenure (12/26/23–6/13/24): missing minutes and agendas from 2021–2023, no meetings in 2022 (violating NRS 638.150 and bylaws), and unapproved minutes (e.g., 12/16/20 meeting), violating NRS 241.035 and bylaws.

Suggested actions from those meetings may be void under NRS 241.036. Requested an independent accounting per Policy Manual Article 2, Section 6, and noted missing oral/visual recordings (NRS 241.035).

- Stated additional comments would be submitted in writing for inclusion in the official minutes.

- **\*\*Dr. Glavinovich:\*\***

- Defended Charles Green, stating he worked tirelessly as a one-man team to straighten the board's books, conducted audits, and uncovered embezzlement. Noted the \$100,000 debt to the AG's office was longstanding and criticized the lack of assistance from the previous board. Argued that hiring an executive director is unfeasible without funds for basic expenses. Attributed meeting cancellations to lack of cooperation from certain individuals. Suggested closed-door dialogue to address erroneous allegations.

- **\*\*Dr. Forsythe:\*\***

- Read a letter from himself, Earlene Forsythe, Maged Maged, Valerie Kilgore, and Dolores Catlin, (all 4 are Advanced Practitioners of Homeopathy), addressed to Dr. Fong. The letter criticized Charles Green for appointing Marianne Williams as temporary executive director without notifying Dr. Fong or holding a special meeting for approval, calling it deceitful. Noted Ms. Williams' sketchy background, including a lost medical license due to a drug-related issue with her husband.

- Questioned Mr. Green's integrity, citing a \$15,000 check he wrote to himself from the board's account without providing invoices or evidence to the Executive Board.

- Stated that Dr. Forsythe and four other members refused to pay annual certification fees due to lack of representation in fund allocation, placing their funds in a holding account.

Urged the board to vote Mr. Green off and replace him with an honorable person who provides accountability. Requested the letter be entered into the official record.

- \*\*Dr. Edwards (Follow-Up):\*\*

- Responded to Dr. Glavinovich, announcing he would revise his written comments into a sworn affidavit to counter arguments legally, to be sent to Dr. Fong once notarized.

#### #### DISCUSSION AND POSSIBLE ACTION ITEMS

1. \*\*Review of Proposed Changes to Nevada Administrative Code (NAC) Chapter 638\*\*

- \*\*Overview:\*\* Dr. Fong introduced the agenda item to review proposed changes to NAC 638, to be submitted to the Legislative Counsel Bureau (LCB) for review, workshopping, and potential approval, with a report to the Governor's office. Noted the previous board, under a 2024 executive order, removed 19 sections of the code (exceeding the mandated 10).

- \*\*Approval of Previous Board's Changes:\*\*

- Dr. Fong shared his screen to display the previous board's changes, which removed redundant or outdated sections (e.g., committee for examination of education, electro-acupuncture references). Clarified terms like "OAG" (Office of Attorney General) and noted "DEMD" was unclear but likely referred to the board.

- \*\*Motion:\*\* Dr. Greg Olson moved to approve the previous board's changes to NAC 638 as submitted.

- \*\*Second:\*\* Dr. Melvin Nario seconded.

- \*\*Discussion:\*\* Karen Dickerson confirmed she reviewed a printed copy and had no objections. Dr. Olson sought clarity on "DEMD"; Dr. Fong and Charles Green were unsure of its meaning. Dr. Fong noted the changes were vetted over multiple meetings by the previous board and thanked them for their effort.

- \*\*Vote:\*\* All members (Dr. Schallenberger, Dr. Olson, Dr. Nario, Charles Green, Karen Dickerson) voted "Aye"; no "Nay" votes. Motion carried unanimously.

- \*\*Review of New Proposed Changes to NAC 638:\*\*

- Dr. Fong presented new changes, with additions in red and deletions in blue cross-outs, focusing on expanding licensing criteria and adjusting fees. Key changes included:

- **\*\*NAC 638.050 (Application for License):\*\*** Added “naturopathic” to accepted medical licenses (allopathic, osteopathic), replacing “approved by the Education Commission for Foreign Medical Graduates” with “accepted by the board.” Added a provision for three years of postgraduate training under a Nevada HMD’s preceptorship, documented and certified by the board.

- **\*\*NAC 638.065 (Examination of Foreign Graduates):\*\*** Added the board as an alternative to the USMLE/FLEX exams for foreign medical graduates seeking HMD licensure.

- **\*\*NAC 638.070 (Postgraduate Training):\*\*** Added “allopathic” and “naturopathic” to clarify training requirements, allowing board-approved postgraduate training for foreign graduates.

- **\*\*NAC 638.080 (Interview of Graduates):\*\*** Added “naturopathic” to the list of medical school graduates.

- **\*\*Fees:\*\***

- HMD annual renewal fee: Proposed increase from \$600 to \$800 (Senate Bill 98 allows up to \$2,000).

- Reexamination fee for HMD (after failure): Set at \$400.

- APH annual renewal fee: Increased from \$400 to \$600.

- Reexamination fee for APH (after failure): Set at \$300.

- Homeopathic Assistant (HA) annual renewal fee: Reduced from \$200 to \$100 to encourage licensure.

- Temporary/Special/Limited License Fee: Struck, as these licenses were removed in prior changes.

- **\*\*Advanced Practitioner Eligibility:\*\*** Added “naturopathic physician” and “biological dentist” (DDS/DMD) as eligible for APH licensure, aiming to offer protection and legitimacy.

- **\*\*Discussion:\*\***

- Dr. Nario questioned the inclusion of “naturopathic” in licensing criteria, as it’s not in NRS 638; Dr. Fong and Mr. Feeley supported adding it to the NAC, expecting LCB review to

address discrepancies. Dr. Olson noted it legitimizes naturopaths in Nevada, where no naturopathic board exists, protecting the public by allowing licensure through the board.

- Dr. Nario asked about the difference between “approved” and “accepted”; Dr. Olson and Dr. Edwards clarified that “accepted” gives the board more discretion. Charles Green expressed concern about licensing naturopaths without NRS changes, but Dr. Fong suggested submitting the language to LCB for review.

- Dr. Nario sought clarity on the preceptorship’s frequency; Dr. Fong described it as an apprenticeship, more intensive than weekly supervision, aimed at training for HMD licensure.

- Dr. Nario and Dr. Olson discussed fee adjustments, noting the HMD fee increase to \$800 was reasonable compared to other states (e.g., Arizona \$500, California \$600, Nevada \$400 for MDs). The HA fee reduction to \$100 was supported to encourage licensure and training.

- Dr. Fong confirmed the removal of temporary/limited licenses aligned with prior changes, striking the associated fee.

- Dr. Nario and Mr. Feeley questioned adding “biological dentist”; Dr. Fong noted it would apply to dentists practicing homeopathic techniques, potentially offering protection from the dental board. Dr. Olson raised concerns about blowback from the dental board, which Dr. Fong suggested addressing if it arises.

- **\*\*Motion to Approve New Changes:\*\*** Dr. Greg Olson moved to approve the new changes to NAC 638.

- **\*\*Second:\*\*** Charles Green seconded.

- **\*\*Amended Motion:\*\*** Dr. Olson amended the motion to include the modified changes discussed (e.g., fee adjustments, addition of “biological dentist”).

- **\*\*Second to Amendment:\*\*** Charles Green seconded the amendment.

- **\*\*Vote:\*\*** All members (Dr. Schallenberger, Dr. Olson, Dr. Nario, Charles Green, Karen Dickerson) voted "Aye"; no "Nay" votes. Motion carried unanimously.

#### #### NEW BUSINESS

- Dr. Fong announced plans to form a committee to review the NRS, NAC, bylaws, and policies in preparation for the 2025 legislative session, aiming to propose further changes.

#### PUBLIC COMMENT (End of Meeting)\*\*

- No additional public comments were made.

#### ADJOURNMENT

- \*\*Motion:\*\* Dr. Greg Olson moved to adjourn the meeting.
- \*\*Second:\*\* Charles Green seconded.
- \*\*Discussion:\*\* None.
- \*\*Vote:\*\* All members (Dr. Schallenberger, Dr. Olson, Dr. Nario, Charles Green, Karen Dickerson) voted "Aye"; no "Nay" votes. Meeting adjourned at 7:18 PM PDT.

#### ADDITIONAL NOTES

- The approved changes to NAC 638 will be submitted to the Legislative Counsel Bureau for review, followed by workshops and potential final approval.
- Dr. Fong emphasized the board's goal to expand licensure opportunities (e.g., for naturopaths and biological dentists) to increase membership and protect the public, acknowledging potential LCB pushback on NRS discrepancies.
- A future meeting will be scheduled to continue reviewing bylaws, policies, and legislative proposals, with proper notice to be provided.

\*\*Prepared by:\*\* Frank Shallenberger

\*\*Date:\*\* 7-30-25