

General Meeting
NEVADA STATE BOARD
OF
HOMEOPATHIC MEDICAL EXAMINERS
Airport Plaza Hotel
1981 Terminal Way
Reno, Nevada
April 1, 2006 at 9:00 am

Minutes

1. The meeting was called to order at 9:11 a.m. and a roll call revealed a quorum to be present as follows:

Members: David Edwards, President, Diane Kennedy, Daniel Royal, Valerie Kilgore, and Fuller Royal, Secretary-Treasurer. (W. Brent Hardy, Vice President, and Greg Fihn arrived after the meeting had begun)
Executive Director: Mary Lou Heacock
Legal Counsel: Ned Reed, Deputy Attorney General
Visitors: Dr. David Steenblock, Tim Bolen, Dr. Jim Forsythe, Dr. Sean Devlin, Christina Johns, Dr. Robert Eslinger, Dr. Bruce Fong, Dr. Maged H. Maged, Marilee Brodie, Tiffany Van der Stokker, Dr. David Holt, Jorge Garcia, Dr. Ralph Schmitt, Cary Negper, Steve Bwole, Roger Clough, Gregg Koechlen

3. Motion: Diane Kennedy moved to approve the Agenda, keeping as close as possible to the time limit, and that we allow the Chair to control the order of Items in the Agenda.
Second: Fuller Royal
Action: Passed with Daniel Royal abstaining

4. Motion: Valerie Kilgore moved to set 3:30 p.m. as the time for meeting adjournment.
Second: Diane Kennedy
Action: Passed

- 4A. President Edwards reported on the progress of the various committees and expressed thanks for the good work done by all committee members. An apology was expressed on behalf of the Board for some things that have happened to him as our legal counsel. He expressed that others should come forth to render an apology. He also commented that today's Agenda contains some difficult items that could be contentious, and stressed the importance of keeping comments short and remember to be attentive to the time schedule.

5. Mary Lou Heacock Chairman of the Policy Manual Committee reported that the Committee voted to recommend the following resolution for adoption by the Board:

Resolution: The Board adopt the policy manual with included bylaws as the official policy and bylaws of the Board as written by the Committee.
The Chair recessed the Board for 10 minutes for the members to review the Policy and Bylaws Manual.

Motion: Valerie Kilgore moved for a 10 minute recess.
Second: Diane Kennedy
Action: Passed

The Board was called to order following the recess. Fuller Royal noted there were about 17 grammatical errors that were present in the Word document that occurred when converted from a Word Perfect document, and need to be corrected. Daniel Royal asked that the document not be adopted until Brent Hardy gave his approval upon his arrival and review. The Chair advised Daniel Royal that Mr. Hardy was one of the members of the Policy Manual Committee and had already reviewed the Manual and voted his approval during the Committee meeting.

Motion: Fuller Royal moved to adopt the Policy and Bylaws Manual.
Second: Valerie Kilgore
Action: Passed

6. The following minutes were reviewed by the Board:

January 22, 2005: Daniel Royal asked to make additional comments and additions to the minutes. Royal had listened to the audio tape of the meeting. Royal referred to NRS 241.035 that allows him to attach a document to the record. There was no objection by the Board to Daniel Royal providing additional information to the record.

Motion: Fuller Royal moved to adopt the minutes as written.
Second: Valerie Kilgore
Action: Passed

June 3, 2005 (previously approved by the Board on June 16, 2005)

Motion: Fuller Royal moved to adopt the minutes as written.
Second: Daniel Royal
Action: Passed

June 16, 2005 (previously approved by the Board on July 23, 2005): Fuller Royal reported that the minutes placed on the Board's website are not the minutes adopted by the Board on July 23, 2005. The numbering of the Agenda Items has been corrected, but the minutes are the same as those previously approved by the Board. Daniel Royal advised the Board that he had listened to the audio recording of this meeting and will be providing an additional document to be attached to the record.

Motion: Fuller Royal moved to adopt the minutes as written.

Second: Daniel Royal

Action: Passed

July 23, 2005 (previously approved by the Board on Sept. 9, 2005): Daniel Royal requested an audio recording that would allow him to listen to this meeting. He asked for more information to be included in the minutes pertaining to Board discussion/actions, and advised the Board that he will probably provide a document for attachment to the record. No action taken by the Board.

July 23, 2005 Workshop hearing: These minutes pertain to temporary regulations that had been previously adopted by the Board LCB File No.T007-04, and are now being made permanent.

Motion: Fuller Royal moved to adopt the minutes as written.

Second: Daniel Royal

Action: Passed

September 9, 2005 (previously approved by the Board on Sept.30, 2005): No action

September 30, 2005: Daniel Royal asked the Executive Director to provide him an audio recording in order for him to provide a document to be attached to the record.

Motion: Fuller Royal moved to adopt the minutes as written.

Second: Valerie Kilgore

Action: Passed

December 20, 2005: Daniel Royal had listened to an audio recording of the meeting and provided the Board with a transcript to be added to the record, along with the document presented by Robert Gentry, a visitor during the meeting.

Motion: Fuller Royal moved to adopt the minutes as written.

Second: Diane Kennedy

Action: Passed

January 21, 2006: Daniel Royal stated that the minutes did not reflect his correction of a statement he made during the meeting, wherein he initially said the Robert's Rules of Order were discussed in the January 24, 2004 meeting, and asked that this be changed to reflect his correction.

Motion: Fuller Royal moved to adopt the minutes with additions clarifying Daniel Royal's concerns.

Second: Diane Kennedy

Action: Passed

January 26, 2006: Daniel Royal wanted the minutes changed to reflect that the meeting he was to have with Fuller Royal in the presence of Brent Hardy was to resolve personal differences. Daniel Royal said the meeting was to discuss differences

of a profession nature, and asked that the minutes be changed to reflect that or be stricken. Fuller Royal objected to the correction. Daniel Royal stated that Krysta Vance and Mary Knarr attended the meeting and provided documents to be added to the record (which has already been done). Daniel Royal made the following:

Motion: Daniel Royal moved 1. That these minutes reflecting the meeting Daniel Royal was to have with Fuller Royal in the presence of Brent Hardy was to resolve personal differences be changed to show that the meeting was to be of a profession nature or be stricken; 2. That the documents presented to the Board by Krysta Vance and Mary Knarr be added to the record; 3. The statement, "Daniel Royal was participating by phone from an unknown location in Las Vegas" be stricken from the record; and 4. The statement, "This is the first time the Chair has refused to call a meeting when requested to do so by one or more members of the Board" be stricken from the record.

Second: David Edwards

Action: Passed with Fuller Royal voting NO.

February 9, 2006: Daniel Royal reminded the Board that Senator Michael Schneider's written comments be placed in the record (that has already been done). Royal said there was also "some concern I suppose as to what happened to the recording of the first part of the meeting." He stated that he was presenting an affidavit to be added to the record. He had asked the Secretary-Treasurer if the meeting was being recorded. He was informed that it was being recorded. Daniel Royal told the Board that after he adjourned the meeting, he disconnected the phone. The recording of the meeting that followed would have replaced the initial recording. The Chair asked if this is what happened. The Executive Director said that the meeting continued, and the recording was not reconnected. Fuller Royal asked Daniel Royal if it was his intent to disconnect the recording. Daniel Royal responded, "Yes, it was my intent. . . . (to). . . disconnect the recording."

Motion: Fuller Royal moved to adopt the minutes as written.

Second: Diane Kennedy

Action: Passed

February 16, 2006: Daniel Royal advised the Board that he had concerns about the minutes after listening to the audio recording and would be providing a transcription to be added to the record. One of his concerns pertained to the establishment of committees by the Board, and second, there was no motion or action for the Board to request an audit of the NIRB. David Edwards replied that the Board gave him authority to create the committees and charge them with their duties since there were no bylaws at the time. The Policies and Bylaws adopted during this meeting have resolved that problem. Fuller Royal advised the Chair that these minutes have grammatical errors resulting from converting a Word Perfect document to a Word document and need correcting.

Motion: Fuller Royal moved to adopt the minutes as written.

Second: Valerie Kilgore

Action: Passed with Daniel Royal abstaining.

7. Dr. Phillip Minton's request for reactivation of his HMD license was reviewed. The Board had received a waiver to discuss this request, but was not present during the meeting. Deputy Attorney General Ned Reed recommended the Board close the open meeting and go into closed session to receive information pertaining to the request.

Motion: Diane Kennedy moved to close the open meeting and open a closed meeting
Second: Valerie Kilgore
Action: Passed

(The Board went into closed session; the public meeting was reconvened at 10:13 a.m.)

Motion: Diane Kennedy moved to open the meeting to the public.
Second: Valerie Kilgore
Action: Passed

Motion: Daniel Royal moved for the Board to authorize Deputy Attorney General Ned Reed to contact Dr. Phillip Minton and ascertain the status of the unresolved issue existent at the time his license lapsed, appear personally before this Board in order for the Board to make a determination whether or not he is fit for relicensure.
Second: Diane Kennedy
Action: Passed

8. David Steenblock, D.O.: The Board continued its review of Dr. Steenblock's application. Several questions were asked by the Board pertaining to his practice in California, his relationship with physicians in Mexico, and whether or not he had satisfied the requirement for 40 hours in homeopathy. Dr. Steenblock and his attorney answered the questions, agreeing that Dr. Steenblock would be willing to complete 40 hours of training in homeopathy within 6 months of this date.

Motion: Fuller Royal moved to grant Dr. Steenblock an active license, provided that he completes within 6 months 40 hours in homeopathy in a course satisfactory to the Board as defined in NRS 630A.040 (1), which would be in addition to the required CME credits during 2006.
Second: Diane Kennedy
Action: Passed with Daniel Royal recusing himself because of a business relationship developing with Dr. Steenblock.

9. Bruce Fong, D.O., H.M.D. requested the Board approve him as supervisor for, and the Protocol for Victoria de los Santos, A. P. H., which had been previously approved for the late Dr. Douglas Brodie, and what had not been altered.

Motion: Fuller Royal moved to approve the protocol for Victoria de los Santos, A. P. H., and for her Supervisor to be registered as Dr. Bruce Fong.
Second: Diane Kennedy
Action: Passed

10. Robert Eslinger, D.O., H.M.D. asked to be approved to supervise Babette Clough, A.P.H. and Jorge Galicia, H. A. Ms. Clough's protocol was unchanged and is the same that was approved for her under the supervision of the late Dr. Brodie.

Motion: Fuller Royal moved to accept the protocol for Babette Clough, and the supervision for Babette Clough and Jorge Galicia, H.A. by Dr. Robert Eslinger.

Second: Daniel Royal

Action: Passed

11. Gary Baxter: Applicant is requesting for the Board to allow him to take the exam for H.A. on a day that does not interfere with his Sabbath (Mr. Baxter is a 7th Day Adventist). The Board agreed that accommodations could be made for another time to take the exam, provided that the applicant agrees to pay the additional expenses.

Motion: David Edwards moved that the Board make accommodations for Mr. Baxter to take the H.A. exam on a day agreeable to him and the Board, provided he pays the cost for administering the examination, and any other costs incurred, such as use of a facility, and agree to appear before the Board for an interview and questioning by Board members.

Second: Diane Kennedy

Action: Passed with Daniel Royal recusing himself.

12. Nevada Institutional Review Board (NIRB): President Dean Friesen was not given notice to attend the meeting. Daniel Royal stated that he probably would not be attending a Board meeting held on a Saturday because of his religious belief. He and Gary Baxter are 7th Day Adventists.

Motion: David Edwards moved to place this agenda item under "unfinished business for the next meeting.

Second: Diane Kennedy

Action: Passed with Daniel Royal recusing himself.

(A 10 minute recess was taken; meeting called to order and continued at Item 13.)

13. BHME Standing Committee reports: David Edwards, Board President, declared Item 13 A 2 to be incorrectly worded on this agenda.

Motion: David Edwards moved that Agenda Item 13A, Resolution 2, be placed on the agenda of the Board's next meeting under "Unfinished Business."

Second: Diane Kennedy

Action: Passed

- A. Financial Committee: Diane Kennedy, Chair, presented a summary of her research on the various costs incurred with the Office of Attorney General during the past two years, which is incomplete because of the LCB audit of the Board. The research shows that:

Date	Balance Owing the Attorney General
On February 19, 2004,	\$11,541.94
On February 14, 2006	\$77,937.26
This is an increase of \$56,395.52. Here is a breakdown of some of the costs:	
Complaints against licensees (3):	\$ 7,357.52
Harvey Bigelsen Lawsuit	\$28,358.33
Legal services related to Dr. K. Tang (approx.)	\$ 1,252.43
NIRB (<i>Stem Cell research</i>)	\$10,203.52
Other litigation	\$ 4,155.33
	Total \$51,347.13
Normal business charges	\$15,047.99
Amount paid is approximately	-\$12,000.00
Under normal operations the Board owes the AGO	\$ 3,047.99

Chairman Kennedy stated she will continue her investigation and provide the Board with additional information in the future. The insurance coverage for legal fees is unclear at this time.

Ned Reed, Deputy Attorney General, explained that there was a verbal agreement with the BHME at one time to allow the Board to pay \$250 per month, which was increased by the Board to \$500 per month about one year later. A lawsuit brought against the Board by a former applicant cost the Board \$28,358.33. Board members were told by Mr. Reed that the insurance premium paid by the Board to cover such an action would only pay court costs and any personal costs if the Board members were to lose such a suit. The legal fees are not covered by the insurance. Although there is no formalized agreement, the AGO is accepting the \$500.00/month from the Board and is not requiring any more than that amount.

Chairman Kennedy stated that donations made by individuals to the Board are tax deductible contributions under the IRS code. An appeal was made for encouraging private contributions.

Resolution 1 was presented to the Board by the Chair of the Financial Committee with a recommendation for adoption as an NAC 630A regulation that all costs incurred by the Board and the Standing NIRB Committee generated by or related to conducting business in any and all matters with the NIRB be billed to and reimbursed to the Board by the NIRB, including Attorney General's fees, LCB fees, any and all additional legal fees and costs to the BHME for meetings of the Standing NIRB Committee and/or the Board related to supervising, approving and regulating the NIRB.

Resolution 3. Due to the present financial situation, the Financial Committee recommended the Board adopt a motion making the Financial Committee a Standing Committee of the Board.

Motion: Fuller Royal moved to adopt the resolutions 1 and 3 of the Financial Committee.

Second: Valerie Kilgore

Action: Passed with Daniel Royal recusing himself.

The Committee has been researching ways whereby the finances can be increased for the Board. Therefore, the Committee unanimously recommended that the board consider adopting the following resolution:

Resolution 4. The Board adopt the following fees and mandatory assessments with the amounts for each, with the exception of the renewal registration fees listed and the deposit required for special services and those billed at cost, to be determined by fiscal analysis of the Secretary-Treasurer and Executive Director following the LCB audit and then approved by the Board.

1. For special services requested of the Board or requests for the Board to convene a special Board or special Committee meeting, the actual costs must be paid to the Board as a condition precedent to the rendition of the special service or the convening of the special meeting. A deposit of \$500 must be paid in advance. Amounts received for the special service in excess of the deposit will be refunded;

2. The following fees shall be adopted by the Board. The following mandatory assessments shall be adopted by the Board and may be assessed by the Board to cover expenses not covered from licensing, certification or annual renewal registration fees:

- a) Increase the annual renewal registration fee for HMD... \$600
- b) An annual renewal registration fee for AHP certificate.. \$300
- c) An renewal registration fee for HA certificate \$200
- d) Executive Director assessment (HMD licensees only);
- e) Debt reduction assessment (HMD);
- f) Debt reduction assessment (AHP);
- g) Debt reduction assessment (HA);
- h) Board office operations expense assessment;
- i) Legislative consultant assessment (HMD Licensee only)
- j) Biannual Board registrant information report fee; and
- k) Board website listing and maintenance assessment.

3. For Board mandated or required licensee and certificate holder compliance audit and survey (in addition to Board and auditor expenses);

4. For any and all expenses incurred by the Board, Board auditor or Board

committee related to Board or committee mandates relating to an applicant, licensee or certificate holder outside of regularly held Board or Committee meetings;

5. Costs will be charged to parties by the Board office for special services provided by the Executive Director and Board office staff for the following, without limitation: providing copies (60¢ per page) of past agendas, minutes, and recordings of Board or Committee meetings; conducting research for documents pertaining to Board business prior to the previous calendar year.

Motion: Fuller Royal moved to adopt the resolution 4, and include any assessments contingent upon the outcome of the LCB audit, and what is actually needed to carry out this resolution, which would have to be enacted through regulation.

Second: Daniel Royal

Action: Passed

(Recessed for lunch)

Motion: Fuller Royal moved the Board reopen the meeting.

Second: Greg Fihn

Action: Passed

B. NIRB Standing Committee: Chairman Diane Kennedy presented the following resolutions with recommendations from the Committee for Board adoption:

Resolution 1: The Board adopt into the formal record the LCB opinion written by Kevin C. Powers, Senior Principal Deputy of the Legislative Counsel Bureau for Senator Sandra Tiffany dated February 9, 2006;

Resolution 2: The Board supervise the Nevada Institutional Review Board (NIRB) by adopting NAC 630A regulations;

Resolution 3: The Board adopt the new NAC 630A regulations as approved and adopted by the NIRB Committee to regulate and supervise the NIRB;

Resolution 4: The Board adopt a policy that all future business pertaining to the NIRB, excluding appointment of NIRB Board members, be referred to the Standing NIRB Committee and that the NIRB Committee be granted full power to act in regards to business pertaining to the NIRB;

Resolution 5: The Board formally adopt the NIRB Committee's edited text of the pending NIRB NAC 630A regulations;

Resolution 6: The Board formally adopt that the Secretary/Treasurer of the BHME shall serve on the NIRB as our fiduciary member of the NIRB as one of our four appointments;

Resolution 7: The Board adopt the letter included from the Chair of the Committee to all NRS 629 Healing Arts Boards to inform them of the NIRB and advise them that any licensee under their respective NRS chapters may forward their professional credentials to the NIRB Standing Committee for consideration for appointment to the NIRB;

Resolution 8: The Board adopt that no member of the BHME but our fiduciary, the Secretary/Treasurer of the BHME, serve on the NIRB as one of our appointees; and

Resolution 9: The Board immediately direct the NIRB to terminate its website until it can be re-written as approved by the NIRB committee.

Motion: Diane Kennedy moved to adopt the resolutions of the NIRB Standing Committee.

Second: Valerie Kilgore

Action: Passed with Daniel Royal recusing himself

- C. NAC 630A Standing Committee: Bruce Fong, Acting Chair, explained the handouts for the Board to review prior to hearing the Committee's recommendations and resolutions pertaining to new regulations.

Motion: Diane Kennedy moved to recess for 10 minutes to review the documents prepared by the NAC 630A Standing Committee.

Second: Valerie Kilgore

Action: Passed

(After a 10 minute recess, the meeting resumed)

Motion: Diane Kennedy moved to recess for 10 minutes to review the documents prepared by the NAC 630A Standing Committee.

Second: Valerie Kilgore

Action: Passed

Bruce Fong continued explaining the reason for the resolutions being presented was due to a lack of communication between the NIRB and BHME. Resolution 1 pertains to the language in LCB File No. R159-05. Resolutions 2 and 3 contain language for fees and assessments, and the final language for the NIRB that is to be submitted to the LCB. Daniel Royal stated that there has not been a problem in communication between the NIRB and BHME, but rather between individuals on the two Boards. Royal stated that the BHME was not in compliance with AB 208, Section 12, Subsection 5. Therefore, the BHME cannot edit the regulations already prepared and adopted by the NIRB. Bruce Fong replied that the BHME has the authority to write such regulations by authority of NRS 630A.200. Furthermore, the NIRB is welcome to participate in the workshops and make recommendations pertaining to the final regulations that will be adopted and forwarded to the LCB. The Chair stated that the BHME not only was mandated to supervise the NIRB, but to also approve their regulations. Deputy Attorney General Ned

Reed said NRS 630A.900 is now codified, giving authority to the BHME for final approval of the regulations adopted by the NIRB. Therefore, the BHME can make changes in the regulations adopted by the NIRB. There continued to be some confusion about which Board had final authority to forward these regulations to the LCB. Fuller Royal read from the LCB Opinion to Senator Tiffany:

“Finally, we must emphasize that under A.B. 208, the Board of Homeopathic Medical Examiners has been given the authority to supervise and oversee all the activities of the NIRB, including approving the regulations adopted by the NIRB. Therefore, if the Board decides that it is more appropriate for it to approve proposed permanent regulations before the NIRB holds public workshops concerning the proposed regulations and before the proposed regulations are submitted to the Legislative Counsel for examination and review, then we believe the Board has the authority and discretion to impose that requirement on the NIRB.”

Daniel Royal was asked if the regulations before the BHME had been presented in a workshop. He replied that a workshop was held and LCB File No. R154-05 had been approved. Royal considers the present NIRB regulations to be a continuation of the LCB approved R154-05. The discussion was closed at this point by the Chair, but it appears that the new regulation, R159-05 have not been presented to the public by means of a workshop.

Motion: Fuller Royal moved to adopt resolutions one and three presented by the NAC 630A Standing Committee, excluding “Section 10. The NIR Board will conduct all meetings and parliamentary procedures according to Robert’s Rules of Order, tenth edition.” since the BHME has already adopted this under Article 1 of its Bylaws.”

Second: Diane Kennedy

Action: Passed with Daniel Royal recusing himself.

- D. Legislative Standing Committee: Chairman Brent Hardy reviewed the Committee’s review of SB 436 that was prepared as a BDR during the 2005 legislature, but was not introduced. The Committee recommended the Board adopt the following:

Resolution: That the Board adopt the following from SB 436 to be submitted for the 2007 legislative session:

Section 1. Chapter 630A of NRS is hereby amended by adding thereto the provisions set forth as section 2 of this act.

Sec. 2. *1. The Legislature finds and declares that:*

(a) It is among the responsibilities of State Government to ensure, as far as possible, that only competent persons practice homeopathy, ~~and~~ complementary and alternative medicine in this State; and

(b) For the protection and benefit of the public, the Legislature delegates to the Board the power and duty to determine the initial and continuing competence of ~~homeopathic~~ physicians who practice homeopathy, ~~and~~ complementary and alternative medicine in this State and of persons who practice as advanced practitioners of homeopathy, complementary and alternative medicine and homeopathic assistants in this State.

2. The powers conferred upon the Board by this chapter must be liberally construed to carry out those purposes for the protection and benefit of the public.

Motion: Fuller Royal moved not to adopt the resolution.
Second: Brent Hardy
Action: None

E. Complaint Committee: Chairman Daniel Royal stated there were no complaints pending at this time.

President David Edwards removed Daniel Royal and Diane Kennedy from the Complaint Committee, and placed Greg Fihn on the Committee as the Chair, with Valerie Kilgore and Brent Hardy also serving on the Committee.

F. Education Committee: Chairman David Edwards stated there was no report pending.

14. BHME Ad Hoc Committee reports:

A. NIRB Regulations Ad Hoc Committee: David Edwards moved this Committee into the NIRB Standing Committee. There was no Ad Hoc Committee report.

15. The Board considered appointing the following candidates to the NIRB to be selected from a list of 8 under consideration.

Motion: Valerie Kilgore moved to remove the BHME appointees presently serving on the NIRB, and to consider replacing them with new appointees.

Second: Greg Fihn (*rescinded during the discussion*)

Discussion: Daniel Royal reminded the Board that replacing the NIRB members currently on the NIRB would be "political suicide." The Chair asked Daniel Royal to explain "political suicide." Royal said the NIRB is now the strongest Board in Nevada, and reviewed the qualifications of two of them. Royal believes there will be retribution by the legislature against this Board. Fuller Royal asked Daniel Royal if he appointed some of the NIRB members without the approval of the Board. Daniel Royal has provided a transcript of the June 16, 2005 meeting to clarify this matter to the Board. *Greg Fihn rescinded his second to replace the NIRB members.* Fuller Royal seconded the motion. Daniel Royal challenged the Committee to have any power to make these recommendations because notices were not properly administered. Deputy Attorney General Ned Reed disputed the suggestion that the actions of the Committee were in violation of the Open Meeting Law and without authority.

Action: Passed with Greg Fihn and Brent Hardy voting Nay, Daniel Royal recused himself, Fuller Royal vote Aye, Diane Kennedy voted Aye, and Valerie Kilgore voted Aye.

Motion: Diane Kennedy moved to appoint to the NIRB Fuller Royal ,
Secretary-Treasurer of the Board.
Second: Valerie Kilgore
Action: Passed with Daniel Royal and Fuller Royal recusing themselves;
Brent Hardy voted Nay.

Motion: Valerie Kilgore moved to appoint to the NIRB Bruce Fong.
Second: Greg Fihn
Action: Passed with Daniel Royal recusing himself; Brent Hardy voted
Nay.

Motion: Fuller Royal moved to appoint to the NIRB Earlene Forsythe.
Second: Diane Kennedy
Action: Passed with Daniel Royal and Valerie Kilgore recusing
themselves; Brent Hardy voted Nay

Motion: Greg Fihn moved to appoint to the NIRB Babette Clough.
Second: Valerie Kilgore
Action: Passed with Daniel Royal recusing himself; Brent Hardy voted
Nay.

16. The Chair called for a 10 min. recess to enable members to read the proposed
President's letter of response to the Feb. 9, 2006 letter to the Board from Senator Michael
Schneider.

Motion: Brent Hardy moved to take a 10 min. recess.
Second: Valerie Kilgore
Action: Passed

(10 minute recess completed)

Motion: Diane Kennedy moved to reopen the meeting.
Second: Valerie Kilgore
Action: Passed

Motion: Diane Kennedy moved to adopt the proposed letter with any
typographical errors corrected.
Second: Fuller Royal
Action: Passed

A March 16, 2006 letter from Senator Schneider was mailed to Paul Townsend,
Legislative Auditor of the Legislative Counsel Bureau, and copies were forwarded to
Governor Kenny Guinn, Attorney General George Chanos, Senator William Raggio, and
Assemblywoman Barbara Buckley. The Board received a copy of this letter via the
Office of Attorney General. The Chair stated that the strong language in the letter could
cause legal action to be taken by those cited by Senator Schneider. Diane Kennedy
volunteered to provide a letter of response to Senator Schneider's letter with the
assistance of the Board's legal counsel.

Motion: David Edwards moved for Diane Kennedy, assisted by Ned Reed, Deputy Attorney General, develop a letter of response to Senator Schneider's March 16, 2006 letter, sending the response to all parties that received a copy of Senator Schneider's letter. The letter is to be brought back before the Board for final review.

Second: Fuller Royal

Action: Passed with Greg Fihn voting Nay.

17. The Board considered requiring all applicants for licensure/certification to sign a waiver in compliance with NRS 241.030 (1) prior to being allowed to take the written and oral examination, making it possible for the Board to go into closed meeting to interview and question applicants after completion of the written examination.

Motion: Diane Kennedy moved to require applicants for licensure/certification to sign a waiver before being allowed to take the written or oral examination, which is to be included in the application.

Second: Valerie Kilgore

Action: Passed

18. The procedure for accepting or rejecting items submitted by Board members, and the public was discussed. Daniel Royal asked if this was not covered in Robert's Rules of Order. This is now covered in the Policy and Bylaws Manual.

19. Media and Public Liaison Representative: This has been covered in the Policy and Bylaws Manual.

20. Dr. Daniel Royal requested a Homeopathic Board Office policy and procedures for handling public inquiries and physician referrals.

21. Dr. Daniel Royal seeks to determine authority and accountability of individuals advising the Board, such as Mr. Michael Weber.

22. Fuller Royal: Board members need to conserve and limit use of Board assets in light of the LCB audit and mounting legal bills with the Office of Attorney General. The greatest debt the Board has incurred has been for legal services and advice.

23. Discussion of the Executive Director position: Board should begin searching for a full-time Executive Director.

Motion: David Edwards moved that Fuller Royal begin searching for a full-time Executive Director.

Second: Greg Fihn

Action: Passed with Brent Hardy voting Nay.

24. Vice President report: NONE

25. Secretary-Treasurer report:

- A. Audit by Legislative Counsel Bureau's Audit Division (report) has given the Board a 14 day extension for providing requested documents.
- B. The Board has received no response from Healing Arts Boards to letter requesting suggested persons for appointment to NIRB.
- C. Interlocal agreement with NIRB. This will be discussed under unfinished business during the next Board meeting.
- D. Review of finances and budget. We now owe the Office of Attorney General \$77,000.00.

26. Executive Director report; The Board receives 2 to 10 calls during a week requesting information about licensees or seeking referrals. They are referred to the Board's website.

27. Old Business. This agenda item will be replaced by "Unfinished Business" in future agendas.

28. Public Comment: Marilyn Brodie questioned why the Board was being held responsible for \$28,000.00 legal fees for defending itself against a lawsuit by Harvey Bigelsen. Mr. Reed explained how this occurred. A question was raised pertaining to the cost for stem cell research through the Office of Attorney General. The insurance covering Board members was again explained by Mr. Reed.

Dr. Devlin asked for information pertaining to ways to assist the Board in reducing the debt to the Office of Attorney General. He also encouraged the new members appointed to the NIRB to consider inviting qualified individuals from UNLV or UNR to work on Committees to assist the NIRB. Daniel Royal stated that this is already being done.

29. Announcements, next meeting will be called at the pleasure of the Chair.

30. Adjournment:

- Motion: Diane Kennedy moved to adjourn the meeting.
- Second: Valerie Kilgore
- Action: Passed

Meeting adjourned at 3:02 p.m.

Fuller Royal, Secretary-Treasurer

Date: