

Board Meeting  
Nevada State Board of Homeopathic Medical Examiners  
At

**Cohen, Johnson, Day, Jones & Royal**

4475 S. Pecos Rd.  
Las Vegas, NV 89121

**January 24, 2004**

Board Members: Phillip Minton, HMD, President; Diane Kennedy, Vice President; Fuller Royal, MD, HMD, Secretary-Treasurer; David Edwards, MD, HMD; Daniel Royal, DO, HMD; Linda Read; Brent Hardy; Deputy Attorney General: Ned Reed; Executive Director: Wendy Gallerani

**Minutes**

1. Board President Phillip Minton called the meeting to order at 10:14 a.m.; roll call was taken to determine a quorum; visitors were welcomed, and asked to sign in and identify themselves.

2. **Board Members and Staff Present:** Phillip Minton, HMD, W. Brent Hardy, Wendy Gallerani (Executive Director), Ned Reed (Deputy Attorney General), Linda Read, Daniel Royal, DO, HMD, Fuller Royal, MD, HMD.

**Board Members Absent:** Diane Kennedy and David Edwards, MD, HMD

**Visitors Present:** Allan F. Gales, Alan P. Greenberg, APH, Bruce Fong, DO, HMD, Gene E. Navarroza, and Kristin M. Field.

3. **Motion:** Linda Read moved that the minutes of September 13, 2003 LCB File No. R043-03 Workshop be approved.

**Second:** Fuller Royal, MD, HMD

**Action:** Passed unanimously

**Motion:** Fuller Royal moved that the minutes of September 13, 2003 LCB File No. R043-03 Hearing be approved.

**Second:** Daniel Royal, DO, HMD

**Action:** Passed unanimously

**Motion:** Linda Read moved that the minutes of September 13, 2003 LCB File No. R105-03 Workshop be approved.

**Second:** Fuller Royal, MD, HMD

**Action:** Passed unanimously

**Motion:** Phillip Minton moved that the minutes of September 13, 2003 LCB File No. R105-03 Hearing be approved.

**Second:** Linda Read

**Action:** Passed unanimously

**Motion:** Phillip Minton moved that the minutes of the September 13, 2003 Board Meeting be approved.

**Second:** Fuller Royal

**Action:** Passed unanimously

4. **A. APPLICANT**

**Bruce W. Wilkin, MD:** Applicant for HMD license; application was incomplete. *Item tabled until the next board meeting.*

**B. APPLICANT**

**Kristin M. Field:** Applicant for APH certificate; the application was reviewed and found to be in order. Wendy Gallerani stated that the fingerprint fee of \$39.00 for Kristin Field had not been submitted. Ms. Field stated that she would pay for it with cash today.

**Motion:** Fuller Royal moved to allow Kristin M. Field to take the Advanced Practitioner exam.

**Second:** Phillip Minton

**Action:** Passed unanimously

**C. APPLICANT**

**Allan F. Gales:** Applicant for HA certificate; the application was reviewed and found to be in order, except for a letter stating his Homeopathic training.

**Motion:** Fuller Royal moved to allow Allan F. Gales to take the Homeopathic Assistant exam.

**Second:** Phillip Minton

**Action:** Passed unanimously

**D. APPLICANT**

**Gene E. Navarroza:** Applicant for HA certificate; the application was reviewed and found to be in order, except for a letter stating his Homeopathic training.

**Motion:** Fuller Royal moved to allow Gene E. Navarroza to take the Homeopathic Assistant exam.

**Second:** Phillip Minton

**Action:** Passed unanimously

5. **Katrina Tang, HMD,** requested to have the March 31, 2001 board hearing minutes amended to reflect that Dr. Tang denied the allegations contained in the public reprimand entered against her at that time. However, she agreed to accept the allegations in order to satisfy the agreed upon settlement with the board. Katrina Tang s' attorney, Del Hardy, joined the meeting by speakerphone to request the amendment.

The board's legal counsel, Ned Reed, advised the board that the March 31, 2001 minutes could be amended to state that Katrina Tang denied the allegations in the stipulated settlement agreement.

Phillip Minton suggested having the minutes amended to read that the board acknowledges that Katrina Tang, HMD, denied the allegations of the stipulated settlement agreement. Nevertheless, Dr. Tang accepted the public reprimand in order to resolve the matter for settlement purposes. The board's public reprimand involved acts and allegations that occurred in June and July of 1993.

**Motion:** Fuller Royal moved to amend the March 31, 2001 Homeopathic Board Meeting minutes to read as Phillip Minton stated. *See attachment #1, Page #4.*

**Second:** Linda Read

**Motion:** Passed unanimously

6. **Maria Fihn, RN, APH:** requested change in supervision from Fuller Royal, MD, HMD, to Greg Fihn, DO, HMD with slight changes from her current protocol. The board reviewed Maria Fihn's request to change supervisors, and reviewed her protocol under Greg Fihn, DO, HMD.

**Motion:** Linda Read moved to allow Maria Fihn, RN, APH to change supervision from Fuller Royal, MD, HMD, to Greg Fihn, DO, HMD under the new protocol.

**Second:** Phillip Minton

**Action:** Passed unanimously

7. **Alan P. Greenberg, APH:** supervising physician, Fuller Royal, MD, HMD, had notified Alan Greenberg, APH and the board of his withdrawal of supervision on April 24, 2003; Alan Greenberg has not notified the board that his supervising physician has withdrawn his supervision.

Alan Greenberg asked that the board allow him to keep his certificate without a supervising physician, stating that he will not practice homeopathy until a licensed HMD had been located to serve as his supervisor.

Ned Reed stated that NAC 630A.510 requires that the board automatically suspend the certificate of an Advanced Practitioner upon notice that a Homeopathic Physician is no longer supervising him.

Fuller Royal stated that his license would have to be suspended and he can't practice until the board reinstates it.

**Motion:** Fuller Royal moved that Alan Greenberg's Advanced Practitioner certificate be suspended until there is a time in the future that it can be reinstated in accordance with NRS and NAC 630A. A letter will be sent to him stating the board's ruling.

**Second:** Phillip Minton

**Action:** Passed unanimously

8. Length of time for maintaining copies of minutes of the Board's meetings on the website are to be reviewed, and a policy will be considered.

**Motion:** Dan Royal moved that no action be taken

**Second:** Fuller Royal

**Action:** Passed unanimously

9. Petition from David Edwards, MD, HMD; requesting an opinion and declaratory judgment from the board on, (1) whether External Counter Pulsation Therapy is a form of neuromuscular integration, and (2) if an unlicensed person in Nevada or person licensed to practice under chapters 630, 631, 632, 633, 634A, or 638 of NRS perform or practice homeopathy or any of the complementary and alternative medical therapies that are listed in NRS 630A.040(2), including electrodiagnosis and electro-therapeutic acupuncture, without being licensed to practice such under NRS 630A, and can such persons prescribe, recommend, advise, etc. the use of substances commonly available over-the-counter to anyone other than immediate family members without being licensed under NRS 630A?

Fuller Royal researched the topic of Dr. Edwards' request and provided the board with a proposed opinion and declaratory judgment. *See attachment #2.*

Chiropractors and others in the health care field have been contacting the board office, asking if they can prescribe homeopathics. A declaratory judgment by the board is needed.

Dan Royal stated that, although the public has a higher degree of trust in a health care practitioner prescribing homeopathic medicines, there are some potentially serious consequences.

Ned Reed said that each case will need to be examined on its own merits by the board, because there is overlapping of some of the therapies in NRS 630A.040 with other health care boards.

**Motion:** Dan Royal moved that the board consider asking the legislature to consider introducing a bill during the 2005 Legislative Session to assist the board as to what its role should be, if any, in regulating such practices.

**Second:** Phillip Minton

**Action:** Passed unanimously

**Motion:** Phillip Minton moved that the board to adopt Fuller Royal's prepared declaratory statements in attachment #2.

**Second:** Dan Royal

**Action:** Passed unanimously

10. Proposed Practice Survey by the Board of Homeopathic Medical Examiners Practice to be mailed to each licensee and completed within 30 days of mailing in

compliance with NAC 630A.132(1) in order to obtain information needed by the Board.

Fuller Royal stated that it has been very difficult to get licensees to respond to questionnaires in the past. A regulation was proposed by the board and approved by the legislature that imposes penalties for failure to comply with the board's request for survey information.

Royal said the current practice survey under consideration was devised to enable the board to obtain and compile as much information as possible in anticipation of questions raised by the public and the legislature that pertain to the practice of homeopathy in Nevada.

Brent Hardy questioned whether or not such a survey could result in self-incrimination by a licensee.

Royal said the board would remove the identity of the licensees once the information has been received by the board office; the survey will be confidential. A record as to who mailed in answers to the survey will be kept, but no licensee will be identified with any particular questionnaire or set of answers.

Hardy suggested that the letter introducing the survey state that once the information has been obtained, the survey be shredded.

Royal suggested replacing the word "increase" with "harmonize" in section I (1) (A) of the introductory letter. *See attachment #3.*

Phillip Minton recommended replacing, "YOU WILL BE FACING A STIFF FINE," at the bottom of II, with "PENALTIES WILL APPLY."

**Motion:** Phillip Minton moved to adopt the Confidential Licensee Survey and its accompanying letter, adding "PENALTIES WILL APPLY," after "OTHERWISE," and to replace the word "increase" with "harmonize" in I. 1. A.

**Second:** Fuller Royal

**Discussion:** Dan Royal suggested adding that it is a mandatory requirement to complete and return the survey in the time required to emphasize the importance of the survey to the licensees.

**Motion:** Phillip Minton added to his motion that the letter state in red lettering, "Mandatory response by (date)." The additional language was approved by Fuller Royal who seconded the motion.

**Action:** Passed unanimously

11. Board request for information from Nevada Hospitals as to hospital policies relating to the use of homeopathy and complementary alternative therapies defined in chapter 630A of NRS, and whether or not NRS 630A licensees are granted full

staff privileges; questions are to be designed to gain as much information as possible to determine the extent of the practices of licensees within the allopathic hospital community.

Phillip Minton expressed that he does not believe the board needs this information.

**Motion:** Brent Hardy moved that David Edwards prepare a survey to be sent to hospitals for board consideration and approval.

**Second:** Phillip Minton

**Action:** Passed unanimously

12. Board request for information from HMO s,' PPO s,' privately insured businesses (hotels, casinos, State of Nevada, etc.) as to the number of NRS 630A licensees that are enrolled, qualifications for being a provider, and payment policies regarding services rendered under NRS 630A.

**Motion:** Brent Hardy moved that David Edwards prepare a survey to be sent to HMO s,' PPO s,' and privately insured businesses for board consideration and approval.

**Second:** Phillip Minton

**Action:** Passed unanimously

13. A request for consideration of the International Academy of Medical Acupuncture as acceptable for acupuncture training as defined in NAC 630A.014(1)(b) and NAC 630A.014(2)(c) and for CME credits.

**Motion:** Dan Royal moved to withhold approval until the board receives further information about the International Academy of Medical Acupuncture.

**Second:** Fuller Royal

**Action:** Passed unanimously

14. Interview candidates for licensure and certification after completion of their examinations.

**APPLICANTS:**

**Kristin M. Field:** passed the written examination.

**Motion:** Following a satisfactory interview by the board, Phillip Minton moved that Kristin M. Field be granted a certificate as an Advanced Practitioner of Homeopathy.

**Second:** Linda Read

**Action:** Passed unanimously

**Allan F. Gales:** passed the written examination.

**Motion:** Following a satisfactory interview by the board Linda Read moved that Allan F. Gales be granted a certificate as a Homeopathic Assistant pending the board receiving a letter documenting Allan Gales Homeopathic training.

**Second:** Phillip Minton

**Action:** Passed unanimously

**Gene E. Navarroza:** passed the written examination.

**Motion:** Following a satisfactory interview by the board moved that Gene E. Navarroza be granted a certificate as a Homeopathic Assistant pending the board receiving a letter documenting Gene E. Navarroza s homeopathic training.

**Second:** Phillip Minton

**Action:** Passed unanimously

15. Election of Board officers in compliance with NAC 630A.025 to begin July 1, 2004.

**Motion:** Phillip Minton moved to nominate Brent Hardy as Vice President.

**Second:** Daniel Royal

**Action:** Passed unanimously

**Motion:** Phillip Minton moved to nominate Daniel Royal as President.

**Second:** Linda Read

**Action:** Passed unanimously

**Motion:** Phillip Minton moved to nominate Fuller Royal as Secretary-Treasurer

**Second:** Linda Read

**Action:** Passed unanimously

16. Board to appoint liaison to communicate with the Chiropractic Board and the Oriental Medical Board in areas of common interest.

**Motion:** Fuller Royal moved to nominate Brent Hardy as the liaison between the Homeopathic Board and the Oriental Board.

**Second:** Daniel Royal

**Action:** Passed unanimously

**Motion:** Daniel Royal moved to nominate Fuller Royal as the liaison between the Homeopathic Board and the Chiropractic Board.

**Second:** Phillip Minton

**Action:** Passed unanimously

17. Executive Director s Report: Wendy Gallerani  
No complaints received since September 13, 2003; and no licensees under investigation at this time.

Next board meeting date was determined to be July 10, 2004 in Las Vegas.

Board members whose terms of office will be completed June 30, 2004 are David Edwards, Fuller Royal, Linda Read and Daniel Royal. Board will notify the Office of the Governor.

18. Interim financial report.

**Motion:** Fuller Royal moved to accept the Interim Financial report.

**Second:** Linda Read

**Action:** Passed unanimously

19. **Public Comment:**

Dr. Bruce Fong thanked the board for allowing him to participate at the meeting.

Linda Read stated that she will not be requesting to renew for another term on the board, but expressed that she enjoyed serving the people of Nevada as a board member.

Phillip Minton requested that an item be placed on the agenda for the July board meeting for the board to consider increasing the Executive Director s salary.

20. Adjournment 1:40 pm.

Dated this \_\_\_\_\_ day of February, 2004 by:

---

F. Fuller Royal, Secretary-Treasurer