

Telephone meeting/conference  
**NEVADA STATE BOARD  
OF  
HOMEOPATHIC MEDICAL EXAMINERS  
AT**

**The Nevada Clinic  
3663 Pecos McLeod  
Las Vegas, NV 89121**

**Bio Health Center  
615 Sierra Rose Dr.  
Reno, NV 89511**

**February 9, 2006**

**MINUTES**

1. The meeting was called to order. A roll call revealed that all Board members were present.

Board Members and Staff Present:

Reno: David Edwards, Diane Kennedy, Valerie Kilgore

Visitors: Earlene Forsythe, James Forsythe, Michael Weber, Bruce Fong, Michael Gerber, David Holt, Robert Eslinger, Babette Clough, Inge Gerber.

Las Vegas: Fuller Royal, Brent Hardy, Daniel Royal, Greg Fihn (phone)

Deputy Attorney General: Ned Reed

Executive Director: Mary Lou Heacock

Visitors: Senator Michael Schneider, Dean Friesen, Jenny Friesen, Robert Gentry, Charles Green

Visitors were welcomed and advised that all persons present must sign in and identify themselves.

President Royal began the meeting by inviting Senator Schneider to address the Board. Senator Schneider presented a letter for inclusion in the record of today's meeting. He expressed his dissatisfaction with the Homeopathic Board in its relationship with the Nevada Institutional Review Board, and stated that the Legislative Counsel Bureau, Office of Attorney General, and the Office of the Governor, as well as several legislators were also dissatisfied. At the conclusion of his statements, President Royal declared that he had reason to believe that the Board had broken the Open Meeting Law, motioned the meeting to be adjourned, and slammed a gavel to the table. President Royal quickly began attempting to disconnect the phone lines, resulting in an inability for the Board's recording service, Budget Conferencing, to retrieve that portion of the meeting. He and others, including Senator Schneider, immediately left the meeting and exited the building where the Board was meeting in Las Vegas. Brent Hardy left the meeting, but returned a short time later. Shortly thereafter, Robert Gentry returned to the meeting.

Those remaining Ned Reed, Fuller Royal, and Mary Lou Heacock were shocked by the proceedings of President Royal. In his haste to leave, he failed to disconnect those on the phone in Reno and in Las Vegas (Greg Fihn).

Following the unusual action taken by President Royal, Deputy Attorney General, Ned Reed was asked to inform the Board if the meeting had been adjourned correctly. Only 2 Board members

were allowed to be present while Mr. Reed assessed the situation. Reviewing the actions taken by the Chair, Mr. Reed advised the Board that the Chair had motioned the meeting to be adjourned. The meeting was to be continued, although the President had left the building. The Board members reassembled, with six of the seven members continuing the meeting.

Brent Hardy, Vice President, Chaired the meeting, and called for a vote on the motion to adjourn made by President Royal.

2. **Motion:** Daniel Royal had made the motion to adjourn the meeting.  
**Second:** None  
**Action:** Motion failed with 5 members voting nay, and Mr. Hardy voting Yea.
3. **Motion:** David Edwards motioned that the Board approve the agenda as written.  
**Second:** Valerie Kilgore  
**Action:** Passed with 5 members voting yea, and Brent Hardy voting nay.
4. The Chair stated that election of officers was open for nominations.

**Motion:** Diane Kennedy nominated David Edwards as President.

**Second:** Valerie Kilgore

**Motion:** Diane Kennedy nominated Valerie Kilgore for Vice President.

**Second:** David Edwards

**Motion:** Greg Fihn nominated Fuller Royal for Secretary-Treasurer

**Second:** Valerie Kilgore

**Motion:** David Edwards moved to close nominations.

**Second:** Valerie Kilgore

**Action:** passed unanimously

**Motion:** Edwards moved to accept the slate of officers.

**Action:** Passed with 5 members voting yea, and Brent Hardy voting nay.

5. After a brief discussion to consider and decide whether to depose any current officer of the Board, removing him from office, a motion was made.

**Motion:** David Edwards moved to depose the Chair, Daniel Royal.

**Second:** Diane Kennedy

**Action:** Passed with 5 members voting yea, and Brent Hardy voting nay.

**Motion:** Diane Kennedy moved that David Edwards fill the vacancy as President through June, 30, 2006.

**Second:** Valerie Kilgore

**Action:** Passed with 5 members voting yea, and Brent Hardy voting nay.

Vice President Hardy agreed to allow David Edwards serve as Chairman pro tem for the remainder of the meeting.

Mr. Hardy's request to address the Board was granted by the Chair. He expressed his concerns about the prudence of the actions the Board had just taken, saying that it was very unwise and wrong for the Board to fly in the face of the primary sponsor of the legislation. ”

Chairman Edwards stated that the actions of President Royal required for this Board to take action. The Chair responded that from the time AB 208 became enacted into law the president created a serious conflict of interest by appointing himself to the NIRB, while continuing to function as president of the Board.

Attorney General Ned Reed advised the Chair not to discuss personalities or individuals.

6. The Chair opened Agenda Item 6 that pertained to action taken by the Board during the June 16, 2005 meeting, which gave the president sole authority to appoint one or more individuals to the NIRB from a list of seven persons.

The Secretary-Treasurer, Fuller Royal, was allowed by the Chair to read parts from the minutes of the June 16, 2005 meeting that were approved by the Board during the July 23, 2005 meeting. Daniel Royal had produced a list of 7 names, and a motion had been made by Fuller Royal as follows: Fuller Royal moved to give the President of the Board authority to make appointments to the NIRB as mandated by the Legislature, selecting individuals from the approved list presented to the Board, pursuant to AB 208 being signed by the Governor. The motion was seconded by Greg Fihn and passed unanimously. From the list of seven, Daniel Royal appointed himself to be on the NIRB. He also appointed BHME board member Valerie Kilgore and Karla Perez to the NIRB. Ms. Kilgore and Ms. Perez were not on the list of seven names approved by the Board nor was either individual presented to the Board for NIRB appointment.

**Motion:** Fuller Royal moved that the Board rescind the action taken on June 16, 2005, giving authority to President Royal to appoint any of the seven people to the NIRB.

**Second:** Diane Kennedy

**Action:** Passed: 4 voted yea, Mr. Hardy recused himself, and the Chairman pro tem did not vote.

7. The action taken by the Board on June 16, 2005 to appoint and authorize Robert Gentry, CPA, to develop a non-profit support program and file for a tax deduction status pursuant to 26 U.S.C. 501 (c) (3) non-profit for this Board as stated in AB 208 was discussed.

**Motion:** Diane Kennedy moved to rescind the action taken by the Board on June 16, 2005, allowing Robert Gentry, CPA, to file for the 501 (c)(3) status for the NIRB.

**Second:** Valerie Kilgore

**Discussion:** The motion was amended by Fuller Royal to include reimbursement to Mr. Gentry for reasonable out-of-pocket expenses he may have incurred in setting up the 501 (c)(3) through the IRS. During the Public Comment section, Mr. Gentry stated he would no reimbursements for any expenditure.

Greg Fihn seconded the amended motion.

**Action:** Passed: 4 voted yea, Mr. Hardy recused himself, and the Chairman pro tem did not vote.

During the Public Comment, Mr. Hardy read a prepared statement to the Board regarding the Open Meeting Law. He stated that he fully supported the intent and purpose of NRS 241, the Open Meeting Law. He reminded the Board that the application of NRS applies in posting of an agenda; adhering strictly to the agenda as posted; paying strict attention to the minutes as approved by the Board; any changes to minutes must be done in a properly posted agenda in which the minutes are to be discussed and/or approved. Actions taken by the Board in a properly held meeting which direct the future act of the Board must be followed without alteration. The public expects the Board to follow its own determination. Any attempt at historical revisionism is

in my opinion in direct violation of NRS 241. I will not be party to any attempt to subvert or violate the letter or spirit of the Open Meeting Law. The integrity of the profession which we represent is at stake. ”

Robert Gentry advised the Board that he had filed a complaint against Dr. Fuller Royal, but had heard nothing. The Board was informed that the Attorney General was in possession of the complaint. He stated that his complaint was quite lengthy and contains numerous complaints of unlawful or what I thought to be unlawful activities, and in particular slanderous comments directed at me. Mr. Reed advised Mr. Gentry to discuss the matter with him after the meeting.

Mr. Gentry stated that he would not be seeking reimbursements of any amounts of money pertaining to his activities in the nonprofit corporation. He also advised the Board the application had been filed for a 501 (c) (3) and IRS approval. He said he would talk to the other trustees (of the NIRB Medical Foundation) as to whether or not they would be willing to rescind the 501 (c) (3) application.

Robert Eslinger, HMD, went on the record stating that certain standards of conduct are expected based on training and experience when physicians apply for licenses. Physicians sign a statement that if any information provided is found to be fallacious, they would lose their licenses to practice. Therefore, Dr. Eslinger proposed that Board members of the BHME and the NIRB be held to the same standard. Therefore, if information is presented as being truthful by a Board member, but is found to be fallacious, such member or members should be removed from the NIRB and the BHME.

The Chair adjourned the meeting at 5:41 p.m.

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F. Fuller Royal, Secretary

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Date

(Adopted April 1, 2006)