

State of Nevada

Board of Homeopathic Medical Examiners

Board Policy And Bylaws Manual

(Adopted 4-1-06)

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BOARD POLICY

The following policies and bylaws have been adopted by majority vote of the Nevada Board of Homeopathic Medical Examiners on 1 April 2006 and are the official policy and bylaws of the Nevada Board of Homeopathic Medical Examiners. As used in this policy manual and bylaws the term "Board" means the Nevada Board of Homeopathic Medical Examiners. No policy or bylaw adopted by the Board may violate NRS 241, NRS 630A, NAC 630A or any other Nevada Revised Statute. The policies and bylaws adopted herein supersede and replace all previous policies and bylaws adopted by the Board. Any and all prior policies and bylaws not included herewith are hereby declared to be null and void upon adoption of this official policy manual.

Policy 1 New Board Member, Executive Director and DAG:

Each new Board member, the Executive Director and the DAG shall receive a copy of the official policy and bylaws of the Board. Each current and new Board member will also be provided with the current Uniform Resource Locator (URL) of the Nevada State Administrative Manual and asked to read the introduction and the section on travel regarding rules and regulations regarding travel, expenses and per diem allowances. In addition, each Board member shall also receive the current URL for the Nevada Department of Justice Nevada Board and Commission Manual. It shall be the responsibility of the Executive Director to provide copies of the current Policy and Bylaws Manual and the information needed to access the previously mentioned URL's to all Board members, officers and the DAG. If any changes in policy or bylaws are adopted by the Board as directed in the policies and bylaws, it shall be the responsibility of the Executive Director to forward those changes to all Board members, officers and the DAG at the earliest opportunity before the next Board or Committee meeting; (Amended 11-16-06)

Policy 2 Prohibited From Taking Exam Until Application Is Complete:

No applicant may take the written examination for initial licensure or certification unless and until his/her application and all required documentation are complete and in the hands of the board Executive Director and Secretary-Treasurer at least 14 days before the applicant may appear before the Board.

Policy 3 Six Months of Homeopathic Training for Initial Licensure:

With regard to initial licensure, the 6 months of formal homeopathic training required for licensure by NRS 630A.240(1)(c) must be completed specifically in homeopathy as defined in NRS 630A.040 sections 1(a), (b) and (c) and shall not include those listed in paragraph 2. For the purpose of the required written and oral examination for qualification for a license or certificate, however, the applicant will be tested on the modalities listed in both NRS 630A.040 (1) and (2).

Policy 4 Unapproved Courses for Initial Licensure:

With regard to initial licensure application, any educational training or course that is not already on the Board's approved list of courses must be formally reviewed and approved by the Standing Committee on Education and then approved by a majority vote of the Board members present prior to the candidate taking that training for credit.

Policy 5 New Applicant Credentials Review; License and Certificate Renewals:

Section 1: With regard to new applicants, the Board may designate a working group composed of the Executive Director, the Secretary Treasurer and a rotating panel of one or more additional Board members to review all completed applications, all required and provided supporting documentation for licensure or certification and provide a summary of their findings and recommendations to the Board prior to or at the time of the applicants initial appearance before the Board. (Amended 4-4-08)

Section 2: When applications are received, the Executive Director will:

- Check to see if the applicant has previously applied to Board.
- Send a letter of receipt of the application to the applicant.
- Document and deposit the application funds and copy the check for filing purposes.
- Make inquires to satisfy the validity of information on the license application, and will report to the Board the discovery of any fraudulent information received.
- Obtain and verify the medical or osteopathic school transcripts
- Verify the license status and obtain information as to any disciplinary action taken by medical or osteopathic boards.
- Contact the Federation of State Medical Boards for information in regards to foreign applicants:
 - ✓ Verify the certificate from the Educational Council for Foreign Medical School Graduates (ECFMG); and
 - ✓ Verify US citizenship with the Immigration and Naturalization Dept.
- Have two doctors on the Board review the file prior to placing the applicant's name on the agenda.
- Prepare copies of the license application for Board member packets.
- Make the application request an agenda item.
- Organize the application with the following separations:
 - ✓ Application/Disciplinary Action (if applicable)
 - ✓ ECFMG (if applicable)
 - ✓ Homeopathic Training
 - ✓ Allopathic/Osteopathic Training
 - ✓ Medical Boards
 - ✓ Internship-Residency
 - ✓ Recommendations
 - ✓ Criminal Investigation
 - ✓ Correspondence.
- Have the Board President/Secretary-Treasurer prepare an updated written examination for the applicants.

- Reserve a room for testing the applicants.
- Arrange for a person to proctor the applicants during the examination
- Send a letter to the applicants with an agenda.
- In anticipation of the applicant being licensed:
 - ✓ Prepare an official State of Nevada license/certificate.
 - ✓ Place the applicant's name on the document.
 - ✓ Apply Board's seal to the document.
 - ✓ Have Board members sign the document at the meeting.
 - ✓ Type certification Card signed by President at meeting.
 - ✓ Give original license, certification card, and provide the approved applicant/doctor with a copy of NAC 630A.
 - ✓ Copy license/certificate for Board file prior to the meeting.
 - ✓ Assign a license/certificate #. (Example: License # 96001. 96 = year doctor licensed. 001 = first doctor licensed in that year; next license # assigned would be 96002).
- Add the name of the licensee/certificate holder to the list of licensed/certified HMD/APH/HA in the office, on the Board's website, and file the license/certificate of the HMD/APH/HA in the Board office.
- Notify the Dept. of Business and Industry.
- Notify the Pharmacy Board and the DEA (U.S. Drug Enforcement Agency) when applicant is a physician. (Amended 4-4-08)

Section 3: Renewal of applications: During the last quarter of the year, the Executive Director will send a certified return receipt renewal application with a cover letter to the current address of the licensee/certificate holder. When the application is returned, the Executive Director will:

- Make inquires to satisfy the validity of the information on the application.
- Verify the licensee/certificate holder has completed the continued education course requirements.
- Refer any fraudulent information discovered to the President and Secretary-Treasurer.
- Verify the licensee/certificate holder is in good standing with other State Boards.
 - ✓ If not in good standing, will request copies of disciplinary action.
- Prepare and send the certification card with dated cover letter stating "certification card enclosed."
- Document and deposit the application funds after copying checks for filing purposes.
- Update lists of licensed/certified HMDs, APHs, HAs in the Board office and on the Board's website.
- Send a certified return receipt letter notifying the licensee/certificate holder that he has not renewed his license/certificate.
- Send a copy of the letter to the licensee to:
 - ✓ Dept. of Business and Industry; and
 - ✓ U.S. Drug Enforcement Agency (DEA). (Amended 4-4-08)

Policy 6 Written Examination Required For Licensure or Certification:

Section 1: Except as provided in NRS 630A.280 (Reciprocity), all applicants for a license to practice homeopathic medicine (HMD), a certificate to practice as an advanced practitioner of homeopathy (APH) or a homeopathic assistant (HA) must take and pass a written examination. All new applicants for a license or certificate must appear before the Board, including anyone applying for a license or certificate by reciprocity (See page 19 for waiver that must be signed). All new applicants may be required to take an oral examination before the Board, including anyone applying for a license or certificate by reciprocity. Oral examination shall be required by majority vote of the Board members present;

Section 2: The written examination shall be open book and the questions shall consist of multiple choice questions, matching questions, example case studies and management involving all modalities listed in NRS 630A.040. In addition, questions regarding Nevada law (NRS 630A) and Regulation (NAC 630A) involving the practice of homeopathic medicine in Nevada shall be included. The following subjects and topics may be included on any specific examination: homeopathic practice (classical, clinical, oligoplex, drainage, and eclectic approaches) including, but not limited to, posology, repertorization, prescribing and case management; non-invasive electro-diagnosis; neural therapy; herbal therapy; neuromuscular integration; nutrition; isopathic therapy; cell therapy; orthomolecular medicine; Nevada NRS 630A and NAC 630A law. A passing grade on the written examination of 76% is required for an HMD license or APH certificate. A passing grade of 70% is required for HA certification; and

Section 3: The Secretary-Treasurer shall provide the applicant with a list of books and additional relevant material that may be used in preparation for and during the written examination. A majority of Board members present may vote to administer an oral examination of the applicant during their appearance before the Board for initial licensure. If an applicant fails the written examination by five (5%) percentage points or less the Board shall administer or direct the Education Committee to administer an oral examination of the applicant. The oral examination will be graded on a "pass/fail" basis. A passing score on an oral examination shall be counted as a six (6%) percentage point addition to the applicants written examination score.

Policy 7 Executive Director Duties:

Section 1: The Executive Director is an employee of the Board. The duties of the Director are to interact with the public on behalf of the Board, to assist the officers and Board in carrying out the Board's legislatively mandated duties and functions as described in NRS 630A and administrative duties and functions as mandated in NAC 630A. The elected officers of the Board shall serve as the immediate supervisors of the Executive Director's time, duties and work. The Executive Director shall not serve as a secretary for any individual Board member and shall report any excessive or unreasonable requests or demands on his/her time, skill or duties by a Board member or officer to the Secretary-Treasurer, Executive Committee members or the Board. Administrative or other harassment of the Executive Director by

Board members, officers or the public shall not be tolerated. Any and all such activities as perceived by the Executive Director shall be referred to the Board legal counsel, the Nevada Ethics Commission (NRS 281.465) or other appropriate authorities for investigation and action.

Section 2: The Executive Director will collect and deposit into the Board's fiduciary account all monitory funds, including, but not limited to, all application fees, annual licensing and certification renewal fees, and fees received for restoration of a suspended license or certificate. The income from all sources shall be reported to the Secretary-Treasurer and shall be included in the financial report each Board meeting. (Amended 10-26-07)

Policy 8 Board Office and Executive Director Availability:

Section 1: The Executive Director will receive and respond to all e-mails, phone calls, faxes, postal mail and requests for access to the Board office for the purpose of conducting Board business during the following days and hours: Monday through Friday from 1 to 5 pm, excepting holidays, each week unless duly noted by the Executive Director. The Executive Director will set the Board office hours of operation with approval of the Executive Committee or a majority vote of the Board. The hours of operation will be posted on the Board website; (Amended 11-16-06)

Section 2: At all other times or days access to the Board office must be requested in writing to the Board, with the exception of an emergency as defined under NRS 241.020(7) and with the prior approval of the Executive Director and one member of the Executive Committee or as directed by majority vote the Board; and

Section 3: Requests for recordings or written minutes of Board or Committee meetings, with the exception of the Committee and any meeting of the Board or a Committee that is closed to the public under NRS 241, must be made in hard copy writing, signed by the requestor and postal mailed to the Board office. A fee must be paid in advance for the actual cost of materials, supplies, photo copies, photos, or other materials, and postage charge where applicable. The Board staff or Executive Director shall have 30 days from the time of the written request is received for hard copy minutes or audio tape to re-produce and forward the requested material. For privacy reasons, no requested official Board material pertaining to Board or Committee meetings shall be sent via the internet that is not posted on the Board website. (Amended 4-4-08)

Policy 9 Continuing Medical Education Requirements (CME):

All Physician licensees under NRS 630A in good standing with the Board are approved to conduct in-office continuing education courses, workshops, clinical practical's or training activities in any therapies or modalities listed in NRS 630A.040 for homeopathic physicians (single or dual licensed HMD), advanced practitioners of homeopathy (APH) and homeopathic assistants (HA). Approval for awarding CME credit shall be granted by majority vote of Board members present upon written request from the NRS 630A licensee. Such CME credits shall apply to and satisfy the CME requirements under NAC 630A.096.

Policy 10 Restoration of Automatically Suspended License for Failure to Pay Renewal Fee within Two Years of Suspension (NRS 630A.325 (3)):

The Secretary-Treasurer or any officer of the Board, in the absence of the Secretary-Treasurer, is hereby delegated the authority by the Board to renew without prior approval of the Board the registration of a license of a homeopathic physician whose license has been automatically suspended under NRS 630A.325(3) within two years of such suspension, provided the licensee requests reinstatement in writing to the Secretary-Treasurer or other Board Officer in the absence of the Secretary-Treasurer, pays the required fees, provides the written statement regarding child support payment pursuant to NRS 630A.246, has completed and documented all continuing education requirements (20 credits for each year) and has complied with all other requirements in NRS 630A.325(2) and NAC 630A.096. Any such renewal by the Secretary-Treasurer or other Board officer must be reported to the Board at the next Board meeting. (Amended 11-16-06)

Policy 11 Complaints Received By the Board:

NRS 630A.155 (Duties) mandates that one of the duties of the Board is to “regulate the practice of homeopathic medicine in this State and... to protect the public health and safety and the general welfare of the People of this State.” The Board shall receive any and all complaints from the public or an official of the State on its presentation and promptly, thoroughly and without limitation act on said complaint immediately. The Executive Director, office staff members or Board members shall:

Section 1: Encourage the complainant to utilize the Board website (<http://www.nvbhme.com/complaints.html>) whenever possible to file a complaint or to obtain complaint forms to file a written complaint. If the complainant is unable to obtain the forms from the Board website, the Executive Director shall provide the forms by fax or postal mail as soon as possible; (Amended 11-16-06)

Section 2: Insure confidentiality of and proper documentation of any complaint;

Section 3: Notify the chairman of the Investigative Committee upon receipt of any and all complaints; (Amended 4-4-08)

Section 4: Notify the license/certificate holder who is the subject of the complaint that a complaint has been filed against them and shall be forwarded to the chairman of the Investigative Committee in accordance with Board policy. In the case of a complaint against a certificate holder, the supervising licensee shall also be informed by the Executive Director of the complaint and that it has been forwarded to the chairman of the Investigative Committee; (Amended 4-4-08)

Section 5: Request any necessary medical records from the licensee or certificate holder upon request of the chairman of the Investigative Committee or Board legal counsel; (Amended 4-4-08)

Section 6: Forward a copy of the complaint with any and all confidential documents received from the complainant and records received from the licensee or certificate holder to the chairman of the Investigative Committee; (Amended 4-4-08)

Section 7: Coordinate and schedule a meeting of the Investigative Committee with the Board's legal counsel; (Amended 4-4-08)

Section 8: Send notification of the scheduled Investigative Committee meeting to Committee members, including a copy of the complaint and all pertinent confidential information; and (Amended 4-4-08)

Section 9: The Chairman, or designated Committee member, will summarize the complaint and present for Board approval the recommendations of the Investigative Committee to dismiss the complaint or to forward the complaint to the Office of Attorney General for investigation. (Amended 4-4-08)

Policy 12 Board Website:

The Executive Director or the Secretary-Treasurer are the only persons that shall be permitted to direct, advise, communicate in an official capacity or to provide information that shall be placed on the Board's official website (www.nvbhme.com) for public display. The Board may, by majority vote of members present during a meeting in accordance with NRS 241, add, change or remove from the website any information or additional materials without limitation. The website shall include, but not be limited to, the following information: (Amended 11-16-06)

Section 1: General information about the purpose for, and history of, the Nevada State Board of Homeopathic Medical Examiners;

Section 2: Photos and identification of Board officers, members and staff. Contact information by e-mail for each officer, member and staff of the Board listed;

Section 3: Links to applicable Nevada Revised Statutes (NRS) and Nevada Administrative Code (NAC);

Section 4: Information regarding requirements and applications for a license or certificate to practice under NRS 630A as a homeopathic medical doctor (HMD), advanced practitioner of homeopathy (APH) or homeopathic assistant (HA);

Section 5: Downloadable applications for HMD, APH or HA candidates;

Section 6: The Board's calendar of events, including meetings, examination dates, agendas and other pertinent public information;

Section 7: Announcements of interest to licensees, certificate holders and the public pertaining to Board activities, changes in NRS statutes or NAC administrative code, new policies and special actions taken by the Board;

Section 8: A library section providing past agendas, approved and adopted minutes of meetings of the Board, opinions of the Office of the Attorney General and the Legislative Counsel Bureau, Board declaratory judgments and a listing of current NRS 630A licensees and certificate holders;

Section 9: Links of websites of interest to the public; and

Section 10: Contact information for the Board office, including Board address, phone number, fax number, e-mail address and other matters relating to times and days when the office is open to the public.

Policy 13 Meeting Adjournment Time:

A specified time for adjournment shall be set at the beginning of all regular and special meetings of the Board and Committees unless a majority of Board or Committee members present vote to suspend this policy for a particular or specific meeting.

Policy 14 Use of Official Board Seal or Stationary:

The use of The Board's official seal shall be limited to the Executive Director or the Secretary-Treasurer. The use of the Board's official letterhead shall be limited to the Executive Director or Board officers.

Policy 15 Policy Reimbursements to a Member, Executive Director, or Staff Member:

All reimbursements from the Board to a Board member, the Executive Director, staff members, or officer require the provision of original receipts and completion of the State of Nevada Travel Expense Reimbursement Claim. Each member of the Board shall receive the URL for obtaining the reimbursement form (See "Forms," page 18). (Added 11-16-06)

Policy 16 Travel and Business Expense Reimbursement:

The purpose of this policy is to document the allowable business expenses eligible for reimbursement. These include necessary and reasonable expenses as defined in NRS 281.160. Also included is additional reference information that may be useful to Board members and employees in submitting business expense reports in order to receive timely reimbursement. (Consult the State Administration Manual for possible changes in the allowable expense). (Amended 4-4-08)

Section 1: Qualified Expense Categories: Shown below are the qualified expense categories that appear on your expense reports. The Board member/employee is responsible for proper classifications of expenses. Use only the available categories. (Amended 4-4-08)

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Description	Date	Amount
Airfare		
Lodging		
Taxi		
Mileage/Other Transportation		
Meals & Entertainment – Out of town		
Meals & Entertainment – In town		
TOTAL		

Note: Tips are not a separate category.

Section2: Substantiation Requirements: All expenses must be accompanied by a receipt or supporting documentation. Failure to provide such will result in denial of reimbursement. The daily expense reimbursement for meals is as follows.

Breakfast up to \$5.50

Lunch up to \$6.50

Dinner up to \$14.00

Tip not to exceed 20% of the cost of the meal.

For weekday lodging expenses, \$58.00

Up to \$2.00 per day for incidental expenses (fees for luggage carts, metered parking, bus use, toll charges and tips). Receipts are not required for these travel rates.

Required travel on weekends (Friday and Saturday) to serve the needs of the public are entitled to reimbursement of lodging expenses to a maximum of \$90.00 per night. Receipts must accompany reimbursement requests.

Actual expenses incurred for parking or vehicle storage fees for private automobiles and commercial transportation costs (i.e., taxi, railroad tickets, etc.) will be reimbursed. Receipts must accompany reimbursement requests.

Use of one's own personal vehicle for the State's convenience will be reimbursed at the standard mileage reimbursement rate for which a deduction is allowed for travel for federal income tax. On or before July 1 of each year, the Department of Administration shall issue an All-Agency memorandum reflecting the current rate. That rate will be in effect through the fiscal year.

Using one's own personal vehicle for the Board member/employee's convenience will be reimbursed at one-half the standard mileage reimbursement rate. (Amended 4-4-08)

Section 3: Expense reports are to be submitted at the end of each month. **(Amended 4-4-08)**

Section 4: The requirements for expense reports and approvals are as follows:

- Expense reports should be completed and submitted to the Board office within 30 days in order to facilitate timely reimbursement.
- Fax copies of expense reports will not be accepted.
- Expense reports will be processed as any other invoice.
- All expenses included on the expense report must be accompanied by a valid receipt, and a brief explanation of the expense. Credit Card statements will not be accepted as evidence of a receipt.
- All expense reports must be approved and signed by the Secretary-Treasurer of the Board.
- The Board reserves the right to withhold reimbursement while it investigates expense report items.
- These requirements may be modified at any time at the discretion of the Secretary-Treasurer. (Amended 4-4-08)

Policy 17 Non-Travel Expenditures:

Section 1: The following products are authorized for a direct purchase to a maximum of \$2,000 per purchase:

- Supplies for the following: Medical, osteopathic, homeopathic books and health care periodicals.
- Copier, printer, reproducing and duplicating supplies. Oversized cut stock and roll paper for copiers, excludes copy paper stocked in warehouse. Copy supplies, except for paper, are provided by the vendor as part of the copier contract.
- Rodent and pest control supplies.
- Electrical and plumbing supplies.
- Signs, directories and hand tools.
- Custom printed forms.
- Promotional items.
- Computer and printer repairs (including parts and labor). (Amended 4-4-08)

Section 2: The following groups of products are authorized for direct purchase to a maximum of \$5,000 per purchase:

- Textbooks, manuals, law books, city directories and pre-printed maps, leaflets, booklets and posters.
- Instructional material, tests, transparencies, pre-recorded tapes, CD's and processed films such as training and instructional movies and slides. (Amended 4-4-08)

Section 3: The Board shall reimburse the Attorney General for providing service and costs by:

- Making payments for legal services to the Attorney General's administration budget as required, but at least annually.
- Paying the Deputy Attorney General's travel expenses and subsistence allowances as provided by law for State officers and employees and furnish office space with

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appropriate equipment, supplies and clerical assistance satisfactory to the Attorney General and the head of the agency. (Amended 4-4-08)

Policy 18 Policy Manual Additions, Deletions or Changes:

Any and all changes to this Policy and Bylaws Manual shall be submitted to the Policy and Bylaws Committee or the Board for discussion for approval, editing or denial. Any and all changes adopted by the Policy and Bylaws Committee shall be approved by a majority vote of the Board prior to inclusion in the Policy and Bylaws Manual. (Amended 4-4-08)

BOARD BYLAWS

In addition to the legislative mandates found in NRS 630A and the administrative mandates found in NAC 630A, the Nevada Board of Homeopathic Medical Examiners shall adopt the following organizational bylaws:

Article 1: Parliamentary Authority

The rules contained in the 10th edition of Robert's Rules of Order shall govern the Board in all cases to which they are applicable and in which they are not inconsistent with these bylaws, or in conflict with any part of NRS 241, NRS 630A, NAC 630A or any other Nevada Revised Statute. (Amended 12-14-06)

Article 2: Officers

Section 1: Officers and Duties: The officers of the Board shall be a President, a Vice-President, and a Secretary-Treasurer. These officers shall perform the duties prescribed by the parliamentary authority adopted by the Board;

Section 2: The official fiduciary of the Board is the Secretary-Treasurer. He/She is authorized to sign financial documents for the Board, with the exception of any and all checks wherein the Secretary-Treasurer is the payee on the check. The Secretary-Treasurer may not solely sign any Board check to himself. In the event a check is made out to the Secretary-Treasurer, it must be signed by another Board officer. Signature cards must be signed by the Secretary, President and the Vice President, making it possible for the Secretary-Treasurer to receive any payments; (Added 11-16-06)

Section 3: Nomination Procedure, Time of elections: Nominations shall be taken from the floor during a regular meeting at the pleasure of the Board. The time of elections shall be as described in NRS 630A and NAC 630A;

Section 4: Term of Office. The officers shall be elected by voice vote during an open meeting pursuant to chapter 241 of NRS, NRS 630A and NAC 630A. The Board shall receive through its Secretary-Treasurer applications for the certificates issued under chapter 630A of NRS. The officers shall perform the duties prescribed by these bylaws and by the parliamentary authority adopted by the Board; (Amended 4-4-08)

Section 5: The President will serve as the public liaison for the Board, including all media, public and official enquiries and announcements regarding official Board business. The Executive Director shall assist and aid the President when needed or requested by the President. The Executive Committee shall be available to the President for counsel, assistance and guidance in all public and official positions, opinions, policies or statements for the Board by the President. The President or Executive Committee may employ the services of a media consultant as needed;

Section 6: An independent book keeper shall prepare the books and accounts for the Board on a quarterly basis; and (Added 11-16-06)

Section 7: The Secretary-Treasurer at each Board meeting shall present an accounting of the Board's debts, expenses and Attorney General's bill. (Added 11-16-06)

Article 3: Meetings

Section 1: Regular Meetings: The regular meetings of the Board shall be held in January each year and in July each year; (Amended 12-14-06)

Section 2: Annual Meetings: The regular meeting held in January shall be known as the annual meeting and shall be for the purpose of receiving reports of officers and committees, and for any other business that may arise; (Amended 12-14-06)

Section 3: Special Meetings: Special meetings may be called by the President or upon the written request of four members of the Board. The purpose of the meeting shall be stated in the call. Notice shall be given pursuant to NRS 241;

Section 4: Telephonic Meetings: Meetings of the Board or Committees may be held in person or by telephonic means. A signed affidavit by each member shall be required from all telephonic meeting locations where the Committee member or two or less Board members, in the absence of the Executive Director or Board legal counsel, are present and connected to the meeting. The affidavit shall certify on penalty of perjury that everyone present, within hearing distance, on an extension line or any other listening device or is otherwise able to listen to the Board or Committee meeting or in any manner is able to hear or see the Board or Committee member(s) or officer(s) participating in the meeting at that location has signed in and verbally has identified themselves to all participating Board or Committee members, officers and the Boards legal counsel. Anyone who enters that location after a Board or Committee meeting begins must also be certified in the affidavit as having been signed in and verbally identified to the President, Board and legal counsel during the meeting. All new parties at the location after the meeting has started must, immediately following the agenda item being discussed by the Board or Committee at the time, be identified as having signed in. The signed affidavit shall be faxed to the Executive Director at the end of the meeting and the original affidavit shall be mailed to the Executive Director or Secretary-Treasurer within 5 working days after the adjournment of the meeting (See "Form," page 21) . The President shall approve in advance of the meeting being held all telephonic meeting locations from each party or parties that are not at the location of the Executive Director, President or Deputy AG. The President may limit the location of telephonic meeting sites and may also decide what telephonic sites are acceptable to use. All telephonic meeting locations must be disclosed in advance of the meeting to the Executive Director and at the beginning of the meeting to the President and Deputy Attorney General;

Section 5: Quorum: Four members of the Board shall constitute a quorum;

Section 6: The Official Agenda for Board and Committee meetings shall be prepared by the Secretary-Treasurer with the assistance of the Executive Director. The President and Committee chair shall review the agenda prior to posting and shall request agenda items to be

listed in an order that would facilitate conducting the meeting. The Secretary-Treasurer may request the input of any Board member or the Board legal counsel when preparing the agenda;

Section 7: The official agenda is the agenda for Board or Committee meeting that is posted as mandated in NRS 241 by the Secretary-Treasurer or by the Executive Director when the Secretary-Treasurer is absent;

Section 8: Until the agenda is officially posted by the Secretary-Treasurer or, in their absence, the Executive Director, as mandated in NRS 241, the Secretary-Treasurer or Executive Director, except as described in section 6, shall not make the pending agenda available to Board members, officials or the public;

Section 9: Board members, licensees, certificate holders or the public may request information from the Secretary-Treasurer regarding the inclusion of any potential agenda item before the official agenda is posted;

Section 10: Any item requested for inclusion in the agenda for a Board meeting must be received in writing, including any and all supporting material, at least 14 days before the meeting. The Secretary-Treasurer, in consultation with the President and Executive Director, may accept an agenda item submitted in writing less than 14 days before a meeting, but not less than 7 days before a meeting, based on meeting time available and the importance of the agenda item requested. Any item requested for inclusion in the agenda for a Committee meeting must be received in writing, including any and all supporting material, at least 4 days before the meeting;

Section 11: Items for consideration for inclusion in an agenda for a Board meeting may be submitted to the Secretary-Treasurer or Executive Director by a Board member, Board officer, licensee and certificate holder, member of the public, public officer or public official. Agenda items included for a Board meeting shall be subject to the approval of the Secretary-Treasurer, in consultation with the Board legal counsel when necessary or requested in writing. Agenda items for consideration for inclusion in an agenda for a Committee meeting shall be submitted to the Committee chair or Executive Director. Agenda items submitted for a Committee meeting shall be approved by the Committee chair. The Committee chair may consult with the Secretary-Treasurer, President and, if necessary or requested in writing, the Board legal counsel regarding any agenda item under consideration for the Committee. The Secretary-Treasurer, in the case of Board meetings, or Committee chair, in the case of Committee meetings, in consultation with the Board legal counsel, shall reject any agenda item that is considered to be frivolous, redundant, past settled business or does not pertain to the Board's legislative authority, the Board directed mandate of the respective Committee or duties as found in NRS 630A, NAC 630A or any other applicable Nevada Revised Statute; and

Section 12: The Secretary-Treasurer, President or Committee chair may limit the number of agenda items based on the available time for a meeting. If such a situation arises, the Secretary-Treasurer or Committee chair shall place any item not included on an agenda

due to time constraints on the next agenda if requested to do so in writing. The Board President or Committee chair is responsible for maintaining the time schedule set for the meeting as determined by the meeting start and adjournment times, and may ask for agenda items to be limited or removed based on time limitations for a meeting.

Article 4: Minutes

Section 1: The written minutes of Board meetings shall be prepared by the Executive Director, his/her assistant, or any Board member designated by a majority of Board members. The Secretary of the Board shall approve the finished version of the minutes before being presented to the Board for official adoption. In the event of a disagreement about the form or content of the written minutes the President will have final editing authority before the final minutes are presented to the Board. A majority of the Board must vote to accept the finalized minutes as the official minutes, the final version of minutes to be presented to the Board for formal adoption. The written minutes of Committee meetings shall be prepared by the Committee chair or whoever has assisted them. The Executive Director shall assist the Committee chair with editing and preparation of the final version of Committee minutes to be presented for formal adoption; (Amended 11-16-06)

Section 2: 1. As per NRS 241.035 the minutes shall contain:

- (a) The date, time and place of the meeting.
- (b) Those members of the public body who were present and those who were absent.
- (c) The substance of all matters proposed, discussed or decided and, at the request of any member, a record of each member's vote on any matter decided by vote.
- (d) The substance of remarks made by any member of the general public who addresses the public body if he requests that the minutes reflect his remarks or, if he has prepared written remarks, a copy of his prepared remarks if he submits a copy for inclusion.
- (e) Any other information which any member of the public body requests to be included or reflected in the minutes.

2. Minutes of public meetings are public records. Minutes or audiotape recordings of the meetings must be made available for inspection by the public within 30 working days after the adjournment of the meeting at which the minutes were taken. The audiotape recordings of the meetings shall be retained for 1 year from the date of the meeting. The minutes shall be deemed to have permanent value and must be retained by the public body for at least 5 years; (Added 11-16-06)

Section 3: Each vote at any and all Board or committee meeting shall be recorded in the official minutes for each member of the Board present indicating one of the following responses: Yes, No, Abstain, Recuse, Absent; (Added 11-16-06)

Section 4: Where not in conflict with Nevada Revised Statutes or Nevada Administrative Code, the written minutes, formally adopted by a majority of Board or Committee members present shall be the official version of the minutes recognized by the Board or Committee.

Article 5: Committees:

Section 1: Committees shall be created and, unless otherwise directed by a majority of the Board, shall function as outlined in Robert's Rules of Order, 10th edition;

Section 2: The President of the Board, or the Vice President if the President is absent or unable to function for any reason, with the exception of the Executive Committee and a Nominating Committee, shall appoint committee members, the committee chair and direct their respective duties as set forth in Robert's Rules of Order, 10th edition. The President may appoint members to committees that are not members of the Board, with the exception of the Executive Committee. Committee members serve until removed by the appointing authority or their successor is appointed. All standing Committees, except the Executive Committee, will be reviewed by each newly elected President and the results of that review will be presented to the Board during the President's report. Any recommended changes in the committees or their make up will be presented to the Board. A majority of Board members present at a meeting may rescind or over rule the President's committee decisions; (Amended 4-4-08)

Section 3: The following Standing Committees shall be adopted by the Board. All Standing Committees shall give an annual report during the regular January meeting of the Board:

1. Executive Committee;
2. Policy and Bylaws Committee;
3. Fiscal-Finance Committee;
4. NAC 630A Committee;
5. NRS 630A Committee;
6. Investigative Committee;
7. Education Committee; (Amended 4-4-08)

Section 4: The Executive Committee: Shall be composed of the Executive Director, President and Secretary-Treasurer and shall have the full power to act in all affairs that constitute an emergency under NRS 241.020(8) or as directed by majority vote of the Board. The Executive Committee shall be subject to orders of the Board, and none of its acts shall conflict with any action taken by majority vote of the Board. The Executive Committee shall be chaired by the President;

Section 5: The Policy and Bylaws Committee: Shall be responsible for maintenance of, additions to and deletions from the Board's Official Policy-Bylaws manual as voted by majority vote of the Board. The Chair shall be the Executive Director;

Section 6: The Fiscal-Finance Committee: Shall be composed of the Secretary-Treasurer and two other members and shall be appointed by the President promptly after each annual meeting. It shall be the duty of this committee to prepare a budget for the calendar year beginning the first day of February, and to submit it for approval to the Board at the next

meeting. The Committee shall audit the Secretary-Treasurer's accounting at the close of the fiscal year and report their findings at the annual meeting for adoption by a majority of Board members present. The Finance Committee may from time to time submit amendments to the budget for the current calendar year, which may be adopted by a majority vote of the Board members present. It shall also be the duty of the Fiscal-Finance Committee to adopt and oversee financial controls over the Board's expenses, income and AG account, included, but not limited to:

(a) Considering an outside book keeper for regular balance sheet preparation and reconciliation;

(b) Controls over the dispersal of Board funds and assets; and

(c) Recommending a strict policy of who signs Board checks when the Treasurer may not; (Amended 11-16-06)

Section 7: NAC 630A Committee: As directed by a majority vote of the Board, the Committee shall be responsible for writing, editing, reviewing, holding public work shops and forwarding to the Legislative Counsel Bureau for final review any and all changes to NAC 630A. Final changes to NAC 630A shall be adopted by majority vote of the Board members present;

Section 8: NRS 630A Committee: As directed by a majority vote of the Board, the Committee shall be responsible for writing, editing, reviewing and forwarding to the Governor, the Legislative Counsel Bureau or the bill draft sponsor any and all changes to NRS 630A as adopted by the Board. Final changes to NRS 630A shall be adopted by majority vote of the Board members present;

Section 9: The Investigative Committee shall function as prescribed in NRS 622.320, NRS 630A.400, NRS 630A.420 and NAC 630A; (Amended 4-4-08)

Section 10: The Education Committee shall function as prescribed in NAC 630A.031;

Section 11: The President shall be an ex officio a member of all committees, except a nominating committee. All committees meet at the call of the chair, President or a majority vote of Board; (Amended 4-4-08)

Section 12: The Board shall adopt ad hoc committees as deemed necessary and appropriate by a vote of a majority of Board members present. With the exception of a nominating committee, the President shall appoint members and the chair of Ad Hoc committees adopted by the Board; (Amended 4-4-08)

Section 13: Ad Hoc Committees shall be created and function as outlined in Robert's Rules of Order, 10th edition; and (Amended 4-4-08)

Section 14: All Standing and Ad Hoc Committees may consult with and utilized outside experts and invited speakers for guidance, information, expertise and input. (Amended 4-4-08)

Article 6: Limiting Access to the Office of Attorney General and/or to the Board's Private Counsel:

Section 1: Due to past excesses and resultant legal costs, it is necessary to limit routine access to the Board's legal counsel, including the Deputy Attorney General and/or any private legal counsel employed by the Board outside of official Board or committee meetings. Only the Secretary-Treasurer, the President or the Executive Director may contact the Board's legal counsel. Any member who wishes or requires contact with Board's legal counsel must request and obtain documented clearance from the Secretary-Treasurer or Executive Director, or the President in the case of conflict or any disagreement with the initial contact person; * and (Added 11-16-06)

Section 2: The Executive Director and Secretary-Treasurer will present at each Board meeting the most current invoice of the Attorney General's bill and any other Board legal and accounting fees that are due; (Added 11-16-06)

Article 7: Complaints Filed by Board Members; violation of the Policy and Bylaws:

Section 1: If a board member files or aids and abets another to file an open meeting law complaint with the Attorney General's Office or any other complaint with a governmental agency, other than a complaint constituting grounds for disciplinary action pursuant to NRS 630A.390, pertaining to a Board action or inaction, or the conduct of a Board officer or the Executive Director, and the complaint is deemed to be without merit by the Attorney General's Office or other governmental agency considering it, the Board may separately review this complaint to determine if the complaint was frivolous. If, after a meeting, the Board determines by a two-thirds (2/3) vote of the Board during a regular or called meeting at which a quorum is present that the complaint was frivolous, it may impose upon the Board member the discipline allowable in section 2 of this article. (Amended 10 March 2007)

Section 2: A Board member that does not comply with the Policies and Bylaws of the Board may be suspended from participating in Board or Committee meetings as a member of the Board for a period of time not to exceed six (6) months by a two-thirds (2/3) vote of the Board during a regular or called meeting at which a quorum is present. The Board's Secretary-Treasurer shall notify the Office of the Governor by certified mail within 7 days following the meeting wherein such action has been taken. (Amended 10 March 2007)

Article 8: Amendment to Bylaws:

* If a Board member abuses this Bylaw, it can be noted that he is not following the Board's policy and bylaws.

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Nevada State Board of Homeopathic Medical Examiners

Section 1: Any amendment to or deletion from the official Bylaws requires advanced notice of the change at the previous meeting before consideration of the amendment. The notice must contain the amendment and proposed deletion;

Section 2: All amendments and changes in the official Policy and Bylaws Manual require a two thirds (2/3) vote of the Board during a regular or called meeting at which a quorum is present; (Amended 12-20-06) and

Section 3: No amendment may be considered that has not been properly noticed as described in Section 1.

(Signed by person filing for travel expense)

WAIVER OF OPEN MEETING LAW SERVICE
REQUIREMENTS

The undersigned, _____, being apprised of
(Print Your Name)

the requirements under **NRS 241.033** (See below) and **NRS 241.034** for a public body to notify a person by certified mail 21 working days in advance or by personal service 5 working days in advance of a meeting in which that public body will consider that person's character, professional competence, or physical or mental health or take administrative action against that person, knowingly and voluntarily waives these service and notification requirements as to the undersigned for (an) agenda item(s) pertaining to the undersigned at the meeting of the Nevada State Board of Homeopathic Medical Examiners set for:

(Time) _____ (a.m. or p.m.) on (Date & month) _____,

(Year) _____ at _____, _____, Nevada.
Address) (City/Town)

Dated this _____ day of _____, 200 _____.
(Month) (Year)

(Signature)

NRS 241.033 Meeting to consider character, misconduct, competence or health of person or to consider appeal of results of examination: Written notice to person required; exception; public body required to allow person whose character, misconduct, competence or health is to be considered to attend with representative and to present evidence; attendance of additional persons; copy of record.

1. A public body shall not hold a meeting to consider the character, alleged misconduct, professional competence, or physical or mental health of any person or to consider an appeal by a person of the results of an examination conducted by or on behalf of the public body unless it has:

- (a) Given written notice to that person of the time and place of the meeting; and
- (b) Received proof of service of the notice.

2. The written notice required pursuant to subsection 1:

- (a) Except as otherwise provided in subsection 3, must be:
 - (1) Delivered personally to that person at least 5 working days before the meeting; or
 - (2) Sent by certified mail to the last known address of that person at least 21 working days before the meeting.
- (b) May, with respect to a meeting to consider the character, alleged misconduct, professional

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competence, or physical or mental health of a person, include an informational statement setting forth that the public body may, without further notice, take administrative action against the person if the public body determines that such administrative action is warranted after considering the character, alleged misconduct, professional competence, or physical or mental health of the person.

(c) Must include:

(1) A list of the general topics concerning the person that will be considered by the public body during the closed meeting; and

(2) A statement of the provisions of subsection 4, if applicable.

3. The Nevada Athletic Commission is exempt from the requirements of subparagraphs (1) and (2) of paragraph (a) of subsection 2, but must give written notice of the time and place of the meeting and must receive proof of service of the notice before the meeting may be held.

4. If a public body holds a closed meeting or closes a portion of a meeting to consider the character, alleged misconduct, professional competence, or physical or mental health of a person, the public body must allow that person to:

(a) Attend the closed meeting or that portion of the closed meeting during which his character, alleged misconduct, professional competence, or physical or mental health is considered;

(b) Have an attorney or other representative of his choosing present with him during the closed meeting; and

(c) Present written evidence; provide testimony and present witnesses relating to his character, alleged misconduct, professional competence, or physical or mental health to the public body during the closed meeting.

5. Except as otherwise provided in subsection 4, with regard to the attendance of persons other than members of the public body and the person whose character, alleged misconduct, professional competence, physical or mental health or appeal of the results of an examination is considered, the chairman of the public body may at any time before or during a closed meeting:

(a) Determine which additional persons, if any, are allowed to attend the closed meeting or portion thereof; or

(b) Allow the members of the public body to determine, by majority vote, which additional persons, if any, are allowed to attend the closed meeting or portion thereof.

6. A public body shall provide a copy of any record of a closed meeting prepared pursuant to **NRS 241.035**, upon the request of any person who received written notice of the closed meeting pursuant to subsection 1.

7. For the purposes of this section, casual or tangential references to a person or the name of a person during a closed meeting do not constitute consideration of the character, alleged misconduct, professional competence, or physical or mental health of the person.

MEETING ATTENDANCE AFFIDAVIT

General or Telephone/Teleconference Board Meeting

**NEVADA STATE BOARD
OF
HOMEOPATHIC MEDICAL EXAMINERS**

Date: _____
Time: _____
Location: _____
Address: _____
City, State: _____

I, _____, declare that each person receiving communications of any type during any part of this meeting, such as being in attendance, listening by phone, hand signals, computers, etc., without limitation, has “signed in” and has stated why he/she attended this meeting. All government employees (city, county, state or federal) have identified themselves. No other persons than those listed on the attached document have attended this meeting.

I, _____, declare under penalty of perjury that
(Name)
the foregoing is true and correct.

Executed on _____
(Date)

(Signature)

Continue to next page

PROOF OF SERVICE

I, _____, hereby swear or affirm under penalty of perjury, that in accordance with

NRS241.033, I served the foregoing Notice of meeting of the Board to consider character, alleged

misconduct, competence, or health by serving it on

_____ at _____, _____, NV _____.
(Name) (Address) (City) (Zip)

on this _____ day of _____, 200____.
(Month)

Signature of person making service

State of Nevada)
)
_____ County)

Signed and sworn to (or affirmed) before me on

_____ by _____
(Name) (Date)

Notary Public



**STATE OF NEVADA
BOARD OF HOMEOPATHIC MEDICAL EXAMINERS**

Oath or Affirmation To Be Taken By Board Members

I, _____, do solemnly swear (or affirm) that I will support, protect and defend the constitution and government of the United States, and the constitution and government of the State of Nevada, against all enemies, whether domestic or foreign, and that I will bear true faith, allegiance and loyalty to the same, any ordinance, resolution or law of any state notwithstanding, and that I will well and faithfully perform all the duties of the office of _____, on which I am about to enter; (if an oath) so help me God; (if an affirmation) under the pains and penalties of perjury.

I, _____, do solemnly swear (or affirm) that I am legally qualified to serve as a member of the Board of Homeopathic Medical Examiners and that I will well and faithfully perform all the duties of a member of the Board, on which I am about to enter, (if an oath) so help me God, (if an affirmation) under the pains and penalties of perjury.

Printed Name of Board Member

Printed Name of Board Member

Taking the Oath/Affirmation

Administering the Oath/Affirmation

Signature of Board Member
Taking the Oath/Affirmation

Signature of Board Member
Administering the Oath/Affirmation

(Date)