



**STATE OF NEVADA**

**BEFORE THE NEVADA COMMISSION ON ETHICS**

In re **Sandra Reed**, Executive Director,  
Board of Osteopathic Medicine,  
State of Nevada,

Ethics Complaint No. **18-057C**

Subject. /

**PANEL DETERMINATION<sup>1</sup>**  
NRS 281A.725

The Nevada Commission on Ethics ("Commission") received this Ethics Complaint No. 18-057C ("Complaint") regarding the alleged conduct of Sandra Reed ("Reed" or "Subject"), Executive Director of the Nevada Board of Osteopathic Medicine ("Board"), in violation of the Ethics in Government Law set forth in NRS Chapter 281A ("Ethics Law"). The Commission issued its Order on Jurisdiction and Investigation on October 11, 2018, which Order instructed the Executive Director to investigate alleged violations of NRS 281A.400(2) and NRS 281A.500 regarding Reed's reimbursement from the Board for certain personal expenses and failure to file an Acknowledgment of Ethical Standards.

Reed is a public officer as defined in NRS 281A.160. The Commission has jurisdiction over this matter pursuant to NRS 281A.280 because the allegations contained in the Complaint relate to the Subject's conduct as a public officer and has associated implications under the Ethics Law.

On February 20, 2019, a Review Panel ("Panel") consisting of Chair Cheryl A. Lau, Esq. (Presiding Officer) and Commissioners Brian Duffrin and Teresa Lowry, Esq., reviewed the following: 1) Ethics Complaint No. 18-057C; 2) Order on Jurisdiction and Investigation; 3) Subject's Response to the Complaint; 4) Investigator's Report, 5) Proposed Deferral Agreement; and 6) Executive Director's Recommendation to the Review Panel.<sup>2</sup>

Under NAC 281A.430, the Panel unanimously finds there is not sufficient credible evidence to support a determination that just and sufficient cause exists for the Commission to render an opinion in the matter regarding the allegation pertaining to NRS 281A.500 because failure to file an Acknowledgment of Ethical Standards form has been cured. Regarding violations of NRS 281A.400(2) related to Reed's reimbursement by the Board of certain personal expenses, the Panel finds and concludes that the facts establish credible evidence to support a determination that just and sufficient cause exists for the Commission to render an opinion in the matter.

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<sup>1</sup> Except as provided by law, a Panel Determination shall not be cited as precedent.

<sup>2</sup> All materials provided to the Panel, except the Ethics Complaint and the Order on Jurisdiction and Investigation, represent portions of the investigatory file and remain confidential pursuant to NRS 281A.750.

However, pursuant to NRS 281A.730, the Panel reasonably believes that Reed's conduct may be appropriately addressed through corrective action under the terms and conditions of a deferral agreement instead of referring this complaint to the Commission for further proceedings. The Executive Director, in cooperation with Reed, developed a proposed deferral agreement for approval by the Panel, which confirms Reed's acknowledgment of the following conditions:

- Compliance with the Ethics Law for a period of 2 years after approval of the deferral agreement.
- Agreement not to, in the future, seek payment from the Board for personal expenses.
- Facilitating and attending an Ethics in Government Law training session for Board members and staff presented by the Commission's Executive Director, or her designee.
- The Executive Director's authority to monitor compliance with the deferral agreement.
- The obligation to comply with the terms of the deferral agreement and consequences associated with noncompliance, including the authority of the Review Panel to refer the Complaint to the Commission for further proceedings, which could include an adjudicatory hearing on the merits.
- Upon satisfactory compliance with the deferral agreement, the Complaint will be dismissed.

The Panel approves the deferral agreement proposed by the Executive Director and Reed. Unless an extension is authorized or directed by the Commission Counsel on behalf of the Review Panel, the Executive Director and Subject shall provide an executed deferral agreement to the Panel through its Commission Counsel on or before March 21, 2019, which deadline may be extended by Commission Counsel for good cause. If Reed declines to execute the deferral agreement, the Panel will issue an order referring this matter to the Commission for further proceedings.

Dated this 27<sup>th</sup> day of February, 2019.

#### NEVADA COMMISSION ON ETHICS

By: /s/ Cheryl A. Lau  
Cheryl A. Lau, Esq.  
Chair/Presiding Officer

By: /s/ Teresa Lowry  
Teresa Lowry, Esq.  
Commissioner

By: /s/ Brian Duffrin  
Brian Duffrin  
Commissioner

**CERTIFICATE OF MAILING**

I certify that I am an employee of the Nevada Commission on Ethics and that on this day in Carson City, Nevada, I transmitted a true and correct copy of the foregoing **PANEL DETERMINATION** via U.S. Certified Mail and electronic mail as follows:

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*Attorney for Subject*

Dated: 2/27/19

  
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Employee, Nevada Commission on Ethics