

**KENTUCKY BOARD OF CHIROPRACTIC EXAMINERS
MEETING MINUTES
January 19, 2024**

A regular meeting of the Kentucky Board Chiropractic Examiners was held via Zoom on January 19, 2024.

MEMBERS PRESENT

Dr. Shannon Johnson
Dr. Chad Henderson
Dr. Rachael Kuperus
Dr. Kelly Cooper-Henson
Dr. Michael Pugh

DEPARTMENT OF PROFESSIONAL LICENSING

Kristen Lawson, DPL Commissioner
Lyndsay Sipple, Administrative Section Supervisor
Ashley Cotton, Board Specialist

OTHERS

Clayton Patrick, Public Protection Cabinet
Office of Legal Services, Board Counsel

GUESTS

Dr. Rachel Wendt, KAC

CALL TO ORDER

Dr. Johnson called the meeting to order at 12:02 p.m.

Dr. Pugh was sworn in as a Board Member for the Kentucky Board of Chiropractic Examiners by Notary Lyndsay Sipple.

MINUTES

A motion was made by Dr. Henderson to approve the minutes from the November 17, 2023, board meeting. Motion seconded by Dr. Cooper-Henson, carried.

FINANCIAL STATEMENT

The board reviewed the November and December 2023 financial statements. No action taken.

DPL UPDATE

No report.

LEGAL COUNSEL

No report.

OLD BUSINESS

NEW BUSINESS

The Applied Kinesiology inquiry was reviewed. Legal counsel will draft letter to licensee stating that Applied Kinesiology is a technique that is taught in accredited colleges and can be used per Kentucky Law.

The Dry Needling Certification Course inquiry was reviewed. The course can be used for Dry Needling Certification; however, it cannot be used as continuing education for license renewal because it is not a

Kentucky Board approved continuing education course. Once the Certification Course is completed, the licensee can perform Dry Needling services. Legal counsel will draft letter.

The NBCE Meeting dates were reviewed.

Dr. Johnson made a motion to nominate Dr. Cooper Henson to attend NBCE Part IV Examination Spring on May 18-19, 2024, and NBCE Part IV Examination Fall on November 9-10, 2024. Motion seconded by Dr. Kuperus, carried.

Dr. Johnson made a motion to nominate Dr. Pugh to attend NBCE Part III & PHT Test Development in Greeley, CO on March 8-9, 2024, and to nominate himself to attend NBCE Part IV Test Development in Greeley, CO on June 7-9, 2024. Motion seconded by Dr. Cooper-Henson, carried.

The drafted 2024 Annual Update Letter was reviewed and accepted to be sent out to all licensees.

Dr. Henderson made a motion to accept changes made to the 2024 FCLB Directory Update. Motion seconded by Dr. Cooper-Henson, carried.

Dr. Johnson made a motion to nominate Dr. Henderson and Dr. Kuperus to serve on the Regulations Committee. Motion seconded by Dr. Henderson, carried.

Dr. Johnson made a motion to nominate Dr. Cooper-Henson and Dr. Pugh to serve on the Applications Committee. Motion seconded by Dr. Henderson, carried.

The Complaints Committee appointment will remain the same. No objections.

APPLICATIONS COMMITTEE

No report from Committee.

The board reviewed the Licensure Record Report. No action taken.

STATUTES AND REGULATIONS COMMITTEE

The Regulations Committee presented the following:

The discussion for the Postceptorship Program was tabled and will be placed on the agenda for the March 14th Regulations Committee Meeting so Ms. Janes can speak with Mr. Patrick to determine whether the Board has the legal authority under KRS 312.018 to authorize postceptorship practice to an individual who is no longer a student.

Manipulation of Animals- KBVE will provide their new regulation drafts after their meeting on February 29th. KBCE Regulations Committee will review and discuss KBVE's regulation drafts at their next Regulations Committee Meeting scheduled for March 14th.

COMPLAINTS COMMITTEE

The Complaints Committee presented the following recommendations:

- **2021KBCE00004** – Recommend advising licensee to complete a record/note keeping continuing education course and dismiss complaint. Legal Counsel will draft letter.
- **2023KBCE00006** – Recommend agreed order with the following terms: licensee pays fine of \$1,000, completes 12 hours of record/note keeping continuing education, and 24 months of probation (Board reserves the right to randomly audit patient files in office).
- **2023KBCE00007** - Recommend agreed order with the following terms: licensee pays fine of \$1,000, completes 12 hours of record/note keeping continuing education, and 24 months of probation (Board reserves the right to randomly audit patient files in office).
- **2023KBCE00008** - Recommend agreed order with the following terms: licensee pays fine of \$1,000, completes 12 hours of record/note keeping continuing education, and 24 months of probation (Board reserves the right to randomly audit patient files in office).
- **CHC Inquiry-Complaint** – Recommend legal counsel draft letter to complainant stating the complaint cannot be filed anonymously or by a third party. If a new complaint is filed, the complainant must provide full name of doctor.
- **A.F. Self-Report** – Recommend requesting patient records. Legal counsel will draft letter.
- **R.K. NPDB Report** – No action. Legal counsel will draft letter.
- **R.F. Self-Report** – No action. Legal counsel will draft letter.
- **D.M. Self-Report** – Recommend requesting more information and patient records. Legal counsel will draft letter.

K.M. Solutions Update:

- **2023KBCE00002** – Recommend dismissal. Legal counsel will draft letter.
- **J.M. NPDB Report** – Ongoing.
- **Kentuckiana Accident Claim Service** – Ongoing. Legal counsel will attempt to communicate with complainant and refer to correspond with K.M. Solutions regarding complaint. If unsuccessful, case will be closed.
- **2022KBCE00003** – Ongoing.
- **2023KBCE00004** – Ongoing.
- **P.C. 2023 Renewal** – Ongoing.
- **A.N.** – Ongoing.

A motion was made by Dr. Kuperus to accept the above-listed complaint committee recommendations as presented. Motion seconded by Dr. Henderson, carried.

TRAVEL AND PER DIEM

A motion was made by Dr. Cooper-Henson to approve the following travel and per diem:

- Dr. Johnson – January 10, 2024 (Complaints Committee Meeting), January 16, 2024 (Regulation Changes/Meeting), January 19, 2024 (Regulations Committee Meeting), January 19, 2024 (3 hours Meeting Prep/Board Meeting).
- Dr. Henderson – November 22, 2023 (1.5 hours Applications Review), December 10, 2023 (2.5 hours Applications Review), January 2, 2024 (2 hours Applications Review), January 19, 2024 (Board Meeting).
- Dr. Kuperus – January 10, 2024 (Complaints Committee Meeting), January 16, 2024 (Regulation Changes/Meeting), January 18, 2024 (Regulations Committee Meeting), January 19, 2024 (Board Meeting).

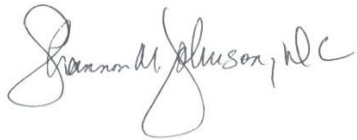
- Dr. Cooper-Henson – January 19, 2024 (Board Meeting).
- Dr. Pugh – January 19, 2024 (Board Meeting).

Motion seconded by Dr. Kuperus, carried.

The next Board Meeting is scheduled for March 15, 2024, at 12pm EST.

ADJOURN

A motion was made by Dr. Henderson to adjourn the meeting at 1:00 p.m. Motion seconded by Dr. Cooper Henson, carried.



Dr. Shannon Johnson, President