

**MINUTES
REGULAR BOARD MEETING
Friday, October 21, 2011
209 South Green Street
Glasgow, KY**

PRESENT: Mark Woodward, D.C., President
Frank Hideg, D.C., Vice President
Terri Byers-Abston, D.C., Secretary
Michael Seibert, D.C., Board Member
Rodney Casada, D.C., Board Member
Karalee P. Oldenkamp, D.C., Executive Director
Michael West, Board Counsel

A quorum being present and after confirmation of proper notification of the Board meeting, the meeting was called to order by the President at 9:05 a.m. prevailing time.

ITEM I: MINUTES

A motion was made by Dr. Casada, seconded by Dr. Seibert and passed 5-0 to approve the minutes of the August 5, 2011 board meeting.

ITEM II: FINANCIAL REPORTS

After review of the prepared financial reports for August and September 2011, upon motion made by Dr. Abston, seconded by Dr. Hideg and passed 5-0, the financial reports were approved as presented.

ITEM III: BOARD OFFICE REPORT

Upon review of the board office report and review of budget information provided, a motion was made by Dr. Abston, seconded by Dr. Woodward and passed 5-0 to approve the budget request as presented. Dr. Hideg gave a review of the FCLB meeting topics and discussed avenues which our board should investigate and possible consider changes. It was noted that Drs. Hideg, Seibert and Woodward had been reappointed to the board by Governor Beshear to serve another 3 year term.

ITEM IV: SUSPENSION OF AGENDA

RE: INITIAL LICENSURE OF MARK ALLEN MILLER, D.C.

A motion was made by Dr. Woodward, seconded by Dr. Abston and passed 5-0 to suspend the agenda to discuss correspondence from Mark Allen Miller, D.C. regarding initial licensure. Upon review and discussion with Dr. Miller, a motion was made by Dr. Woodward, seconded by Dr. Casada and passed 5-0 to allow Dr. Miller to complete the required undergraduate courses and proceed with licensure.

ITEM V: AGENDA RESUMED

A motion was made by Dr. Casada, seconded by Dr. Seibert and passed 5-0 to resume the agenda.

ITEM VI: ADMINISTRATIVE CASE #09-072

No action was necessary at this time.

ITEM VII: ADMINISTRATIVE CASE #10-024

No action was necessary at this time.

ITEM VIII: ADMINISTRATIVE CASE #10-025B

Upon review by the entire board, a motion was made by Dr. Seibert, seconded by Dr. Casada and passed 4-0 to dismiss this case. Dr. Hideg abstained.

ITEM IX: ADMINISTRATIVE CASE #10-025C

Board Counsel reviewed the previous motion made concerning this case for voluntary dismissal without prejudice. Upon discussion, a motion was made by Dr. Seibert, seconded by Dr. Abston and passed 5-0 to dismiss this case with prejudice and enter into an Agreed Order of dismissal.

ITEM X: ADMINISTRATIVE CASE #10-025D

This case was continued pending further investigation.

ITEM XI: ADMINISTRATIVE CASE #10-028

No action necessary at this time.

ITEM XII: ADMINISTRATIVE CASE #11-009

No action necessary at this time.

ITEM XIII: ADMINISTRATIVE CASE #11-011

Upon review and consideration of the information in this case, a motion was made by Dr. Abston, seconded by Dr. Casada and passed 5-0 to dismiss.

ITEM XIV: ADMINISTRATIVE CASE #11-013

No further action required at this time.

ITEM XV: ADMINISTRATIVE CASE #11-015

The board reviewed the case and a motion was made by Dr. Casada, seconded by Dr. Abston and passed 5-0 to offer an agreed order to Dr. Rosum for settlement of this case at the terms discussed.

ITEM XVI: ADMINISTRATIVE CASE #11-019

The board reviewed the agreed order and correspondence from Dr. Ferro and a motion was made by Dr. Seibert, seconded by Dr. Casada and passed 5-0 to accept the counter offer from Dr. Ferro for settlement of this case.

ITEM XVII: ADVERTISING CASE #11A-006

Upon review and consideration of the information in this case, a motion was made by Dr. Casada, seconded by Dr. Seibert and passed 5-0 to dismiss.

ITEM XVIII: ADVERTISING CASE #11A-008

This case will be closed upon receipt of signed agreed order.

ITEM XIX: ADMINISTRATIVE CASE #11-020

The board reviewed the case including correspondence from the licensees' attorney and a motion was made by Dr. Casada, seconded by Dr. Seibert and passed 5-0 to offer an agreed order to Dr.

Bruce Jackson for settlement of this case at the terms discussed and to Dr. Anita Jackson at the terms discussed for their individual violations.

ITEM XX: ADMINISTRATIVE CASE #11-021
No board action was required at this time.

ITEM XXI: ADMINISTRATIVE CASE #11-022
The board reviewed the case and the licensee will be asked to provide patient records for review at the January 20, 2012 board meeting.

ITEM XXII: ADMINISTRATIVE CASE #11-023
This case was continued pending further investigation.

ITEM XXIII: ADMINISTRATIVE CASE #11-024
The board reviewed the case and a motion was made by Dr. Seibert, seconded by Dr. Abston and passed 5-0 to offer an agreed order to Dr. Scatena for third violation of use of the term "clinic" at the terms discussed and to request additional information from Dr. Scatena regarding this complaint.

ITEM XXIV: ADMINISTRATIVE CASE #11-025
This case was tabled to the January 20, 2012 board meeting.

ITEM XXV: ADMINISTRATIVE CASE #11-026
The board reviewed the case and a motion was made by Dr. Seibert, seconded by Dr. Abston and passed 4-0 to offer an agreed order to Dr. Baker for settlement of this case at the terms discussed. Dr. Hideg abstained.

ITEM XXVI: ADVERTISING CASE #11A-012
Upon review of the information presented, a motion was made by Dr. Abston, seconded by Dr. Casada and passed 5-0 to offer an agreed order for settlement of this case at the terms discussed for violation of KRS 312.150 (2)(f).

ITEM XXVII: ADVERTISING CASE #11A-013
The board reviewed the case and a motion was made by Dr. Seibert, seconded by Dr. Casada and passed 5-0 to offer an agreed order to Dr. Rosum for settlement of this case at the standard terms for first violation of the right of rescission.

ITEM XXVIII: ADVERTISING CASE #11A-014
The board reviewed the case and a motion was made by Dr. Casada, seconded by Dr. Abston and passed 5-0 to offer an agreed order to Dr. Thomas for settlement of this case at the standard terms for first violation of the right of rescission.

ITEM XXIX: ADVERTISING CASE #11A-015
The board reviewed the case and a motion was made by Dr. Abston, seconded by Dr. Casada and passed 4-0 to offer agreed orders to Dr. Crosby and Dr. Carter for settlement of this case at the individual terms discussed. Dr. Hideg abstained.

ITEM XXX: ADVERTISING CASE #11A-016

The board reviewed the case and a motion was made by Dr. Abston, seconded by Dr. Casada and passed 5-0 to offer an agreed order to Dr. Lindsay for settlement of this case at the standard terms for first violation of the right of rescission.

ITEM XXXI: ADVERTISING CASE #11A-017

The board reviewed the case and a motion was made by Dr. Woodward, seconded by Dr. Casada and passed 5-0 to offer an agreed order to Dr. McMonigle for settlement of this case at the standard terms for second violation of the right of rescission.

ITEM XXXII: MALPRACTICE CASE #11M-005

Upon review of the information presented, a motion was made by Dr. Seibert, seconded by Dr. Abston and passed 5-0 to dismiss this case.

ITEM XXXIII: MALPRACTICE CASE #11M-006

Upon review of the information presented, a motion was made by Dr. Seibert, seconded by Dr. Casada and passed 5-0 to dismiss this case.

ITEM XXXIV: LICENSE ACTIVATION
 RE: D. CAREY, D.C.

The board reviewed the information regarding activation of Dr. Carey's license. A motion was made by Seibert, seconded by Dr. Abston and passed 5-0 to activate Dr. Carey's license.

ITEM XXXV: CONSIDER INFORMATION
 RE: DONALD MILLER, D.C.

Correspondence was reviewed regarding the name of Dr. Miller's facility. Since Dr. Miller has since come into compliance with the name of his facility, no action was required.

ITEM XXXVI: CONSIDER REQUEST
 RE: DAVID COX, D.C. PEER REVIEW HOURS

The board reviewed correspondence from Dr. Cox requesting that he be able to move around CE hours between his license and Peer Review certification. A motion was made by Dr. Woodward, seconded by Dr. Abston and passed 5-0 to deny his request. He may activate his PR certification once the required hours are completed.

ITEM XXXVII: CONSIDER REQUEST
 RE: DONALD TAYLOR, D.C. INITIAL APPLICATION

The board reviewed correspondence from Dr. Taylor requesting that he be granted a Kentucky chiropractic license without having graduated from a CCE accredited chiropractic college. A motion was made by Dr. Woodward, seconded by Dr. Abston and passed 5-0 to deny his request as the law does not provide for granting a license without this requirement. The board explained to Dr. Miller his limitations since he would not have a license and had planned to open a practice with his son.

ITEM XXXVIII: CONSIDER REQUEST
 RE: JOHN CATAPANO, D.C. AGREED ORDER TERMS

The board considered a request from Dr. Catapano concerning his inability to pay to take the required NBCE Ethics and Boundaries examination before the deadline stated in his agreed order

terms. A motion was made by Dr. Woodward, seconded by Dr. Casada and passed 5-0 to allow Dr. Catapano to extend his deadline if proof of registration and payment for the NBCE Ethics and Boundaries examination in February 2012 are presented at the January 20, 2012 board meeting.

ITEM XXXIX: CONSIDER INFORMATION

RE: KYLE WELLINGTON, D.C. NON-COMPLIANCE

The board reviewed information concerning the board office and Field Coordinator's inability to get in touch with Dr. Wellington after multiple attempts to contact him. A motion was made by Dr. Abston, seconded by Dr. Casada and passed 5-0 to offer Dr. Wellington an agreed order for settlement of violations of KRS 312.175(1)(j) and KRS 312.145(4) at the terms discussed.

ITEM XL: CONSIDER INFORMATION

RE: ARTHUR PANGEMANAN, D.C. AGREED ORDER TERMS

The board reviewed Dr. Pangemanan's psychological evaluation as required in the terms of his agreed order. No action was necessary.

ITEM XLI: ADVERTISEMENTS TO REVIEW

There were no advertisements to review at this time.

ITEM XLII: FIELD COORDINATOR REPORT

The Field Coordinator updated the Board on the progress and findings of his field visits.

ITEM XLIII: SET JURISPRUDENCE AND BOARD MEETING DATES

The board set the first Jurisprudence for 2012 on January 21th. The next board meeting date was set for March 30, 2012.

ITEM XLIV: UPDATE ON INJUNCTION

RE: GARY JOHNS

Board Counsel updated the board on the status of the injunction filed against Gary Johns. He will continue to work toward settlement of this case at the terms discussed.

ITEM XLV: CONSIDER PAPERLESS BOARD MEETINGS

The board reviewed the cost of multiple copies made of case documents for the board meetings and discussed other electronic options. A motion was made by Dr. Casada, seconded by Dr. Seibert and passed 5-0 to purchase six (6) iPads for use during board meetings.

ITEM XLVI: TRAVEL AND PER DIEM

A motion was made by Dr. Abston, seconded by Dr. Seibert and passed 5-0 to approve the travel expenses and per diems relating to today's meeting.

ITEM XLVII: ADJOURNMENT

There being no further business to come before the Board, upon motion made by Dr. Abston, seconded by Dr. Seibert and passed 5-0, the meeting was adjourned.

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Respectfully submitted:

Karalee P. Oldenkamp, D.C.
Executive Director

ATTESTED:

Mark Woodward, D.C.
President