

**MINUTES  
REGULAR BOARD MEETING  
Friday, January 11, 2013  
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  
Brian Judy, Assistant Attorney General  
Ryan Halloran, Assistant Attorney General

A quorum being present and after confirmation of proper notification of the Board meeting, the meeting was called to order by the President at 9:00 a.m. prevailing time.

**ITEM I: MINUTES**

A motion was made by Dr. Abston, seconded by Dr. Hideg and passed 5-0 to approve the minutes of the November 9, 2012 board meeting.

**ITEM II: FINANCIAL REPORTS**

After review of the prepared financial reports for November and December 2012, upon motion made by Dr. Hideg, seconded by Dr. Abston and passed 5-0, the financial reports were approved as presented.

**ITEM III: BOARD OFFICE REPORT**

Upon review of the board office report, a motion was made by Dr. Seibert, seconded by Dr. Casada and passed 5-0 to continue as a member of the Federation of Chiropractic Licensing Boards. The Board also reviewed an issue concerning Texas College of Chiropractic. TCC has continued to neglect mailing attendance certificates to the Board office within the 30 days required by 201 KAR 21:041. The TCC staff has recently acknowledged this deficiency and has caught up to date with mailing certificates. The Board has asked Board staff to place Texas Chiropractic College on notice that the situation will be considered if this becomes a problem again in the future.

**ITEM IV: AARON CLARK, D.C. TO PRESENT INFORMATION**

Dr. Aaron Clark, D.C. was present with his attorney, Carol Christian, to discuss his application for licensure as a Special Health Facility with the State of Kentucky. They informed the Board they had received an advisory opinion regarding the issue and will mail the application today. They stated it was a forty-five (45) day process during which the facility would be inspected and the license would then be granted. Dr. Clark will mail information to the Board once the license is issued. The Board thanked Dr. Clark and Ms. Christian for their time and information.

ITEM V: MOTION TO AMEND THE AGENDA

A motion was made by Dr. Seibert, seconded by Dr. Casada and passed 5-0 to amend the agenda to discuss administrative cases 12-029, 11-009 and 12-044 concerning David Megronigle, D.C., whose attorney was present.

ITEM VI: INFORMATION FROM ATTORNEY PAUL CROCE  
REPRESENTING DAVID MEGRONIGLE, D.C.

Mr. Croce presented information to the Board concerning administrative cases 12-029, 11-009 and 12-044. He stated that the criminal case involving Dr. Megronigle would be update on March 18, 2013 and information would be provided to the Board for case 12-029 after that date. He discussed the details of the Agreed Order previously signed by Dr. Megronigle for case 11-009 and the terms which had not been met. Mr. Croce stated to the Board regarding case 12-044 that Dr. Megronigle did not perform the MRIs, nor read the MRIs which he had billed for under his license.

ITEM VII: MOTION FOR CLOSED SESSION

A motion was made by Dr. Seibert, seconded by Dr. Abston and passed 5-0 to go into open session to discuss administrative cases 12-029, 11-009 and 12-044 pursuant to KRS 61.810 C, J.

ITEM VIII: MOTION FOR OPEN SESSION

A motion was made by Dr. Casada, seconded by Dr. Abston and passed 5-0 to resume open session. A motion was then made by Dr. Abston, seconded by Dr. Casada and passed 5-0 to accept the recommendations made by the Board in closed session regarding the following administrative cases: 12-029 shall be continued waiting further information on the criminal case; 11-009 the Board will not accept the settlement offer and shall proceed to hearing; and 12-044 the Board has requested additional information from Dr. Megronigle regarding this case to be reviewed at the next meeting.

ITEM IX: MOTION TO AMEND THE AGENDA

A motion was made by Dr. Casada, seconded by Dr. Seibert and passed 5-0 to amend the agenda to discuss administrative cases 12-013 and 12-016 concerning Zachary Pappas, D.C., whose attorney was present. Attorney Chris Lewis was present to represent Zachary Pappas, D.C. Mr. Lewis informed the Board that he had only recently been hired to represent Dr. Pappas and was not yet familiar with the cases.

ITEM X: MOTION FOR CLOSED SESSION

A motion was made by Dr. Seibert, seconded by Dr. Casada and passed 5-0 to go into closed session to discuss administrative cases 12-013 and 12-016 pursuant to KRS 81.610 C, J.

ITEM XI: MOTION FOR OPEN SESSION

A motion was made by Dr. Seibert, seconded by Dr. Abston and passed 5-0 to resume open session. A motion was then made by Dr. Abston, seconded by Dr. Casada and passed 5-0 to accept the recommendations made by the Board in closed session regarding the following administrative cases: 12-013 shall be continued pending further investigation; 12-016 shall be continued pending further investigation.

ITEM XII: MOTION TO RESUME AGENDA

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

ITEM XIII: ADMINISTRATIVE CASE #10-025D  
This case is continued.

ITEM XIV: ADMINISTRATIVE CASE #11-032  
Board Counsel reported that a default judgment in the case seeking an injunction had been granted against Dr. Stacie Grossfeld, M.D.

ITEM XV: ADMINISTRATIVE CASE #12-020  
A motion was made by Dr. Seibert, seconded by Dr. Casada and passed 4-0 to allow 20 days for acceptance of the current settlement terms or a notice of administrative hearing will be filed by Board Counsel. Dr. Hideg abstained.

ITEM XVI: ADMINISTRATIVE CASE #12-021  
This case shall be continued.

ITEM XVII: ADMINISTRATIVE CASE #12-022  
This case shall be continued.

ITEM XVIII: ADMINISTRATIVE CASE #12-028  
This case is continued pending a response from Dr. Rechter.

ITEM XIX: ADMINISTRATIVE CASE #12-030  
A civil injunction has been filed and no action is necessary at this time.

ITEM XX: ADMINISTRATIVE CASE #12-031  
A motion was made by Dr. Abston, seconded by Dr. Seibert and passed 5-0 to issue a subpoena for Dr. Robinson's employee records.

ITEM XXI: ADMINISTRATIVE CASE #12-032  
This case is continued.

ITEM XXII: ADMINISTRATIVE CASE #12-038  
This case is continued.

ITEM XXIII: ADMINISTRATIVE CASE #12-039  
This case shall be continued pending receipt of further information.

ITEM XXIV: REVIEW VIOLATED TERMS OF AGREED ORDER  
RE: DAWN WEITFELDT, D.C. 10-020

At this time, a motion was made by Dr. Abston, seconded by Dr. Casada and passed 4-0 to allow the previous settlement offer to be available until the mediation date of February 6, 2013. The mediation date shall be changed to a pre-hearing conference at which time a hearing date shall be set. Dr. Hideg abstained.

ITEM XXV: ADVERTISING CASE #11A-015  
A motion was made by Dr. Abston, seconded by Dr. Seibert and passed 4-0 to approve the settlement agreement from the mediation. Dr. Hideg abstained.

ITEM XXVI: ADMINISTRATIVE CASE #12-042

The Board reviewed a complaint against Dr. Jeff Rosum and Dr. Rosum's response. A motion was made by Dr. Woodward, seconded by Dr. Abston and passed 5-0 to dismiss the case.

ITEM XXVII: ADMINISTRATIVE CASE #12-043

Resolution of this matter is pending a final decision by the Franklin Circuit Court in administrative cases 12-032 and 12-038. A motion was made by Dr. Woodward, seconded by Dr. Casada and passed 5-0 to send a cease and desist letter to Dr. Jenkinson, M.D. in lieu of filing an action seeking an injunction at this time.

ITEM XXVIII: MOTION FOR SUPPLEMENTAL INVESTIGATOR

A motion was made by Dr. Casada, seconded by Dr. Seibert and passed 5-0 to authorize Board Counsel and the Executive Director to look into supplemental investigative services for the Board.

ITEM XXIX: ADMINISTRATIVE CASE #12-045

This case is continued pending further investigation.

ITEM XXX: ADMINISTRATIVE CASE #12-046

The Board reviewed a complaint against Dr. Gary Callioni and Dr. Callioni's response. A motion was made by Dr. Seibert, seconded by Dr. Abston and passed 5-0 to dismiss the case without prejudice.

ITEM XXXI: ADVERTISING CASE #12A-007

The Board reviewed the documentation regarding this case and a motion was made by Dr. Seibert, seconded by Dr. Abston and passed 5-0 to send Dr. O'Brien a letter advising him to come into compliance within thirty (30) days, sending proof of compliance to the Board office for review at the following meeting.

ITEM XXXII: ADVERTISING CASE #12A-008

This case is continued. The new Board Counsel will review case information for discussion at the next meeting.

ITEM XXXIII: REVIEW OF ADVERTISEMENTS

The Board reviewed advertisements and asked that case numbers be assigned and letters be mailed to licensees requesting a response and more information for consideration at the next board meeting.

ITEM XXXIV: CONSIDER CORRESPONDENCE FROM *HERALD LEADER*  
RE: ADVERTISING PROGRAM

The Board and Board Counsel reviewed and discussed correspondence from the Lexington Herald Leader requesting consideration of their new advertising program. A motion was made by Dr. Seibert, seconded by Dr. Casada and passed 5-0 to have Board staff request additional information concerning the program to review and consider at the next meeting.

ITEM XXXV: RECONSIDER INITIAL APPLICATION  
RE: MARK MILLER, D.C.

The Board reviewed correspondence from Dr. Miller including transcripts. A motion was made by Dr. Woodward, seconded by Dr. Casada and passed 5-0 to send a letter to Dr. Miller stating his ap-



ITEM XLIV: ADJOURNMENT

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

Respectfully submitted:

Karalee P. Oldenkamp, D.C.  
Executive Director

ATTESTED:

Mark Woodward, D.C.  
President