

**MINUTES
REGULAR BOARD MEETING
Friday, November 5, 2010
200 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. Abston, seconded by Dr. Seibert and passed 5-0 to approve the minutes of the August 20, 2010 board meeting.

ITEM II: FINANCIAL REPORTS

After review of the prepared financial reports for August, September and October 2010, upon motion made by Dr. Casada, seconded by Dr. Seibert and passed 5-0, the financial reports were approved as presented.

ITEM III: BOARD OFFICE REPORT

No board action was necessary.

ITEM IV: MOTION TO SUSPEND AGENDA AND ENTER EXECUTIVE SESSION

Upon motion made by Dr. Hideg, seconded by Dr. Casada and passed 5-0, the agenda was suspended in order to discuss administrative cases 10A-015 and 10A-016 since the attorney representing the licensees was present and the Board entered into executive session pursuant to KRS 61.810 C, J.

ITEM V: BOARD RESUMES REGULAR SESSION AND AGENDA

Upon motion made by Dr. Abston, seconded by Dr. Casada and passed 5-0, the board resumed regular open session. Dr. Abston made the motion that the Board accept the recommendations made for action on 10A-015 and 10A-016 which were to respond advising on appropriate language regarding the right of rescission and allow fifteen days to come into compliance with removal of wording from the website including the term "medical" unless proper documentation is forwarded to the board office. The licensees will also be notified that they must include the name of the owner and/or operator in the facility name per KRS 312.145(3). The motion was seconded by Dr. Seibert and then passed 5-0. The board discussed their response with the attorney representing the licensees who was present. A motion was made by Dr. Seibert, seconded by Dr. Casada and passed 5-0 to resume the agenda.

ITEM VI: ADMINISTRATIVE CASE #09-072

The Board reviewed the information provided and a motion was made by Dr. Seibert, seconded by Dr. Abston and passed 5-0 to have Board Counsel file an administrative complaint and allow current settlement parameters for the next five business days.

ITEM VII: ADMINISTRATIVE CASE #09-078

The Board reviewed the status of this case and a motion was made by Dr. Seibert, seconded by Dr. Casada and passed 5-0 to counteroffer an agreed order with settlement terms as expressed by the board good for twenty days from today or proceed to an administrative hearing.

ITEM VIII: ADMINISTRATIVE CASE #09-082

This case is continued pending an administrative hearing to take place on February 22-23, 2011.

ITEM IX: ADMINISTRATIVE CASE #10-001

This case is continued pending further investigation.

ITEM X: ADMINISTRATIVE CASE #10-011

Upon review by the entire board, a motion was made by Dr. Abston, seconded by Dr. Seibert and passed 5-0 to authorize Board Counsel to reject the counter proposal and continue the pre-hearing process.

ITEM XI: ADMINISTRATIVE CASE #10-012

Upon review by the board, a motion was made by Dr. Casada, seconded by Dr. Hideg and passed 5-0 to allow the licensee five business days to submit all requested documents and the licensee will be notified that they must include the name of the owner and/or operator in the facility name anywhere it appears per KRS 312.145(3).

ITEM XII: ADMINISTRATIVE CASE #10-013

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

ITEM XIII: ADMINISTRATIVE CASE #10-014

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

ITEM XIV: ADMINISTRATIVE CASE #10-015

Upon review of the case, a motion was made by Dr. Abston, seconded by Dr. Casada and passed 4-0 to file an administrative complaint against the licensee and to file an injunction action in Franklin Circuit Court against Gary Johns for practicing chiropractic without a license. Dr. Hideg abstained.

ITEM XV: ADMINISTRATIVE CASE #10-016

Upon review and consideration by the Board of the information regarding this case, a motion was made by Dr. Woodward, seconded by Dr. Seibert and passed 4-0 to dismiss this case. Dr. Hideg abstained.

ITEM XVI: ADMINISTRATIVE CASE #10-017

Upon review and consideration by the Board of the information regarding this case, a motion was

made by Dr. Woodward, seconded by Dr. Seibert and passed 4-0 to dismiss this case, but also to advise the licensee to interact with patients in a more professional manner. Dr. Hideg abstained.

ITEM XVII: ADMINISTRATIVE CASE #10-018

Dr. Abston recused for the discussion of this case. Upon review of this case, a motion was made by Dr. Casada, seconded by Dr. Seibert and passed 3-0 to file an administrative complaint and notice of hearing. Dr. Hideg abstained.

ITEM XVIII: ADMINISTRATIVE CASE #10-019

Upon review of this case, a motion was made by Dr. Seibert, seconded by Dr. Casada and passed 5-0 to have board staff send a letter to the licensees requesting a response and advising them of the law.

ITEM XIX: ADMINISTRATIVE CASE #10-020

This case is continued pending further investigation.

ITEM XX: ADMINISTRATIVE CASE #10-021

This case is continued pending further investigation.

ITEM XXI: ADMINISTRATIVE CASE #10-022

This case is continued pending further investigation.

ITEM XXII: ADVERTISING CASE #10A-013

Upon review of the advertisement and the licensee's response, a motion was made by Dr. Seibert, seconded by Dr. Abston and passed 5-0 to offer settlement by Agreed Order at the terms which were discussed.

ITEM XXIII: ADVERTISING CASE #10A-014

Upon review of the advertisement and the licensee's response, a motion was made by Dr. Abston, seconded by Dr. Casada and passed 5-0 to offer settlement by Agreed Order at the standard terms for first violation of the right of rescission.

ITEM XXIV: ADVERTISING CASE #10A-017

Upon review of the advertisement and the licensee's response, a motion was made by Dr. Hideg, seconded by Dr. Seibert and passed 5-0 to offer settlement by Agreed Order at the standard terms for first violation of the right of rescission.

ITEM XXV: ADVERTISING CASE #10A-018

Upon review of the advertisement and the licensee's response, a motion was made by Dr. Hideg, seconded by Dr. Seibert and passed 5-0 to offer settlement by Agreed Order at the standard terms for first violation of the right of rescission.

ITEM XXVI: ADVERTISING CASE #10A-019

Upon review of the advertisement and the licensee's response, a motion was made by Dr. Casada, seconded by Dr. Woodward and passed 5-0 to offer settlement by Agreed Order at the standard terms for first violation of the right of rescission.

ITEM XXXV: CONSIDER CORRESPONDENCE RE: TONY BARGER, D.C.

Upon consideration of correspondence from Stuart Bernsen, D.C. on behalf of Tony Barger, D.C., a motion was made by Dr. Seibert, seconded by Dr. Casada and passed 5-0 to respond that the board does confirm this information and Dr. Barger has 30 days to comply.

ITEM XXXVI: FUTURE BOARD MEETING DATES

Upon motion made by Dr. Hideg, seconded by Dr. Casada and passed 5-0, a regular board meeting was scheduled for March 18, 2011. The remaining dates for 2011 shall be set at the January 21, 2011 board meeting.

ITEM XXXVII: TRAVEL AND PER DIEM

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

ITEM XXXVIII: ADJOURNMENT

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

Respectfully submitted:

Karalee P. Oldenkamp, D.C.
Executive Director

ATTESTED:

Mark Woodward, D.C.
President