

**MINUTES
SPECIAL BOARD MEETING
Friday, November 9, 2012
209 South Green Street
Glasgow, KY**

PRESENT: Mark Woodward, D.C., President
Frank Hideg, D.C., Vice President
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 9:00 a.m. prevailing time.

ITEM I: MINUTES

A motion was made by Dr. Casada, seconded by Dr. Hideg and passed 4-0 to approve the minutes of the August 24, 2012 board meeting.

ITEM II: FINANCIAL REPORTS

After review of the prepared financial reports for August, September and October 2012, upon motion made by Dr. Seibert, seconded by Dr. Hideg and passed 4-0, the financial reports were approved as presented.

ITEM III: BOARD OFFICE REPORT

Upon review of the board office report, no action was necessary at this time.

ITEM IV: ADMINISTRATIVE CASE #10-025D

This case shall be continued.

ITEM V: ADMINISTRATIVE CASE #11-030

Board Counsel left the room and the Board reviewed the Hearing Officer's Recommended Order in this case. A motion was made by Dr. Casada, seconded by Dr. Siebert and passed 4-0 to accept and adopt the Recommended Order in this case.

ITEM VI: ADMINISTRATIVE CASE #11-032

No action required at this time. A civil action has been filed in this case.

ITEM VII: ADMINISTRATIVE CASE #12-013

This case shall be continued pending the receipt of additional information.

ITEM VIII: ADMINISTRATIVE CASE #12-016

This case shall be continued pending further investigation.

ITEM IX: ADMINISTRATIVE CASE #12-020

The board reviewed the counter offer for settlement and a motion was made by Dr. Seibert, seconded by Dr. Casada and passed 3-0 to accept the terms and close the case upon receipt of all signatures. Dr. Hideg abstained.

ITEM X: ADMINISTRATIVE CASE #12-021

This case shall be continued pending the receipt of further information.

ITEM XI: ADMINISTRATIVE CASE #12-022

This case shall be continued pending the receipt of further information.

ITEM XII: ADMINISTRATIVE CASE #12-028

This case is continued pending a response from Dr. Rechter.

ITEM XIII: ADMINISTRATIVE CASE #12-029

No action necessary at this time.

ITEM XIV: ADMINISTRATIVE CASE #12-030

A civil injunction has been filed and no action is necessary at this time.

ITEM XV: ADMINISTRATIVE CASE #12-031

This case is continued pending receipt of the response from Dr. Robinson.

ITEM XVI: ADMINISTRATIVE CASE #12-032

An injunction has been filed in Franklin Circuit Court against Michael Best, M.D. A motion was made by Dr. Casada, seconded by Dr. Woodward and passed 4-0 to send a letter to Dr. Montecalvo advising him on how to strengthen his patient records. This case is continued.

ITEM XVII: ADMINISTRATIVE CASE #12-033

The board reviewed the case and a motion was made by Dr. Woodward, seconded by Dr. Casada and passed 3-0 to dismiss this case. Dr. Hideg abstained.

ITEM XVIII: ADMINISTRATIVE CASE #12-038

An injunction has been filed in Franklin Circuit Court against Dr. Charles Barlow, M.D. This case is continued.

ITEM XIX: REVIEW VIOLATED TERMS OF AGREED ORDER
RE: DAWN WEITFELDT, D.C.

A mediation date has been set for this case. At this time, a motion was made by Dr. Woodward, seconded by Dr. Casada and passed 3-0 to offer the discussed and agreed upon settlement terms which if accepted, will close the case and cancel the mediation. Dr. Hideg abstained.

ITEM XX: REVIEW VIOLATED TERMS OF AGREED ORDER
RE: DAVID MEGRONIGLE, D.C.

An administrative complaint has been filed in this case and no action is necessary at this time.

ITEM XXI: ADVERTISING CASE #11A-015

An administrative complaint has been filed in this case and no action is necessary at this time.

ITEM XXII: ADVERTISING CASE #12A-003

The board reviewed the case and a motion was made by Dr. Seibert, seconded by Dr. Casada and passed 4-0 to dismiss this case.

ITEM XXIII: ADMINISTRATIVE CASE #12-039

This case shall be continued pending receipt of further information.

ITEM XXIV: ADMINISTRATIVE CASE #12-040

The Board reviewed information received regarding non-D.C.s performing peer review of chiropractic claims. A motion was made by Dr. Casada, seconded by Dr. Woodward and passed 4-0 to have Board Counsel send a cease and desist to Dr. Dao, M.D.

ITEM XXV: ADMINISTRATIVE CASE #12-041

The board reviewed the case and a motion was made by Dr. Woodward, seconded by Dr. Casada and passed 4-0 to dismiss this case.

ITEM XXVI: REVIEW OF ADVERTISEMENTS

The Board reviewed advertisements and asked that a case number be assigned and more information be gathered for consideration at the next board meeting.

ITEM XXVII: CONSIDER CORRESPONDENCE FROM M. SPURLOCK, D.C.
RE: RECONSIDERATION OF 11A-008

The Board and Board Counsel reviewed and discussed correspondence from Dr. Spurlock requesting reconsideration of the Agreed Order for case 11A-008. A motion was made by Dr. Seibert, seconded by Dr. Casada and passed 4-0 to have Board Counsel respond to Dr. Spurlock stating that the matter has already been settled by the Agreed Order and the appropriate time to voice concerns would have been prior to entering the order in November 2011.

ITEM XXVIII: CONSIDER RESPONSES TO FACILITY NAME LETTERS

Upon review of the responses received from licensees regarding the possible non-compliance of facility names, a motion was made by Dr. Casada, seconded by Dr. Seibert and passed 4-0 to table this issue until which time the regulations have been reviewed and revised if necessary regarding this matter.

ITEM XXIX: NON-D.C.S PERFORMING PEER REVIEW
RE: JENKINSON, M.D.

The Board reviewed information received regarding non-D.C.s performing peer review of chiropractic claims. A motion was made by Dr. Casada, seconded by Dr. Woodward and passed 4-0 to have Board Counsel file seeking an injunction against Dr. Jenkinson, M.D. in Franklin Circuit Court. Dr. Jenkinson will be given case number 12-043.

ITEM XXX: CONSIDER CORRESPONDENCE FROM R. COOPER, D.C.
RE: PRE PAID PLANS

Upon review of correspondence from Dr. Ron Cooper, a motion was made by Dr. Casada, seconded

by Dr. Woodward and passed 4-0 to reply to Dr. Cooper that this issue is covered under KRS 312.150 (2)(d).

ITEM XXXI: FIELD COORDINATOR REPORT

Dr. Hideg reported on topics discussed at the District II FCLB meeting such as problems with runners and ambulance chasing as well as certification of chiropractic assistants. He also reported that current field office visits were going well and most licensees were appreciative of the visit and the information received.

ITEM XXXII: SET FUTURE BOARD MEETING DATES

The Board set future Board meeting dates for January 11, 2013, March 8, 2013 and May 10, 2013.

ITEM XXXIII: TRAVEL AND PER DIEM

A motion was made by Dr. Seibert, seconded by Dr. Casada and passed 4-0 to approve the travel expenses and per diems relating to today's meeting.

ITEM XXXIV: ADJOURNMENT

There being no further business to come before the Board, upon motion made by Dr. Casada, seconded by Dr. Hideg and passed 4-0, the meeting was adjourned.

Respectfully submitted:

Karalee P. Oldenkamp, D.C.
Executive Director

ATTESTED:

Mark Woodward, D.C.
President