

**MINUTES
SPECIAL BOARD MEETING
Friday, March 23, 2012
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 9:00 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 January 20, 2012 board meeting.

ITEM II: FINANCIAL REPORTS

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

ITEM III: BOARD OFFICE REPORT

The Board reviewed the information provided in the Board office report and no action was necessary at this time.

ITEM IV: MOTION TO AMEND AGENDA

A motion was made by Dr. Seibert, seconded by Dr. Casada and passed 5-0 to amend the agenda to hear discussion on behalf of administrative case 12-006. Dr. J. T. Ratusny was present to address the board as the named licensee in this complaint.

ITEM V: MOTION TO ENTER EXECUTIVE SESSION

Upon motion made by Dr. Seibert, seconded by Dr. Casada and passed 5-0, the board entered executive session to discuss administrative case 12-006 pursuant to KRS 61.810 C, J.

ITEM VI: BOARD RESUMES REGULAR SESSION

Upon motion made by Dr. Casada, seconded by Dr. Seibert and passed 5-0, the board resumed regular open session. Dr. Seibert made the motion that the Board dismiss administrative case 12-006. The motion was seconded by Dr. Hideg and then passed 5-0.

**ITEM VII: BOARD COUNSEL ADDRESSES GUESTS
RE: ADMINISTRATIVE CASE 11-030**

Before entering executive session, Board Counsel addressed guests at the meeting asking if they were there for specific agenda items. They responded they were interested in the decision made regarding administrative case 11-030. Board Counsel informed them that the Board had authorized the filing of an administrative complaint at the January 20, 2012 Board meeting and that complaint had been signed by the Chairman and was being distributed. The case was continued and no action was necessary at this meeting.

ITEM VIII: MOTION TO RESUME AGENDA AND ENTER EXECUTIVE SESSION

Upon motion made by Dr. Seibert, seconded by Dr. Casada and passed 5-0, the board resumed the agenda and entered executive session to discuss administrative cases 09-072, 10-024, 10-025D, 11-015, 11-020, 11-021, 11-031, 11-032, 12-001A, 12-001B, 11A-014, 11A-015, 11A-018, 12-002, 12-003, 12-004, 12-005, 12-007, 12-008, 12-009, 12-010 and 12-011 pursuant to KRS 61.810 C, J.

**ITEM IX: BOARD RESUMES REGULAR SESSION FOR GUESTS
RE: ADMINISTRATIVE CASE 11-020**

Attorney Lisa Hinkle representing Bruce Jackson, D.C. (present) and Anita Jackson, D.C. (not present) addressed the Board regarding administrative case 11-020. She updated the Board on the current settlement offer between Drs. Jackson and the Kentucky Board of Veterinary Examiners. Upon discussion of the actions necessary for compliance with KRS 312, this case was continued pending receipt of proposed signage changes and final settlement agreement with the KBVE.

ITEM X: BOARD RESUMES EXECUTIVE SESSION

A motion was made by Dr. Casada, seconded by Dr. Seibert and passed 5-0 to return to executive session.

ITEM XI: BOARD RESUMES REGULAR SESSION

Upon motion made by Dr. Abston, seconded by Dr. Casada and passed 5-0, the board resumed regular open session. Dr. Casada made the motion that the Board accept the recommendations made for action on the following administrative cases: 09-072 is continued; 10-024 is continued; 10-025D Board Counsel shall draft a complaint for the next meeting; 11-015 shall be continued; 11-020 shall be continued; 11-021 the settlement agreed order shall be ratified; 11-031 the licensee shall be offered an agreed order for settlement of the case; 11-032 Board Counsel shall file for an injunction in Circuit Court; 12-001A an administrative complaint shall be filed; 12-001B is continued; 11A-014 the counter offer was denied again and an administrative complaint shall be filed; 11A-015 agreed orders are pending; 11A-018 shall be closed with acceptance of signed agreed order; 12-002 shall be sent to the Board Peer Review Committee to be reviewed at the next board meeting; 12-003 is continued; 12-004 the licensee shall be offered an agreed order for settlement of this case; 12-005 shall be dismissed; 12-007 shall be dismissed and the licensee shall receive a letter regarding the non-compliance of his facility name to which he must respond in writing with his intent to come into compliance; 12-008 shall be dismissed; 12-009 Board Counsel shall send a cease and desist letter to Dr. Paskoff for Peer Review without licensure; 12-010 is continued; 12-011 is continued. The motion was seconded by Dr. Seibert and then passed 5-0.

ITEM XII: CONSIDER HARDSHIP REQUEST
 RE: GARY WATTS, D.C.

Upon review of the application for hardship from Dr. Watts, a motion was made by Dr. Casada, seconded by Dr. Woodward and passed 5-0 to deny Dr. Watt's request.

ITEM XIII: CONSIDER CORRESPONDENCE
 RE: AARON CLARK, D.C.

The Board reviewed correspondence from Dr. Clark in response to the letter from Board Counsel. Dr. Casada made the motion that Board Counsel send a letter of response to Dr. Clark thanking him for his compliance, but also addressing his letterhead and awning which are still not compliant. The motion was seconded by Dr. Abston and then passed 5-0.

ITEM XIV: CONSIDER CORRESPONDENCE FROM BRIAN PHILLIPS, D.C.
 RE: NON-D.C. PEER REVIEW

The Board reviewed correspondence from Dr. Phillips and will send him a copy of the final settlement with Ellen Ballard, M.D., who had reviewed Dr. Phillips' personal injury claims.

ITEM XV: CONSIDER CORRESPONDENCE FROM HILL CHIROPRACTIC
 RE: WORKERS COMPENSATION REVIEW

Upon review of the correspondence from Dr. Hill, a motion was made by Dr. Seibert, seconded by Dr. Casada and passed 5-0 to have the Board Director send a response to Dr. Hill outlining his options in this situation and stating that the Board does not involve itself in Workers Compensation Reviews.

ITEM XVI: CONSIDER CORRESPONDENCE
 RE: NON-D.C. PEER REVIEWS

At this time the Board reviewed the cases and a motion was made by Dr. Hideg, seconded by Dr. Seibert and passed 5-0 to send a second cease and desist to Dr. Paskoff, M.D., file an injunction against Dr. Collis, M.D., send a third cease and desist to Dr. Paskoff, M.D., and send a cease and desist to Dr. Bishow, M.D.

ITEM XVII: CONSIDER REGULATION UPDATES
No board action was necessary at this time.

ITEM XVIII: FIELD COORDINATOR REPORT
Dr. Hideg gave an update on field visits. No board action was necessary at this time.

ITEM XIX: CONSIDER CORRESPONDENCE
 RE: KYLE WELLINGTON, D.C. AGREED ORDER

The Board reviewed correspondence from Dr. Wellington concerning the agreed order which had been offered. A motion was made by Dr. Casada, seconded by Dr. Hideg and passed 5-0 to change the terms of the agreed order and allow Dr. Wellington 30 days to accept.

ITEM XX: TRAVEL AND PER DIEM

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

ITEM XXI: ADJOURNMENT

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

Respectfully submitted:

ATTESTED:

Karalee P. Oldenkamp, D.C.
Executive Director

Mark Woodward, D.C.
President