

**MINUTES**  
**REGULAR BOARD MEETING**  
**Friday, May 21, 2010**  
**200 South Green Street**  
**Glasgow, KY**

PRESENT: Mark Woodward, D.C., President  
Frank Hideg, D.C., Vice President  
Terri Byers-Abston, D.C., Board Member  
Michael Seibert, 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 9:15 a.m. prevailing time.

ITEM I: MINUTES

A motion was made by Dr. Seibert, seconded by Dr. Hideg and passed 4-0 to approve the minutes of the March 12, 2010 board meeting. Due to Dr. Cooper's absence, a motion was made by Dr. Woodward, seconded by Dr. Hideg and passed 4-0 to have Dr. Abston serve in the capacity of Secretary for this meeting.

ITEM II: FINANCIAL REPORTS

After review of the prepared financial reports for March and April 2010, upon motion made by Dr. Abston, seconded by Dr. Seibert and passed 4-0, 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. Hideg and passed 4-0 to pay for half of Board Counsel's costs to attend the FARB Attorney Certification program in October 2010.

ITEM IV: BOARD ENTERS EXECUTIVE SESSION

A motion was made by Dr. Seibert to go into Executive Session to discuss administrative cases 08-042A, 09-072, 09-076, 09-077, 09-078, 09-080, 09-082, 10-001 and 10A-003, under authority of KRS 61.810 C, J. The motion was seconded by Dr. Hideg and passed 4-0.

ITEM V: BOARD RESUMES REGULAR SESSION

Upon motion made by Dr. Seibert, seconded by Dr. Hideg and passed 4-0, the board resumed regular open session. Dr. Abston made the motion that the Board accept the recommendations made for action on the following administrative cases: 08-042A shall be dismissed with Board Counsel sending a follow-up letter to the DEA, 09-072 the Board determined probable cause for violation of KRS 312.150 (5) and may settle with an Agreed Order, however if terms are not accepted the Board authorizes Board Counsel to file an administrative complaint, 09-076 the licensee shall be offered an agreed order for violation of KRS 312.150 (1)(i), 09-077 shall be dismissed, 09-078 since the licensee did not enter into the Agreed Order or respond, the Board recommends that Board Counsel file an administrative complaint for violation of KRS 312.145(3) and the Board is

aware that they are cooperating with the Boone County Attorney on this case, 09-080 the Board accepts the signed cease and desist of using the BAX-3000 as resolution of this case, 09-082 Board Counsel shall file an administrative complaint, 10-001 shall be continued pending further investigation and for 10A-003 Dr. Woodward recused and left the room, the board recommended that the case be dismissed however a letter shall be mailed to the licensee with suggestions for compliance concerning his advertisement in the May 9, 2010 issue of the *Daily News*. The motion was seconded by Dr. Seibert and passed 3-0. Dr. Hideg abstained.

ITEM VI: REVIEW INITIAL LICENSE APPLICATION  
RE: MATTHEW RORIE, D.C.

Upon review of the application, and the response from Dr. Rorie, a motion was made by Dr. Seibert, seconded by Dr. Abston and passed 4-0 to grant initial licensure to Dr. Rorie.

ITEM VII: REVIEW LICENSE RENEWAL APPLICATION  
RE: JAMES CASTLE, D.C.

Upon review of the renewal application and documents previously requested by the Board, a motion was made by Dr. Seibert, seconded by Dr. Hideg and passed 4-0 to grant Dr. Castle's active license renewal.

ITEM VIII: REVIEW LICENSE RENEWAL APPLICATION  
RE: EDWIN HOPSON, D.C.

Upon review of the renewal application and documents previously requested by the Board, a motion was made by Dr. Seibert, seconded by Dr. Abston and passed 4-0 to grant Dr. Hopson's active license renewal.

ITEM IX: BOARD ENTERS EXECUTIVE SESSION

A motion was made by Dr. Hideg to go into Executive Session to discuss administrative cases 10-005, 10-006, 10-007, 10A-006, 10A-007 and 10A-008, under authority of KRS 61.810 C, J. The motion was seconded by Dr. Seibert and passed 4-0.

ITEM X: BOARD RESUMES REGULAR SESSION

Upon motion made by Dr. Abston, seconded by Dr. Hideg and passed 4-0, the board resumed regular open session. Dr. Seibert made the motion that the Board accept the recommendations made for action on the following administrative cases: 10-005 shall be dismissed, 10-006 a Board Order shall be mailed to the licensee, 10-007 the licensee shall be mailed a cease and desist, this case shall be referred by Board Counsel to the Oldham County Attorney and an injunction sought in Franklin Circuit Court, 10A-006 shall be dismissed, 10A-007 both licensees shall be offered a standard agreed order for violation of the right of rescission and 10A-008 shall be dismissed. The motion was seconded by Dr. Abston and passed 3-0. Dr. Hideg abstained.

ITEM XI: CONSIDER APPLICATION FOR ACTIVATION  
RE: SOPHIE BRODEUR, D.C.

Upon review of the application for activation and supporting documents from Dr. Brodeur, a motion was made by Dr. Seibert, seconded by Dr. Hideg and passed 4-0 to activate Dr. Brodeur's license.

ITEM XII:                    CONSIDER APPLICATION FOR ACTIVATION  
   RE: NICHOLAS FOX, D.C.

Upon review of the application for activation and supporting documents from Dr. Fox, a motion was made by Dr. Woodward, seconded by Dr. Seibert and passed 4-0 to activate Dr. Fox's license once his remaining six hours of education are complete, with the allowance of a Jurisprudence extension until the next class in August 2010.

ITEM XIII:                    CONSIDER APPLICATION FOR ACTIVATION  
   RE: JOHN CATAPANO, D.C.

Upon review of the application for activation and supporting documents from Dr. Catapano, a motion was made by Dr. Seibert, seconded by Dr. Abston and passed 4-0 to activate Dr. Catapano's license.

ITEM XIV:                    CONSIDER APPLICATION FOR ACTIVATION  
   RE: CYNTHIA DRUCKER, D.C.

Upon review of the application for activation and supporting documents from Dr. Drucker, a motion was made by Dr. Woodward, seconded by Dr. Abston and passed 4-0 to activate Dr. Drucker's license.

ITEM XV:                    REVIEW INITIAL LICENSE APPLICATION  
   RE: CHRISTIAN INIGUEZ, D.C.

Upon review of the application, and the response from Dr. Iniguez, a motion was made by Dr. Abston, seconded by Dr. Woodward and passed 4-0 to grant initial licensure to Dr. Iniguez.

ITEM XVI:                    AGENDA AMENDED

A motion was made by Dr. Abston, seconded by Dr. Hideg and passed 4-0 to amend the agenda to discuss correspondence from Thomas Raley, D.C. at a later time during executive session.

ITEM XVII:                    CONSIDER CORRESPONDENCE  
   RE: CLYDE MILLER, SR., D.C.

The board reviewed correspondence from Dr. Miller regarding peer review. A motion was made by Dr. Seibert, seconded by Dr. Abston and passed 4-0 to have the Executive Director send a letter of response to Dr. Miller stating that peer review educational programs are currently giving this same warning and will continue to do so. It shall also thank Dr. Miller for his interest and concern.

ITEM XVIII:                    AGENDA AMENDED

A motion was made by Dr. Woodward, seconded by Dr. Seibert and passed 4-0 to amend the agenda to review advertisements at a later time during executive session.

ITEM XIX:                    CONSIDER INFORMATION  
   RE: ARTHUR ASTON, III, D.C.

Information was reviewed regarding Arthur Aston, III, D.C. This information will be assigned a case number and the licensee will be notified and asked for a response upon motion made by Dr. Seibert, seconded by Dr. Hideg and passed 4-0. The licensee's response will be reviewed at the next board meeting.

ITEM XX:                    CONSIDER CORRESPONDENCE  
   RE: ERIC EPSTEIN, D.C.

Correspondence from Dr. Epstein concerning the requirement of six hours of continuing education taken within Kentucky was reviewed by the Board. A motion was made by Dr. Seibert, seconded by Dr. Hideg and passed 4-0 to have the Executive Director send a letter of response that the Board is charged with protection of the public and this is one way in which the Board is doing such.

ITEM XXI:                    FIELD COORDINATOR UPDATE

The Field Coordinator gave an update on the field visits made so far. No Board action was required at this time.

ITEM XXII:                    CONSIDER HIV/AIDS REQUIREMENTS

The Board reviewed the necessity of each licensee completing HIV/AIDS education during this year. A motion was made by Dr. Abston, seconded by D. Hideg and passed 4-0 to mail a letter to the licensees reminding them of this requirement and informing them that an online course through the Cabinet for Health and Family Services will be approved and made available through the KBCE website.

ITEM XXIII:                    PEER REVIEW COMMITTEE UPDATE

The Board reviewed information from the peer review committee members. Drs. J. Chirstopher Riggs and Shannon Johnson no longer wish to serve on the Board's Peer Review Committee. Dr. Riggs has served on the committee since November 29, 1989 when the committee was established. A motion was made by Dr. Woodward, seconded by Dr. Hideg and passed 4-0 to have a plaque made for Dr. Riggs for his service. A second motion was made by Dr. Woodward, seconded by Dr. Abston and passed 4-0 to send notification to the Peer Review certified licensees that the Board is accepting application for the Peer Review Committee.

ITEM XXIV:                    BOARD ENTERS EXECUTIVE SESSION

A motion was made by Dr. Hideg to go into Executive Session to discuss correspondence from Thomas Raley, D.C., review advertisements and current or pending litigation under authority of KRS 61.810 C, J. The motion was seconded by Dr. Abston and passed 4-0.

ITEM XXV: BOARD RESUMES REGULAR SESSION

Upon motion made by Dr. Abston, seconded by Dr. Hideg and passed 4-0, the board resumed regular open session. A motion was made by Dr. Abston to accept the recommendations of the board which were to have Board Counsel send a letter to Dr. Raley replying that his agreed order terms have been met since having a chaperone in the room was to last for the twelve month probationary period and the advertisement reviewed shall be given a case number and reviewed at the next meeting.

ITEM XXVI:                    TRAVEL AND PER DIEM

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

ITEM XXVII:                    ADJOURNMENT

There being no further business to come before the Board, upon motion made by Dr. Abston,

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seconded by Dr. Hideg and passed 4-0, the meeting was adjourned.

Respectfully submitted:

ATTESTED:

Karalee P. Oldenkamp, D.C.  
Executive Director

Mark Woodward, D.C.  
President