

**MINUTES
REGULAR BOARD MEETING
Friday, June 15, 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 9:10 a.m. prevailing time.

ITEM I: MINUTES

A motion was made by Dr. Abston, seconded by Dr. Casada and passed 5-0 to approve the minutes of the March 23, 2012 board meeting.

ITEM II: FINANCIAL REPORTS

After review of the prepared financial reports for March, April and May 2012, upon motion made by Dr. Casada, seconded by Dr. Hideg and passed 5-0, the financial reports were approved as presented.

ITEM III: BOARD OFFICE REPORT

Upon review of the board office report and request from the KAC to have a copy of the Jurisprudence course, a motion was made by Dr. Abston, seconded by Dr. Woodward and passed 5-0 to send a copy of the current Jurisprudence course to the KAC with the understanding that this does not take the place of attending the course and that the course is changed and updated annually. The Board also discussed the difficulty of receiving last minute information on cases to be addressed at the meetings. A motion was made by Dr. Seibert, seconded by Dr. Casada and passed 5-0 to require that any document to be reviewed at a board meeting be received at the board office at least two weeks prior to the meeting to allow for timely distribution and review. A motion was made by Dr. Seibert, seconded by Dr. Casada and passed 5-0 to approve payment of one third of the cost to send Michael West to the Attorney Certification Program at FARB 2012.

**ITEM IV: SUSPENSION OF AGENDA AND EXECUTIVE SESSION
RE: ATTORNEY BEN WEIGEL TO ADDRESS BOARD**

A motion was made by Dr. Woodward, seconded by Dr. Abston and passed 5-0 to suspend the agenda to hear from Attorney Ben Weigel regarding cases 11A-015, 12-016, 12-025 and 12-027. A motion was made by Dr. Seibert, seconded by Dr. Casada and passed 5-0 to enter Executive Session to discuss cases 11A-015, 12-016, 12-025 and 12-027 pursuant to KRS 61.810 C, J.

ITEM V: OPEN SESSION AND AGENDA RESUMED

A motion was made by Dr. Casada, seconded by Dr. Seibert and passed 5-0 to return to open session and accept the following recommendations made by the Board: 11A-015 the licensee shall be offered an amended agreed order and given 20 days to accept the terms or Board Counsel shall be authorized to file an administrative complaint; 12-016 shall be continued; 12-025 shall be continued; 12-027 shall be dismissed. A motion was made by Dr. Casada, seconded by Dr. Abston and passed 5-0 to resume the agenda.

ITEM VI: ADMINISTRATIVE CASE #09-072

Board Counsel left the room while the Board discussed the proposed Final Order. A motion was made by Dr. Casada, seconded by Dr. Woodward and passed 5-0 to accept the recommendations of the Hearing Panel and enter into the Final Order.

ITEM VII: ADMINISTRATIVE CASE #10-024

Board Counsel reviewed the case and updated the Board on the standing of this complaint. A motion was made by Dr. Casada, seconded by Dr. Hideg and passed 5-0 to dismiss this case.

ITEM VIII: ADMINISTRATIVE CASE #10-025D

This case shall be continued.

ITEM IX: ADMINISTRATIVE CASE #11-015

This case was reviewed and a motion was made by Dr. Seibert, seconded by Dr. Casada and passed 5-0 to dismiss this case without prejudice.

ITEM X: ADMINISTRATIVE CASE #11-020

This case was continued pending receipt of additional information.

ITEM XI: ADMINISTRATIVE CASE #11-030

No action necessary at this time.

ITEM XII: ADMINISTRATIVE CASE #11-031

The Board reviewed this case and a motion was made by Dr. Abston, seconded by Dr. Woodward and passed 5-0 to offer Agreed Orders to the licensee and facility owner at the terms discussed to settle this case. If accepted, the case shall be closed.

ITEM XIII: ADMINISTRATIVE CASE #11-032

No further action required at this time.

ITEM XIV: ADMINISTRATIVE CASE #12-001A

The board reviewed the case and a motion was made by Dr. Casada, seconded by Dr. Abston and passed 5-0 to offer an agreed order to Dr. Donald Miller for settlement of this case at the terms discussed. Board Counsel was also given the boundaries for negotiation.

ITEM XV: ADMINISTRATIVE CASE #12-001B

The board reviewed the case and a motion was made by Dr. Casada, seconded by Dr. Seibert and passed 5-0 to offer an agreed order to Dr. Mark Miller for settlement of this case at the terms discussed. Dr. Mark Miller must use a disclaimer to place the public on notice that he is not licensed in

Kentucky.

ITEM XVI: ADMINISTRATIVE CASE #12-002

Upon review of the information presented, a motion was made by Dr. Seibert, seconded by Dr. Casada and passed 5-0 to dismiss this case. A new complaint shall be initiated by the Board against Dr. Michael Rechter for the non-compliant facility name used in his advertisements.

ITEM XVII: ADMINISTRATIVE CASE #12-003

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

ITEM XVIII: ADMINISTRATIVE CASE #12-004

Upon review of the information presented in this case, a motion was made by Dr. Abston, seconded by Dr. Woodward and passed 5-0 to have Board Counsel file an administrative complaint.

ITEM XIX: ADMINISTRATIVE CASE #12-009

This case has been closed since the required letter of cease and desist has been sent to the medical doctor performing unlicensed peer review of chiropractic claims.

ITEM XX: ADMINISTRATIVE CASE #12-010

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

ITEM XXI: ADMINISTRATIVE CASE #12-011

This case shall be continued.

ITEM XXII: ADVERTISING CASE #11A-014

No action was necessary at this time as an administrative complaint has been filed.

ITEM XXIII: ADMINISTRATIVE CASE #12-012

This case shall be continued pending a site visit.

ITEM XXIV: ADMINISTRATIVE CASE #12-013

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

ITEM XXV: ADMINISTRATIVE CASE #12-014

The board reviewed the case and a motion was made by Dr. Seibert, seconded by Dr. Abston and passed 5-0 to offer an agreed order to Dr. LaBrot for settlement of this case at the terms discussed.

ITEM XXVI: ADMINISTRATIVE CASE #12-015

The board reviewed the case and a motion was made by Dr. Seibert, seconded by Dr. Abston and passed 5-0 to offer an agreed order to Dr. Johnson for settlement of this case at the terms discussed.

ITEM XXVII: ADMINISTRATIVE CASE #12-017

Upon review of the information presented, a motion was made by Dr. Seibert, seconded by Dr. Casada and passed 5-0 to dismiss this case and have Board Counsel file a civil action seeking injunction against Lesa Hill.

ITEM XXVIII: ADMINISTRATIVE CASE #12-018

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

ITEM XXIX: ADMINISTRATIVE CASE #12-019

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

ITEM XXX: ADMINISTRATIVE CASE #12-020

The board reviewed the case and a motion was made by Dr. Woodward, seconded by Dr. Casada and passed 5-0 to offer an agreed order to Dr. Hanlon until his criminal case is settled.

ITEM XXXI: ADMINISTRATIVE CASE #12-021

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

ITEM XXXII: ADMINISTRATIVE CASE #12-022

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

ITEM XXXIII: ADMINISTRATIVE CASE #12-023

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

ITEM XXXIV: ADMINISTRATIVE CASE #12-024

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

ITEM XXXV: ADMINISTRATIVE CASE #12-026

This case shall be continued.

ITEM XXXVI: ADVERTISING CASE #12A-001

The board reviewed the case and a motion was made by Dr. Seibert, seconded by Dr. Casada and passed 5-0 to offer an agreed order to Dr. Barber for settlement of this case.

ITEM XXXVII: ADVERTISING CASE #12A-002

The board reviewed the case and a motion was made by Dr. Casada, seconded by Dr. Seibert and passed 5-0 to offer an agreed order to Dr. Loveless for settlement of this case.

ITEM XXXVIII: ADVERTISING CASE #12A-003

The board reviewed the case and a motion was made by Dr. Abston, seconded by Dr. Casada and passed 5-0 to offer an agreed order to Drs. Tinius for settlement of this case.

ITEM XXXIX: LICENSE ACTIVATION

RE: BARBARA KUNKLE, D.C.

The board reviewed the information regarding activation of Dr. Kunkle's license. A motion was made by Dr. Seibert, seconded by Dr. Abston and passed 5-0 to activate Dr. Kunkle's license.

ITEM XL: LICENSE ACTIVATION
 RE: RYAN BOND, D.C.

The board reviewed the information regarding activation of Dr. Bond's license. A motion was made by Dr. Seibert, seconded by Dr. Casada and passed 5-0 to activate Dr. Bond's license.

ITEM XLI: REVIEW INITIAL LICENSE APPLICATION
 RE: CASEY RUNNELS, D.C.

The board reviewed the information regarding Dr. Runnel's license application. A motion was made by Dr. Seibert, seconded by Dr. Abston and passed 5-0 to grant the license.

ITEM XLII: REVIEW INITIAL LICENSE APPLICATION
 RE: JOHN GOOLSBY, D.C.

The board reviewed the information regarding Dr. Goolsby's license application. A motion was made by Dr. Seibert, seconded by Dr. Casada and passed 5-0 to grant the license.

ITEM XLIII: REVIEW INITIAL LICENSE APPLICATION
 RE: VALERIE NAGLE, D.C.

The board reviewed the information regarding Dr. Nagle's license application. Since it appears that Dr. Nagle's undergraduate education does not meet the requirements of KRS 312.085(1), a motion was made by Dr. Seibert, seconded by Dr. Abston and passed 5-0 to deny initial licensure until which time Dr. Nagle can provide documentation to show her undergraduate education meets these requirements.

ITEM XLIV: REVIEW INITIAL LICENSE APPLICATION
 RE: MEGAN SOCHA, D.C.

The board reviewed the information regarding Dr. Socha's license application. A motion was made by Dr. Seibert, seconded by Dr. Abston and passed 5-0 to grant the license.

ITEM XLV: REVIEW RENEWAL APPLICATION
 RE: DAVID MEGRONIGLE, D.C.

The Board reviewed information regarding a criminal charge reported by Dr. Megronigle on his license renewal application. A motion was made by Dr. Woodward, seconded by Dr. Casada and passed 5-0 to initiate a new case and offer an agreed order to Dr. Megronigle at the terms discussed until which time the criminal case has concluded and the Board may then consider any necessary action.

ITEM XLVI: REVIEW INFORMATION RE: AARON CLARK, D.C. SIGNAGE

The Board reviewed additional correspondence received from Dr. Clark regarding his signage. A motion was made by Dr. Woodward, seconded by Dr. Casada and passed 5-0 to offer an agreed order to Dr. Clark at the terms discussed and giving Dr. Clark 30 days to come into compliance.

ITEM XLVII: CONSIDER PEER REVIEW HARDSHIP
 RE: CLYDE MILLER, D.C.

Upon review of Dr. Miller's request for hardship, a motion was made by Dr. Seibert, seconded by Dr. Hideg and passed 5-0 to deny the request since the statutes and regulations do not allow for a hardship on the Peer Review certification continuing education hours.

ITEM XLVIII: CONSIDER CORRESPONDENCE RE: CALLIE G. SHORT, D.C.

Upon review of correspondence from Dr. Garrison-Short, a motion was made by Dr. Seibert, seconded by Dr. Abston and passed 5-0 to have the Board Administrator send a letter to Dr. Garrison-Short advising her that it is within her scope of practice to order lab work per KRS 312.017(2).

ITEM XLIX: CONSIDER CORRESPONDENCE RE: T. MATT CHRISTOPHER, D.C.

Upon review of correspondence from Dr. Christopher, a motion was made by Dr. Seibert, seconded by Dr. Casada and passed 5-0 to have the Board Administrator send a letter to Dr. Christopher advising him that he may use his certification, CCPC, if he writes out the name of the certification and also states the certifying organization. However, Dr. Christopher will be advised that he may not hold himself out to be a specialist since this certification is not one of the two specialties recognized by KRS 312.

ITEM L: CONSIDER CORRESPONDENCE RE: BRENT DAWSON, D.C.

Upon review of correspondence from Dr. Dawson, a motion was made by Dr. Casada, seconded by Dr. Abston and passed 5-0 to have the Board Administrator send a letter to Dr. Dawson asking him to contact the Gambling Commission regarding their requirements and reporting that information back to the Board for consideration. The Board does however find that there may be several ethical issues implicated by this process.

ITEM LI: INFORMATION TO CONSIDER RE: SOCIAL MEDIA

The Board reviewed several situations of social media marketing and has asked the Board Administrator to gather additional information for consideration of this issue at the next board meeting.

ITEM LII: NON-D.C.S PERFORMING PEER REVIEW

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 5-0 to have Board Counsel send a cease and desist to Dr. William Daniels, M.D. A second motion was made by Dr. Casada, seconded by Dr. Seibert and passed 5-0 to have Board Counsel amend the civil action against Dr. Collis to add the review he performed on Julie Ann Martin, D.C.'s chiropractic claims once a copy of the review is received from Dr. Martin.

ITEM LIII: REGULATION UPDATES

The Board took no action at this time, but will set a separate meeting for review of regulations at the next board meeting.

ITEM LIV: FIELD COORDINATOR REPORT

The Field Coordinator updated the Board on the progress and findings of his field visits. He also advised the Board of information received regarding Evans Chiropractic. A motion was made by Dr. Woodward, seconded by Dr. Casada and passed 4-0 to initiate a case to investigate Ben Robinson, D.C. at Evans Chiropractic. Dr. Hideg abstained.

ITEM LV: CONSIDER INFORMATION FROM VICTOR COOPER, D.C.

The Board reviewed information from Dr. Cooper regarding billing and coding issues. No Board action was taken at this time.

ITEM LVI: TRAVEL AND PER DIEM

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

ITEM LVII: ADJOURNMENT

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

Respectfully submitted:

Karalee P. Oldenkamp, D.C.
Executive Director

ATTESTED:

Mark Woodward, D.C.
President