

**MINUTES
REGULAR BOARD MEETING
Friday, August 20, 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: OATH OF OFFICE

The Oath of Office was administered to newly appointed board member Rodney Casada, D.C., by Lisa Logsdon, Notary Public.

ITEM II: MINUTES

A motion was made by Dr. Seibert, seconded by Dr. Abston and passed 5-0 to approve the minutes of the May 21, 2010 board meeting.

ITEM III: FINANCIAL REPORTS

After review of the prepared financial reports for May, June and July 2010, upon motion made by Dr. Abston, seconded by Dr. Seibert and passed 5-0, the financial reports were approved as presented. The board also asked that the Executive Director run numbers to determine how the budget stands with figures from the cost of the Field Coordinator position.

ITEM IV: BOARD OFFICE REPORT

Upon review of the board office report, a motion was made by Dr. Seibert, seconded by Dr. Hideg and passed 5-0 to send Drs. Abston and Casada to participate in NBCE Part IV examinations in November 2010 and Dr. Hideg to participate in the FCLB District meeting in October 2010. Dr. Abston was nominated for the position of Secretary, which followed with her unanimous election. The Board selected January 21, 2011 as a board meeting date, to be followed by January 22, 2011 as the next Jurisprudence course date.

ITEM V: ADMINISTRATIVE CASE #09-072

A motion was made by Dr. Casada, seconded by Dr. Hideg and passed 5-0 to accept the counteroffer to the proposed Agreed Order.

ITEM VI: ADMINISTRATIVE CASE #09-078

The Board reviewed the status of this case and no action was necessary at this time.

ITEM VII: ADMINISTRATIVE CASE #09-082
The Board reviewed the status of this case and no action was necessary at this time.

ITEM VIII: ADMINISTRATIVE CASE #10-001
This case is continued pending further investigation.

ITEM IX: ADMINISTRATIVE CASE #10-006
Upon review by the entire board, a motion was made by Dr. Casada, seconded by Dr. Seibert and passed 5-0 to have the Board Director send a letter to the complainant stating the exact amount of the cost of postage as quoted by the licensee's attorney and copy the letter to the licensee.

ITEM X: ADMINISTRATIVE CASE #10-007
Upon review by the entire board, a motion was made by Dr. Abston, seconded by Dr. Seibert and passed 4-0 to authorize Board Counsel to settle the current law suit at the terms which were determined. Dr. Hideg abstained.

ITEM XI: ADVERTISING CASE #10A-007
The Board reviewed additional information on this case. A motion was made by Dr. Abston, seconded by Dr. Seibert and passed 5-0 to dismiss the case. The Board also asked that Dr. Peace be made aware that he is responsible for his name anywhere it appears.

ITEM XII: ADMINISTRATIVE CASE #10-008
Upon review of the case, a motion was made by Dr. Seibert, seconded by Dr. Hideg and passed 5-0 to have board staff send a letter to the complainant stating that we understand from another case that this licensee is willing to mail records once payment is received for postage and the charge for certification is not an issue for this board. The letter shall be copied to the licensee.

ITEM XIII: ADMINISTRATIVE CASE #10-009
Since the licensee has come into compliance, a motion was made by Dr. Casada, seconded by Dr. Seibert and passed 5-0 to dismiss this case.

ITEM XIV: ADMINISTRATIVE CASE #10-010
Upon review of the case, a motion was made by Dr. Seibert, seconded by Dr. Abston and passed 5-0 to have board staff to send a letter to the complainant stating that the patient must make the request for their records and they may be subject to the cost of postage if they wish to have them mailed. The letter shall be copied to the licensee.

ITEM XV: ADMINISTRATIVE CASE #10-011
Upon review and consideration by the Board of the information regarding this case, a motion was made by Dr. Casada, seconded by Dr. Seibert and passed 5-0 to authorize Board Counsel to file an Administrative Complaint for violation of KRS 312.150 (1) (c).

ITEM XVI: ADMINISTRATIVE CASE #10-012
This case is continued pending further investigation.

ITEM XVII: ADVERTISING CASE #10A-009

Upon review of this case, a motion was made by Dr. Abston, seconded by Dr. Hideg and passed 5-0 to have Board Counsel respond to the licensee that there is a difference between a right and a guarantee and what is stated in the advertisement should indicate that the seventy-two hour right of rescission is a legal right and not a personal guarantee.

ITEM XVIII: ADVERTISING CASE #10A-010

Upon review of this case, a motion was made by Dr. Abston, seconded by Dr. Hideg and passed 5-0 to have Board Counsel respond to the licensee that there is a difference between a right and a guarantee and what is stated in the advertisement should indicate that the seventy-two hour right of rescission is a legal right and not a personal guarantee.

ITEM XIX: ADVERTISING CASE #10A-011

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 terms which were discussed.

ITEM XX: REVIEW LICENSE ACTIVATION RE: KATHIE PLUMMER, D.C.

Upon review of the application for activation and supporting documents from Dr. Plummer, a motion was made by Dr. Casada, seconded by Dr. Hideg and passed 5-0 to activate Dr. Plummer's license.

ITEM XXI: REVIEW LICENSE ACTIVATION RE: WILLIAM YADON, D.C.

Upon review of the application for activation and supporting documents from Dr. Yadon, a motion was made by Dr. Seibert, seconded by Dr. Hideg and passed 5-0 to activate Dr. Yadon's license.

ITEM XXII: REVIEW CORRESPONDENCE RE: KELLYE BROWN, D.C.

The Board reviewed correspondence received from Dr. Kellye Brown regarding auricular therapy. Upon consideration a motion was made by Dr. Seibert, seconded by Dr. Casada and passed 5-0 to reply stating that she must be able to relate the treatment to a subluxation of the spine and it may only be used as an adjunct to the adjustment. She must also only use the therapy as taught to her by a CCE accredited chiropractic college.

ITEM XXIII: REVIEW CORRESPONDENCE RE: ADRIAN NOHR, D.C.

The Board reviewed correspondence received from Dr. Adrian Nohr concerning his Agreed Order for case 09-075. A motion was made by Dr. Abston, seconded by Dr. Casada and passed 4-1 to mail a response to Dr. Nohr stating although the Board acknowledges that he is in violation of the terms of his Agreed Order by not completing the examination by the date required, his successful score on the NBCE Ethics and Boundaries examination will be accepted. Dr. Seibert opposed.

ITEM XXIV: REVIEW CORRESPONDENCE RE: DENNIS CLAUSE, D.C.

The Board reviewed correspondence regarding Dennis Clause, D.C. This information shall be given a case number and revisited along with the licensee's response at the next Board meeting.

ITEM XXV: REVIEW CORRESPONDENCE

RE: ASSOCIATED CHIROPRACTIC & REHAB

The Board reviewed correspondence regarding Associated Chiropractic and Rehab. This information shall be given a case number and revisited along with the licensee's response at the next Board meeting.

ITEM XXVI: FIELD COORDINATOR UPDATE

The Field Coordinator updated the Board on the progress and findings of his field visits. A motion was made by Dr. Abston, seconded by Dr. Casada and passed 4-0 to allow the Field Coordinator to give the licensees 30 days to come into compliance during which time no reference shall be made to the board. If a licensee fails to come into compliance within the 30 days, the issue shall be brought before the Board for review. Dr. Hideg abstained.

ITEM XXVII: CONSIDERATION OF MD/DC PRACTICES

The Board reviewed information pertaining to MD/DC practices. Upon consideration it was determined by the Board that any licensee intending to enter into this business structure should consult their personal attorney for advice on business setup and legality, however the licensee is bound by KRS 312 and 201 KAR 21 to practice within their scope.

ITEM XXVIII: PEER REVIEW COMMITTEE MEMBER APPOINTMENTS

The Board reviewed applications for appointment to the Peer Review Committee to take the places of Drs. J.C. Riggs and Shannon Johnson. Upon determination of qualified candidates and vote, Drs. Kurt Adams and Charles Copeland were selected for appointment.

ITEM XXIX: ADDITIONAL INFORMATION

Dr. Seibert notified the Board that he had been made aware of possible unlicensed practice of chiropractic at God's Garden and Herbs in Guthrie, KY which is in Logan County. This information was turned over to the Field Coordinator for investigation.

ITEM XXX: FIELD COORDINATOR PHONE COSTS

It was brought before the board that Dr. Hideg's cell phone costs should be reimbursed by the board since he is using this phone for his field visits and investigations. A motion was made by Dr. Abston, seconded by Dr. Seibert and passed 4-0 to reimburse Dr. Hideg for his cell phone costs since March 2010 when he started in this position. His cell phone should be transferred into the name of the Board and will then be paid directly by the Board. Dr. Hideg abstained.

ITEM XXXI: TRAVEL AND PER DIEM

A motion was made by Dr. Seibert, seconded by Dr. Casada and passed 5-0 to approve the travel expenses and per diem of today's meeting and the travel and per diem for the Jurisprudence course to be held Saturday, August 21, 2010.

ITEM XXXII: 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.

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Respectfully submitted:

Karalee P. Oldenkamp, D.C.
Executive Director

ATTESTED:

Mark Woodward, D.C.
President