

**MINUTES  
REGULAR BOARD MEETING  
Friday, August 24, 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  
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 9:07 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 June 15, 2012 board meeting.

**ITEM II: FINANCIAL REPORTS**

After review of the prepared financial reports for June and July 2012, upon motion made by Dr. Abston, 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, a motion was made by Dr. Abston, seconded by Dr. Casada and passed 4-0 to approve travel and expenses for Dr. Hideg to attend the FCLB District II meeting October 18-20, 2012 in Fort Walton Beach, Florida. The Board reviewed information from the Peer Review Committee regarding administrative operations and suggestions for revisions to the peer review regulations. The Board thanked the members for their dedication and stated they look forward to working together to move forward in regulation revisions. A motion was made by Dr. Abston, seconded by Dr. Casada and passed 4-0 to send a form letter to those licensees whose facility name as listed in the database is not currently in compliance. Responses will be reviewed at the following board meeting.

**ITEM IV: ADMINISTRATIVE CASE #10-025D**

This case shall be continued.

**ITEM V: ADMINISTRATIVE CASE #11-020**

This case has been resolved as signage was altered to reflect that the licensees are in the business of chiropractic. The Board has determined that the business being undertaken by Drs. Bruce and Anita Jackson is not chiropractic in Kentucky under the definition stated in KRS 312.015. Their signage no longer reflects closely therewith their secondary business as veterinary assistants.

**ITEM VI: ADMINISTRATIVE CASE #11-030**

No action necessary at this time.

ITEM VII: ADMINISTRATIVE CASE #11-032  
No action required at this time. A civil action has been filed in this case.

ITEM VIII: ADMINISTRATIVE CASE #12-001A  
The board reviewed and accepted the final Agreed Order previously issued and this case is now closed.

ITEM IX: ADMINISTRATIVE CASE #12-001B  
The board accepted the settlement in this civil case and it is now closed.

ITEM X: ADMINISTRATIVE CASE #12-004  
Upon review of the information presented in this case, a motion was made by Dr. Abston, seconded by Dr. Casada and passed 4-0 to dismiss the complaint from A.S. and have Board Counsel withdraw the administrative complaint. A letter shall be mailed to the licensee stating that the board has not dropped the issue of his facility name; however, they have decided to address the issue in a more systematic way. He will be receiving future correspondence regarding this issue.

ITEM XI: ADMINISTRATIVE CASE #12-011  
Upon review and consideration of the information in this case, a motion was made by Dr. Casada, seconded by Dr. Abston and passed 3-0 to dismiss. Dr. Hideg abstained.

ITEM XII: ADMINISTRATIVE CASE #12-012  
Upon review and consideration of the information in this case, a motion was made by Dr. Casada, seconded by Dr. Abston and passed 3-0 to dismiss. Dr. Hideg abstained.

ITEM XIII: ADMINISTRATIVE CASE #12-013  
This case shall be continued pending the receipt of additional information.

ITEM XIV: ADMINISTRATIVE CASE #12-014  
The board reviewed and accepted the signed agreed order for settlement of this case at the terms previously discussed.

ITEM XV: ADMINISTRATIVE CASE #12-015  
The board reviewed and accepted the signed agreed order for settlement of this case at the terms previously discussed.

ITEM XVI: ADMINISTRATIVE CASE #12-016  
This case shall be continued pending further investigation.

ITEM XVII: ADMINISTRATIVE CASE #12-020  
The board reviewed the settlement of the criminal case and a motion was made by Dr. Woodward, seconded by Dr. Casada and passed 4-0 to offer an agreed order to Dr. Hanlon at the terms discussed to settle this administrative case.

ITEM XVIII: ADMINISTRATIVE CASE #12-021  
This case shall be continued pending the receipt of further information.

ITEM XIX: ADMINISTRATIVE CASE #12-022  
This case shall be continued pending the receipt of further information.

ITEM XX: ADMINISTRATIVE CASE #12-024  
The board reviewed the case and a motion was made by Dr. Abston, seconded by Dr. Casada and passed 4-0 to offer an agreed order to Dr. Rita Goldman for settlement of this case. If accepted, the case shall be closed.

ITEM XXI: ADMINISTRATIVE CASE #12-025  
The board reviewed the case and a motion was made by Dr. Abston, seconded by Dr. Casada and passed 4-0 to offer an agreed order to Dr. Cunningham for settlement of this case. If accepted, the case shall be closed.

ITEM XXII: ADMINISTRATIVE CASE #12-026  
Upon review and consideration of the information in this case, a motion was made by Dr. Casada, seconded by Dr. Abston and passed 3-0 to dismiss this case and turn over the information to an Ombudsman at the Department of Insurance. Dr. Hideg abstained.

ITEM XXIII: ADMINISTRATIVE CASE #12-035  
Upon review and consideration of the information in this case, a motion was made by Dr. Abston, seconded by Dr. Casada and passed 4-0 to approve the settlement parameters and close this case against Dr. Stanley Collis, M.D. upon completion of the required signatures.

ITEM XXIV: ADMINISTRATIVE CASE #12-036  
The Board reviewed information received regarding non-D.C.s performing peer review of chiropractic claims. A motion was made by Dr. Abston, seconded by Dr. Woodward and passed 4-0 to have Board Counsel send a cease and desist to Dr. Harvey Bishow, M.D.

ITEM XXV: ADMINISTRATIVE CASE #12-037  
This case is now closed.

ITEM XXVI: ADMINISTRATIVE CASE #12-038  
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 file an injunction in Franklin Circuit Court against Dr. Charles Barlow, M.D.

ITEM XXVII: ADVERTISING CASE #11A-014  
Upon review and consideration of the information in this case, a motion was made by Dr. Casada, seconded by Dr. Abston and passed 4-0 to counter offer with an agreed order which if accepted will close this case.

ITEM XXVIII: ADVERTISING CASE #11A-015  
An administrative complaint has been filed in this case and no action is necessary at this time.

ITEM XXIX: ADVERTISING CASE #12A-001

Upon review and consideration of the information in this case, a motion was made by Dr. Woodward, seconded by Dr. Casada and passed 4-0 to dismiss.

ITEM XXX: ADVERTISING CASE #12A-003

The board reviewed the case and a motion was made by Dr. Woodward, seconded by Dr. Casada and passed 4-0 to reissue the agreed order to Drs. Tinius, with the corrected regulation violation, for settlement of this case.

ITEM XXXI: ADMINISTRATIVE CASE #12-028

Upon review and consideration of the information in this case, a motion was made by Dr. Casada, seconded by Dr. Abston and passed 4-0 to have Board Counsel respond asking for more information and advising against using the term "clinic" without being registered with the Board.

ITEM XXXII: ADMINISTRATIVE CASE #12-029

No action necessary at this time.

ITEM XXXIII: ADMINISTRATIVE CASE #12-030

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

ITEM XXXIV: ADMINISTRATIVE CASE #12-031

Upon review and consideration of the information in this case, a motion was made by Dr. Casada, seconded by Dr. Abston and passed 4-0 to have the Board staff send a notice of complaint letter to Dr. Robinson informing him of the specific cases which were seized by the Drug Enforcement Administration and are currently under review for violation of KRS 312. He shall also be requested to send all additional records, 1500 forms and itemized statements along with a records certification form to the board office. Once all records are received, a peer review shall be conducted on five of the cases with the report being reviewed by the board at the following meeting.

ITEM XXXV: ADMINISTRATIVE CASE #12-032

Upon review and consideration of the information in this case, a motion was made by Dr. Abston, seconded by Dr. Casada and passed 4-0 to have Board Counsel file an injunction in Franklin Circuit Court against Dr. Michael Best, M.D.. The Board also requested that Board staff obtain a copy of the patient's records from the licensee for review at the following meeting.

ITEM XXXVI: ADMINISTRATIVE CASE #12-033

Upon review and consideration of the information in this case, the Board requested that the Board Administrator obtain more information from the licensee for consideration at the following meeting.

ITEM XXXVII: ADVERTISING CASE #12A-004

Upon review and consideration of the information in this case, a motion was made by Dr. Casada, seconded by Dr. Abston and passed 4-0 to dismiss.

ITEM XXXVIII: ADVERTISING CASE #12A-005

Upon review and consideration of the information in this case, a motion was made by Dr. Abston, seconded by Dr. Casada and passed 4-0 to dismiss.

ITEM XXXIX: REVIEW INITIAL LICENSE APPLICATION  
RE: TIMOTHY VINCENT, D.C.

The board reviewed the information regarding Dr. Vincent's license application. A motion was made by Dr. Woodward, seconded by Dr. Casada and passed 4-0 to grant the license.

ITEM XL: REVIEW INITIAL LICENSE APPLICATION  
RE: ERIC BLISS, D.C.

The board reviewed the information regarding Dr. Bliss's license application. A motion was made by Dr. Abston, seconded by Dr. Casada and passed 4-0 to send a letter to the applicant stating that the Board has continued the consideration of his application until finalization of the investigation he had referenced in his letter to the Board.

ITEM XLI: LICENSE ACTIVATION  
RE: TIMOTHY COOK, D.C.

The board reviewed the information regarding activation of Dr. Cook's license. A motion was made by Dr. Casada, seconded by Dr. Abston and passed 4-0 to activate Dr. Cook's license.

ITEM XLII: LICENSE ACTIVATION  
RE: KEVIN RICHARDS, D.C.

The board reviewed the information regarding activation of Dr. Richards' license. A motion was made by Dr. Casada, seconded by Dr. Abston and passed 4-0 to activate Dr. Richards' license.

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

The Board reviewed additional correspondence received from Dr. Clark regarding his signage. Due to new information and circumstances regarding Dr. Clark's facility, the Board is requesting that Dr. Clark attend the following board meeting to present information regarding his application and then current status of his facility. Board Counsel shall send correspondence to Dr. Clark informing him of this request.

ITEM XLIV: REVIEW AGREED ORDER TERMS  
RE: DAWN WEITFELDT, D.C.

The Board reviewed information considering the non-compliance with agreed order terms of Dr. Weitfeldt. A motion was made by Dr. Casada, seconded by Dr. Woodward and passed 3-0 to file an administrative complaint for violation of agreed order terms. Dr. Hideg abstained.

ITEM XLV: REVIEW AGREED ORDER TERMS  
RE: DAVID MEGRONIGLE, D.C.

The Board reviewed information considering the non-compliance with agreed order terms of Dr. Megrnigle. A motion was made by Dr. Abston, seconded by Dr. Casada and passed 4-0 to file an administrative complaint for violation of agreed order terms.

ITEM XLVI: CONSIDER CORRESPONDENCE RE: T. THOROUGHMAN, D.C.

Upon review of correspondence from Dr. Terry Thoroughman, a motion was made by Dr. Casada, seconded by Dr. Woodward and passed 4-0 to approve Dr. Thoroughman's education to qualify him for certification as a peer reviewer.

ITEM XLVII: CONSIDER INFORMATION

RE: AUTO ACCIDENT SMART PHONE APPLICATION

Upon review of information provided regarding participating with a smart phone application for auto accidents, the Board determined that based on the information provided, there was no violation of KRS 312.

ITEM XLVIII: INFORMATION TO CONSIDER RE: SOCIAL MEDIA

The Board reviewed additional information concerning social media marketing and decided to allow for this advertising, provided that the seventy-two hour right of rescission is included, until regulation changes are completed.

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

RE: COLLIS, M.D.

The Board reviewed information received regarding non-D.C.s performing peer review of chiropractic claims. Since Dr. Collis has additional reviews, this instance shall be added to the previous case which is still in negotiation for settlement.

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

RE: CHAYET, 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 send a cease and desist to Dr. Brad Chayet, M.D.

ITEM LI: REGULATION UPDATES

The Board took no action at this time, but set a meeting for November 10, 2012 to review regulations for potential revision. The meeting shall be held at the Board office.

ITEM LII: FIELD COORDINATOR REPORT

The Field Coordinator updated the Board on the progress and findings of his field visits. No Board action was necessary.

ITEM LIII: SET FUTURE BOARD MEETING DATES

The Board set future Board meeting dates for November 9, 2012 and January 18, 2013. They also set the next Jurisprudence course for Saturday, January 19, 2013. It will be from 9:00-11:00am at the US Bank second floor board room, 200 South Green Street, Glasgow.

ITEM LIV: TRAVEL AND PER DIEM

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

ITEM LV: ADJOURNMENT

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

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Respectfully submitted:

Karalee P. Oldenkamp, D.C.  
Executive Director

ATTESTED:

Mark Woodward, D.C.  
President