

**KENTUCKY BOARD OF CHIROPRACTIC EXAMINERS  
SPECIAL COMPLAINTS COMMITTEE MEETING MINUTES  
May 5, 2022**

A regular called meeting of the Kentucky Board Chiropractic Examiners Complaints Committee was held at the Department of Professional Licensing located at 500 Mero Street, Frankfort, KY 40601 and via Zoom on May 5, 2022.

**MEMBERS PRESENT**

Dr. James England  
Dr. Shannon Johnson

**DEPARTMENT OF PROFESSIONAL LICENSING**

Tasha Stewart, Administrative Section Supervisor

**OTHERS**

August Pozgay, Public Protection Cabinet  
Office of Legal Services, Board Counsel

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**CALL TO ORDER**

Dr. England called the meeting to order at 12:05 p.m.

**APPROVAL OF MINUTES**

Dr. England made a motion to accept the March 10, 2022 complaints committee minutes as presented with corrections. Motion seconded by Dr. Johnson, carried.

**NEW BUSINESS**

Dr. Johnson made a motion to amend the committee's 2022 schedule as follows: July 8, September 9, and November 11 to begin at noon EST. Motion seconded by Dr. England, carried.

**COMPLAINTS COMMITTEE RECOMMENDATIONS**

Dr. England moved to enter closed session to include Board Counsel Mr. August Pozgay and Board Administrator Ms. Tasha Stewart pursuant to KRS 61.815(1) and KRS 61.810(1)(j) and (k) to deliberate on individual adjudications in the matters as listed below and a civil case and settlement. Motion seconded by Dr. Johnson, carried. The committee entered closed session at 12:09 p.m.

Dr. England moved to leave closed session. Motion seconded by Dr. Johnson, carried. Regular session resumed at 1:19 p.m.

Dr. Johnson made a motion to recess until 1:36 pm EST. Motion seconded by Dr. England, carried. Meeting recessed at 1:20 pm EST.

Dr. England called the meeting back to order at 1:41 pm EST.

Dr. England moved to present the recommendations for all below matters as discussed in closed session to the Board at the May 6, 2022 meeting. Motion seconded by Dr. Johnson, carried.

- **M.Y. DUI Report & Audited Renewal:** Recommendation for the board to approve the audited renewal and keep the investigation before the complaints committee; committee to send a letter to the licensee to request patient records for further review by the committee
- **P.C. 2022 Renewal:** Recommendation for the board to approve the audited renewal and keep the investigation before the complaints committee; committee to send a letter to the licensee to request patient records for further review by the committee.
- **C.G. Audited Renewal:** Recommendation for the board to approve the audited renewal and send a letter to the licensee to request patient records for further review and keep the investigation open.
- **2019KBCE00005:** Recommendation to offer an agreed order to pay one half of the investigative fees.
- **2020KBCE00007:** Recommendation to resend agreed order with letter offering an additional 30 days to respond. If no response, proceed to 13B hearing.
- **Investigations pending before board investigators:** Recommendation for the board to close out all investigations pending before board investigators and transfer case files back to board.
- **Investigator grading and nonrenewal memorandum letter:** Recommendation for the board to adopt the draft performance evaluation and memorandum letter as presented to the board.
- **Investigator RFP, prospective:** Recommendation for the board to authorize the president to review and sign investigator RFP with similar terms as prior RFP except with the additions, to be drafted by counsel: 1) that a prior evaluation be taken into account as part of the scoring for the bid; 2) that the investigator must use a template provided by the board for investigation reports.

Dr. England made a motion to authorize Counsel to advise the investigators to close all board investigations. Motion seconded by Dr. Johnson, carried.

Dr. England made a motion to place 2021KBCE00030 on hold. Motion seconded by Dr. Johnson, carried.

Dr. England made a motion to present the Investigators Grading to the Board for confirmation of a statement as drafted by the committee. Motion seconded by Dr. Johnson, carried.

Dr. Johnson made a motion to recommend the board authorize chair to review and sign investigator RFP with similar terms as prior RFP except with the additions: 1) that a prior evaluation be taken into account as part of the scoring for the bid; 2) that the investigator must use a template provided by the board for investigation reports. Motion seconded by Dr. England, carried.

## ADJOURN

A motion was made by Dr. England to adjourn the meeting at 2:13 p.m. Motion seconded by Dr. Johnson, carried.




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Dr. James England, Vice Chair