

**KENTUCKY BOARD OF CHIROPRACTIC EXAMINERS**  
**MEETING MINUTES**  
**September 16, 2022**

A regular meeting of the Kentucky Board Chiropractic Examiners was held at the Department of Professional Licensing located at 500 Mero Street, Frankfort, KY 40601 and via Zoom on September 16, 2022.

**MEMBERS PRESENT**

Dr. Kelly Cooper-Henson  
Dr. Rachael Kuperus  
Dr. James England  
Dr. Chad Henderson

**DEPARTMENT OF PROFESSIONAL LICENSING**

Kristen Lawson, Commissioner  
Tasha Stewart, Administrative Section Supervisor  
Ashley Cotton, Board Administrator

**OTHERS**

Clay Patrick, Public Protection Cabinet  
Office of Legal Services, Board Counsel

**GUESTS**

Dr. Rachel Wendt, KAC  
Don Oliva  
Dr. Anthanasia Angelopoulos  
Dr. Blaise Varady

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**CALL TO ORDER**

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

**MINUTES**

A motion was made by Dr. Henderson to approve the minutes from the August 5, 2022 board meeting. Motion seconded by Dr. Kuperus, carried.

**FINANCIAL STATEMENT**

The board reviewed the July and August 2022 financial statements. No action taken.

**DPL UPDATE**

The Department of Professional Licensing's new Commissioner Kristen Lawson started on August 29, 2022.

**LEGAL COUNSEL**

No report.

**OLD BUSINESS**

Dr. Henderson made a motion to approve the CE Broker MOU pending final legal review. Motion seconded by Dr. Kuperus, carried.

**NEW BUSINESS**

Dr. England made a motion for legal counsel to draft a letter stating the Board is in support of the Chiropractic Medicare Coverage Modernization Act, HR 2654 to be sent to Kentucky Senators and members of Congress. Motion seconded by Dr. Henderson, carried.

Dr. England made a motion for legal counsel to draft a letter referring the inquirer to KBCE Laws and Regulations on the Board's website in response to the Regulated Activity Inquiry. Motion seconded by Dr. Kuperus, carried.

Dr. Henderson made a motion to approve payment for Dr. Terry Christopher's PRC Honoraria. Motion seconded by Dr. Cooper-Henson, carried.

### **APPLICATIONS COMMITTEE**

Dr. Henderson made a motion to approve C.A. Chiropractic Licensure Application. Motion seconded by Dr. Kuperus, carried.

Dr. Henderson discussed removing “\*No CE credit can be given for Philosophy or Practice Building per KY law.\*” from CE Application Instruction Sheet. Board Administrator will draft a mockup Continuing Education Application Form combining the two existing forms and removing the discussed for review at the next Regulations Committee Meeting.

The board reviewed the Licensure Record Report. No action taken.

### **STATUTES AND REGULATIONS COMMITTEE**

The Regulations Committee presented the following recommendations-

- **Manipulation of Animals** – Recommend the Board approve Dr. England to represent the Board in a meeting with KAC and KBVE on September 27, 2022. Recommend the Board approve scheduling a meeting with KBVE regarding KBVE Modernization Proposal.
- **Clinical Electrodiagnosis Specialty** – Recommend legal counsel draft letter to be sent to licensee. Following the Board's Laws and Regulations, the licensee can advertise for the Clinical Electrodiagnosis Specialty in marketing materials.

A motion was made by Dr. England to accept the above-listed regulations committee recommendations as presented for affirmative vote. Motion seconded by Dr. Henderson, carried.

- **201 KAR 21:042** – Ongoing
- **Continuing Education Forms** – Ongoing

### **COMPLAINTS COMMITTEE**

Dr. England made a motion to enter closed session to include Board Counsel and the Board Staff pursuant to KRS 61.810(1)(j) and (k) to deliberate on individual adjudications in the matters as listed below. Motion seconded by Dr. Kuperus, carried. The board entered closed session at 12:53 p.m.

Dr. England made a motion to exit closed session. Motion seconded by Dr. Kuperus, carried. The board entered regular session at 1:02 p.m.

The Complaints Committee presented the following recommendations for board vote:

- **2020KBCE00007** – Recommendation to resend agreed order with letter offering an additional 30 days to respond. If no response, proceed to 13B hearing.
- **2021KBCE00008** - Recommendation to resend agreed order with letter offering an additional 30 days to respond. If no response, proceed to 13B hearing.
- **2021KBCE00019** – Assign to investigator.

- **2022KBCE00005** – Recommend legal counsel to coordinate with local law enforcement to serve the respondent with the complaint.
- **S.M. Agreed Order, Psych Report** – Recommend complaints committee members and legal counsel meet with Dr. Holly Mattingly to discuss report.

A motion was made by Dr. England to accept the above-listed complaint committee recommendations as presented for affirmative vote. Motion seconded by Dr. Kuperus, carried.

### **TRAVEL AND PER DIEM**

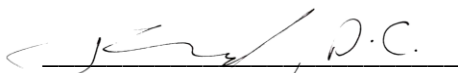
A motion was made by Dr. England to approve the following travel and per diem:

- Drs. Cooper-Henson, England, Johnson, and Kuperus – August 5, 2022 meeting.
- Drs. Cooper-Henson, England, Henderson, and Kuperus – September 16, 2022 meeting.
- Dr. Cooper-Henson – July 23, 2022 (2 hours, applications review), August 8, 2022 (applications committee meeting), August 13, 2022 (3 hours 45 minutes, applications review), August 19, 2022 (3 hours 45 minutes, applications review), September 3, 2022 (1 hour 45 minutes, applications review), September 12, 2022 (applications committee meeting)
- Dr. England – July 23, 2022 (3 hours, administrative work), September 8, 2022 (3 hours, complaints committee meeting), September 15, 2022 (3 hours, regulations committee meeting)
- Dr. Henderson – July 23, 2022 (3 hours, applications review), August 8, 2022 (applications committee meeting), August 13, 2022 (3 hours, applications review), August 19, 2022 (3 hours, applications review), September 3, 2022 (3 hours, applications review), September 12, 2022 (applications committee meeting)
- Dr. Kuperus – September 15, 2022 (regulations committee meeting)
- Dr. Johnson – September 8, 2022 (complaints committee meeting)

Motion seconded by Dr. Kuperus, carried.

### **ADJOURN**

A motion was made by Dr. Kuperus to adjourn the meeting at 1:14 p.m. Motion seconded by Dr. Henderson, carried.

  
 Dr. James England, President