

**KENTUCKY BOARD OF CHIROPRACTIC EXAMINERS
MEETING MINUTES
July 21, 2023**

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 July 21, 2023.

MEMBERS PRESENT

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

DEPARTMENT OF PROFESSIONAL LICENSING

Kristen Lawson, DPL Commissioner
Ashley Cotton, Board Administrator

OTHERS

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

GUESTS

Dr. Rachel Wendt, KAC
James Anliot, Affiliated Monitors Inc

CALL TO ORDER

Dr. England called the meeting to order at 12:07 p.m.

MINUTES

A motion was made by Dr. Cooper-Henson to approve the minutes from the June 8, 2023, board meeting. Motion seconded by Dr. Johnson, carried.

FINANCIAL STATEMENT

The board reviewed the May and June 2023 financial statements. No action taken.

DPL UPDATE

No report.

LEGAL COUNSEL

No report.

OLD BUSINESS

No action taken.

NEW BUSINESS

Mr. James Anliot gave a brief overview of Affiliated Monitors Inc to the Board. No action taken.

J.O. Peer Review Renewal/Reactivation: Motion by Dr. Henderson for legal counsel to draft letter to annual peer review registrant outlining options for renewal as follows: either (1) transfer six (6) hours of

live, peer review continuing education currently submitted for license renewal, and within 60 days, re-submit an additional six (6) hours of continuing education for license renewal with a \$300 late fee; or (2) wait to reinstate the peer review license when continuing education has become available and all requirements can be met. Motion seconded by Dr. Cooper Henson. Motion carried.

2023 Biennial Audit was reviewed by the Board. No action taken.

The Board reviewed NBCE November 2023 Part IV (Practical) Examination and determined there is not an available board member to attend.

APPLICATIONS COMMITTEE

The Applications Committee made a motion to approve A.B. Initial Licensure Application. Motion seconded by Dr. England, carried.

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

STATUTES AND REGULATIONS COMMITTEE

The Regulations Committee presented the following-

- **Regulation Changes** – The Initial LRC Staff Suggested Amendments for 201 KAR 21:041, 042, 095, 105, and Forms were reviewed and discussed by the Board. Dr. England made a motion to accept regulation changes and all supporting documents presented. Motion seconded by Dr. Kuperus, carried.

Dr. England made a motion to nominate Dr. Kuperus to attend the ARRS Committee Meeting on August 8th, 2023, on behalf of the Board regarding regulation changes. Motion seconded by Dr. Johnson, carried.

COMPLAINTS COMMITTEE

Dr. England moved to enter closed session to include Board Members, Board Counsel Mr. Clay Patrick, and Board Administrator Ms. Ashley Cotton pursuant to KRS 61.815(1) and KRS 61.810(1)(j) and (k) to deliberate on individual adjudications for ongoing complaint cases. Motion seconded by Dr. Johnson, carried. The board entered closed session at 1:15 p.m.

Dr. England moved to leave closed session. Motion seconded by Dr. Kuperus, carried. Regular session resumed at 1:28 p.m.

The Complaints Committee presented the following recommendations:

- **2023KBCE00002** – Assign to investigator.
- **2023KBCE00004** – Assign to investigator.
- **J.H. 2023 Renewal** – Recommend legal counsel draft letter to licensee and attorney requesting records on the patient involved in lawsuit.
- **P.C. 2023 Renewal** – Assign to investigator.
- **R.G. 2023 Renewal** - Recommend legal counsel draft letter to licensee and attorney requesting records on the patient involved in lawsuit.

- **S.M. Agreed Order, Administrative Action 16-005 / H.M. Billing** – Ongoing. Recommend legal counsel reach out to Indiana Chiropractic Board regarding licensee’s disciplinary action.
- **R.K. NPDB Report** – Recommend legal counsel draft letter to licensee requesting patient records.
- **J.M. FCLB News Alert** – Ongoing. No action.
- **T.E. Inquiry/Complaint** – Recommend no action. Legal counsel will draft letter.
- **L.C. Inquiry/Complaint** – Recommend legal counsel draft letter to complainant asking for name of chiropractor so the complaint can be processed.

A motion was made by the Complaints Committee to accept the above-listed complaint committee recommendations as presented. Motion seconded by Dr. Henderson, carried.

Dr. England made a motion to allow legal counsel and himself to meet with K.M. Solutions regarding cases needing investigation. Motion seconded by Dr. Johnson, carried.

Dr. England made a motion to have legal counsel reach out to the Attorney General’s Office regarding Unlicensed Activity. Motion seconded by Dr. Johnson, carried.

Dr. England made a motion to allow him to speak with AR Chiropractic Board regarding unlicensed activity. Motion seconded by Dr. Henderson, carried.

TRAVEL AND PER DIEM

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

- Dr. England – June 5, 2023 (3 hours, administrative work), June 8, 2023 (3 hours, board meeting prep/meeting), July 10, 2023 (3 hours, meeting prep/administrative work), July 13, 2023 (3 hours meeting prep/complaints committee meeting), July 18, 2023 (3 hours, meeting prep), July 20, 2023 (3 hours, meeting prep/regulations committee meeting), July 21, 2023 (3 hours, meeting prep/board meeting).
- Dr. Henderson – June 5, 2023 (3 hours, applications review), June 8, 2023 (board meeting), June 24, 2023 (3 hours, applications review), July 10, 2023 (applications committee meeting), July 21, 2023 (board meeting).
- Dr. Kuperus – June 8, 2023 (board meeting), July 20, 2023 (regulations committee meeting), July 21, 2023 (board meeting).
- Dr. Johnson – June 8, 2023 (board meeting), July 13, 2023 (3 hours, meeting prep/complaints committee meeting), July 21, 2023 (3 hours, meeting prep/board meeting).
- Dr. Cooper-Henson – June 5, 2023 (2.5 hours, applications review), June 8, 2023 (board meeting), June 24, 2023 (2.5 hours, applications review), July 10, 2023 (applications committee meeting), July 21, 2023 (board meeting).

Motion seconded by Dr. Cooper-Henson, carried.

ADJOURN

A motion was made by Dr. Johnson to adjourn the meeting at 1:37 p.m. Motion seconded by Dr. Kuperus, carried.



Dr. James England, President