

**KENTUCKY BOARD OF CHIROPRACTIC EXAMINERS
MEETING MINUTES
May 10, 2024**

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 Microsoft Teams on May 10, 2024.

MEMBERS PRESENT

Dr. Shannon Johnson
Dr. Chad Henderson
Dr. Rachael Kuperus
Dr. Kelly Cooper-Henson
Dr. Michael Pugh

DEPARTMENT OF PROFESSIONAL LICENSING

Kristen Lawson, DPL Commissioner
April Alsbrook, Administrative Section Supervisor
Ashley Cotton, Board Specialist
Jenna Wells, Fiscal Section Administrative Specialist III

OTHERS

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

GUESTS

Dr. Rachel Wendt, KAC

CALL TO ORDER

Dr. Johnson called the meeting to order at 12:04 p.m.

MINUTES

A motion was made by Dr. Cooper-Henson to approve the minutes from the March 22, 2024, board meeting. Motion seconded by Dr. Pugh, carried.

FINANCIAL STATEMENT

The board reviewed the March and April 2024 financial statements. No action taken.

DPL UPDATE

DPL Commissioner introduced new Administrative Section Supervisor April Alsbrook.

LEGAL COUNSEL

No report.

OLD BUSINESS

The Affiliated Monitors update was reviewed. The Board agreed to allow Affiliated Monitors to present at our next Board Meeting scheduled for July 19, 2024. Board Administrator will coordinate.

NEW BUSINESS

The 72 hour right to rescind inquiry was reviewed. Legal counsel will draft letter notifying the inquirer that the 72 hour right to rescind does not apply to the situation and does not have to be listed on advertisement.

The acupuncture inquiry was reviewed. Legal counsel will draft letter notifying licensee that acupuncture cannot be practiced under the chiropractic license and refer licensee to the Acupuncture Board.

The scope of practice inquiry was reviewed. Legal counsel will draft letter referring licensee to review KRS 312.017.

The KUCCM Public Disclosure Notice was reviewed. No action taken.

The continuing education requirement (201 KAR 21:041) was reviewed. Dr. Henderson made a motion to refer 201 KAR 21:041 to the Regulations Committee for changes/development. Motion seconded by Dr. Pugh, carried.

The incomplete jurisprudence course list was reviewed. Dr. Johnson made a motion to send a letter to the Not Active-Expired licensees informing them that they will have to complete the Jurisprudence Course prior to applying for reinstatement. A letter will be sent to the Active and Inactive licensees informing them that they must complete the Jurisprudence Course within 2 weeks or disciplinary action will be initiated. Motion was seconded by Dr. Kuperus, carried.

APPLICATIONS COMMITTEE

No report from Committee.

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

STATUTES AND REGULATIONS COMMITTEE

The Regulations Committee presented the following:

KRS 312.145 was reviewed and tabled to discuss further at the next Regulations Committee Meeting scheduled for July 18, 2024.

Manipulation of Animals- KBCE's Regulation Committee is waiting review KBVE's final regulation drafts that are tentatively scheduled to be filed with LRC on May 15, 2024.

COMPLAINTS COMMITTEE

Dr. Johnson moved to enter closed session 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. Cooper-Henson, carried. The committee entered closed session at 12:54 p.m.

Dr. Johnson moved to leave closed session. Motion seconded by Dr. Kuperus, carried. Regular session resumed at 1:03 p.m.

The Complaints Committee presented the following recommendations:

- **2021KBCE00001** – Emergency suspension for 5 years effective immediately.
- **2021KBCE00017** – Emergency suspension for 15 years effective immediately.
- **2021KBCE00028** – Dismissed without prejudice.
- **2022KBCE00002** – Request police report from complainant.
- **Kentuckiana Accident Claim** – Dismissal of action.
- **ABC Complaint** – Notify North Carolina Chiropractic Board of unlicensed activity. Update K.M. Solutions with anonymous information received.
- **C.F. Civil Case & Malpractice Settlement** – Dismissed without prejudice.
- **J.M. Self-Report Claim** – On hold.

- **J.S. Lawsuit** – Ongoing.
- **Mass. Complaint Report – Second** – Dismissed with prejudice.
- **P.C. 2022 Renewal** – Dismissed without prejudice.
- **B.D. Practice Name** – Ongoing.
- **L.P. Guilty Plea** – Dismissed with prejudice.
- **A.F. Self-Report** – Propose Agreed Order with the following terms: Pay a fine of \$1,000 within 60 days and obtain 12 hours of board-approved Documentation/Record Keeping continuing education and 6 hours of board-approved Ethics and Boundaries continuing education within 6 months.
- **K.P. Self-Report / NPDB Report** – Dismissed with prejudice.
- **E.C. 2024 Renewal / NPDB Report** – Dismissed with prejudice.
- **J.H. Inquiry-Complaint** – Legal counsel will draft letter requesting a copy of the advertising commercial regarding Diabetic Neuropathy and inquire where licensee completed training for Diabetic Neuropathy.
- **S.M. Agreed Order, Administrative Action 16-005** – Deny reinstatement application per KRS 312.019. Legal counsel will draft letter.

KM Solutions Case Updates:

- **A.N. Investigation** – Emergency suspension for 10 years effective immediately.
- **2022KBCE00003** – Complaint dismissed without prejudice. Propose Agreed Order with the following terms: obtain 12 hours of board-approved Ethics and Boundaries continuing education within 6 months.
- **2023KBCE00004** – Ongoing.
- **J.M. NPDB Report** – Ongoing.
- **P.C. 2023 Renewal** – Ongoing.

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

TRAVEL AND PER DIEM

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

- Dr. Johnson – March 22, 2024 (special board meeting), May 2, 2024 (6 hours, meeting prep), May 3, 2024 (complaints committee meeting), May 9, 2024 (2 hours, meeting prep), May 10, 2024 (board meeting).
- Dr. Henderson – March 22, 2024 (special board meeting), May 9, 2024 (regulations committee meeting), May 10, 2024 (board meeting).
- Dr. Kuperus – April 18, 2024 (1.5 hours, regulation changes/meeting), March 22, 2024 (special board meeting), May 1, 2024 (2.5 hours, meeting prep), May 3, 2024 (complaints committee meeting), May 9, 2024 (regulations committee meeting), May 10, 2024 (board meeting).

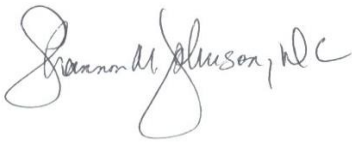
- Dr. Cooper-Henson – April 18, 2024 (3.75 hours, applications review), March 22, 2024 (special board meeting), May 4, 2024 (3.5 hours, applications review), May 6, 2024 (applications committee meeting), May 10, 2024 (board meeting).
- Dr. Pugh – May 6, 2024 (applications committee meeting), May 10, 2024 (board meeting).

Motion seconded by Dr. Kuperus, carried.

The next Board Meeting is scheduled for July 19, 2024, at 12pm EST.

ADJOURN

A motion was made by Dr. Cooper-Henson to adjourn the meeting at 1:08 p.m. Motion seconded by Dr. Pugh, carried.



Dr. Shannon Johnson, President