

MINUTES
REGULAR MEETING OF THE KENTUCKY BOARD OF CHIROPRACTIC
Friday, January 25, 2019
209 South Green Street
Glasgow, KY

PRESENT: Jeff Smith, D.C., President
James England, D.C., Vice-President
Eric Davis, D.C., Secretary
Kelly Cooper Henson, D.C., Member
Karalee P. Oldenkamp, D.C., Executive Director
M. Keith Poynter, Board General Counsel

ABSENT: Chad Henderson, D.C., Member

A quorum being present and after confirmation of proper notification of the Board meeting, the meeting was called to order by the President at 9:00 a.m. prevailing time.

ITEM I: MINUTES

A motion was made by Dr. England, seconded by Dr. Henson and passed 4-0 to approve the minutes of the November 16, 2018 board meeting.

ITEM II: FINANCIAL REPORTS

A motion was made by Dr. Davis, seconded by Dr. England and passed 4-0 to approve the financial reports for November and December 2018.

ITEM III: BOARD OFFICE REPORT

The Board reviewed the Board Office Report and a motion was made by Dr. Davis, seconded by Dr. England and passed 4-0 to approve the Letter to Licensees for 2019 with the addition of information regarding relocation and change in administration of the board office. The Board then discussed that all members need to attend and participate in giving the National Board Examinations. Dr. Henson volunteered to participate in Part IV in May. A motion was made by Dr. Davis, seconded by Dr. England and passed 4-0 to make Dr. Smith the NBCE Delegate, and Dr. England the Alternate Delegate. The Board then discussed FCLB membership and read the FCLB District II report from Dr. Henderson. A motion was made by Dr. England, seconded by Dr. Davis and passed 4-0 to continue with FCLB membership for 2019, and name Dr. England as the FCLB Delegate, and Dr. Smith as the FCLB Alternate Delegate.

ITEM IV: CONSIDER REGULATION AMENDMENTS

RE: 201 KAR 21:041 AND 21:042

The Board reviewed information from the two professional associations regarding acceptance of online continuing education. Since Dr. Henderson was not present to discuss his conversations regarding this topic at the District II FCLB meeting, the Board decided to table this issue until the next meeting.

ITEM V: DISCUSSION OF BOARD OFFICE RELOCATION

The Board reviewed information from Dr. Davis concerning moving the Board office to Frankfort

under the administration of the Public Protection Cabinet. A motion was made by Dr. England, seconded by Dr. Davis and passed 3-0 to support the Board Reorganization Bill. Dr. Henson abstained. A second motion was made by Dr. Davis, seconded by Dr. England and passed 3-0 to ask the Governor to place the KBCE under the Public Protection Cabinet via Executive Order, if the Board Reorganization Bill does not pass during the 2019 Legislative Session. Dr. Henson abstained. A third motion was made by Dr. Davis, seconded by Dr. England and passed 3-0 to terminate operations in the Glasgow office after March 31, 2019, and begin utilizing the administrative services of the Department of Professional Licensing and legal services through the Public Protection Cabinet beginning April 1, 2019, and that all future meetings take place in Frankfort, Kentucky, location to be determined and coordinated by the Department of Professional Licensing. Dr. Henson abstained. A motion was made by Dr. England, seconded by Dr. Davis and passed 3-0 to adopt the Resolution presented. Dr. Henson abstained.

ITEM VI: MOTION FOR EXECUTIVE SESSION

A motion was made by Dr. Davis, seconded by Dr. Henson and passed 4-0 to go into executive session to discuss administrative cases 14-027, 16-005, 16-018, 18-007, 18-008, 18-016, 18-019, and 18-022 pursuant to KRS 61.810 (1)(j).

ITEM VII: MOTION FOR OPEN SESSION

A motion was made by Dr. England, seconded by Dr. Henson and passed 4-0 to go into open session.

ITEM VIII: MOTION FOR ACTION ON ADMINISTRATIVE CASES

A motion was made by Dr. England, seconded by Dr. Henson and passed 4-0 to accept the recommendations made by the Board during executive session concerning the following cases: 14-027 is continued; 16-005 is continued with a hearing set for March 6-8, 2019 in Glasgow; 16-018 the board accepted the negotiated terms for settlement and this case shall be closed; 18-007 is continued; 18-008 the licensee entered the agreed order and this case is closed; 18-016 the terms for settlement were clarified and if accepted, the case shall be closed; 18-019 is continued; and 18-022 shall be dismissed as no violation of KRS 312 was evident.

ITEM IX: CONSIDER HARDSHIP REQUEST
RE: HEATHER WILSON, D.C.

The Board reviewed the hardship request of Dr. Wilson for continuing education and the renewal fee for her license renewal. A motion was made by Dr. Henson, seconded by Dr. Davis and passed 3-0 to grant her hardship. Dr. England abstained.

ITEM X: CONSIDER CORRESPONDENCE FROM PAUL TRAN, D.C.
RE: AGREED ORDER TERMS

The Board reviewed correspondence from Dr. Tran concerning his agreed order terms. A motion was made by Dr. England, seconded by Dr. Henson and passed 4-0 to request Dr. Tran attend the next board meeting for discussion relating to his Agreed Order terms and the status of his license.

ITEM XI: REVIEW AGREED ORDER TERMS
RE: DONALD R. MILLER, D.C.

The Board reviewed documentation concerning Dr. Miller's agreed order terms. Board Counsel shared information concerning compliance with the terms of the agreed order and Dr. Miller's at-

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tempt at compliance. A motion was made by Dr. Davis, seconded by Dr. Henson and passed 4-0 to accept the late payment of the fine as completion of payment.

ITEM XII: SET BOARD MEETING DATE

The Board cancelled the meeting set for March 22, and scheduled a special meeting for April 12, 2019, to take place in a location provided by the Public Protection Cabinet in Frankfort.

ITEM XIII: TRAVEL AND PER DIEM

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

ITEM XIV: ADJOURNMENT

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

Respectfully submitted:

ATTESTED:

Karalee P. Oldenkamp, D.C.
Executive Director

Jeffery T. Smith, D.C.
President