CALL TO ORDER

The meeting was called to order by Thomas D. Taylor, D.C., FICA, President, at 10:27 a.m.

ROLL CALL

Board Members present:
   Terry Barnett, D.C.
   Thomas R. Butler, D.C.
   Jack McCoy
   Kent Moore, D.C.
   Weldon Roberts
   Thomas D. Taylor, D.C., FICA
   Julie Traylor-Logan, D.C.

Board Members absent:
   None

Staff Members present:
   Mark Ohrenberger, Assistant Attorney General
   Rebecca Wright, Executive Director

Guests Present:
   Kendra Booth, Blue Cross Blue Shield
   Terrance Carolan, D.C.
   Chris Cathey, D.C.
   Deborah England
   Tyler Kight
   Tom Morter, D.C.
   Lynn Plemmons, Attorney
   Brian Reilly, D.C.
   Becky Sewell, Rehab Net of AR/ArPTA
   Kristin K. Stobaugh, D.C.

ORIENTATION OF NEW LICENSEES

APPLICANTS

Deborah England

Ms. England’s file was reviewed on June 14, 2012. It was incomplete and did not pass review. Ms. England requested a second review of file. Discussion followed. Dr. Moore moved to allow Ms. England to receive her license due to the confusion of the file being incomplete. Mr. McCoy seconded the motion. Discussion followed. Dr. Barnett and Dr. Traylor-Logan abstained. The motion passed. Dr. Traylor-Logan moved that the licensing start date be the graduation date, and that the certificate be held until Ms. England has graduated and the final paperwork has been submitted. Dr. Barnett seconded the motion. The motion passed unanimously. Ms. England will receive her license.

Tyler Kight

Mr. Kight’s file was reviewed on June 14, 2012. It was incomplete and did not pass review. Mr. Kight requested a second review of file. Dr. Moore moved to allow Mr. Kight to receive his license due to the confusion of the file being incomplete. Dr. Barnett seconded the motion. Dr. Barnett and Dr. Traylor-Logan abstained. The motion passed. Dr. Moore moved that the licensing start date be the graduation date, and that the certificate be held until Mr. Kight has graduated and the final paperwork has been submitted. Dr. Traylor-Logan seconded the motion. The motion passed unanimously. Mr. Kight will receive his license.

Dr. Butler moved that when an application is complete except for graduation that the licensing date be the same as the graduation date. Dr. Traylor-Logan seconded the motion. The motion passed unanimously.

Rakesh Kothari

Dr. Kothari’s file was reviewed on June 14, 2012. It did not pass review due to reputation of the applicant. Dr. Kothari contacted the Board office by telephone and requested information on requesting a hearing per the Rules and Regulations section A(3)(g). At the time of this meeting, a written request had not been received.

MINUTES

The April 17, 2012, minutes were presented to the Board. Dr. Traylor-Logan moved to approve the minutes. Dr. Barnett seconded the motion. The motion passed unanimously.

The June 14, 2012, minutes were presented to the Board. Discussion followed. No motions were made in the public meeting after the Executive Session. Mr. Ohrenberger stated that if there are any motions to be made, they could be made at this time and included in the July 2012 minutes. Dr. Moore moved to approve the minutes. Dr. Barnett seconded the motion. The motion passed unanimously.

Dr. Traylor-Logan moved that the extra-help position employee not be renewed after June 30, 2012. Dr. Moore seconded the motion. The motion passed unanimously.
Dr. Barnett stated that the Board discussed job duties clarification and responsibilities with the Executive Director. The Executive Director will reviewed again ninety (90) days from the June 2012 Board meeting.

**BUDGET REPORT**

The budget report was presented to the Board. The report included the monthly report from the Office of Budget showing an available budget of $10,628.74 on 6/30/2012. The Money Management Trust Fund (MMTF) account has an available budget of $99,090.81 as of 7/2/2012. Ms. Wright stated that she is still researching other options with higher rates. Dr. Barnett moved to approve the budget report. Dr. Traylor-Logan seconded the motion. The motion passed unanimously.

**Continuing Education (CE) Report**

The CE report was presented to the Board. The report shows that for 2012, 375 courses have been processed, and 314 have been approved. A total of $20,328.75 was received.

**Freedom of Information Act (FOIA) Requests Report**

The FOIA requests report was presented to the Board. The report shows that from July 2011 to June 2012, ten (11) requests were received. Starting July 2012 to current, one (1) request was received. Discussion followed regarding charging for the FOIA requests. Mr. Ohrenberger stated that per the FOIA, an agency can only charge for the cost of producing the documents, such as paper copies. The Board voted on June 16, 2009, to charge per the AR Medical Board’s Code section 16-46-106(a)(2), Medical Records, “cost of each photocopy, excluding x-rays, shall not exceed fifty cents (0.50) per page for the first twenty-five (25) pages and twenty-five cents (0.25) for each additional page.

The Board recessed at 12:12 pm.

The Board reconvened at 12:30 pm.

**OLD BUSINESS**

**Kristin Stobaugh, D.C. - Request for Hearing to Lift Suspension**

Dr. Stobaugh’s license is currently suspended per a Consent Order for complaint 313-11-21-08, signed by Dr. Stobaugh on April 30, 2009, and then-President, Beverly Foster, D.C. on June 22, 2009. Dr. Stobaugh contacted the Board through her attorney, Lynn Plemmons, in writing requesting that her license be reinstated. The letter was received July 6, 2012. The Executive Director stated that it was made clear to Dr. Stobaugh that the request submitted for this day’s agenda was for a hearing. Discussion followed.

Mr. Plemmons stated that Dr. Stobaugh completed the items of the Consent Order. Dr. Taylor stated that per agreement 2(A), a hearing would be set at a later date, and per agreement 2(B), weekly drug test reports would be submitted to the Board office and this was not followed.
Mr. Plemmons stated that the criminal charges were dismissed with no conviction. Dr. Barnett questioned Dr. Stobaugh on the number of times arrested. Ms. Stobaugh stated one (1) time. The paperwork received from Mr. Plemmons states two (2) times. Dr. Stobaugh stated that the second arrest was while she was participating in the drug court program and she was disciplined but not convicted. The arrest was absolved into the same case. Dr. Stobaugh stated at a later time that she finished her drug treatments in August 2009 and has continued for two (2) years in outpatient treatment. The criminal case was recently resolved. Dr. Stobaugh stated that she has not been arrested since April 2009.

Mr. Ohrenberger advised the Board to hold a hearing at a later time per Consent Order agreement 2(A). Mr. McCoy moved that a hearing date be scheduled. Dr. Butler seconded the motion. Discussion followed. A roll call vote was taken. Dr. Barnett and Mr. McCoy abstained. Dr. Moore, Mr. Roberts, and Dr. Traylor-Logan voted not. Dr. Butler voted yes. The motion did not pass.

Dr. Moore moved to accept the information provided by Dr. Stobaugh and her attorney and to reinstate her license. Mr. Roberts seconded the motion. Discussion followed. A roll call vote was taken. Dr. Barnett abstained. Dr. Butler voted no. Mr. McCoy, Mr. Moore, Mr. Roberts, and Dr. Traylor-Logan voted yes. The motion passed. Dr. Stobaugh’s license is reinstated.

Ronald Wells, D.C. – Re-activation of Lapsed License

Dr. Wells’ request was presented to the Board. The request was originally presented to the Board in December 2010. At that time, the Board tabled the issue to obtain more information. The staff did not immediately follow up and the request was delayed. A timeline and correct information was presented to the Board regarding Dr. Wells’ license. Dr. Traylor-Logan moved that per Statute 17-81-317, reactivation of a lapsed license, Dr. Wells pay the license renewal fees for 2008, 2009, 2010, 2011, and 2012 the $25 reinstatement fee and any back fees, proof of continuing education taken, and to allow his license be in-state active status for 2012. Dr. Butler seconded the motion. The motion passed unanimously.

Continuing Education for Senior Chiropractors

A list of age ranges of current licensees was presented to the Board. Discussion followed. Dr. Barnett moved that the Executive Director request a powerpoll of other states requesting if they have provisions in place for how continuing education is earned by senior doctors in their respective states. Dr. Traylor-Logan seconded the motion. The motion passed unanimously.

NEW BUSINESS

Thalia Walkup, D.C.

Dr. Walkup did not renew her license by 12/31/2011. She contacted the Board in June 2012. Dr. Moore moved that Dr. Walkup must reapply as a new licensee. Dr. Traylor-Logan seconded the motion. The motion passed unanimously.

Adjusting Extremities Position Statement

Arkansas State Board of Chiropractic Examiners
Board Meeting Minutes
July 19, 2012
A phone inquiry was received regarding Arkansas chiropractors adjusting extremities. Statute section 17-81-102(6)(A) was provided to the doctor. The section was presented to the Board. Dr. Traylor-Logan moved that the doctor be informed in writing that the statute is inclusive of adjusting extremities. Dr. Butler seconded the motion. The motion passed unanimously.

**Status Definitions**

An inquiry was received from Blue Cross Blue Shield about status definitions. At this time, this Board does not define statuses. Discussion followed. Mr. McCoy moved that the Executive Director research other states and put a list together for the Board to review at the next Board meeting. Dr. Moore seconded the motion. The motion passed unanimously.

**Chiropractic Specialties List for Public**

A list of specialties was presented to the Board. The Board stated that this was not necessary and took no action.

**Federation of Chiropractic Licensing Boards (FCLB) District Meeting**

The FCLB will hold the District III and V meeting in Charleston, South Carolina. The dates are September 13-16, 2012. Dr. Traylor-Logan moved that Mr. Roberts and Ms. Wright attend the conference. Dr. Butler seconded the motion. The motion passed unanimously.

**Meeting Dates for FY2013**

The following meetings dates were set:

- **Tuesday** October 9, 2012 10:00 a.m.
- **Thursday** December 13, 2012 10:00 a.m.
- **Thursday** January 24, 2013 10:00 a.m.
- **Thursday** April 11, 2013 10:00 a.m.
- **Thursday** June 20, 2013 10:00 a.m.
- **Thursday** July 25, 2013 10:00 a.m.

**Deadline for Agenda Items**

Dr. Traylor-Logan moved that agenda items be received no later than seven (7) business days prior to the Board meeting to allow sufficient time to prepare the Board meeting packets. Dr. Butler seconded the motion. The motion passed unanimously.

**Credentials Review**

There were no files to review.
Investigation Report

<table>
<thead>
<tr>
<th>Recommendation</th>
<th>Complaint No.</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Letter of Advisement 432-5-20-11</td>
<td>Advertising Physical Therapy</td>
</tr>
<tr>
<td>2</td>
<td>Pending 433-6-2-11</td>
<td>Solicitation</td>
</tr>
<tr>
<td>3</td>
<td>Pending 437-9-20-11</td>
<td>Solicitation</td>
</tr>
<tr>
<td>4</td>
<td>Pending 438-9-20-11</td>
<td>Solicitation</td>
</tr>
<tr>
<td>5</td>
<td>Pending 413-2-24-11</td>
<td>Solicitation</td>
</tr>
<tr>
<td>6</td>
<td>Pending 425-4-27-11</td>
<td>Solicitation</td>
</tr>
<tr>
<td>7</td>
<td>Pending 443-11-7-11</td>
<td>Solicitation</td>
</tr>
<tr>
<td>8</td>
<td>Hearing for Non Compliance 393-7-14-10</td>
<td>Series Treatment; Billing</td>
</tr>
<tr>
<td>9</td>
<td>Hearing for Non Compliance 395-8-4-10</td>
<td>Series Treatment; Billing</td>
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<tr>
<td>10</td>
<td>Hearing for Non Compliance 403-9-22-10</td>
<td>Series Treatment; Billing</td>
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<td>11</td>
<td>Hearing for Non Compliance 409-1-11-11</td>
<td>Series Treatment; Billing</td>
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<tr>
<td>12</td>
<td>Hearing for Non Compliance 411-1-18-11</td>
<td>Series Treatment; Billing</td>
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<tr>
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<td>Series Treatment; Billing</td>
</tr>
<tr>
<td>15</td>
<td>Hearing for Non Compliance 417-2-2-11</td>
<td>Series Treatment; Billing</td>
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<tr>
<td>16</td>
<td>Hearing for Non Compliance 417-2-2-11</td>
<td>Series Treatment; Billing</td>
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<tr>
<td>17</td>
<td>Hearing for Non Compliance 419-2-2-11</td>
<td>Series Treatment; Billing</td>
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<tr>
<td>18</td>
<td>Hearing for Non Compliance 420-2-2-11</td>
<td>Series Treatment; Billing</td>
</tr>
<tr>
<td>19</td>
<td>Hearing for Non Compliance 420-2-2-11</td>
<td>Series Treatment; Billing</td>
</tr>
<tr>
<td>20</td>
<td>Letter of Advisement 444-12-2-11</td>
<td>Unprofessional Conduct; Solicitation</td>
</tr>
<tr>
<td>21</td>
<td>Pending 441-10-28-11</td>
<td>Sexual Misconduct</td>
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<tr>
<td>22</td>
<td>Withdrawn by Complainant 453-6-26-12</td>
<td>Billing</td>
</tr>
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<td>23</td>
<td>Prosecuting Attorney 394-7-29-10</td>
<td>Practicing Chiropractic without a License; Non-Licensee</td>
</tr>
<tr>
<td>24</td>
<td>Prosecuting Attorney 401-9-20-10</td>
<td>Practicing Chiropractic without a License; Non-Licensee</td>
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<tr>
<td>25</td>
<td>Hearing 440-10-12-11</td>
<td>Practicing Without A License; Unprofessional Conduct</td>
</tr>
<tr>
<td>26</td>
<td>Prosecuting Attorney 400-9-20-10</td>
<td>Practicing Chiropractic without a License; Non-Licensee</td>
</tr>
<tr>
<td>27</td>
<td>Pending 454-7-6-12</td>
<td>Unprofessional Conduct: Fracture</td>
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<td>28</td>
<td>Prosecuting Attorney 388-6-8-10</td>
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</tr>
<tr>
<td>29</td>
<td>Prosecuting Attorney 402-9-20-10</td>
<td>Practicing Chiropractic without a License; Non-Licensee</td>
</tr>
</tbody>
</table>

Dr. Moore moved to accept the investigative report. Dr. Butler seconded the motion. The motion passed unanimously.

Complaints Referred to the Prosecuting Attorney

There has been no response received on the complaints referred to the prosecuting attorney. Discussion followed. Dr. Traylor-Logan moved that Mr. Ohrenberger and Ms. Wright follow up due to public safety. Dr. Butler seconded the motion. The motion passed unanimously.
The Board recessed at 2:07 p.m.

The Board reconvened at 2:15 p.m.

**Update of Drs. Currie Appeal of Orders**

Mr. Ohrenberger gave an update of the appeals filed by the Drs. Currie and their attorney Mike Lamoureux. Discussion followed.

**Election of Officers**

Dr. Taylor opened the floor for nominations.

Dr. Moore nominated Dr. Taylor for President. Dr. Taylor asked for any other nominations. There were no other nominations. The President position was filled by Dr. Taylor.

Mr. Roberts moved that the officer positions remain by acclamation. Mr. McCoy seconded the motion. Dr. Barnett abstained. The motion passed.

Dr. Taylor appointed Dr. Barnett as investigative officer and Dr. Traylor-Logan as examination officer.

The positions are:

<table>
<thead>
<tr>
<th>Name</th>
<th>Position</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dr. Taylor</td>
<td>President</td>
</tr>
<tr>
<td>Dr. Moore</td>
<td>Secretary</td>
</tr>
<tr>
<td>Mr. Roberts</td>
<td>Treasurer and Public Member</td>
</tr>
<tr>
<td>Dr. Barnett</td>
<td>Investigation Officer</td>
</tr>
<tr>
<td>Dr. Traylor-Logan</td>
<td>Examination Officer</td>
</tr>
<tr>
<td>Dr. Butler</td>
<td>Board Member</td>
</tr>
<tr>
<td>Mr. McCoy</td>
<td>Consumer Member</td>
</tr>
</tbody>
</table>

**Adjourn**

Mr. Roberts moved to adjourn. Dr. Butler seconded the motion. The motion passed unanimously. The Board adjourned at 2:41 p.m.

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*Board minutes approved: October 9, 2012.*