

Board Members present: President Otto J. Schmidt, D.C., Vice-President Norman J. Gloekler, D.C. and Jeffrey O. Brown, Esq.

Others present: Kelly A. Caudill, Executive Director; Elizabeth Moore, Executive Assistant and Charissa Payer, Principal AAG.

Members excused: Gregory P. Palkowski, D.C.

The Board's mission is...

to proactively protect the health and welfare of Ohio's citizens and to regulate the chiropractic profession with vision by setting high standards through examination of new doctors, annual license renewal, clinic inspections and timely investigation and disciplinary action when indicated.

CALL TO ORDER

President Dr. Schmidt called the four hundred and twenty-sixth Board meeting to order at 9:15 a.m. in the Board office at the Vern Riffe Center for Government and the Arts; 77 South High Street, 16th Floor, Columbus, Ohio.

REVIEW OF MINUTES

Mr. Brown moved and Vice-President Dr. Gloekler seconded a motion to approve the minutes of the August 3, 2017 Board meeting. Motion passed unanimously.

RATIFICATION OF CHIROPRACTIC LICENSES

Mr. Brown moved and Vice-President Dr. Gloekler seconded a motion to ratify the following chiropractic licenses issued to Dylan Hunter, Lydy Wynnslo, Kendall Hange, Alex Wade, Manuel Nunez, Erin Emley, Nathan Merhaut, David Bowden II, Jordan Rader, Kayleigh McCormick, Jacob Thomas, Amanda Lovekamp, Robert Reed, Samantha Bahan, Kyli Hodge, Alison Cooper, Ben Linkel, Daniel Jurus, John Hopton, Tyler Stewart and Marla Mayerson. Motion passed unanimously.

RATIFICATION OF ACUPUNCTURE CERTIFICATES

Vice-President Dr. Gloekler moved and Mr. Brown seconded a motion to approve the acupuncture certificate issued to Dr. Cray Emmer-Lovell. Motion passed unanimously.

RATIFICATION OF PRECEPTORSHIPS

Mr. Brown moved and Vice-President Dr. Gloekler seconded a motion to ratify the preceptorships approved for Mariah Southard with Adam Mack, D.C.; Jacob Harshfield with Chris Freeman, D.C.; Ian Giachetti with Maximillian Zart, D.C. and Sonja Meyer with Alisha Booher, D.C. Motion passed unanimously.

EXECUTIVE DIRECTOR'S REPORT

Director Caudill reviewed the Executive Director's report with the Board which included the Board Docket, Legislative Matters, Budgetary Matters, Administrative Rules, Investigative Statistics and miscellaneous matters.

Director Caudill reported that she, Ms. Moore and Vice-President Dr. Gloekler represented the Board at the FCLB District II Meeting October 5-8, 2017 in Fort Walton Beach, FL.

Director Caudill reported that the Board's FY 2015-2017 Biennial Financial Audit is complete. The Auditor's Office mailed the audit report to each Board member directly. No instances of non-

compliance or internal control weaknesses was discovered.

Director Caudill requested approval to attend the Annual FARB Forum in Coronado, CA January 25-28, 2018 and/or the CLEAR Executive Leadership Program for Regulators in Scottsdale, AZ January 8-10, 2018.

Mr. Brown moved and Vice-President Dr. Gloekler seconded a motion to approve the attendance of Director Caudill at the Annual FARB Forum in Coronado, CA January 25-28, 2018 and/or the CLEAR Executive Leadership Program for Regulators in Scottsdale, AZ January 8-10, 2018. Motion passed unanimously.

Mr. Brown moved and Vice-President Dr. Gloekler seconded a motion to accept the Director's Report as presented. Motion passed unanimously.

JEFFREY R. SHOPE, D.C., CASE NO. 2013 CHR 008

APPEARANCES

In accordance with Board Rule 4734-4-13 (G), Mr. Todd Newkirk, attorney for Dr. Shope, submitted a prior request, and was approved, to address the Board members before their consideration in the matter of Jeffrey R. Shope, D.C., Case No. 2013 CHR 008.

President Dr. Schmidt permitted Mr. Newkirk and Principal AAG Charissa Payer 10 minutes each to address the Board. Dr. Shope personally addressed the Board during Mr. Newkirk's 10 allotted 10 minutes.

PERTINENT CORRESPONDENCE

Director Caudill presented an email received September 19, 2017 from Drs. Stephen, Phillip, Stephen, Sr., and Nathan Doudna in which they request the Board formally recognize the individuals who have run the Chiropractic Association of Ohio for their many years of service.

The Board instructed Director Caudill to respond to Drs. Doudna stating there is no precedent for a recognition of this type and the Board does not customarily recognize outside CE organizations.

Director Caudill presented an email received October 18, 2017 from Dr. Jeffrey Covault inquiring if IV vitamin therapy is within the scope of chiropractic.

The Board instructed Director Caudill to research IV vitamins and consult with the Ohio Board of Pharmacy.

VOLUNTEER CE CREDIT

Director Caudill presented an FAQ sheet and a draft form for documentation of CE credit for providing healthcare to indigent and uninsured persons. The Board reviewed the documents and advised Director Caudill the documents were acceptable.

LEGAL ACTIVITIES

REQUEST TO MODIFY CONSENT AGREEMENT, CASE NO. 2013 CHR 006

The Board reviewed a request from the doctor in Case No. 2013 CHR 006 to reduce or terminate his probation scheduled to end on July 2, 2018.

Mr. Brown moved and Vice-President Dr. Gloekler seconded a motion to deny the request to modify the Probationary terms for the doctor in Case No. 2013 CHR 006. Motion passed unanimously.

MODIFICATION OF CONSENT AGREEMENT, CASE NO. 2016 CHR 012

Mr. Brown moved and Vice-President Dr. Gloekler seconded a motion to accept the proposed Modification of Consent Agreement in Case No. 2016 CHR 012 reducing the doctor's compliance monitoring from quarterly to biannually. Motion passed unanimously.

REQUEST TO MODIFY CONSENT AGREEMENT, CASE NO. 2017 CHR 017

The Board reviewed a request for the doctor cited in Case No. 2017 CHR 017 to modify the terms of his Consent Agreement to eliminate the required 25 hours of CE and the requirement of a compliance monitor through Affiliated Monitors to allow the doctor to obtain a local doctor to monitor his practice.

Vice-President Dr. Gloekler moved and Mr. Brown seconded a motion to deny the request to modify the Consent Agreement in Case No. 2017 CHR 017. Motion passed unanimously.

CONSENT AGREEMENT, CASE NO. 2017 CHR 015

Mr. Brown moved and Vice-President Dr. Gloekler seconded a motion to accept the proposed Consent Agreement in Case No. 2017 CHR 015 as presented. Motion passed unanimously.

CONSENT AGREEMENT, CASE NO. 2017 CHR 039

Mr. Brown moved and Vice-President Dr. Gloekler seconded a motion to accept the proposed Consent Agreement in Case No. 2017 CHR 039 as presented. Motion passed unanimously.

ORDER, CASE NO. 2018 CHR 001

Mr. Brown moved and Vice-President Dr. Gloekler seconded a motion to accept the proposed Order in Case No. 2018 CHR 001 as presented. Motion passed unanimously.

DELIBERATIONS, CASE NO. 2013 CHR 008

Prior to adjourning to consider the matter of Jeffrey R. Shope, D.C., President Dr. Schmidt asked each Board member if they had reviewed the Hearing Officer's Report and Recommendation, Hearing Transcript, State's Exhibits, and Respondent's Objections to the Report and Recommendation. Dr. Gloeker, Mr. Brown and Dr. Schmidt all confirmed they had reviewed the documents.

ADJOURN –11:45 A.M.

Vice-President Dr. Gloekler moved and Mr. Brown seconded a motion to adjourn the meeting for the purpose of engaging as a quasi-judicial body for deliberation regarding the matter of Jeffrey R. Shope, D.C. Voting Aye: Mr. Brown, Vice-President Dr. Gloekler and President Dr. Schmidt. Voting Nay: None. Motion passed.

President Dr. Schmidt called the meeting back to order at the conclusion of the deliberation at 12:30 p.m.

Mr. Brown moved and Vice-President Dr. Gloekler seconded a motion to accept the Findings of Fact, Conclusions of Law, and Recommendation in the Hearing Examiner's August 21,

2017 Report and Recommendation and hereby Orders the license of Jeffrey R. Shope, D.C. to practice chiropractic in the state of Ohio shall be REVOKED. Voting Aye: Mr. Brown, Vice-President Gloekler and Dr. Schmidt. Voting Nay: None. Motion passed.

OLD/NEW BUSINESS

The Board discussed the November 30, 2017 luncheon.

With no further business, President Dr. Schmidt adjourned the meeting at 12:50 p.m.

Approved By Majority of Board:

Attested By Its Secretary:

Otto J. Schmidt, D.C.
President

Kelly A. Caudill
Executive Director

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