

# ALABAMA STATE BOARD OF CHIROPRACTIC EXAMINERS

GREGORY A. KUHLMANN, D.C., PRES.  
BRIAN WELLS, D.C., VICE-PRES.  
JOHN D. NEILL, D.C., SEC/TRES.  
PETER E. KEEN, D.C.  
RODNEY K. PALMER, D.C.  
ALLAN LOWMAN, D.C.  
BRAD RUSSELL, D.C.  
KIMBERLY OGLETREE, D.C.  
JOHN SEGREST, CONSUMER MEMBER



SHEILA BOLTON  
EXECUTIVE DIRECTOR  
126 CHILTON PLACE  
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Regular meeting of the Alabama State Board of Chiropractic Examiners, Friday, July 19, 2019, at the Alabama State Board of Chiropractic Examiners office, Clanton, Alabama.

Prior notice of the meeting has been given, in accordance with the Alabama Open Meetings Act.

Roll was called. Those attending were: Dr. Kuhlmann – President, Dr. Wells – Vice-President, Dr. Neill – Secretary / Treasurer. Members – Drs. Keen, Ogletree and Mr. Segrest. Sheila Bolton, Executive Director, Amy Deavers, Administrative Assistant. Legal Counsel James Ward arrived late at 2:05 PM. Absent: Dr. Palmer. Dr. Lowman arrived late at 2:09 PM and Dr. Russell arrived late at 2:19 PM.

Dr. Kuhlmann announced quorum existed and called the meeting to order at 2:00pm.

**Motion # 1** was made by Dr. Wells and seconded by Dr. Keen, “I move the Board **ratify** the **minutes** of **April 5, 2019** as presented.” PASSED / unanimous

Sheila Bolton gave the Financial Report.

**Motion # 2** was made by Dr. Keen and seconded by Dr. Neill, “I move the Board **adopt** the **Financial Report** as given.” Roll call vote: Ayes – Ogletree, Keen, Neill, Segrest, Wells, Kuhlmann Nays – None PASSED

James Ward arrived late at 2:05 PM.

The Board reviewed the Wellness Committee Report.

Sheila Bolton gave the Preceptor Report for Dr. Lowman.

The Board discussed the 2 Request for Proposals (RFP) for ballot tabulation. They reviewed responses for each.

Dr Lowman arrived at 2:09 pm.

**Motion # 3** was made by Dr. Wells and seconded by Dr. Keen, “I move the Board enter a **contract** with **McKinney & Lively** at the rate of \$250.00 per district for two (2) years for ballot tabulation.” Roll call vote: Ayes – Ogletree, Keen, Neill, Segrest, Wells, Kuhlmann Nays – None Abstain - Lowman PASSED

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Dr Russell arrived at 2:19 PM.

Sheila Bolton gave an update on the scanning process.

The Board discussed the possibility of amending **Rule 190-X-1-.11** Records to add that the Board considers electronically stored records to be the same as original records. Mr. Segrest noted that the State Records Commission already addressed this for the entire state.

**Motion # 4** was made by Dr. Wells and seconded by Dr. Keen, "I move the Board **adopt** the proposed **amendment to 190-X-4-.05 Disciplinary Hearings** to correct the number of days required for a Board Order to be rendered." PASSED / unanimous (Exhibit A)

The Board discussed future roundtable discussion dates. Dr. Kuhlmann gave a directive that we would look at these dates at the September 2019 meeting.

The Board discussed Senator Albritton's proposed bill last session and if the Board might have any money to contribute to the General Fund. Sheila Bolton is to report back at the September meeting.

The Board discussed the Legislative Committee and made the decision to select this committee at the September meeting.

The Board discussed the new legislation re CBD.

**Motion # 5** was made by Dr. Wells and seconded by Dr. Keen, "I move the Board direct anyone who asks about **CBD to link on our website of the AG opinion, current state and federal laws.**" PASSED / unanimous

**Motion # 6** was made by Dr. Lowman and seconded by Dr. Wells, "I move the Board **table** the discussion regarding **the formulary list** from **Dr. Gilliam indefinitely.**" PASSED / unanimous

The Board discussed outstanding fines and costs due.

**Motion # 7** was made by Dr. Lowman and seconded by Dr. Russell, "I move the Board **adopt Consent Order on Donald D. Ross, Jr. 19-02-008-008.**" Recused Wells/Ogletree Ayes – Keen, Neill, Russell, Segrest, Lowman, Kuhlmann Nays – None PASSED

The Board discussed the upcoming hearing dates.

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**Motion # 8** was made by Dr. Lowman and seconded by Mr. Segrest, “I move the Board **close** the complaint on **Herbert Buckner 19-04-019-009** with **no probable cause.**” Recused Wells/Ogletree Ayes – Keen, Neill, Russell, Segrest, Lowman, Kuhlmann Nays – None PASSED

**Motion # 9** was made by Dr. Ogletree and seconded by Dr. Russell, “I move the Board **close** the complaint on **Cullman Therapies 19-07-020-006** with **no probable cause.**” Recused Wells/Kuhlmann Ayes – Ogletree, Keen, Neill, Russell, Segrest, Lowman Nays – None PASSED

**Motion # 10** was made by Dr. Wells and seconded by Dr. Russell, “I move the **discontinue sending the live seminar presentation** to the online vendors.” PASSED / unanimous

**Motion # 11** was made by Dr. Lowman and seconded by Dr. Neill, “I move the Board approve **Drs. Wells and Kuhlmann’s travel** to present the AL Law Hours at the **CSA August 3-4 in Birmingham.**” Ayes – Ogletree, Keen, Neill, Russell, Segrest, Wells, Kuhlmann Nays – None PASSED Note: The law seminar will be August 3rd at 1 PM.

**Motion # 12** was made by Dr. Russell and seconded by Dr. Keen, “I move the Board **approve Jody Gray’s application for Approval of Non-Chiro CCE.**” PASSED / unanimous

**Motion # 13** was made by Dr. Russell and seconded by Dr. Neill, “I move the Board **disapprove** the seminar “**Mile High**” submitted by **Sherman College of Chiropractic.**” Ayes – Neill, Russell, Lowman Nays – Ogletree, Keen, Segrest, Wells, Kuhlmann MOTION FAILED Seminar is approved.

**Motion # 14** was made by Dr. Kuhlmann and seconded by Dr. Ogletree, “I move the Board **approve** the seminar “**Practical Spinal Rehab**” submitted by **A+ Chiropractic.**” PASSED / unanimous

**Motion # 15** was made by Dr. Wells and seconded by Dr. Keen, “I move the Board **approve Jerry Kirby’s SNAW (Statement of Non Attendance Waiver)** for the **2019-20 renewal period** due to personal medical illness for him to **complete the 18 hours online.**” PASSED / unanimous

**Motion # 16** was made by Dr. Russell and seconded by Dr. Neill, “I move the Board **approve John L. Wetzel’s application for Approval of Non Chiropractic CCE** for the **2019-20 renewal period.**” PASSED / unanimous Note: the application is for 16 hours. Dr. Wetzel will obtain his 2 in Alabama Law hours for renewal.

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**Motion # 17** was made by Dr. Russell and seconded by Dr. Keen, "I move the Board **table** the discussion regarding the **Hi-Tech Act for legal review.**" PASSED / unanimous

The Board discussed the Scope of Practice question from Kirk Keener. No opinion was issued.

**Motion # 18** was made by Dr. Wells and seconded by Dr. Russell, "I move the Board **accept Kevin Palmer's resignation.**" PASSED / unanimous

**Motion # 19** was made by Dr. Kuhlmann and seconded by Dr. Lowman, "I move the Board send **Kevin Palmer an appreciation plaque** for his service to the Board." Ayes – Ogletree, Keen, Neill, Russell, Segrest, Lowman, Wells, Kuhlmann Nays – None PASSED

**Motion # 20** was made by Dr. Ogletree and seconded by Dr. Keen, "I move the Board **approve Don Williams' SNAW (Statement of Non Attendance Waiver) for the 2019-20 renewal period** due to personal medical illness for him **to complete the 18 hours online.**" PASSED / unanimous

Dr Kuhlmann gave a report for Dr. Collins on his presentation of Alabama Law at the FCA Convention April 11-14, 2019 in Panama City Beach, FL.

Drs. Wells and Lowman gave a report on their presentation of Alabama Law at the ASCA Convention June 1, 2019 in Birmingham, AL.

Dr. Ogletree gave a report on her attendance at the FCLB Annual Educational Congress May 1-5, 2019 FCLB convention and NBCE luncheon May 3, 2019 in San Diego, CA and her attendance at NBCE Part IV Examination – May 17-19, 2019 in Marietta, GA.

**Motion # 21** was made by Dr. Ogletree and seconded by Dr. Russell, "I move the Board **approve Dr. Wells travel** to attend the **FCLB Districts III and IV meeting October 3-6, 2019 in Jersey City, NJ.**" Ayes – Ogletree, Keen, Neill, Russell, Segrest, Lowman, Wells, Kuhlmann Nays – None PASSED

The Board reviewed upcoming meeting and hearing dates.

**Motion # 22** was made by Dr. Wells and seconded by Dr. Lowman, "I move the meeting be **adjourned.**" PASSED / unanimous

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The meeting adjourned at 3:42 PM.

The next scheduled meeting date is Friday, August 9, 2019 at Clanton Board Office at 8:00 AM.

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Brian Wells, D.C., Vice – President

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John D. Neill D.C., Secretary / Treasurer

\_\_\_\_\_  
, D.C., Member

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Brad Russell, D.C., Member

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Allan Lowman, D.C., Member, Preceptor Director

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Peter E. Keen, D.C., Member

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Kimberly Ogletree, D.C., Minority Member

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John Segrest, Consumer Member

Submitted by:

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Sheila Bolton, Executive Director  
Recording Secretary