

**BOARDS AND COMMISSIONS**  
**Board of Chiropractic Examiners**  
**(Amendment)**

**201 KAR 21:025. Board; officers, duties, and compensation.**

RELATES TO: KRS 312.019, 312.055

STATUTORY AUTHORITY: KRS 312.019

NECESSITY, FUNCTION, AND CONFORMITY: KRS 312.055 requires the election of certain officers by the board. KRS 312.019(6) authorizes the board to employ personnel and incur expenses necessary for the performance of its duties. This administrative regulation establishes the duties of the officers, field personnel, and administrative staff, establishes the terms and procedure for election of officers, and establishes compensation.

Section 1. The officers of the board shall perform the duties established in this section.

- (1) The president shall be the chief executive of the board. The president shall preside over all meetings of the board.
- (2) The vice president shall perform the duties of the president during the president's absence or inability to serve. The vice president shall perform other reasonable duties delegated to him by the president or by the board.
- (3) The executive secretary shall, if necessary or upon the discretion of the board:
  - (a) Record and present the minutes of a meeting to the board at the next scheduled meeting;
  - (b) Supervise the administrative functions of the board; and
  - (c) Perform other reasonable duties delegated to the executive secretary by the board.

Section 2. The board may employ a field coordinator as a part of the regular staff of the board. The field coordinator shall be paid a salary as the board may determine.

- (1) The field coordinator may be a member of the board, except that the president or executive secretary, as referenced in KRS 312.055(1), shall not serve as field coordinator.
- (2) The field coordinator shall:
  - (a) Investigate complaints against licensees referred by the board for investigation and report findings to the board;
  - (b) Not vote on any matter relative to formal or informal complaints against any licensee if:
    1. Any of the charges were investigated by him in the capacity of field coordinator; and
    2. The field coordinator is a board member; and
  - (c) Perform other reasonable duties as are delegated by the board.
- (3)
  - (a) If the field coordinator is a member of the board, following the appointment as field coordinator, he or she shall serve until the conclusion of his term of appointment as a member of the board.
  - (b) A member who has been appointed to the position of field coordinator, who is reappointed to the board following the expiration of the original term, shall continue in the position of field coordinator until a successor is appointed, and accepts and assumes the duties of the position.
  - (c) A person appointed as field coordinator may be reappointed by the board to the position.
- (4) The administrative staff shall assist the board in the performance of its duties and shall:
  - (a) Keep an accurate and up-to-date file of all licensees of the board, including:
    1. Addresses, e-mail addresses, and telephone numbers;

2. Status as to whether or not they are in active practice or are inactive;
  3. Whether a licensee is in practice in this state or out of it;
  4. Documents establishing attendance at educational programs if these have been requested by the board;
  5. All fees paid by licensees; and
  6. Providing to the board, at least once each year, the names of licensees who are delinquent in the payment of fees or attendance of educational programs;
- (b) Transmit notices for renewal of licenses as provided by KRS 312.175(2);
  - (c) Transmit notices of special meetings of the board; and
  - (d) Attend to the correspondence and communications of the board.

Section 3. A member elected as president, vice president, or executive secretary shall serve in office for one (1) year. An officer may be reelected by the board. Officer elections shall take place at the last meeting of the calendar year and shall take effect the first meeting of the following calendar year.

Section 4. Salary and Per Diem Compensation. Board members shall receive \$100 per day for each day of actual service to the board.

Section 5. Financial Audit of Board Accounts.

(1) The board shall cause, on a biennial basis, an independent financial audit of board accounts to be conducted and a report made to the board of the results.

(2) The biennial financial audit shall be conducted by the Kentucky Auditor of Public Accounts, or by an independent auditor qualified and licensed as a certified public accountant, and retained by the board. If the Auditor of Public Accounts declines to perform the audit, the board shall perform the audit.

(3) The audit shall be of the previous year's accounts, unless the board finds that a broader audit is necessary, and votes to conduct a broader audit by a majority of the board. The board vote shall define the scope of the audit sought.

(6 Ky.R. 164; eff. 10-3-1979; Am. 16 Ky.R. 1612; eff. 4-12-1990; 32 Ky.R. 1728; 33 Ky.R. 1071; eff. 10-18-2006; 43 Ky.R. 766, 1169; eff. 2-3-2017; 47 Ky.R. 778, 1376; eff. 2-4-2021; 49 Ky.R. 1976; eff. 9-27-2023.)

*DR. JAMES ENGLAND, Chair*

APPROVED BY AGENCY: March 13, 2023

FILED WITH LRC: March 14, 2023 at 1:15 p.m.

PUBLIC HEARING AND COMMENT PERIOD: A public hearing on this administrative regulation shall, if requested, be held on May 25, 2023 at 12:00 noon EST in Room 127CW, The Mayo-Underwood Building, 500 Mero Street, Frankfort, Kentucky 40601. All attendees shall comply with all Executive Orders relating to the State of Emergency as may be in effect on the date of the public hearing, which may be found at: <https://governor.ky.gov/covid-19>. Members of the public may utilize the following link to attend the meeting by video conference: Join from PC, Mac, Linux, iOS or Android: [https://us06web.zoom.us/j/82428127008?](https://us06web.zoom.us/j/82428127008?pwd=blg4a3hSZVkvTnFtUnpMWDFaNkY5QT09)

[pwd=blg4a3hSZVkvTnFtUnpMWDFaNkY5QT09](https://us06web.zoom.us/j/82428127008?pwd=blg4a3hSZVkvTnFtUnpMWDFaNkY5QT09) // Password: 059844 // Or Telephone: Dial: USA 713 353 0212; USA 8888227517 (US Toll Free) // Conference code: 446599. Individuals interested in attending this hearing shall notify this agency in writing by May 20, 2023, five (5) workdays prior to the hearing, of their intent to attend. If no notification of intent to attend is received by that date, the hearing may be canceled. This hearing is open to the public. Any person who attends will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public

hearing, you may submit written comments on this proposed administrative regulation until 11:59 pm on May 31, 2023. Send written notification of intent to attend the public hearing or written comments on the proposed administrative regulation to the contact person. Pursuant to KRS 13A.280(8), copies of the statement of consideration and, if applicable, the amended after comments version of the administrative regulation shall be made available upon request.

CONTACT PERSON: Clayton Patrick, General Counsel, Department of Professional Licensing, 500 Mero Street 237 CW, phone (502) 782-0562 (office), fax (502) 564-4818, email Clayton.Patrick@ky.gov.