

GEORGIA BOARD OF CHIROPRACTIC EXAMINERS
Board Meeting
December 13, 2007

A meeting of the Georgia Board of Chiropractic was held on Thursday, December 13, 2007, at the Professional Licensing Boards, 237 Coliseum Drive, Macon, Georgia.

The following Board members were present:	Others Present:
Karen Mathiak, D.C., President Gregory Baker, D.C. J. Chris Nelson, D.C. Patrick Sallarulo, D. C. David A. Wren, D.C.	Graham Barron, Board Attorney Anita O. Martin, Executive Director Samirah Stephens, Board Secretary

Karen Mathiak established that a quorum was present and the public hearing was **called to order** at 10:33am.

The public hearing was held and all written comments received were considered. Drs. Warren Jahn and Dr. Robert Alpert gave verbal comments.

Board Rule 100-4-.02, Diplomate Status/Certifications.- Warren Jahn, D.C. provided verbal comments.

Board Rule 100-5-.01, Hours Required.- No comments were received.

Board Rule 100-12-.01, Approved Chiropractic Schools or Colleges.- Warren Jahn, D.C. provided both written and verbal comments.

The public hearing was adjourned at 10:50am.

Karen Mathiak established that a quorum was present and the meeting was **called to order** at 10:54am.

Consider adoption of Board Rule 100-4-.02, Diplomate Status/Certifications- Dr. Wren made a motion, Dr. Sallarulo seconded and the Board voted to adopt and post as amended.

Posted Version

100-4-.02, Diplomate Status/Certifications

Licenseses may not advertise that they have certifications or have attained diplomate status without having been conferred the title of diplomate or having received certifications and having active diplomate and/or certifications by one or more of the following boards:

- (i) Academy of Chiropractic Orthopedists (ACO);
~~Certified in Chiropractic Spinal Trauma (CCST);~~
- (ii) Certified in Chiropractic Spinal Trauma (CCST);
~~Certified in Chiropractic Wellness Practitioner (CCWP);~~
- (iii) Certified Chiropractic Wellness Practitioner (CCWP);
~~Certified Sports and Fitness Chiropractor (CSFC);~~

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- (iv) Certified Sports and Fitness Chiropractor (CSFC);
~~Diplomate American Chiropractic Board of Radiology (DACBR);~~
- (v) Diplomate American Chiropractic Board of Radiology (DACBR);
~~Diplomate American Chiropractic Rehabilitation Board (DACRB);~~
- (vi) Diplomate American Chiropractic Rehabilitation Board (DACRB);
~~Diplomate American Chiropractic Board of Nutrition (DACBN);~~
- (vii) Diplomate American Chiropractic Board of Nutrition (DACBN);
~~Diplomate American Board of Chiropractic Internists (DABCI);~~
- (viii) Diplomate American Board of Chiropractic Internists (DABCI);
~~Certified Chiropractic Sports Physicians (CCSP);~~
- (ix) Certified Chiropractic Sports Physicians (CCSP);
~~Diplomate American Board of Chiropractic Orthopedics (DABCO);~~
- (x) Diplomate American Board of Chiropractic Orthopedics (DABCO);
~~Diplomate American Board of Forensic Professionals (DABFP);~~
- (xi) Diplomate American Board of Forensic Professionals (DABFP);
~~Diplomate American Chiropractic Academy of Neurology (DACAN);~~
- (xii) Diplomate American Chiropractic Academy of Neurology (DACAN);
~~Certification American Chiropractic Board of Thermologists (CACBT);~~
- (xiii) Certification American Chiropractic Board of Thermologists (CACBT);
~~Diplomate American Board of Chiropractic Neurology (DABCN);~~
- (xiv) Diplomate American Board of Chiropractic Neurology (DABCN);
~~Diplomate American Chiropractic Board of Sports Physicians (DACBSP);~~
- (xv) Diplomate American Chiropractic Board of Sports Physicians (DACBSP);
~~Diplomate American Chiropractic Board of Occupational Health (DACBOH);~~
- (xvi) Diplomate American Chiropractic Board of Occupational Health (DACBOH);
~~Diplomate American Chiropractic Neurology Board (DACNB);~~
- (xvii) Diplomate American Chiropractic Neurology Board (DACNB);
~~Diplomate Applied Chiropractic Sciences (DACS);~~
- (xviii) Diplomate Applied Chiropractic Sciences (DACS);
~~Diplomate in Chiropractic Imaging (DCCI);~~
- (xix) Diplomate in Chiropractic Imaging (DCCI);
~~Diplomate in Pediatrics (DICCP);~~
- (xx) Diplomate in Pediatrics (DICCP);
~~Diplomate in Philosophical Chiropractic Standards (DPHCS);~~
- (xxi) Diplomate in Philosophical Chiropractic Standards (DPHCS);
~~Diplomate in Thermography (DICCT);~~
- (xxii) Diplomate in Thermography (DICCT);

Adopted Version

100-4-.02, Diplomate Status/Certifications. Amended

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- (i) Academy of Chiropractic Orthopedists (ACO);
- (ii) Certified in Chiropractic Spinal Trauma (CCST);
- (iii) Certified Chiropractic Wellness Practitioner (CCWP);

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- (iv) Certified Sports and Fitness Chiropractor (CSFC);
 - (v) Diplomate American Chiropractic Board of Radiology (DACBR);
 - (vi) Diplomate American Chiropractic Rehabilitation Board (DACRB);
 - (vii) Diplomate American Chiropractic Board of Nutrition (DACBN);
 - (viii) Diplomate American Board of Chiropractic Internists (DABCI);
 - (ix) Certified Chiropractic Sports Physicians (CCSP);
 - (x) Diplomate American Board of Chiropractic Orthopedics (DABCO);
 - (xi) Diplomate American Board of Forensic Professionals (DABFP);
 - (xii) Diplomate American Chiropractic Academy of Neurology (DACAN);
 - (xiii) Certification American Chiropractic Board of Thermologists (CACBT);
 - (xiv) Diplomate American Board of Chiropractic Neurology (DABCN);
 - (xv) Diplomate American Chiropractic Board of Sports Physicians (DACBSP);
 - (xvi) Diplomate American Chiropractic Board of Occupational Health (DACBOH);
 - (xvii) Diplomate American Chiropractic Neurology Board (DACNB);
 - (xviii) Diplomate Applied Chiropractic Sciences (DACS);
 - (xix) Diplomate in Chiropractic Imaging (DCCI);
 - (xx) Diplomate in Pediatrics (DICCP);
 - (xxi) Diplomate in Philosophical Chiropractic Standards (DPHCS);
 - (xxii) Diplomate in Thermography (DICCT);
 - (xxiii) Diplomate of American Board of Chiropractic Consultants (DABCC);
- Authority O.C.G.A. §§ 43-9-6.1(1), 43-9-6.1(2) and 43-1-25.

Consider adoption of Board Rule 100-5-.01, Hours Required-Dr. Sallarulo made a motion, Dr. Baker seconded and the Board voted to adopt.

100-5-.01 Hours Required

100-5-.01 Hours Required. Amended.

(1) Each licensed chiropractor is required to obtain a minimum of twenty (20) hours of Board-approved continuing education per year in order to renew his/her license.

(a) Courses dealing with practice building, coding strategies or practice management will not be accepted by the Board for the purpose of satisfying the requirement of O.C.G.A. § 43-9-11.

(b) Each licensed chiropractor shall maintain in his/her own possession certificates of attendance at continuing education meetings for a period of 4 years from the date of the program.

(c) Each doctor of chiropractic is responsible for determining in advance that the courses which he/she proposes to attend are approved. Such documentation of approval shall be furnished by the program sponsor/provider.

(2) Successful licensure candidates are automatically exempt from meeting the continuing education requirement in the

Authority O.C.G.A. §§ 43-1-25, 43-9-6.1(1), 43-9-6.1(2), and 43-9-11.

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Consider adoption of Board Rule 100-12-.01, Approved Chiropractic Schools or Colleges-
Dr. Baker made a motion, Dr. Nelson seconded and the Board voted to adopt and post as amended.

Adopted Version

100-12-.01, Approved Chiropractic Schools or Colleges.

(1) The Board shall maintain a list of chiropractic schools and colleges accredited by the Council on Chiropractic Education (CCE) that are approved by the Board.

(2) As required by the Council On Chiropractic Education, all faculty of Board approved chiropractic schools and colleges must possess a Doctor of Chiropractic degree or a related first professional degree that has been earned from a college or university accredited by an accrediting body recognized by the U.S. Secretary of Education or its foreign equivalent.

(3) The Board's list of approved CCE chiropractic schools and colleges is presently comprised of the following American and foreign institutions:

(a) Approved chiropractic colleges in the United States:

Cleveland Chiropractic College – KC
6401 Rockhill Road
Kansas City, MO 64131

Cleveland Chiropractic College – LA
590 North Vermont Avenue
Los Angeles, CA 90004

Life Chiropractic College
1269 Barclay Circle
Marietta, GA 30060

Life Chiropractic College – West
2005 Via Barnett, P.O. Box 367
San Lorenzo, CA 94580

Logan College of Chiropractic
1851 Schoettler Road, P.O. Box 1065
Chesterfield, MO 63006-1065

Los Angeles College of Chiropractic
16200 East Amber Valley Drive, P.O. Box 1452
Whittier, CA 90609-1166

National College of Chiropractic
200 East Roosevelt Road
Lombard, IL 60148-4583

New York College of Chiropractic
2360 State Rte. 89, P.O. Box 800

GEORGIA BOARD OF CHIROPRACTIC EXAMINERS

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Seneca Falls, NY 13148-0800

Northwestern College of Chiropractic
2501 West 84th Street
Bloomington, MN 55431

Palmer College of Chiropractic
1000 Brady Street
Davenport, LA 52803

Palmer College of Chiropractic-West
90 E. Tasman Drive
San Jose, CA 95134

Parker College of Chiropractic
2500 Walnut Hill Lane
Dallas, TX 75229

Sherman College of Straight Chiropractic
2020 Springfield Road, P.O. Box 1452
Spartanburg, SC 29304

Texas Chiropractic College
5912 Spencer Highway
Pasadena, TX 77505

University of Bridgeport
College of Chiropractic
Bridgeport, CT 06601

Western States Chiropractic College
2900 Northeast 132nd Avenue
Portland, OR 97230

(b) Approved Foreign Chiropractic Colleges:

Anglo-European College of Chiropractic
13/15 Parkwood Road
Bournemouth, Dorset ENGLAND BH5 2DF

Canadian Memorial Chiropractic College
1900 Bayview Avenue
Toronto, Ontario CANADA M4G 3E6

Macquarie University
Chiropractic Program

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Centre for Chiropractic and Osteopathy
P.O. Box 178
Summerhill, New South Wales, AUSTRALIA 2130

Royal Melbourne Institute of Technology
School of Chiropractic and Osteopathy
Plenty Road, P.O. Box 96
Bundoora, Victoria, AUSTRALIA 3083

(4) The failure of any of these schools or colleges to maintain accreditation from the Council on Chiropractic Education or a Board-approved successor, if any, or to comply with the rules and regulations established by the Board shall be grounds for removal from the Board's approved list.

Authority O.C.G.A. §§ 43-1-25, 43-9-6.1 (1), and 43-9-7 (d).

Posted Version

100-12-.01 Approved Chiropractic Schools or Colleges. Amended

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Palmer College of Chiropractic
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Davenport, LA 52803

Palmer College of Chiropractic – West
90 E. Tasman Drive
San Jose, CA 95134

Parker College of Chiropractic
2500 Walnut Hill Lane
Dallas, TX 75229

Palmer College of Chiropractic
4777 City Center Pkwy.
Port Orange, FL 32129

Sherman College of Straight Chiropractic
2020 Springfield Road, P.O. Box 1452
Spartanburg, SC 29304

Texas Chiropractic College
5912 Spencer Highway
Pasadena, TX 77505

University of Bridgeport
College of Chiropractic
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Portland, OR 97230

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Bournemouth, Dorset ENGLAND BH5 2DF

Canadian Memorial Chiropractic College
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Toronto, Ontario CANADA M4G 3E6

Macquarie University
Chiropractic Program
Centre for Chiropractic and Osteopathy
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Royal Melbourne Institute of Technology
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(4) The failure of any of these schools or colleges to maintain accreditation from the Council on Chiropractic Education or a Board approved successor, if any, or to comply with the rules and regulations established by the Board shall be grounds for removal from the Board's approved list.

Authority O.C.G.A. § 43-9-7 (d).

Board Rule 100-7-.08, Private Review Agent Requirements- Dr. Nelson made a motion, Dr. Sallarulo seconded and the Board voted to post as amended.

100-7-.08 Private Review Agent Requirements.

(1) Chiropractic care shall include offering or rendering a professional chiropractic written or verbal opinion, which has the capacity or intent of affecting the frequency, duration, necessity, or outcome of chiropractic treatment or patient care. Any person rendering such a chiropractic opinion in Georgia must:

(a) be registered with the Georgia ~~Office of Insurance and Fire Safety Commissioner as a Private Review Agent as required under O.C.G.A. Title 33, Chapter 43~~ Board of Chiropractic Examiners;

(b) possess a valid Georgia chiropractic license;

(c) have active, current certification by an agency approved by the board by policy have completed a certification program totaling a minimum of 120 hours in performing utilization peer review;

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- (d) identify themselves by name, degree designation, location of practice, and Georgia chiropractic license number;
 - (e) have established not less than five (5) years of active private clinical practice in Georgia immediately prior to rendering such opinion;
 - (f) have earned a minimum of seventy percent (70%) of chiropractic related income from the active treatment of patients in Georgia in each of the previous five (5) years; and
 - ~~(g) have not been disciplined by the Georgia Board or any other regulatory Board or agency.~~
- (2) Licensed chiropractors conducting peer review on behalf of a Georgia professional association are exempt from this rule.

Authority O.C.G.A. §§ 43-1-25, 43-9-6.1(1) and 43-9-6.1(2) 43-9-12.1, and 43-9-16.

The Board voted that the formulation and adoption of these rules does not impose excessive regulating cost on any licensee and any cost to comply with the proposed rules cannot be reduced by a less expensive alternative that fully accomplishes the objectives of the applicable laws as provided by the Attorney General's office.

The board also voted that it is not legal or feasible to meet the objectives of the applicable laws to adopt or implement differing actions for businesses as listed in O.C.G.A. § 50-13-4 (3)(A)(B)(C)(D). The formulation and adoption of these rules will impact every licensee in the same manner and each licensee is independently licensed, owned and operated in the field of Chiropractic.

Chiropractic Jurisprudence Exam- Dr. Sallarulo made a motion, Dr. Baker seconded and the Board voted to implement as amended as part of the application process.

Correspondence from James F. Lindell, D.C. requesting refund due to an overpayment- Dr. Sallarulo made a motion, Dr. Nelson seconded and the Board voted to approve.

Review and approval of minutes from October 18, 2007 meeting- Dr. Sallarulo made a motion, Dr. Wren seconded and the Board voted to approve.

LICENSES TO RATIFY.

Dr. Baker made the motion, Dr. Nelson seconded and the Board voted to **approve**.

License#	Name	Profession	Status
CHIR008271	Lunday, Jordan Laseter	Chiropractor	Active
CHIR008272	Davidson, Chandra M.	Chiropractor	Active
CHIR008273	Price, Shaun Nicholas	Chiropractor	Active
CHIR008274	Goodwin, Donna Bowie	Chiropractor	Active
CHIR008275	Hui, Chi Keung	Chiropractor	Active
CHIR008276	Grande, Nova Ann	Chiropractor	Active
CHIR008277	Kent, Felton Reed	Chiropractor	Active
CHIR008278	Reaver, Natasha Carrie	Chiropractor	Active
CHIR008279	Fotheringham, Erik Mathew	Chiropractor	Active
CHIR008280	Barrett, Tammala R.	Chiropractor	Active

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CHIR008281	Hajduk, Gregory Vincent	Chiropractor	Active
CHIR008282	An, Young Wuk	Chiropractor	Active
CHIR008283	Somers, Eric D.	Chiropractor	Active
CHIR008284	Morgenroth, Kelly A.	Chiropractor	Active
CHIR008285	Norman, Heidi Amanda	Chiropractor	Active
CHIR008286	Yi, Karen Chan Mi	Chiropractor	Active
CHIR008287	Lindell, James Francis	Chiropractor	Active
CHIR008288	Phung, Henry Quay	Chiropractor	Active
CHIR008289	Holloway, Samuel Winfield	Chiropractor	Active
CHIR007020	Julander, Larry G.	Chiropractor	Active
CHIR006107	Rod, Wendy S.	Chiropractor	Active
CHIR007321	Fine, Jamie A.	Chiropractor	Active
CHIR007576	Jamin, Jason M.	Chiropractor	Active
CHIR005007	Moyher, Luciann U.	Chiropractor	Active
CHIR006679	Rochon, Janet T.	Chiropractor	Active

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Compliance Issues –

- Dr. Victor Murgatroyd, D.C. requesting to terminate probation. – Dr. Wren motioned, Dr. Baker seconded and the board voted to approve.

Executive Director's Report – Ms. Anita Martin

- Board discussed quarterly meetings between the Georgia Chiropractic Association, Georgia Chiropractic Council & Life University. No official action was taken on this matter. The Board's attorney advised the board concerning the Georgia Open Meeting Laws.
- Board discussed the issue of Animal Chiropractic in Georgia. The Board requested that Heidi Bockhold, D.C. and Abigail Dahl, D.V.M. be invited to address the board during the February 2008 meeting to discuss Animal Chiropractic. The Board further requested that a member of the Georgia State Board of Veterinary Medicine attend this meeting.
- Board requested that the Reinstatement Policy be reviewed at the February 2008 meeting to assure that the CE hours are being applied equitably.
- Board requested that the topic of developing rules on Multidisciplinary Practices be placed on the February 2008 meeting agenda.

Other Business

Karen Mathiak, D.C. discussed the Board Chair meeting with Secretary of State Karen Handel.

Dr. Nelson made a motion, Dr. Baker seconded and the Board voted to enter into Executive Session in accordance with O.C.G.A. § 43-1-19 (h) (2) and § 43-1-2 (k) to deliberate and receive information on applications, investigative committee reports, and the Assistant Attorney General's report. Voting in favor of the motion were those present who included Dr. Wren. The Board concluded Executive Session in order to vote on the matters and to continue with the public session.

Dr. Nelson made the motion, Dr. Sallarulo seconded and the Board voted to **approve** applications as follows:

Appeal Appointments

D.G.W. – Approved reinstatement of licensure under policy #5, but without the Ethics & Boundaries requirement. Accept upon receipt.

Applications

B.S.E. – Applicant, arrest/conviction – Approved

D.P. – Applicant, Tabled at the August 2007 meeting pending receipt of attached documentation - Approved

M.K. – Endorsement applicant, arrest/conviction - Approved

P.A.G. – Reinstatement applicant, 2 closed complaints.- Approved

G.T.S. – Applicant, arrest/conviction.- Approved

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A.J.D. – Applicant, graduate non-accredited school, credentials evaluation, no U.S. citizenship nor registration card. –Denied as the applicant does not meet the qualification in the law as a graduate from a CCE accredited chiropractic college.

T.G.G. – Endorsement applicant, graduate school not listed on CCE accredited listing, and has a SC Board action.-Denied

J.H.K.J. – Applicant, arrest/conviction. – Denied

J.N.T. –Reinstatement applicant, unlicensed practice.- Approved under policy #5. Also cite in consent order that pursuant to Georgia law, J.N.T. must always use D.C. when using the designation of “doctor or Dr.”

N.N.E. –Reinstatement applicant.- Approved upon receipt of 20 additional hours of acceptable continuing education credit.

J.H.C. –Applicant, yes on #4 on the application.- Tabled until verification received from Oklahoma and copies of all board sanction documents from Oklahoma State Board.

Dr. Sallarulo made the motion, Dr. Nelson seconded and the Board voted to **approve the investigative report as follows:**

Investigative Report

CHIR070135–refer to Attorney General’s office to draft a voluntary agreement not to practice and an Order for Mental Physical Evaluation. Upon receipt of evaluation and recommendation on fitness to practice, schedule to meet with Investigative Committee before returning to practice.

CHIR070143- refer to Attorney General’s office for public consent order for fabrication of patient records on patient J.T. and falsifying disability excuses without a medical necessity. The terms of the consent order are a \$2000 fine; must take and pass the Ethics & Boundaries Exam within one (1) year of the docket date of the order; ninety (90) days suspension, stayed; three (3) years probation; and no on-line CE for the duration of probation period.

CHIR070001- close with no violation.

CHIR070040- refer to Attorney General’s office to file a Notice of Hearing for license revocation because chiropractor has failed to sign public consent order.

CHIR080034-Close due to Board adopting the following policy:

Ownership of patient records:

A D.C. who works as an Independent Contractor in a practice must maintain patient records in compliance with the Georgia Patient Records law and must conduct billing under his/her name. If a D.C. is an associate in a practice, the patient records are the property of the practice; Billing can be done under the clinic but he/she must be listed as the treating practitioner.

CHIR00100026- close for insufficient evidence.

CHIR00100025- close for insufficient evidence.

CHIR01100100- close for insufficient evidence.

CHIR070085- close for insufficient evidence.

CHIR080009- close with acceptance of cease and desist order.

CHIR070019- close for insufficient evidence.

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Dr. Sallarulo motioned, Dr. Nelson seconded and the Board voted to **accept** the recommendations made in the ED's Report, the AG's Report & the Enforcement Report.

Executive Director's Report- Ms. Anita Martin

- CHIR080048- Refer to enforcement as a top priority case. Interview current staff & subject D.C. Contact mother of patient to see if she has any additional information to provide to the board. Please have prepared for presentation at the January 17, 2008 Investigative Committee meeting.
- Discussed recent arrest of Charles Bailey Phillips, D.C. – Board will monitor criminal case. Will consider action upon disposition of the criminal case.
- Discussed request from attorney Fran Cullen re: CHIR080044. Request copy of evaluation report from treatment facility. Schedule for investigative interview upon receipt.
- Discussed request from denied applicant Vincent DePeri for reconsideration of board's decision to deny his application. – Board denied request to meet with Mr. DePeri.

Attorney General's Report- Graham Barron

- Updated the board on twelve cases in his office.
- Counter offer from the attorney for S.L., D.C. (CHIR070080) was denied – Board voted to file a Notice of Hearing for Revocation of license.
- Recommended that Investigative Committee schedule an investigative interview with M.M., D.C. (CHIR070003).
- Accept Interim Consent Order for Indefinite Suspension on Arthur L. Hargraves, D.C.
- Accept Consent Agreement for Reinstatement on John T. Duke, D.C.
- Accept Consent Order on Russell A. Friedman, D.C.
- Accept Cease & Desist order on Donald Rounds of Dahlonega, GA.
- Accept Voluntary Surrender on Eric John Baty, D.C.

Investigations/Enforcement –Lynn Eason

CHIR070002- Refer to Attorney General's office for a Voluntary Surrender. If voluntary surrender is not signed within twenty days, file a Notice of Hearing for revocation.

There being no further business to come before the Board, the meeting was adjourned at 4:45 pm on December 13, 2007.

Minutes prepared by: Samirah Stephens, Board Secretary

Reviewed/Edited by: Anita O. Martin, Executive Director

These minutes were approved on February 21, 2008.