

**FLORIDA** | Board of Chiropractic Medicine

Probable Cause Panel

Minutes

March 12, 2019

Conference Call  
Department of Health  
4042 Bald Cypress Way  
Tallahassee, FL 32399



Mindy Weingarten D.C., *Probable Cause Chair*  
Gene Jenkins, D.C., *Probable Cause Panel Member*  
Anthony Spivey, DBA, *Executive Director*

1 Conference Call started at 3:00 p.m. Ms. Woodard conducted a Roll Call.  
2 This meeting was called to order by Dr. Mindy Weingarten. Those present for the meeting  
3 include all of the following:

4 **Members present:**

5 Mindy Weingarten, DC  
6 Gene Jenkins, DC  
7

**Staff Present:**

Kelly Woodard, Regulatory Supervisor

8 **Board Counsel:**

9 Marlene Stern, Assistant Attorney General  
10 Office of Attorney General  
11

12 **Prosecution Counsel:**

13 Kimberly Marshall, Assistant General Counsel  
14 Rose Garrison, Assistant General Counsel  
15 Amanda Godbey, Assistant General Counsel  
16

17 **Court Reporter:**

18 For the Record  
19 (850) 222-5491  
20

21 *Please note the minutes reflect the actual order agenda items were discussed and may differ*  
22 *from the agenda outline. AUDIO from this meeting can be found online:*  
23

24 <https://floridaschiropracticmedicine.gov/meeting-information/past-meetings/>  
25

26 Reconsiderations started at 3:06 p.m.  
27

28 **R-01 Howard Lee Newman, DC**  
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30 Dr. Newman was present on the call. Ms. Kimberly Marshall presented case number 2017-  
31 21475. A one count Administrative complaint was filed alleging that the respondent violated the  
32 chiropractic board rules by failing to release records to a physician upon patient request. The  
33 respondent provided documentation that he in fact provided the records as requested. The  
34 department found that the records were provided prior to the filing of administrative complaint  
35 and recommended closure of the case.  
36

37 **Board action:** Motion to close the case against Howard Lee Newman, DC made by Dr.  
38 Weingarten. Second made by Dr. Jenkins.  
39

40 **Vote:** 2 yeas / 0 opposed; motion carried.  
41

42 **R-02 Tanya Maria Hlinka, DC**  
43

44 Dr. Hlinka was not present on the call. Ms. Kimberly Marshall presented case number 2017-  
45 16943. A one count Administrative complaint was filed alleging that the respondent Florida

46 failed to keep medical records of the treatment of a patient. The case was addressed as an  
47 amended complaint to add a second count alleging that the respondent failed to comply with  
48 final order by the board (Case 2010-22145). The department asked the panel to find probable  
49 cause on the additional count and authorize the filing of an amended complaint.

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51 **Board action:** Motion to find probable cause on second count and amend the administrative  
52 complaint made by Dr. Weingarten. Second made by Dr. Jenkins.

53

54 **Vote:** 2 yeas / 0 opposed; motion carried.

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56 Reconsiderations concluded at 3:15 p.m.

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58 The public portion of the meeting was adjourned at 3:15 p.m.