

BOARD OF COAL MINING EXAMINERS

SUMMARY OF MEETING

AUGUST 2, 2011

The following is a summary of the August 2, 2011 Meeting:

- I. Meeting called to order at 9:14 AM by Randy Moore, Chairman. Members present were Randy Moore, Gerald Kendrick, Ricky O'Quinn, and Joseph Buchanan and Arvil McConnell, Jr. Also present were Mary Gibson, Regulatory Boards Administrator, Sharon Pigeon, Senior Assistant Attorney General, and Butch Lambert, DMME Deputy Director.**
- II. Opening statement delivered Randy Moore, Chairman.**
- III. Motion made and seconded to accept August 2, 2011, meeting agenda and approve July 5, 2011, meeting summary. All members were in favor to approve.**
- IV. Review of Virginia Substance Abuse Cases (Closed Session)**

Of the cases that resulted in hearings, evidence was taken by the Board in closed session, pursuant to Virginia Code §§ 2.2-3711(A)(4) and 45.1-11.35(E). In the closed session, the Board worked out agreements, allowing individuals to return to work conditionally, and took other disciplinary actions including revocation of all certifications held by miners.

V. Open Agenda

Dennis Pratt, speaker at the recent VIVATROL seminar, contacted Mary Gibson requesting a follow-up meeting and stated he thought it beneficial to meet with the Board to answer questions that were raised by those interested in the treatment.

Due to the Board's limited budget, time and expertise, the Board is unable to fund the therapy for their cases and cannot act as endorser or broker to the industry or public for one therapy versus another. Based on regulations, the Board's role is to monitor the certified miner's compliance. The Board recommends contacts to treatment facility personnel, company human resource officers, county chambers and community colleges by providers of pain management and replacement therapies. The Regulatory Boards Administrator will convey the Board actions to Mr. Pratt via e-mail.

The substance abuse treatment providers have requested \$25 increases to \$125 each for the two assessments for a total of \$250 for DMME clients entering into agreements with the Board. The Board unanimously approved the increase; however, because of limited funds, denied request for reimbursement in other areas. The Board also voted that no Board grant funds are to be expended until the agreement is signed and are to be on a one-time basis. Any clients who do not comply with their agreements are not eligible for reimbursement through grant funding. The Regulatory Boards Administrator will convey the Board's decision in a letter to Cheryl Robinette of Cumberland Mountain Community Services.

Mary Gibson gave a recap on the Board substance abuse cases from September 2007 through July 2011.

VI. Next Meeting

Next meeting will be September 6, 2011.

VII. Adjournment

Meeting adjourned at 3:00 PM.