



**ATHLETIC COMMISSION
500 JAMES ROBERTSON PARKWAY
NASHVILLE, TENNESSEE 37243
615-741-1831**

**Meeting Minutes for September 10, 2018
Conference Room 1B
Davy Crockett Tower**

The Tennessee Athletic Commission convened on September 10, 2018, in the first floor conference room of the Davy Crockett Tower in Nashville, Tennessee. Glenn Kopchak called the meeting to order at 2:22 p.m. and the following business was transacted:

BOARD MEMBERS PRESENT: Dr. Christy Halbert, Patrick Wrenn, Donald Wynn
(teleconference)

BOARD MEMBERS ABSENT: Steve Hannah

STAFF MEMBERS PRESENT: Glenn Kopchak, Elizabeth Goldstein, Sara Page, Aisha Carney,
Heidi Flick

ROLL CALL/NOTICE OF MEETING

Director Kopchak took roll call and read the Statement of Necessity, followed by the Notice of Meeting, which was posted on August 24, 2018. Dr. Halbert motioned to approve the Statement of Necessity which was seconded by Mr. Wrenn. Motion carried unanimously by roll call vote.

AGENDA

Mr. Wynn asked for flexibility with the agenda and to move the actionable items to the beginning of the meeting. A motion was made by Mr. Wrenn and was seconded by Dr. Halbert. Motion carried unanimously by roll call vote.

MINUTES

Mr. Wrenn put forth a motion to adopt the minutes as written, which was seconded by Dr. Halbert. Motion carried unanimously by roll call vote.

2019 MEETING DATES

The 2019 meeting dates were presented to the board. Dr. Halbert motioned to approve the dates, which was second by Mr. Wrenn. Motion carried unanimously by roll call vote.

LEGAL REPORT

1. **Case No.:** 201804041
1st Licensed: 02/14/2018
Expiration: 02/14/2020
Type: Registered Boxer
History: N/A

Respondent is a forty-one-year-old combatant with a 1-36-1 record. Respondent's boxing registration was suspended in Kentucky after medical concerns arose. Respondent underwent an evaluation from a neurologist that serves as a member of the Kentucky Commission's Medical Advisory Panel. The neurologist concluded that Respondent should not return to boxing due to the number and frequency of punches Respondent has taken, Respondent's age, his fight record, and from the neurologist's observations of Respondent in a previous fight. Ultimately, through a settlement, Kentucky lifted the suspension in exchange for Respondent surrendering his registration. The Order lists the intent of the agreement to be so "boxing commissions in other jurisdictions will make their own, independent assessment of the Respondent's licensure qualifications and status rather than deny [Respondent] a license due to his suspension in Kentucky."

The Kentucky suspension occurred July 7, 2017, and the suspension was traded for the surrender on November 20, 2017. On February 2, 2018, Respondent applied in Tennessee. On his application, he answered "no" to the question, "Have you been suspended by any state athletic commission or other sanctioning authority."

Recommendation: Authorize revocation of Respondent's registration.

Commission Decision: The board accepted the recommendation of legal counsel.

RE-PRESENT

2. **Case No.:** 2018012531
1st Licensed: 07/28/2017
Expiration: 07/27/2019
Type: Professional MMA Combatant
History: N/A

Combatant was arrested in another state on allegations of second-degree rape related to sexual abuse of a 14-year-old minor. Previously, this matter was placed in litigation monitoring to await possible action from Respondent's home state. Ultimately, the home state determined it lacked jurisdiction to pursue action related to the criminal act due to Respondent's license lapsing. Likewise, Tennessee lacks jurisdiction to pursue licensing discipline based on criminal acts unrelated to the profession. Additionally, the inspector from the home state indicated the criminal charges were dropped against Respondent as well.

Recommendation: Close.

Board Decision: The board accepted the recommendation of legal counsel.

Amateur Deregulation Rules Package

A provision was added to the rules to further define “amateur event” so that the written rules are consistent with the statute. Dr. Halbert motioned to approve, which was seconded by Mr. Wrenn. Motion carried unanimously by roll call vote.

Rule 0145-03-.02 Amendment (Vinyl Mats)

Discussion was had in regards to acceptable synthetic blends for vinyl mats in MMA and kickboxing events. Mr. Wrenn mentioned he would like to review and proposed changes prior to voting. Voting and/or further discussion has been postponed until the December TAC board meeting.

TCA 68-115-403 (Blood Testing)

This was put out as informational to the board members regarding the interpretation of the statute: “A professional combatant shall be subject to additional blood testing for infectious diseases if more than ninety (90) days have elapsed since the combatant's license was issued.” Mr. Kopchak emphasized to the board the wording of “shall be subject” and “additional blood testing” in the statute and how Tennessee currently requires additional bloodwork within 90 days as a matter of practice although not necessarily required, versus other surrounding states that require blood work within 180 days. The Commission indicated that they were in favor of allowing additional testing to mirror that of other surrounding states which require additional testing within 180 days, but would not like to limit any administrative discretion where the staff felt the need to require additional blood testing within the 90 days on a case by case basis.

Mr. Wynn exited the board meeting at 2:58 p.m.

DIRECTORS REPORT

Budget

Director Kopchak provided a detailed accounting of budget revenue and expenditures, to include line item and trend analysis. Director Kopchak spent some time focusing on “Administrative Cost Backs”, in particular, the Athletic Commission’s (TAC) share of liquidation from all programs. The share is determined by licensing count, number of complaints, and a budget plan which accounts for 0.44% for TAC versus 16% for Cosmetology & Barber (C&B), which resulted in the \$350 for TAC vs. \$48,015 for C&B noted in June out of 300,094. Mr. Kopchak also noted that the Administrative Costbacks line item has the same accounts as Edison, and if an item is expensed under administrative expenses and is not otherwise covered in Edison, that would be a cost back expense to the program. Mr. Kopchak explained that the use of part-time field investigators has mitigated much of the expenses for the TAC program. In comparison, between October 2017 and January 2018, there was a significant decrease in the expenditures for field investigators by implementing part-time employees for TAC events.

LEGISLATIVE

Fresh Start Act

Ms. Goldstein provided a summary of HB2248/SB2465 referred to as the “Fresh Start Act” which generally speaking will not allow for denying an applicant for licensure due to a felony unrelated to the license for which the applicant applied.

Medical Insurance Rule

Ms. Goldstein related to the board that this rule will be presented to the Government Operations Committee on September 26, 2018. If the committee votes to approve the rule, it will become effective on October 9, 2018.

Weigh-In and Weight Classifications

Ms. Goldstein informed the board that there has been discussion with Attorney General regarding updates to this policy. Additional information will be provided, along with an effective date at the December TAC board meeting.

NEW BUSINESS

Director Kopchak welcomed the two new board members: Dr. Halbert and Mr. Wrenn. Dr. Halbert comes to board with an extensive and well-known notable career within the boxing world, where Mr. Wenn comes to the board with an extensive career in performance and coaching experience in MMA.

In regards to additional rule amendments, Dr. Halbert made the following recommendations below:

- 1.) Remove section 0145-02-.19 entirely.
- 2.) Rule 0145-02-.19 (1) can be placed elsewhere.
- 3.) Rule 0145-02-.19 (2)(a) regarding glove weights to be removed as it is already covered under 0134-02-.05.
- 4.) Rule 0145-02-.19 (2)(b) regarding the pelvic area protector and breast protector to be removed since the pelvic protector is already covered under 0145-02-.06. The breast protector could be optional and moved under 0145-02-.06(1)(c) which details the protective equipment.

ADJOURNMENT

There being no other business, the meeting was adjourned at 3:20 p.m.