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COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS

F I N A L M I N U T E S

MEETING OF:

STATE BOARD OF CHIROPRACTIC

TIME: 10:30 A.M.

Held at
PENNSYLVANIA DEPARTMENT OF STATE
2601 North Third Street
One Penn Center, Board Room C
Harrisburg, Pennsylvania 17110

as well as

VIA MICROSOFT TEAMS

June 30, 2022

State Board of Chiropractic

June 30, 2022

BOARD MEMBERS:

Joseph Gerard Halloran, D.C., Chair - Absent
Arion R. Claggett, Acting Commissioner, Bureau of
Professional and Occupational Affairs
William D. Aukerman, D.C., Secretary
Kelsie Coats, Consumer Protection Member
Michael S. Swank, D.C.

BUREAU PERSONNEL:

Carole Clarke Smith, Esquire, Senior Board Counsel
Tyasha C. Miley, Esquire, Board Counsel
Dana M. Wucinski, Esquire, Board Counsel
Colby B. Widdowson, Esquire, Board Prosecution Liaison
Heather J. McCarthy, Esquire, Board Prosecutor
Andrea L. Costello, Esquire, Board Prosecutor
Sarah E. McNeill, Board Administrator
Marc Farrell, Deputy Policy Director, Department of
State

ALSO PRESENT:

Jennifer Smeltz, Republican Executive Director, Senate
Consumer Protection & Professional Licensure
Ted Mowatt, CAE, Vice President, Wanner Associates, on
behalf of the of the Chiropractor Fellowship of
Pennsylvania

1 ***

2 State Board of Chiropractic

3 June 30, 2022

4 ***

5 [Pursuant to Section 708(a)(5) of the Sunshine Act, at
6 10:00 a.m. the Board entered into Executive Session
7 with Tyesha C. Miley, Esquire, Board Counsel, to have
8 attorney-client consultations and for the purpose of
9 conducting quasi-judicial deliberations. The Board
10 returned to open session at 10:30 a.m.]

11 ***

12 Official Call to Order

13 [Tyesha C. Miley, Esquire, Board Counsel, on behalf of
14 Chair Halloran, called the meeting to order at 10:30
15 a.m. She noted the meeting was being recorded, and
16 those who continued to participate were giving their
17 consent to be recorded.

18 Ms. Miley informed everyone that the Board met in
19 Executive Session to have attorney-client consultation
20 and for the purpose of conducting quasi-judicial
21 deliberations prior to the Board meeting.]

22 ***

23 Introduction of Board Members

24 [Tyesha C. Miley, Esquire, Board Counsel, requested an
25 introduction of Board members.]

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Introduction of Attendees

[Sarah E. McNeill, Board Administrator, provided an introduction of attendees.]

Adoption of the Agenda

MS. MILEY:

Our first order of business is the approval of the agenda.

Is there a motion for approval of the agenda?

DR. SWANK:

I move to approve the agenda for today's Chiropractic Board Meeting.

MS. MILEY:

Is there a second?

DR. AUKERMAN:

I'll second the approval of the agenda.

MS. MILEY:

Roll call vote.

Dr. Aukerman, yea; Kelsie Coats, aye;
Dr. Swank, yea; Commissioner Claggett, aye.

1 The agenda is approved.

2 [The motion carried unanimously.]

3 ***

4 Approval of minutes of the April 28, 2022 meeting

5 MS. MILEY:

6 The second order of business is the
7 approval of the minutes from the Board's
8 last meeting on April 28, 2022.

9 Is there a motion for approval of
10 the minutes?

11 DR. SWANK:

12 I move to approve the draft minutes of
13 April 28, 2022.

14 DR. AUKERMAN:

15 I'll second the motion of Dr. Swank to
16 approve the minutes of April 28, 2022.

17 MS. MILEY:

18 Roll call vote.

19
20 Commissioner Claggett, aye; Dr.
21 Aukerman, aye; Kelsie Coats, aye; Dr.
22 Swank, aye.

23

24 As the roll call vote indicates, this
25 item on the agenda is approved.

1 [The motion carried unanimously.]

2 ***

3 Approval of minutes of the April 28, 2022 Regulatory
4 Meeting

5 MS. MILEY:

6 The third order of business today is
7 approval of the Regulatory Minutes. The
8 minutes were submitted from the Board's
9 Regulatory Meeting also on April 28,
10 2022.

11 Is there a motion for approval of
12 the Regulatory Meeting Minutes?

13 DR. SWANK:

14 I move to approve the draft minutes of
15 April 28, 2022, for the Regulatory
16 Meeting.

17 MS. COATS:

18 I second that.

19 MS. MILEY:

20 Roll call vote.

21

22 Commissioner Claggett, abstain; Dr.
23 Aukerman, aye; Kelsie Coats, aye; Dr.
24 Swank, aye.

25

1 Having the roll call vote completed, it
2 appears that this item on the agenda is
3 also approved.

4 [The motion carried. Commissioner Claggett abstained
5 from voting on the motion.]

6 ***

7 Report of Prosecution

8 [Tyesha C. Miley, Esquire, Board Counsel, noted the
9 Board waived the presentation by prosecution.]

10 MS. MILEY:

11 The Consent Agreement of Case No. 18-43-
12 001745. Based upon discussion in
13 Executive Session, I believe that the
14 Board would entertain a motion to adopt
15 the Consent Agreement at Case No. 18-43-
16 001745.

17 Is there a motion?

18 DR. SWANK:

19 I'd like to propose a motion to accept
20 the agreement for Case No. 18-43-001745
21 on the Consent Agreement.

22 MS. COATS:

23 I second that motion.

24 MS. MILEY:

25 Roll call vote.

1

2

Commissioner Claggett, aye; Dr.

3

Aukerman, aye; Kelsie Coats, aye; Dr.

4

Swank, aye.

5

6

At this time, the motion carries, and

7

the Board has agreed to adopt the

8

Consent Agreement regarding the

9

Respondent, Nicholas Anthony Bufanio,

10

D.C., at Case No. 18-43-001745.

11

[The motion carried unanimously.]

12

13

Report of Acting Commissioner - No Report

14

15

Report of Board Counsel

16

[Tyesha C. Miley, Esquire, Board Counsel, notified

17

everyone that the Bureau of Professional and

18

Occupational Affairs received reports or persons

19

pretending to being from one of the health-related

20

boards contacting licensees by phone and mail about

21

the status of their licenses.

22

Ms. Miley stated the scammers are altering their

23

information that shows on caller ID to appear to be

24

from the Commonwealth of Pennsylvania, also known as

25

spoofing, where individuals are threatening license

1 suspension for failure to act and falsely claiming
2 involvement with the Federal Bureau of Investigation
3 (FBI) and the Drug Enforcement Administration (DEA).
4 She reminded everyone that BPOA will not contact
5 anyone by phone for payment and to not give any
6 personal or financial information over the phone, text
7 message, or fax.

8 Ms. Miley informed Board members that BPOA will
9 not threaten anyone and initiates disciplinary action
10 through an administrative process through certified
11 mail and/or personal service. She mentioned that
12 anyone who is affected by the scam could contact their
13 local police department and state police if they have
14 been the victim of a scam.]

15 ***

16 Report of Board Chair

17 [William D. Aukerman, D.C., Secretary, addressed his
18 attendance, along with Chair Halloran, at the
19 Federation of Chiropractic Licensing Boards (FCLB)
20 Conference in Denver, CO. He noted three days of
21 didactic training and education with speakers from
22 across the country on ethics and bylaws.

23 Dr. Aukerman mentioned Attorney Corey Ciocchetti,
24 the Professor of Business Ethics at the University of
25 Denver, was entertaining. He also mentioned Dr. Roger

1 Hall discussed 10 things needed in our lives for
2 balance and the importance of keeping those in sync.
3 He noted that a lot of Board complaints are from
4 doctors who have problems themselves or in their
5 family and the importance of keeping those in balance
6 so no one breaks any laws or loses their license.

7 Dr. Aukerman mentioned voting on different bylaws
8 and matters for the chiropractic licensing boards. He
9 recommended the next meeting September 30 through
10 October 1 in Florida be placed on the next agenda for
11 a vote.]

12 ***

13 Report of Board Administrator - No Report

14 ***

15 Miscellaneous

16 [Tyesha C. Miley, Esquire, Board Counsel, noted the
17 discussion regarding the proposed amendment to § 5.62
18 of the regulations regarding auxiliary personnel who
19 may perform radiological procedures would be tabled
20 until the August 4, 2022 meeting when Chair Halloran
21 returns.]

22 ***

23 Adjournment

24 MS. MILEY:

25 I entertain a motion to adjourn.

1 DR. AUKERMAN:

2 I'll make a motion to adjourn the State
3 Board Meeting of June 30, 2022.

4 MS. COATS:

5 I second that.

6 MS. MILEY:

7 This requires no vote. I thank you all
8 for your time and attention, and I look
9 forward to working with you.

10 ***

11 [There being no further business, the State Board of
12 Chiropractic Meeting adjourned at 10:43 a.m.]

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CERTIFICATE

I hereby certify that the foregoing summary minutes of the State Board of Chiropractic meeting, was reduced to writing by me or under my supervision, and that the minutes accurately summarize the substance of the State Board of Chiropractic meeting.



Cory Ruda,

Minute Clerk

Sargent's Court Reporting
Service, Inc.

STATE BOARD OF CHIROPRACTIC
REFERENCE INDEX

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TIME

AGENDA

10:00	Executive Session
10:30	Return to Open Session
10:30	Official Call to Order
10:30	Introduction of Board Members
10:31	Introduction of Attendees
10:31	Adoption of the Agenda
10:32	Approval of Board Meeting Minutes
10:32	Approval of Regulatory Meeting Minutes
10:34	Report of Prosecution
10:36	Report of Board Counsel
10:39	Report of Board Chair
10:43	Adjournment