

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

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: 10:55 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**

October 6, 2022

State Board of Chiropractic

October 6, 2022

BOARD MEMBERS:

Michael S. Swank, D.C., Chairperson  
Arion R. Claggett, Acting Commissioner, Bureau of  
Professional and Occupational Affairs - Absent  
William D. Aukerman, D.C., Secretary  
Ann R. Johnston, Senior Deputy Attorney General,  
Consumer Protection Member

BUREAU PERSONNEL:

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

ALSO PRESENT:

Keith Miller, D.C., President, Pennsylvania  
Chiropractic Association  
George E. Khoury, D.C., District III Director,  
Federation of Chiropractic Licensing Boards  
Jennifer Smeltz, Republican Executive Director,  
Senate Consumer Protection & Professional Licensure  
Committee  
Kari Orchard, Democratic Executive Director, House  
Professional Licensure Committee  
Lori A. Behe

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50

1 \*\*\*

2 State Board of Chiropractic

3 October 6, 2022

4 \*\*\*

5 Official Call to Order

6 [Michael Swank, D.C., Chair, called the State Board  
7 of Chiropractic Regulatory Meeting to order at  
8 10:55 a.m. He stated that the purpose of the meeting  
9 was to discuss fee changes for the Board.]

10 \*\*\*

11 Introduction of Board Members and Attendees

12 [Sarah E. McNeill, Board Administrator, provided an  
13 introduction of Board members and attendees.]

14 \*\*\*

15 Approval of Agenda

16 MS. MILEY:

17 Dr. Aukerman, will you make the motion  
18 for the approval of the agenda?

19 DR. AUKERMAN:

20 I'd like to approve the agenda of the  
21 Regulatory Meeting of the State Board  
22 of Chiropractic on October 6, 2022.

23 MS. MILEY:

24 Ms. Johnston, will you second that  
25 motion for the chair?

1 MS. JOHNSTON:

2 I second that motion.

3 MS. MILEY:

4 Any discussion? We can have a roll  
5 call vote.

6

7 Swank, aye; Aukerman, aye; Johnston,  
8 aye.

9 [The motion carried unanimously.]

10

\*\*\*

11 Report of Regulatory Counsel

12 [Tyesha C. Miley, Esquire, Board Counsel, addressed  
13 16A-4335 regarding chiropractic fees. She stated  
14 that the proposed annex has been drafted and the  
15 preamble is also preliminarily drafted but awaiting  
16 approval at this stage. She informed Board members  
17 that she would be bringing it back at the December 29  
18 meeting for the Board to take appropriate action to  
19 allow the fee regulation to move through the process  
20 to match revenues with expenses and to have an  
21 implantation date of 2024.]

22

\*\*\*

23 Miscellaneous

24 [Tyesha C. Miley, Esquire, Board Counsel, referred to  
25 a letter from the American Chiropractic Association

1 requesting support concerning H.R. 2654 regarding  
2 Medicare coverage modernization. She explained H.R.  
3 2654 is a federal regulation and that the Board does  
4 not provide support or opposition to the legislation  
5 and is merely informational. She encouraged everyone  
6 to review H.R. 2654 and corresponding Senate Bill  
7 4042.

8 Keith Miller, D.C., President, Pennsylvania  
9 Chiropractic Association, stated that the  
10 Pennsylvania Chiropractic Association (PCA) took on  
11 the bills sponsored by the American Chiropractic  
12 Association (ACA) as their personal project and have  
13 met with 18 congressional representatives and both  
14 United States Senators.

15 Dr. Miller noted PCA has secured 17 of the 18  
16 congresspersons of not only supporters and  
17 committing their vote toward the bill but actually  
18 backed the bill as cosponsors. He mentioned that  
19 U.S. congresspersons from Pennsylvania are  
20 representing a little over 12 percent of all  
21 cosponsors in the country and are proud to be  
22 leading the way.

23 Dr. Miller informed Board members of H.R. 8701  
24 released by the International Chiropractors  
25 Association (ICA) on the same item and that PCA

1 supports ACA's bill but not ICA's bill because ACA's  
2 bill supports the full Pennsylvania scope of practice  
3 under Medicare and ICA's bill does not.

4 Dr. Miller stated that the scope of practice in  
5 Pennsylvania has been written and adjudicated by the  
6 legislature and administered with regulations based  
7 on the scope of practice in Pennsylvania the Board  
8 has overseen for decades. He expressed concern that  
9 ICA's bill would go backwards and potentially damage  
10 the Pennsylvania scope, whereas the ACA bill would  
11 bring on the ability on a national level with  
12 protection of the Pennsylvania scope.

13 Dr. Miller urged the Pennsylvania Board to  
14 look over the facts and reconsider their opinion  
15 and suggested the Board make a statement that they  
16 believe all chiropractors in Pennsylvania should  
17 be able to operate under the Pennsylvania scope.

18 Ms. Miley reminded Board members that any  
19 statements of policy are separate from the Board,  
20 whether in support or opposition.]

21 \*\*\*

22 Adjournment

23 MS. MILEY:

24 At this time, Dr. Aukerman, that does  
25 conclude the business of this

1 regulatory meeting. Will you make a  
2 motion to the chair to adjourn this  
3 regulatory meeting at this time.

4 DR. AUKERMAN:

5 I'd like to make a motion to adjourn  
6 the Regulatory Meeting of October 6,  
7 2022, of the State Board of  
8 Chiropractic.

9 MS. MILEY:

10 Ms. Johnston, are you seconding that  
11 motion?

12 MS. JOHNSTON:

13 I'll second that motion.

14 MS. MILEY:

15 The meeting is adjourned. Thank you  
16 everyone for your attendance today.

17 \*\*\*

18 [There being no further business, the State Board of  
19 Chiropractic Regulatory Meeting adjourned at  
20 11:04 a.m.]

21 \*\*\*

22

23

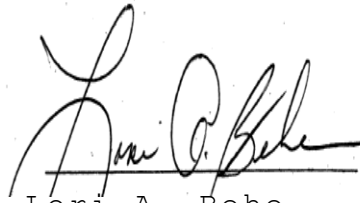
24

25

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

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.



Lori A. Behe,

Minute Clerk

Sargent's Court Reporting  
Service, Inc.



STATE BOARD OF CHIROPRACTIC  
REFERENCE INDEX

October 6, 2022

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50

TIME

AGENDA

- 10:55 Official Call to Order
- 10:56 Introduction of Board Members/Attendees
- 10:57 Approval of Agenda
- 10:58 Report of Regulatory Counsel
- 10:59 Miscellaneous
- 11:04 Adjournment