A History of State Legislative Accomplishment

“The Pennsylvania Story”

By

Steven J. Heckler, AT Retired
Forward

It is truly my great honor and privilege to be writing the forward to A History of State Legislative Accomplishment; The Pennsylvania Story. While it has taken a span of 35 years for athletic trainers to obtain the most restrictive form of professional and occupational regulation, I’m particularly pleased yet humble to say that TOGETHER we persevered, over the many generations, and we have all made the Pennsylvania Athletic Trainers’ Society (PATS) and the profession of athletic training better!

Our legislative story can perhaps be summed up by a quote by Rudyard Kipling; “For the strength of the Pack is the Wolf, and the strength of the Wolf is the Pack”. PATS has truthfully been blessed with many great leaders from our very inception in 1976, but equally important are the active boards, committees, liaisons, delegates and PATS members that make our shared history possible. Many of these individuals are mentioned prominently in the document; however, it’s also noteworthy to recognize all those supporters from outside the Athletic Training (AT) profession. PATS joined with knowledgeable and influential people and groups who without their work on our behalf, we wouldn’t be celebrating state Licensure in 2012.

Over the past three decades, PATS has established itself as a resource in Harrisburg for health care issues, but more importantly we are seen as a sincere group that earnestly cares about the welfare of our patients as well as our members. All members of PATS from students to the Board of Directors must continue to fight when called upon as each one of us has the ability, privilege, and duty of helping shape and further develop the profession of Athletic Training.

I encourage all athletic trainers to read this history. To obtain your license to practice athletic training services without knowing the perseverance, hard work and financial commitment which our Society has made would certainly be unfortunate. Please take the time to note the process, the years, the names and the passing of the torch from generation to generation in this effort. Like me, you will be inspired and grateful for their “labor of love” on our collective behalf.

I had my first extended introduction to President Heckler when we shared the stage during the 2009 PATS convention in Johnstown. Heckler was being inducted in our state’s Athletic Training Hall of Fame. Since that time, we’ve had many conversations on a wide variety of society subjects; much to my delight and insight. I’m proud to have learned about our rich history and our PATS founding fathers and honored to have served the profession. The thing I value most is our shared passion for a great profession.

So as you read President Heckler’s words, be reminded that we have much to be thankful for but also remember our future legislative accomplishments in Pennsylvania are far from over.

*Gregory K. Janik, MS, ATC, LAT*
Pennsylvania Athletic Trainers’ Society, President 2010-2012
Preface

If there is any single lesson to be learned from such an undertaking and reflection, it is that Pennsylvania and all states within the National Athletic Trainers’ Association have been blessed with some pretty amazing members. We cannot advance our profession without their passion, commitment, talents and extraordinary vision for the future. We owe those who preceded us and those who work on our behalf today, a debt of gratitude that can never be fully repaid. It was my goal that by documenting a historical timeline of state legislative accomplishments it might help us reflect not only on past achievements but also make us aware of projects yet to be imagined. It is my hope that each state develops similar documentation of its own legislative history and makes it available to the next generation of students in our national AT education programs.

I had forgotten some of our state’s AT legislative history, correct dates, names and old details from over three decades. But, it all came flooding back with the help of Carlisle High School’s Dick Burkholder and Bucknell University’s Mark Keppler. Both of those men were there at the beginning in 1976 and provided me with old documents and events to refresh my memory. As always, my West Chester University mentor, Phil Donley provided sound advice and direction. Key individuals such as Paula Sammarone Turocy from Duquesne University, Greg Janik from Kings College and many others who held state elective office and leadership positions contributed to the historical narrative. I sincerely want to thank and give appreciation to all the contributors for their expert assistance in this project.

*Steven J. Heckler, AT Retired*
The Real Heroes

It is important to document and remember our shared history; if for no other reason other than to have our youngest state members appreciate the merit and foresight of prior generations of ATs. To take for granted the legal foundation we all enjoy today would be foolish and selfish.

In 1975, a small group of visionary Founding Fathers met at West Chester State College to discuss and outline plans to seek professional licensure for Pennsylvania’s athletic trainers.

June 1976, the Pennsylvania Athletic Trainers’ Society (PATS) was “born” during the National Athletic Trainers Association (NATA) convention in Boston, MA. Otho Davis, NATA Executive Director, provided critical insight and direction at that first state meeting. There were some in the NATA who questioned whether the creation of individual state associations would strengthen or weaken the national association. It was, in fact, Otho Davis who encouraged the creation of PATS, using the word “society” in place of association to distinguish the differences in focus and scope. Three and half decades later, Otho’s vision of the importance of strong state associations has bared fruit. State associations have implemented strong grassroots-level efforts in thousands of local communities across the country. With the help and guiding hand of the NATA, states now are better able to foster one-on-one contact with the local media, parent groups, medical societies, and school boards; however, the single greatest benefit of any state association, in my opinion, is its ability to initiate, write, advocate and get passed modern AT legislation.

When researching thirty-five years of PA state society archives, it became abundantly clear that our Society’s historical record is closely linked with our legislative history, intertwined from the very beginning. From its inception, the record clearly indicates that Pennsylvania’s Founding Members’ primary goal was state licensure.

These early members were anxious to establish a sound legal basis to frame and validate their professional practice. In fact, at the Boston meeting in 1976, records indicate that the very first PATS committee established was a State Licensure Committee chaired by Bloomsburg State College’s Paul Slocum. His committee members were: Dave Tomasi (Lock Haven State College), Dick Burkholder (Carlisle HS), Joe Godek (West Chester State College), Charles McNarron (Lehigh University), Otho Davis (Philadelphia Eagles), Tim Kerin (University of Pittsburgh), Chuck Medlar (Penn State University), Ted Quedenfeld (Temple Sports Medicine), Hal Biggs (Bucknell University) and Jim Dalrymple (Selinsgrove HS). It is important to note that of the original 11-member Licensure Committee; six would become NATA Hall of Famers and seven Pennsylvania Hall of Famers.
July 1976: a group of AT pioneers met in Mechanicsburg, PA, one month after the Society’s creation, to formalize a state constitution and by-laws. We owe a great debt to our small, but dedicated group of visionaries: Otho Davis, Paul Slocum, Mark Keppler (Carnegie-Mellon University), Ron O’Neil (Philadelphia Eagles) Tim Kerin, Phil Donley (West Chester State College), Hal Biggs, Dick Burkholder, Tim Foley (Williamsport HS), Joe Vegso (Temple Sports Medicine) and Joe Godek who spent tireless hours not only creating the state society, but also legislative strategy.

In addition to being NATA Executive Director, Otho Davis was the Head AT with the Philadelphia Eagles and held considerable influence statewide. Not long after PATS was created in 1976, he personally called upon the powerful Speaker of the PA House of Representatives who lived in Philadelphia to seek introduction of AT Licensure. This was our very first gallant, but unsuccessful foray into formal state politics.

1976: Elinor Z. Taylor was elected to the State House of Representatives from the West Chester area and served for the next thirty-years and rise to become the highest-ranking member of the GOP caucus. She was a passionate advocate for Higher Education. Rep. Taylor was an administrator at West Chester State College prior to elective office. Taylor was one of the first legislators to adopt and support AT legislative efforts. Note: West Chester State College was the first AT Education Program in Pennsylvania and the fifth nationwide.

1978: NATA and Pennsylvania Hall of Famer Hal Biggs helped PATS to begin functioning as a professional society from his Bucknell University office. The primary purpose was Licensure.

1979: A task force of NATA and APTA (American Physical Therapy Association) met in San Francisco and again in Pittsburgh. Joe Godek was our point man during these meetings designed to identify in principle the “common ground” between the professions in hopes of seeking licensure for athletic trainers under the already-existing Physical Therapy (PT) Practice Act.

1980: Godek and Kent Cully, the PPTA (Pennsylvania Physical Therapy Association) attorney drafted an initial amendment to the PT Practice Act. These early discussions led to an agreement about “traditional” AT practice, but the bone of contention during the discussions was on the topic of the newly emerging “non-traditional AT” practice such as those developed at Temple University. There was no immediate outcome from these discussions.
1982-84: PATS spent the next years crafting and refining the structure and functions of the Society, developing standing committees, using the NATA as the template. While never losing sight of the ultimate goal of gaining licensure for Athletic Trainers, the main focus of PATS was to increase membership in hopes of increasing revenues that could be used for licensure efforts. More state members meant more money. Times were meager; stamps were a luxury, and the Society’s volunteers paid for their own meals and travel expenses. We began a campaign of “knocking on doors” and made our first monetary assessment on the state membership to cover legislative costs.

1984: Efforts once again led by NATA and Pennsylvania Hall of Famer Joe Godek, found that the only available option to creating a legal means to practice Athletic Training in the Commonwealth, at the time, would be by attaching ourselves to an established board already recognized by the Department of State’s Bureau of Occupational & Professional Affairs. This affiliation was politically attractive, because it would not require any additional cost to the consumer, and therefore would gain easier governor approval. All expert advice in the mid-1980’s concurred; simply put, no new regulatory boards were being established. After much hard negotiation and with regulated practice as the goal, Athletic Trainers became regulated as certified health professionals, along Physical Therapists and PT Assistants under the Physical Therapy Practice Act, Subchapter B.

The act provided for certification, not licensure, under the State Board of Physical Therapy (PT Board). Athletic Trainers were not recognized as voting members on the State Board, and the only way that Athletic Trainers had input into their own practice was through a three-member Athletic Trainer Advisory Committee that could make recommendations (only) to the PT Board. The creation and intention of the Athletic Trainer Advisory Committee was to help enact Rules & Regulations and then address the issue of the “non-traditional AT”.

April 4, 1984: Bill 525 was signed into law as ACT 48 by Governor Dick Thornburgh in a photo ceremony with AT leaders. From left to right: At the desk: Senator Robert Jubilier, Governor Thornburgh, Representative Elinor Taylor. In the back: Joe Vegso Paul Slocum, Mark Keppler, Tim Foley, Joe Godek, Jerry Martin, Larry Fronheiser, Fran Welk, Kent Culley, and an unknown person.

NOTE: After often contentious negotiation, the actual Rules and Regulations for Subchapter B (AT portion of the bill) were officially accepted. Further changes and improvements to the PT Practice Act Rules & Regulations were begun by then PATS President Joe Iezzi (Downingtown HS) in 1992 and continued under the leadership of John Hauth (East Stroudsburg University) and Paula Sammarone Turocy (Duquesne University). Subsequent hard fought amendments took a decade to be written and approved, receiving IRRC and PA government acceptance in 1997.

In May of 1992, a seminal moment occurred in the life of this state society. Joe Iezzi (NATA and Pennsylvania Hall of Famer) was sworn in as President of PATS at the annual state convention in Hershey, sixteen years after the society’s founding. During his opening remarks, President Iezzi enthusiastically proclaimed that our legislative efforts were not done, and that it was now time for ATs in Pennsylvania to aggressively seek “our own Practice Act” that was originally outlined in Boston in 1976. That “call to arms” set Pennsylvania on a course and series of events that
would culminate in President Iezzi’s vision and plan coming to fruition a decade after it was offered.

**So what transpired to make President Iezzi’s and many other PATS members’ dreams in 1992 come true?**

That is a story of passion, dedication and extreme doggedness over yet another decade. The will to press on was led by the successive state presidents following Iezzi: Dr. John Hauth (1994-96), Dr. Paula Turocy (1996-98), Steve Heckler (1998-2000) and Dr. Joe Hazzard (2000-02) and steered by Legislative Committee Chair, Dr. Barry McGlumphy (1998-2002).

**December 10, 2001, Governor Mark Schweiker, signed into law a new and modern practice act for athletic trainers. Senate Bills 370 & 371 were unanimously passed as Act 92 & 93 of the Medical Practice Act and the Osteopathic Practice Act, replacing the now-antiquated law that certified ATs under the Physical Therapy Practice Act of 1984.**

![Steve Heckler (Left), Senator Tommy Tomlinson (Center) and Phil Donley (Right) celebrating the new (2001) practice Act for Athletic Trainers under the Board of Medicine and Osteopathic Medicine.](image)

Athletic Trainers now were credentialed, like physician assistants, respiratory therapists, and nurse practitioners by the State Boards of Medicine and Osteopathic Medicine. This law not only better resembled the chain of medical supervision under which ATs function but also strengthened the relationship between certified ATs and licensed physicians.

**2002-2007:** Three PATS Presidents (Gary Hanna (Edinboro University), AJ Duffy (Widener University), and Julie Emrhein (Dickinson College)) led the struggle to adopt Rules & Regulations for Act 92 & 93 through the Independent Regulatory Review Commission (IRRC). George
Roberts (Edinboro University) was instrumental as Governmental Affairs Chair during these critical negotiations.

**July 2007:** just as occurred with the first AT legislation, these new Rules & Regulations were not completed, signed and enacted until years later in 2007.

*Acts 92 & 93 allow for one athletic trainer, appointed by the Governor and approved by the Senate, to serve as a full voting member on each of the state boards – PA State Board of Medicine and State Board of Osteopathic Medicine.* This legislation and the recognition of an Athletic Trainer as a rotating voting member (responsibilities rotated between Physician Assistants and Athletic Trainers) on the medical boards was another giant step forward for ATs.

**The Pennsylvania Model for Successful Legislation**

- **Survey Membership:** In the early 1990’s, PATS surveyed its members to determine the priority of issues in the state and profession. Gaining new legislation under licensed physicians was overwhelmingly the number one priority (95% of membership ranked this issue as # 1). A committee was formed to identify and write early drafts to include physician referrals, supervision, access to the “physically active” patient, scope of practice and clear “definitions” under any new law. The new drafts specifically described that AT practice would be regulated under the state medical boards.

- **Hire Lobbyist:** Even at the most meager times, PATS was fortunate to hire its first lobbyist and lawyer, Kathy Speaker MacNett, who was vital to the legislative successes. She walked us through the maze of legislative roadblocks, opened doors and educated us on the legislative process. We were given a Governmental Affairs tutorial by Kathy whose office was in the state capitol city of Harrisburg. We began to discover our own level of expertise and develop politically. We learned early on that as ATs, we had contacts, relationships and public relations value. When over two-thousand state athletic trainers work and live in our local communities, we develop strong ties with parent-teacher groups, various medical associations, legislative alumni and so forth.

  ❖ *This is an important point to remember: never underestimate the value of a member’s input and support; it’s free and more personal in most cases.*

- We learned to identify state ATs who had charisma, strong verbal & writing skills, and natural political instincts. As the years went by, we became our own best lobbyists. We still required that “inside the Hill” knowledge to keep us educated to the process and to the ever changing winds of political favor. We found ourselves increasingly more articulate and successful at opening doors ourselves.
• **Important milestone in 2002:** This milestone occurred when the NATA voted to automatically include dues collection for the individual states. This single action made it possible to more than double Pennsylvania AT membership and increase opportunities for more local ATs to become involved at the state level. We began to raise funds through political Pacts and membership assessments. This increase in membership allowed PATS to take on more service-orientated projects and further demonstrate our collective worth in the health care field.

• **Legislative Sponsor:** We found a dedicated and knowledgeable state senator, Senator Robert M. “Tommy” Tomlinson, who was a former student-athlete (football) at West Chester State College who benefitted from the care provided by NATA Hall of Fame Athletic Trainer, Phil Donley. Senator Tomlinson, first elected to the Pa. legislature in 1991, was receptive to our needs and instrumental to our success. Thus, Senator Tomlinson and fifteen of his senate colleagues introduced the 2001 bill.

• **Bureau of Occupational & Professional Affairs:** We made one-on-one personal and professional connections with the very influential commissioner of the Bureau of Occupational & Professional Affairs, Dorothy Childress. She helped to educate us and improve our understanding of how other Boards worked. These relationships helped us to create non-threatening opportunities to engage with the professionals on other Boards under her office which paid dividends later in the process.

• **Ten years of preparation and grass-roots efforts** were initiated to ensure that we were politically positioned to have our needs heard. PATS and our members sent post cards and other mailings to the membership and legislators, phone calls and visits were made to legislators and their office staffs. We hosted cocktail receptions at the Capitol with gift bags, inviting the NFL Philadelphia Eagles & Pittsburgh Steelers medical staff and players to join us. We also were able to garner Pennsylvanian and NFL Hall of Famer Chuck Bednarik’s support and attendance for one Capitol event. On another occasion, we invited the legislators to meet the nationally famous Pennsylvania Special Olympics athlete Loretta Claiborne. Autographed official professional sport team paraphernalia from around the state was used to show our appreciation to legislators who were willing to listen to us. These efforts took time and money, and we used every tool at our means. We quickly learned to identify key AT members who had links to legislators as neighbors, former student-athletes and former students. We identified city mayors, administrators, legislative aides and even a Lt. Governor who had a personal link to an AT member.
• **Establish a Governmental Affair Committee:** This enabled us to closely link our state committee chair with the NATA Legislative Affairs office. Our chair serves as the point-person regarding all state legislative matters and works directly with society presidents. PATS was fortunate to have four very capable and productive chairs of this important committee throughout this legislative decade: Joe Iezzi (1994-98), Dr. Barry McGlumphy (1998-2002), George Roberts (2005-2009) and Tanya Miller, the current chair.

• **We did our homework.** We secured a legislative map of the state which identified every House & Senate congressional district. Then, we located and transposed into each district, our own AT members that lived or worked within those boundaries. We researched each Representative and Senator’s biographical background to find some link to our members: college alumni, hometown, spouses & children, anything that could make a connection. Politics is about such connections.

• **The 5 P’s:** We followed a wise old adage that says *Proper Preparation Prevents Poor Performance.* We learned that while we could not expect instant results from our legislative efforts, our meticulous preparation served us well. This often meant getting in your car and traveling to speak and educate influential professional or medical organizations. We presented our professional qualifications, our educational background, our employment venues and anything relevant to our case. We spoke at meetings and conventions of the state Orthopedic, Osteopathic, Pediatric, Family Physicians, Medical Society, Physical Therapy, PTA, High School Athletic Association (PIAA), Department of Education, trade fairs & health expos.

• **Legislative Committee/Caucus structure and Public Hearings:** We became astute at understanding how the political committee/caucus structure in the Capitol worked. Therefore, we contacted thru phone, letter and in-person office visits every member in both the House & Senate Consumer Protection & Professional Licensure and Appropriation committees. We made sure this vital step to getting our bill out of committee was covered. We educated and convinced key legislators on our merits through public hearings, because if we lost this political influence, our bill would “die” in committee. This required preparation and articulation, so we utilized our best & brightest members.

• **If we learned anything, it was perseverance.** We had become political beasts ourselves…and we got pretty good at it. We simply never gave up!

This process was a giant leap forward from the prior legislative action in the 1980’s under the PT Board, and it took a decade to complete. The one political compromise taken at this point was to remain “certified” under two medical boards and not licensed. The climate in state
politics in 1992-2001 was “no new professional licensing”. But times change....slowly....but they do change.

A New AT Generation Takes Over

In 2008, after another decade, we began once again to seek our ultimate legislative goal to gain licensure for Pennsylvania Athletic Trainers. During this period, a new generation of Pennsylvania ATs took the reins of the state society and the political process. State presidents Tom West (2008-2010) and Greg Janik (2010-12) and their team of advisors began anew the time-tested template of state politics. They sought out old political supporters and established new ones. They asked a younger and larger state membership to step-up and volunteer to serve. They wrote the letters, made the phone calls and renewed connections that worked during previous legislative efforts but with several important exceptions.

This time around, ATs had a member on the State Board of Medicine (George Roberts, Edinboro University, 2011-15) and State Board of Osteopathic Medicine (Dr. Linda Meyer, California University of PA, 2008-12) who articulated our cause to a receptive audience. By 2011, Pennsylvania ATs had done decades of public relations work educating the public and Capitol Hill which paid dividends in a much smoother and timely process. PATS leadership, with Tanya Miller (Elizabethtown College) now as Governmental Affairs chair, pressed our case with enthusiasm and skill.

2008-10, After long discussions and evaluations, President Tom West and his advisors determined it was time for a new and larger professional lobbying firm to be hired and The Winter Group based in Harrisburg, PA was ultimately chosen. Under the Winter Groups guidance and PATS leadership, we introduced two new AT Licensure bills in the State House of Representatives with no success due to changing Governors and an expired legislative term.

May 2011, PATS once again sought out our longtime friend, Senator Tomlinson, to sponsor and introduce new Licensure legislation, Senate Bills 957 & 967. Under these bills, ATs would remain under the regulatory control of the State Medical Boards as Licensed health care professionals. Both bills were referred to the Senate Consumer Protection and Professional Licensure Committee, chaired by Tomlinson, where they passed and were forwarded to the full PA Senate for consideration.

September 28, 2011: The bills passed the Senate Appropriations Committee and were unanimously approved by the PA Senate (49-0) and subsequently referred to the PA House of Representatives Professional Licensure Committee.

November 16, 2011: With the help of the Winter Group and PATS President Janik, Senate Bills 957 & 967 passed the last major hurdle: the House Professional Licensure Committee.
December 7, 2011: The following message was sent out to all 3,000 Pennsylvania athletic trainers by PATS President Greg Janik:

PATS Electronic Communication by President Janik...

ATHLETIC TRAINING LICENSURE BILLS PASS IN THE HOUSE

This was an amazing week for athletic trainers in Harrisburg. The Athletic Training Licensure Bills (Senate Bills - SBs 957 & 967) were put on the House calendar on December 6th for second consideration and referred to the House Appropriations Committee. The bills unanimously passed the House Appropriations Committee today, December 7th, and were immediately put on the House calendar for third consideration, which they also passed unanimously (194-0).

Now that the bills have passed the House they will go back to the Senate for concurrence and then are ready to be signed into law by the Governor. PATS has worked on this legislation for many years (virtually since 1976) and we are finally a few steps away from reaching our goal!

Note: we should recognize that throughout every House & Senate committee and full House & Senate legislative votes, all were passed unanimously. That fact speaks volumes.

A big THANK YOU to everyone who helped make this possible! Congratulations!

December 22, 2011: Governor Tom Corbett signed “state licensure for athletic trainers” as Acts 123 and 124 into law successfully bringing to conclusion a thirty-five year effort. These Acts officially became law on February, 20th, 2012 recognizing athletic trainers officially as LICENSED health care professionals within the Commonwealth.

As of Spring 2012, the Rules and Regulations are currently in revision by the PA State Board of Medicine and State Board of Osteopathic Medicine secondary to the passage of Acts 123 and 124 (Athletic Training Licensure).
The original purpose for the establishment of this state organization in 1976 was licensure. No one said the journey would be fast or easy, but rest assured, none of us believed thirty-five years would pass before completion of our mission! In the end, Pennsylvania would see three different Governors sign AT bills into law; in 1984, 2001 and 2011. Welcome to politics.

In the final analysis, what lessons did we learn from this thirty-five year journey that can help you?

First, that a group of dedicated, passionate members can accomplish great things. Impressive, because they were all volunteers and maintained their full-time jobs and families in addition to the service they gave to their profession and to each other.

Second, that Pennsylvania is a large state with a dynamic membership. We had to identify each other’s unique qualities & skills and then utilize those assets where best suited. Any worthwhile endeavor requires commitment and leadership. Pennsylvania has always been fortunate to have found both qualities from within its membership. Politics is not easy or clean; it is a messy, involved game. In the end, we had to make the sale. Diverse input, personal causes you think are right, heartbreaking setbacks, retooling for the next push…but, in the long run, you still have to make the sale.
Third, success required a total commitment of mind, spirit and body of those brave (or fortunate enough) to get involved. This endeavor was not for the faint of heart or soul. The ability to stay the course, to make changes where needed, to seek the right advice, to motivate others, to not take temporary failure personally and implement action in a timely manner. This was an absolute TEAM effort (*Together Everyone Accomplishes More*). In this case, it took decades not years.

I learned these lessons in the second half of my career about the same time I first learned of the old Chinese proverb: “Talk does not cook rice”. This sage advice implores us to quit complaining about our professional lot in life, put down our Blackberries, come up from behind our computers and begin to ask the question “how can I help”? Our successes have not fallen from the trees and landed at our collective feet. They required work, hard work over many years by our AT predecessors. Let us never forget or take for granted the legacy we’ve inherited.

It is my sincere wish that you will find your own niche. At your next state meeting, make that “step from the back of the room” and come forward and volunteer to serve others. You will be repaid many times over in the process and above all.....*Keep the Faith and Never Give Up!*

**Editor’s note:** This article was written in December 2011 following final passage of Pennsylvania legislation which provides AT’s Licensure under the state medical boards. This long process began with the creation of PATS, Inc. in 1976. The author was State President from 1998-2000 and inducted into the Pennsylvania Athletic Trainers Hall of Fame in 2009 and now resides in Florida.