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INDEPENDENT REGULATORY REVIEW COMMISSION
333 MARKET STREET, 14TH FLOOR, HARRISBURG, PA 17101

June 22, 2000

K. Stephen Anderson, M.Ed., CRNA, Chairperson
State Board of Nursing
116 Pine Street
Harrisburg, PA 17105

Re: IRRC Regulation #16A-5110 (#1952)
State Board of Nursing
Sexual Misconduct

Dear Mr. Anderson:

The Independent Regulatory Review Commission approved the subject regulation at its June 22, 2000 public meeting. Our Order is enclosed and is available on our website at <http://www.irrc.state.pa.us>.

We appreciate the joint effort that went into producing a regulation that met the criteria and intent of the Regulatory Review Act.

Sincerely,

Alvin C. Bush
Vice Chairman

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Enclosure

cc: Robert G. Cameron
Joyce McKeever
Dorothy Childress
Honorable Kim Pizzigrilli

**INDEPENDENT REGULATORY REVIEW COMMISSION
APPROVAL ORDER**

Commissioners Voting:

Public Meeting Held June 22, 2000

John R. McGinley, Jr., Chairman – by Proxy
Alvin C. Bush, Vice Chairman
Arthur Coccodrilli
Robert J. Harbison, III
John F. Mizner

Regulation No. 16A-5110
State Board of Nursing
Sexual Misconduct

On May 28, 1998, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the State Board of Nursing. This rulemaking amends 49 Pa. Code Chapter 21. The proposed regulation was published in the June 13, 1998 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on May 23, 2000.

This regulation establishes standards for determining when Registered Nurses and Licensed Practical Nurses have engaged in sexual misconduct.

We have determined this regulation is consistent with the statutory authority of the State Board of Nursing (63 P.S. §§ 212.1(k) and 667.6) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

BY ORDER OF THE COMMISSION:

This regulation is approved.



Alvin C. Bush, Vice Chairman