

Regulatory Analysis Form

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REVIEW COMMISSION

Cocodrilli

IRRC Number: **2018**

(1) Agency

Department of State, Bureau of Professional and Occupational Affairs, State Board of Osteopathic Medicine

(2) I.D. Number (Governor's Office Use)

16A-5310

(3) Short Title

Application Fees

(4) PA Code Cite

49 Pa. Code §§25.231 and 25.503

(5) Agency Contact

Telephone Numbers

Primary Contact: Herbert Abramson, Counsel
3-7200

Secondary Contact: Joyce McKeever, Deputy Chief Counsel, DOS - 3-7200

(6) Type of Rulemaking (check one)

- Proposed Rulemaking
- Final Order Adopting Regulation
- Final Order, Proposed Rulemaking Omitted

(7) Is a 120-Day Emergency Certification Attached?

- No
- Yes: By the Attorney General
- Yes: By the Governor

(8) Briefly explain the regulation in clear and nontechnical language.

The regulation amends the fee schedule for the State Board of Osteopathic Medicine by revising fees for the application for an unrestricted license, application for a short term camp license, temporary training license or graduate training certificate, application for physician assistant certificate, application

(Continued on Page 9)

9) State the statutory authority for the regulation and any relevant state or federal court decisions.

Section 13.1(a) of the Osteopathic Medical Practice Act, Act of October 5, 1978, P.L. 1109, as amended, 63 P.S. §271.13a(a).

Regulatory Analysis Form

(10) Is the regulation mandated by any federal or state law or court order, or federal regulation? If yes, cite the specific law, case or regulation, and any deadlines for action.

Yes. The Board is required by statute to adopt regulations setting fees. See item no. 9 for the specific law.

(11) Explain the compelling public interest that justifies the regulation. What is the problem it addresses?

The enabling statute requires the Board to set fees by regulation so that revenues meet or exceed expenditures over a biennial period. The general operating expenses of the Board are borne by the licensee population through revenue generated by the biennial renewal of licenses. Expenses related to specific services which are provided directly to individual licensees or applicants are excluded from general operating revenues so that only the licensee who uses a particular service pays for the service being provided to him or her. By this regulation the cost of providing the service will be accurately apportioned to users of the services.

(12) State the public health, safety, environmental or general welfare risks associated with nonregulation.

At the present time some application and non-renewal fees exceed or fall below actual costs of reviewing applications and providing services. Those fees which exceed actual costs result in a windfall to general operating revenues. Those fees which fall below actual cost fall on the shoulders of the general licensing population.

(13) Describe who will benefit from the regulation. (Quantify the benefits as completely as possible and approximate the number of people who will benefit.)

The licensing population generally will benefit by having costs of services which are utilized by only a portion of the licensees or applicants paid by those actually using the service.

Regulatory Analysis Form

(14) Describe who will be adversely affected by the regulation. (Quantify the adverse effects as completely as possible and approximate the number of people who will be adversely affected.)

The Board is not aware of any person or groups who would be adversely affected by the regulation. Applicants for services or licenses will be required to bear the up-to-date costs of providing the services involved.

(15) List the persons, groups or entities that will be required to comply with the regulation. (Approximate the number of people who will be required to comply.)

All licensees of the Board will be required to comply with the regulations. There are approximately 7981 persons who possess current licenses, certificates, and registrations issued by the Board. The Board estimates that approximately 2,027 persons will avail themselves of one or more of the enumerated services in a two-year period.

(16) Describe the communications with and input from the public in the development and drafting of the regulation. List the persons and/or groups who were involved, if applicable.

These regulations do not place requirements on licensees concerning their conduct or compliance with state law regarding the performance of a licensing duty under licensing statutes. The regulation embodies the fees which capture the cost of providing the service an applicant or licensee requests. Therefore, the information requested in this item is not applicable.

(17) Provide a specific estimate of the costs and/or savings to the regulated community associated with compliance, including any legal, accounting or consulting procedures which may be required.

The Board estimates that 2,027 persons will avail themselves of one or more of the enumerated services within a biennial period. Total cost savings to the regulated community for a biennial period would be \$18,605. There are no legal, accounting or consulting procedures required.

REGULATORY ANALYSIS FORM

(18) Provide a specific estimate of the costs and/or savings to local governments associated with compliance, including any legal, accounting or consulting procedures which may be required.

Local governments would not be affected by the regulation.

(19) Provide a specific estimate of the costs and/or savings to state government associated with the implementation of the regulation, including any legal, accounting, or consulting procedures which may be required.

The Department and the Board will incur no costs to implement this regulation.

Regulatory Analysis Form

(20) In the table below, provide an estimate of the fiscal savings and costs associated with implementation and compliance for the regulated community, local government, and state government for the current year and five subsequent years.

| | Current FY Year | FY +1 Year | FY +2 Year | FY +3 Year | FY +4 Year | FY +5 Year |
|-----------------------------|--------------------|---------------|---------------|---------------|---------------|---------------|
| SAVINGS: | | | | | | |
| Regulated | \$27,575 | \$27,575 | \$27,575 | \$27,575 | \$27,575 | \$27,575 |
| Local Government | | | | | | |
| State Government | | | | | | |
| Total Savings | | | | | | |
| COSTS: | | | | | | |
| Regulated | \$8,970 | \$8,970 | \$8,970 | \$8,970 | \$8,970 | \$8,970 |
| Local Government | | | | | | |
| State Government | | | | | | |
| Total Costs | | | | | | |
| REVENUE LOSSES: | | | | | | |
| Regulated | | | | | | |
| Local Government | | | | | | |
| State Government | | | | | | |
| Total Revenue Losses | | | | | | |

(20a) Explain how the cost estimates listed above were derived.

The cost estimates are based upon the number of persons who will avail themselves of the specified service in a fiscal year multiplied by the savings or additional cost to the applicant for the service.

- | | | | | | |
|--|---------------|---|-----|---|--------------------|
| a. Osteopathic license application | \$40(savings) | x | 600 | = | \$24,000 (savings) |
| b. Osteopathic camp license | 5(cost) | x | 1 | = | 5 (cost) |
| c. Temporary or graduate training license | 5(cost) | x | 550 | = | 2,750 (cost) |
| d. Application for physician assistant | 55(savings) | x | 65 | = | 3,575 (savings) |
| e. Application for supervising physician | 15(cost) | x | 10 | = | 150 (cost) |
| f. Verification of license or permit | 5(cost) | x | 600 | = | 3,000 (cost) |
| g. Certification of scores or hours | 10(cost) | x | 10 | = | 100 (cost) |
| h. Application for radiology exams | 25(cost) | x | 10 | = | 250 (cost) |
| i. Application for acupuncturist | 15(cost) | x | 4 | = | 60 (cost) |
| j. Application for acupuncturist supervisor | 15(cost) | x | 2 | = | 30 (cost) |
| k. Application for respiratory care temporary permit | 15(cost) | x | 100 | = | 1,500 (cost) |
| l. Application for respiratory care initial license | 15(cost) | x | 75 | = | 1,125 (cost) |

Regulatory Analysis Form

(20b) Provide the past three year expenditure history for programs affected by the regulation.

| Program | FY -3 | FY -2 | FY -1 | Current FY |
|-------------------------------|-------|-------|-------|------------|
| See attached fee report forms | | | | |
| | | | | |
| | | | | |
| | | | | |

(21) Using the cost-benefit information provided above, explain how the benefits of the regulation outweigh the adverse effects and costs.

The amendments will assure that the costs of providing the specified services to certain applicants and licensee will be borne by individuals who receive the service.

(22) Describe the nonregulatory alternatives considered and the costs associated with those alternatives. Provide the reasons for their dismissal.

Nonregulatory alternatives were not considered because the Board's enabling statute requires the Board to promulgate regulations to establish fees or changes to the fees.

(23) Describe alternative regulatory schemes considered and the costs associated with those schemes. Provide the reasons for their dismissal.

See No. 22 above.

Regulatory Analysis Form

(24) Are there any provisions that are more stringent than federal standards? If yes, identify the specific provisions and the compelling Pennsylvania interest that demands stronger regulation.

No federal standards apply.

(25) How does this regulation compare with those of other states? Will the regulation put Pennsylvania at a competitive disadvantage with other states?

Based on the Board's information and belief, the fees are generally consistent with the fees of other states. The fees for these services will not place Pennsylvania at a disadvantage with other states.

(26) Will the regulation affect existing or proposed regulations of the promulgating agency or other state agencies? If yes, explain and provide specific citations.

This regulation will have no effect on other regulations of the Board or other state agencies.

(27) Will any public hearings or informational meetings be scheduled? Please provide the dates, times, and locations, if available.

The Board reviews its regulatory proposals at regularly scheduled public meetings each month, generally on the third Tuesday of the month.

Regulatory Analysis Form

(28) Will the regulation change existing reporting, record keeping, or other paperwork requirements? Describe the changes and attach copies of forms or reports which will be required as a result of implementation, if available.

No.

(29) Please list any special provisions which have been developed to meet the particular needs of affected groups or persons including, but not limited to, minorities, elderly, small businesses, and farmers.

The Board does not perceive that any subset of its applicants or licensees who have any particular needs which need to be addressed in these regulations.

(30) What is the anticipated effective date of the regulation; the date by which compliance with the regulation will be required; and the date by which any required permits, licenses or other approvals must be obtained?

The regulations will be effective on final publication in the Pennsylvania Bulletin.

(31) Provide the schedule for continual review of the regulation.

The regulations will be subject to ongoing review during the course of the Board's enforcement of its laws and regulations.

(8) Briefly explain the regulation in clear and nontechnical language. (Continued from Page 1)

for supervising physician, verification of any license or permit, certification of any license, grades, or hours, examination in radiography, examination in nuclear medicine technology, examination in radiation therapy technology, limited examination in radiography--thorax and extremities, limited examination in radiography--skull and sinuses, application for acupuncturist registration, application for acupuncturist supervisor, respiratory care temporary permit, and respiratory care initial license application. The regulation adds a fee for the application for radiology examinations and deletes the fee for study materials for ARRT limited examination in radiography.

FACE SHEET
FOR FILING DOCUMENTS
WITH THE LEGISLATIVE REFERENCE BUREAU

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(Pursuant to Commonwealth Documents Law)

INDEPENDENT AGENCY
REVIEW COMMISSION

DO NOT WRITE IN THIS SPACE

Copy below is hereby approved as to form and legality. Attorney General

Copy below is hereby certified to be a true and correct copy of a document issued, prescribed or promulgated by:

Copy below is approved as to form and legality. Executive or Independent Agencies

BY: [Signature]
(DEPUTY ATTORNEY GENERAL)

Bureau of Professional and Occupational Affairs
(AGENCY)

[Signature]

DOCUMENT/FISCAL NOTE NO. 16A-5310

[Signature]
DATE OF APPROVAL

DATE OF ADOPTION: _____

3/1/99
DATE OF APPROVAL

BY: [Signature]
Silvia M. Ferretti, DO

(Deputy General Counsel
(Chief Counsel,
Independent Agency
(Strike inapplicable
title)

TITLE: Chairman
(EXECUTIVE OFFICER, CHAIRMAN OR SECRETARY)

[] Check if applicable
Copy not approved.
Objections attached.

[] Check if applicable. No Attorney General approval or objection within 30 day after submission.

NOTICE OF PROPOSED RULEMAKING
COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS
49 PA. CODE, CHAPTER 25
STATE BOARD OF OSTEOPATHIC MEDICINE
APPLICATION FEES

The State Board of Osteopathic Medicine (Board) proposes to amend 49 Pa. Code §§25.231 and 25.503 (pertaining to fees) by revising those fees which are not related to license renewals but rather to applications and specific services so as to accurately reflect the cost of processing applications and providing services. The proposed changes are set forth in Annex A.

A. Effective date.

The amendments will take effect when they are published as final rulemaking in the Pennsylvania Bulletin.

B. Statutory Authority

Section 13.1(a) of the Osteopathic Medical Practice Act (Act), Act of October 5, 1978, P.L. 1109, as amended, 63 P.S. §271.13a(a), requires the Board to establish fees by regulation. The same provision requires the Board to increase fees to meet or exceed projected expenditures if the revenues raised by fees, fines and civil penalties are not sufficient to meet expenditures.

C. Background and Purpose.

The Act requires the Board to set fees by regulation so that revenues meet or exceed expenditures. General operating expenses of the Board are funded through biennial license renewal fees which are paid by all licensees. Expenses of the Board which are related to processing individual applications or providing certain services directly to individual licensees or applicants are excluded from general operating revenues. These expenses are funded through fees which are based on the cost of providing the service. The fee is charged to the person requesting the service. These application and service fees are the focus of this proposed rulemaking.

A recent systems audit of the operations of this and other boards within the Bureau of Professional and Occupational Affairs analyzed the fees for services to licensees and applicants to determine if the fees reflected the actual cost of providing the services. Actual cost calculations are based on the following formula:

number of minutes to perform the function
x
pay rate of personnel performing the function
+

a proportionate share of administrative overhead.

The analysis determined that the current application and service fees did not accurately reflect the actual cost of processing the following: application for osteopathic license; application for short-term camp license for an osteopathic physician; temporary training license or graduate training certificate for osteopathic physician; application for physician assistant certificate; application for registration as supervising physician; uncertified verification of license or permit; certification of license, examination grades or hours; application for registration as an acupuncturist; application for registration as an acupuncturist supervisor; temporary permit for respiratory care practitioner; initial license application for respiratory care practitioner; and fees for American Registry of Radiologic Technologists examinations.

Fees for most of these services were established in 1990. The fee for application for osteopathic license was established in January, 1989. The fees regarding acupuncturists were established in January, 1994. The fees for application for respiratory care practitioner and for a temporary permit for respiratory care practitioner were established in November, 1996. In some cases the fees exceeded actual cost, but in most, the fees fell short of the cost to provide the service.

Fees for the services identified in this proposal would be adjusted to allocate costs to those who use the service or submit the application.

The Board proposes a new fee of \$25.00 to cover the cost of processing applications for the Radiography, Nuclear Medicine Technology, Radiation Therapy Technology, limited Examination in Radiography--Thorax and extremities and limited examination in Radiography--skull and sinuses. The Board had previously charged a fee for each examination which covered the cost of both processing the application and the examination itself. The examination fee is now paid to the examination contractor and covers only the cost of the examination, not the Board's cost in processing the application. The application fee now covers the cost of processing the application.

The Board also proposes to delete from its regulations the fee for Study Materials for ARRT Limited Examination in Radiography. As a convenience to applicants taking the limited radiography examination, the Board makes available study materials for applicants. Applicants are not required to purchase the materials

either by the Board or any other entity. The Board is not required to provide the materials. The Board purchases the materials from the publisher and passes the materials on to those applicants who wish to obtain them. The Board improvidently implemented this optional service as a fee set by regulation. The publishers have changed the price of the materials several times since the implementation of the fee. The publisher does not give notice of its intention to change price. It is impractical for the Board to attempt to maintain a fee for this completely optional service. At the present time the publisher charges \$27 for the materials. The Board loses money every time it provides the materials because the fee is fixed at \$21. The Board proposes to delete the fee so that the materials could be provided at actual cost.

The fee increases have resulted from increases in staff costs and administrative overhead. The significant decreases in the costs of the application for unrestricted license to practice as an osteopathic physician and the application for physician assistant result from the processing of routine applications by Board staff. The Board had previously reviewed all physician and physician assistant applications. The Board now reviews only those physician and physician assistant applications which appear to contain problems or discrepancies.

D. Description of Proposed Amendments

The following table outlines the affected application fees and proposed changes:

| Application or Service | Current Fee | Proposed Fee |
|--|-------------|--------------|
| Application for Physician License | \$85.00 | \$45.00 |
| Application for Physician Camp License | 25.00 | 30.00 |
| Temporary or Graduate Training Certificate | 25.00 | 30.00 |
| Application for Physician Assistant Certificate | 85.00 | 30.00 |
| Application for Supervising Physician | 80.00 | 95.00 |
| Verification of any License or Permit | 10.00 | 15.00 |
| Certification of any License, Examination Grades, or hours | 15.00 | 25.00 |
| Application for Radiology Examinations | None | 25.00 |

| | | |
|---|-------|---------|
| ARRT Examinations in Radiography, Nuclear Medicine Technology, and Radiation Therapy Technology | 30.00 | 20.00 |
| ARRT Limited Examination in Radiography--Thorax and Extremities or Skull and Sinus | 35.00 | 25.00 |
| Study Materials for ARRT Limited Examination | 21.00 | Deleted |
| Application for Acupuncturist Registration | 15.00 | 30.00 |
| Application for acupuncturist supervisor registration | 15.00 | 30.00 |
| Application for Respiratory Care Practitioner Temporary Permit | 15.00 | 30.00 |
| Application for Respiratory Care Practitioner License | 15.00 | 30.00 |

E. Compliance with Executive Order 1996-1

In accordance with the requirements of Executive Order 1996-1 (February 1, 1996), in drafting and promulgating the regulation the Board considered the regulations as both required by law and the least restrictive means of covering the costs of services requested by licensees and applicants.

F. Fiscal Impact and Paperwork Requirements

The proposed amendments will have no adverse fiscal impact on the Commonwealth or its political subdivisions. The fees will have a modest fiscal impact on those members of the private sector who apply for services from the Board. The amendments will not impose additional paperwork requirements upon the Commonwealth, political subdivisions or the private sector.

G. Sunset Date

The Board continuously monitors the cost effectiveness of its regulations. Therefore, no sunset date has been assigned.

H. Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P.S. §745.5(a)), the Board submitted a copy of this proposed regulation on March 17, 1999, to the Independent Regulatory Review Commission (IRRC) and the chairpersons of the House Professional

Licensure Committee and the Senate Consumer Protection and Professional Licensure Committee. In addition to submitting the regulation, the Board has provided IRRC and the committees with a copy of a detailed regulatory analysis form prepared by the Board in compliance with Executive Order 1996-1, "Regulatory Review and Promulgation." A copy of the material is available to the public upon request.

If IRRC has any objections to any portion of the proposed regulation, it will notify the Board by _____, 1999 (30 days after the close of the public comment period). The notification shall specify the regulatory review criteria which have not been met by that portion. The Regulatory Review Act specifies detailed procedures for review of objections prior to final publication of the regulation by the agency, the General Assembly and the Governor.

I. Public Comment

Interested persons are invited to submit written comments, suggestions or objections regarding this proposed rulemaking to Gina Bittner, Administrative Assistant, State Board of Osteopathic Medicine, P.O. Box 2649, Harrisburg, Pennsylvania 17105-2649 within 30 days following publication of this proposed rulemaking in the Pennsylvania Bulletin. Please reference No. 16A-5310 (Application Fees) when submitting comments.

Annex A

TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS
PART I. DEPARTMENT OF STATE
Subpart A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS
CHAPTER 25. STATE BOARD OF OSTEOPATHIC MEDICINE

Subchapter F. FEES

§25.231. Schedule of fees.

An applicant for a license, certificate, registration or service shall pay the following fees at the time of application:

| | |
|--|-------------------|
| Application for unrestricted license to <u>practice as osteopathic physician</u> --original reciprocal, boundary or by endorsement | \$ [85] <u>45</u> |
| Application for short-term camp license <u>as</u> <u>osteopathic physician</u> | \$ [25] <u>30</u> |
| Osteopathic Manipulative Therapy Examination | \$87 |
| Temporary training license or graduate training certificate | \$ [25] <u>30</u> |
| Annual renewal of temporary training license or Graduate training certificate | \$25 |
| Application for physician assistant certificate... | \$ [85] <u>30</u> |
| Application for supervising physician..... | \$ [80] <u>95</u> |
| Uncertified verification of <u>any</u> licens[ur]e <u>or permit</u> | \$ [10] <u>15</u> |
| Certification of <u>any</u> licens[ur]e, [or] examination grades, <u>or hours</u> | \$ [15] <u>25</u> |
| Biennial renewal--physicians..... | \$140 |
| Biennial renewal--physician assistants..... | \$10 |
| Penalty for late biennial renewal--per month or part of month..... | \$5 |
| Duplicate license or certificate..... | \$5 |
| <u>Application for Radiology (ARRT) Examinations</u> | \$25 |
| ARRT Examination in Radiography..... | \$ [30] <u>20</u> |
| ARRT Examination in Nuclear Medicine Technology... | \$ [30] <u>20</u> |
| <u>ARRT Examination in Radiation Therapy Technology</u> | \$20 |
| ARRT Limited Examination in Radiography-- <u>Thorax</u> <u>and Extremities</u> | \$ [35] <u>25</u> |
| ARRT Limited Examination in Radiography--Skull and Sinuses..... | \$ [35] <u>25</u> |
| [Study Materials for ARRT Limited Examination in Radiography..... | \$21] |
| Application for acupuncturist registration..... | \$ [15] <u>30</u> |

Biennial renewal--acupuncturists.....\$25
Application for acupuncturist supervisor
registration.....\$ [15] 30

Subchapter K. RESPIRATORY CARE PRACTITIONERS

§ 25.503. Fees.

The following is the schedule of fees charged by the Board:

- (1) Temporary permit.....\$ [15] 30
- (2) Initial [certification] license application.....\$ [15] 30
- (3) Certification examination [\$90
(Effective 7-96)].....\$100
- (4) Reexamination.....\$60
- (5) Biennial renewal of certification.....\$25

FEE REPORT FORM

Agency: State - BPOA **Date:** 12/09/98
Contact: C. Michael Weaver
Phone No. 783-7194

Fee Title, Rate and Estimated Collections:

License Application Fee = \$45.00
Estimated Biennial Revenue: \$ 27,000 (600 applications x \$45.00)

Fee Description:

The fee will be charged to each applicant for licensure as an Osteopathic Physician and Surgeon.

Fee Objective:

The fee should (1) offset the identifiable costs incurred by the State Board of Osteopathic Medicine to review and process an application for licensure as an Osteopathic Physician and Surgeon and (2) defray a portion of the Board's administrative overhead.

Fee-Related Activities and Costs:

| | | |
|----------------------------------|-----------------------|--------------|
| Board Staff- review application: | (.75/hr) | 15.23 |
| Averaged Cost - board review | | 11.10 |
| Administrative Overhead: | | <u>16.79</u> |
| | Total Estimated Cost: | \$43.12 |
| | Proposed Fee: | \$45.00 |

Analysis, Comment, and Recommendation:

It is recommended that a fee of \$45.00 be established to review an application for licensure as an Osteopathic Physician and Surgeon.

Staff receives application, reviews for completeness, contacts applicant to request any missing information. License is issued through the computer if all requirements are met; discrepancy notice is sent if applicant does not meet qualifications.

Board meeting time may be necessary as a result of "yes" answers to legal questions on the license application. The cost of the time for board review has been averaged over the total number of applications anticipated in a biennial cycle.

FEE REPORT FORM

Agency: State - BPOA

Date: November 17, 1998

Contact: C. Michael Weaver

Phone No. 783-7194

Fee Title, Rate and Estimated Collections:

Short Term License Application (Camp Physician): \$30.00

Estimated Biennial Revenue: \$30.00 (1 application x \$30.00)

Fee Description:

The fee will be charged to every applicant for short term licensure (camp physician).

Fee Objective:

The fee should (1) offset the identifiable costs incurred by the State Board of Osteopathic Medicine to review and process an application for short term (camp physician) license and (2) defray a portion of the Board's administrative overhead.

Fee-Related Activities and Costs:

| | |
|--|--------------|
| Staff time- review and process application (.50/ hr) | 10.15 |
| Administrative Overhead: | <u>16.79</u> |
| Total Estimated Cost: | \$26.94 |
| Proposed Fee: | \$30.00 |

Analysis, Comment, and Recommendation:

It is recommended that a fee of \$30.00 be established to review an application for short term licensure (camp physician).

Board Staff: Reviews application for completeness, verifies that supporting documents are attached, contacts candidate to request any missing information. Verifies current licensure in good standing in another state, issues document indicating approval or issues rejection notice.

FEE REPORT FORM

Agency: State - BPOA

Date: November 16, 1998

Contact: C. Michael Weaver

Phone No. 783-7194

Fee Title, Rate and Estimated Collections:

Graduate Training License - Initial Application: \$30.00

Estimated Biennial Revenue: \$16,500.00 (550 applications x \$30.00)

Fee Description:

The fee will be charged to every applicant for an initial graduate training license.

Fee Objective:

The fee should (1) offset the identifiable costs incurred by the State Board of Osteopathic Medicine to review and process an initial graduate training license application and (2) defray a portion of the Board's administrative overhead.

Fee-Related Activities and Costs:

| | | |
|--|-----------------------|--------------|
| Staff time- review and process application | (.50/ hr) | 10.15 |
| Administrative Overhead: | | <u>16.79</u> |
| | Total Estimated Cost: | \$26.94 |
| | Proposed Fee: | \$30.00 |

Analysis, Comment, and Recommendation:

It is recommended that a fee of \$30.00 be established to review an application for a graduate training license.

Board Staff: Reviews application for completeness, verifies that supporting documents are attached, contacts candidate to request any missing information, notifies applicant by either issuing registration through computer or rejection notice.

FEE REPORT FORM

Agency: State - BPOA

Date: November 16, 1998

Contact: C. Michael Weaver

Phone No. 783-7194

Fee Title, Rate and Estimated Collections:

Physician Assistant Certification Application: \$30.00

Estimated Biennial Revenue: \$1,950.00 (65 applications x \$30.00)

Fee Description:

The fee will be charged to every applicant for certification as a physician assistant.

Fee Objective:

The fee should (1) offset the identifiable costs incurred by the State Board of Osteopathic Medicine to review and process a physician assistant application and (2) defray a portion of the Board's administrative overhead.

Fee-Related Activities and Costs:

| | | |
|--|-----------------------|--------------|
| Staff time- review and process application | (.50/ hr) | 10.15 |
| Administrative Overhead: | | <u>16.79</u> |
| | Total Estimated Cost: | \$26.94 |
| | Proposed Fee: | \$30.00 |

Analysis, Comment, and Recommendation:

It is recommended that a fee of \$30.00 be established to review an application for physician assistant certification.

Page 2 - Application-Physician Assistant Certification 11/16/98

Board Staff: Reviews application for completeness, verifies that supporting documents are attached, contacts candidate to request any missing information, notifies applicant by either issuing registration through computer or rejection notice.

FEE REPORT FORM

Agency: State - BPOA

Date: November 16, 1998

Contact: C. Michael Weaver

Phone No. 783-7194

Fee Title, Rate and Estimated Collections:

Supervising Physician Application: \$95.00

Estimated Biennial Revenue: \$950.00 (10 applications x \$95.00)

Fee Description:

The fee will be charged to every applicant for registration as a supervising physician.

Fee Objective:

The fee should (1) offset the identifiable costs incurred by the State Board of Osteopathic Medicine to review and process a supervising physician application and (2) defray a portion of the Board's administrative overhead.

Fee-Related Activities and Costs:

| | | |
|---|-----------------------|--------------|
| Staff time- review and process application | (.75/ hr) | 15.23 |
| Board Administrator - prepare for board meeting | (.25/ hr) | 7.55 |
| Board Meeting - review application/vote | (.17/ hr) | 55.50 |
| Administrative Overhead: | | <u>16.79</u> |
| | Total Estimated Cost: | \$95.07 |
| | Proposed Fee: | \$95.00 |

Analysis, Comment, and Recommendation:

It is recommended that a fee of \$95.00 be established to review an application registration as a supervising physician.

Board Staff: Review application for completeness, verify that supporting documents are attached, contact candidate to request any missing information. Board administrator prepare & schedule for review by full board, notify applicant of board decision either by issuing registration through computer or rejection notice. Board meeting - review qualifications and educational background, vote to grant or deny registration.

FEE REPORT FORM

Agency: State - BPOA

Date 11/16/98

Contact: C. Michael Weaver

Phone No. 783-7194

Fee Title, Rate and Estimated Collections:

Verification of License or Temporary Permit: \$15.00

Estimated Biennial Revenue: \$9,000.00 (600 verifications x \$15.00)

Fee Description:

The fee will be charged to every applicant who requests verification of license or temporary permit.

Fee Objective:

The fee should (1) offset the identifiable costs incurred by the State Board of Osteopathic Medicine to review and process a request for verification and (2) defray a portion of the Board's administrative overhead.

Fee-Related Activities and Costs:

| | | |
|--|-----------------------|-------------|
| Staff time- process request for verification | (.08 hr) | 1.62 |
| Bureau Average Administrative Overhead: | | <u>9.76</u> |
| | Total Estimated Cost: | \$11.38 |
| | Proposed Fee: | \$15.00 |

Analysis, Comment, and Recommendation:

It is recommended that a fee of \$15.00 be established for verification of license or temporary permit.

Page 2 Verification of License or Temp. Permit November 16, 1998

Board Staff: Reviews request for verification, researches computer, microfilm or other files to retrieve pertinent information, transfers that information onto document submitted by requester, affixes Bureau seal onto documents, forwards as instructed by applicant.

FEE REPORT FORM

Agency: State - BPOA

Date: 11/16/98

Contact: C. Michael Weaver

Phone No. 783-7194

Fee Title, Rate and Estimated Collections:

Certification of Scores or Hours: **\$ 25.00**

Estimated Biennial Revenue: \$250.00 (10 certifications x \$25.00)

Fee Description:

The fee will be charged to every applicant who requests certification of scores or hours.

Fee Objective:

The fee should (1) offset the identifiable costs incurred by the State Board of Osteopathic Medicine to review and process a request for certification and (2) defray a portion of the Board's administrative overhead.

Fee-Related Activities and Costs:

| | |
|--|-------------|
| Staff time- process request for certification (.75 hr) | 15.23 |
| Bureau Average Administrative Overhead: | <u>9.76</u> |
| Total Estimated Cost: | \$24.99 |
| Proposed Fee: | \$25.00 |

Analysis, Comment, and Recommendation:

It is recommended that a fee of \$25.00 be established for certification of scores or hours.

Board Staff: Reviews request for certification of licensure and/or scores; researches computer and microfilm files to retrieve pertinent information, transfers that information onto document submitted by requester, affixes Bureau seal onto documents, forwards as instructed by applicant.

FEE REPORT FORM

Agency: State - BPOA

Date: November 16, 1998

Contact: C. Michael Weaver

Phone No. 783-7194

Fee Title, Rate and Estimated Collections:

Application Fee for Radiology(ARRT) Examination: \$25.00

Estimated Biennial Revenue: \$250.00 (10 applications x \$25.00)

Fee Description:

The fee will be charged to every applicant for the American Registry of Radiologic Technologists Examination.

Fee Objective:

The fee should (1) offset the identifiable costs incurred by the State Board of Osteopathic Medicine to review and process an application for the ARRT and (2) defray a portion of the Board's administrative overhead.

Fee-Related Activities and Costs:

| | |
|---|--------------|
| Staff time- review and process examination application (.25 hr) | 5.08 |
| Averaged Administrative Ovhd: | <u>17.24</u> |
| Total Estimated Cost: | \$22.32 |
| Proposed Fee: | \$25.00 |

Analysis, Comment, and Recommendation:

It is recommended that a fee of \$25.00 be established to review an application for examination/certification to perform radiological procedures.

Board Staff: Reviews application for completeness, verifies that supporting documents are attached, contacts candidate to request any missing information. Processes application either by forwarding application and examination fee on to American Registry of Radiologic Technologists to be scheduled for exam or preparing discrepancy notice. The administrative overhead charge has been averaged for the boards offering the radiology examination since the application processing and approval notification are similar.

FEE REPORT FORM

Agency: State - BPOA

Date: December 18, 1998

Contact: C. Michael Weaver

Phone No. 783-7194

Fee Title, Rate and Estimated Collections:

Radiology or Nuclear Medicine Technology or Radiation Therapy Technology Examination: = \$20.00 (each examination)
Estimated Biennial Revenue: \$0 (fees submitted directly to professional testing organization).

Fee Description:

The fee will be charged to any person applying for the examination to perform radiologic procedures under the direct supervision of an Osteopathic Physician. The fee is specifically for the Radiology or Nuclear Medicine Technology or Radiation Therapy Technology examinations offered by the American Registry of Radiologic Technologist (ARRT).

Fee Objective:

The fee should defray the contracted cost of the ARRT (American Registry of Radiologic Technologists) examinations described above.

Fee-Related Activities and Costs:

Actual, contractual cost of the Radiology or Nuclear Medicine Technology or Radiation Therapy Technology examination and administration: \$20.00

| | |
|-----------------------|---------|
| Total Estimated Cost: | \$20.00 |
| Proposed Fee: | \$20.00 |

Analysis, Comment, and Recommendation:

It is recommended that a fee of \$20.00 be established for the Radiology or Nuclear Medicine Technology or Radiation Therapy Technology examination offered by the American Registry of Radiologic Technologist (ARRT).

FEE REPORT FORM

Agency: State - BPOA

Date: December 18, 1998

Contact: C. Michael Weaver

Phone No. 783-7194

Fee Title, Rate and Estimated Collections:

Limited Scope of Practice in Radiology Examinations: = \$25.00 (each examination)
(Chest/Extremities or Skull/Sinuses or Podiatric or Spine)

Estimated Biennial Revenue: \$0 (fees submitted directly to professional testing organization).

Fee Description:

The fee will be charged to any person applying for the examination to perform radiologic procedures under the direct supervision of an Osteopathic Physician. The fee is specifically for the Limited Scope of Practice in Radiology Examinations Chest/Extremities or Skull/Sinuses or Podiatric or Spine offered by the American Registry of Radiologic Technologist (ARRT).

Fee Objective:

The fee should defray the contracted cost of the ARRT (American Registry of Radiologic Technologists) examinations described above.

Fee-Related Activities and Costs:

Actual, contractual cost of the Limited Scope of Practice in Radiology examinations (Chest/Extremities, Skull/Sinuses, Podiatric or Spine) Technology examination and administration: \$25.00

Total Estimated Cost: \$25.00

Proposed Fee: \$25.00

Analysis, Comment, and Recommendation:

It is recommended that a fee of \$25.00 be established for the Limited Scope of Practice in Radiology(Chest/Extremities or Skull/Sinuses or Podiatric or Spine) examinations offered by the American Registry of Radiologic Technologist (ARRT).

FEE REPORT FORM

Agency: State - BPOA

Date: November 16, 1998

Contact: C. Michael Weaver

Phone No. 783-7194

Fee Title, Rate and Estimated Collections:

Acupuncturist Registration Application: \$30.00

Estimated Biennial Revenue: \$120.00 (4 applications x \$30.00)

Fee Description:

The fee will be charged to every applicant for registration as an acupuncturist.

Fee Objective:

The fee should (1) offset the identifiable costs incurred by the State Board of Osteopathic Medicine to review and process an acupuncturist registration application and (2) defray a portion of the Board's administrative overhead.

Fee-Related Activities and Costs:

| | | |
|--|-----------------------|--------------|
| Staff time- review and process application | (.50/ hr) | 10.15 |
| Administrative Overhead: | | <u>16.79</u> |
| | Total Estimated Cost: | \$26.94 |
| | Proposed Fee: | \$30.00 |

Analysis, Comment, and Recommendation:

It is recommended that a fee of \$30.00 be established to review an application registration as an acupuncturist.

Page 2 - Acupuncturist Registration Application 11/16/98

Board Staff: Review application for completeness, verify that supporting documents are attached, contact candidate to request any missing information. Notify applicant either by issuing registration through the computer or issuing a rejection notice.

FEE REPORT FORM

Agency: State - BPOA

Date: November 16, 1998

Contact: C. Michael Weaver

Phone No. 783-7194

Fee Title, Rate and Estimated Collections:

Acupuncturist Supervisor Registration Application: \$30.00

Estimated Biennial Revenue: \$60.00 (2 applications x \$30.00)

Fee Description:

The fee will be charged to every applicant for registration as an acupuncturist supervisor.

Fee Objective:

The fee should (1) offset the identifiable costs incurred by the State Board of Osteopathic Medicine to review and process an acupuncturist supervisor registration application and (2) defray a portion of the Board's administrative overhead.

Fee-Related Activities and Costs:

| | | |
|--|-----------------------|--------------|
| Staff time- review and process application | (.50/ hr) | 10.15 |
| Administrative Overhead: | | <u>16.79</u> |
| | Total Estimated Cost: | \$26.94 |
| | Proposed Fee: | \$30.00 |

Analysis, Comment, and Recommendation:

It is recommended that a fee of \$30.00 be established to review an application registration as an acupuncturist supervisor.

Page 2 - Acupuncturist Supervisor Registration Application 11/16/98

Board Staff: Review application for completeness, verify that supporting documents are attached, contact candidate to request any missing information. Notify applicant either by issuing registration through the computer or issuing a rejection notice.

Board Staff: Review application for completeness, verify that supporting documents are attached, contact candidate to request any missing information. Notify applicant either by issuing registration through the computer or issuing a rejection notice.

FEE REPORT FORM

Agency: State - BPOA

Date: November 16, 1998

Contact: C. Michael Weaver

Phone No. 783-7194

Fee Title, Rate and Estimated Collections:

Respiratory Care Practitioner Initial License Application: \$30.00

Estimated Biennial Revenue: \$2,250.00 (75 applications x \$30.00)

Fee Description:

The fee will be charged to every applicant for licensure as a respiratory care practitioner.

Fee Objective:

The fee should (1) offset the identifiable costs incurred by the State Board of Osteopathic Medicine to review and process an application for licensure as a respiratory care practitioner and (2) defray a portion of the Board's administrative overhead.

Fee-Related Activities and Costs:

| | | |
|--|-----------------------|--------------|
| Staff time- review and process application | (.50/ hr) | 10.15 |
| Averaged Administrative Overhead: | | <u>15.39</u> |
| | Total Estimated Cost: | \$25.54 |
| | Proposed Fee: | \$30.00 |

Analysis, Comment, and Recommendation:

It is recommended that a fee of \$30.00 be established to review a respiratory care practitioner initial license application.

Board Staff: Review application for completeness, verify that supporting documents are attached, contact candidate to request any missing information. Notify applicant either by issuing registration through the computer or issuing a rejection notice. The administrative overhead charge is an average of the Medical and Osteopathic Board's overhead since the processing is identical for both boards.



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS
STATE BOARD OF OSTEOPATHIC MEDICINE
116 Pine Street, Post Office Box 2649
Harrisburg, Pennsylvania 17105-2649
(717) 783-4858

March 17, 1999

The Honorable John R. McGinley, Chairman
INDEPENDENT REGULATORY REVIEW COMMISSION
14th Floor, HARRISTOWN 2
333 Market Street
Harrisburg, Pennsylvania 17101

Re: Notice of Proposed Rulemaking of the State Board of
Osteopathic Medicine pertaining to Application Fees (16A-5310)

Dear Chairman McGinley:

Enclosed is a copy of a proposed rulemaking package of the State Board of Osteopathic Medicine pertaining to application fees and fees for services provided to individual practitioners. The proposed new fees will more accurately reflect the costs of processing applications and providing services. This rulemaking does not pertain to license renewal fees.

The Board stands ready to assist your Commission in its review.

Sincerely,

Silvia M. Ferretti D.O.

Silvia M. Ferretti, D.O., Chairman
State Board of Osteopathic Medicine

SMF/HA:hmb

Enclosures

c: Kim Pizzingrilli, Acting Secretary for the Commonwealth
Department of State
Dorothy Childress, Commissioner
Bureau of Professional and Occupational Affairs
Deborah M. Griffiths, Regulatory Review Officer
Department of State
Joyce McKeever, Deputy Chief Counsel
Department of State
Herbert Abramson, Counsel
State Board of Osteopathic Medicine
State Board of Osteopathic Medicine

**TRANSMITTAL SHEET FOR REGULATIONS SUBJECT TO THE
REGULATORY REVIEW ACT**

I.D. NUMBER: 16A-5310
 SUBJECT: STATE BOARD OF OSTEOPATHIC MEDICINE - APPLICATION FEES
 AGENCY: DEPARTMENT OF STATE

TYPE OF REGULATION

- X Proposed Regulation
 Final Regulation
 Final Regulation with Notice of Proposed Rulemaking Omitted
 120-day Emergency Certification of the Attorney General
 120-day Emergency Certification of the Governor
 Delivery of Tolled Regulation
 a. With Revisions b. Without Revisions

RECEIVED
 99 MAR 17 AM 10:34
 INDEPENDENT REGULATORY
 REVIEW COMMISSION

FILING OF REGULATION

| DATE | SIGNATURE | DESIGNATION |
|---------|------------------------|---|
| 3/17/99 | <i>[Signature]</i> | HOUSE COMMITTEE ON PROFESSIONAL LICENSURE |
| 3/17/99 | <i>Marlene Fasanor</i> | SENATE COMMITTEE ON CONSUMER PROTECTION & PROFESSIONAL LICENSURE |
| 3/17/99 | <i>J. Melness</i> | INDEPENDENT REGULATORY REVIEW COMMISSION |
| | | ATTORNEY GENERAL |
| | <i>[Signature]</i> | LEGISLATIVE REFERENCE BUREAU |

March 9, 1999