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*House of Representatives*

COMMONWEALTH OF PENNSYLVANIA  
HARRISBURG

Original: 2032

McGinley

cc: McGinley  
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Coccodrilli  
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Notebook

March 27, 2000

John R. McGinley, Jr., Chairman  
Independent Regulatory Review Commission  
14th Floor, Harristown 2  
333 Market Street  
Harrisburg, PA 17101

Dear Chairman McGinley:

This is to advise you that the House Professional Licensure Committee was unable to convene a quorum in time to take formal action on Regulation 16A-527. Committee members were forwarded a copy of the regulation and asked that they contact the Chairman with any comments or suggestions, however, none were received. Therefore, the Committee submits no comments.

Please feel free to contact my office if any questions should arise.

Sincerely,

A handwritten signature in cursive script that reads "Mario J. Civera".

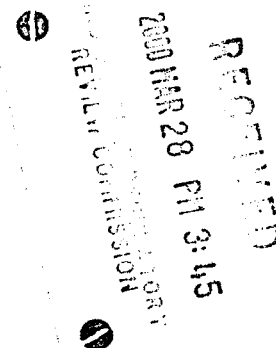
Mario J. Civera, Chairman  
House Professional Licensure Committee

MJC/sms  
Enclosure

cc: Jay B. Tanner, O.D., Chairman  
State Board of Optometry  
Honorable Kim H. Pizzigrilli, Secretary of the Commonwealth  
Department of State

COMMITTEES

PROFESSIONAL LICENSURE,  
MAJORITY CHAIRMAN  
LIQUOR CONTROL  
FIREFIGHTERS' CAUCUS,  
COCHAIRMAN EMERITUS



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REGULATORY  
REVIEW COMMISSION

**Regulation 16A-527**

**State Board of Optometry**

**PROPOSAL:** Regulation 16A-527 amends 49 PA Code, Chapter 23, regulations of the State Board of Optometry. The amendment makes revisions to the schedule of Board fees by increasing fees for providing certain services, and adding a new fee for a service for which there is currently no charge.

Regulation 16A-527 is Final Rulemaking which was delivered to the Professional Licensure Committee on March 6, 2000. The Professional Licensure Committee has until March 27, 2000, to approve or disapprove the regulation.

**ANALYSIS:** Pursuant to Sec. 9 of the Optometric Practice and Licensure Act, 63 P.S. Sec. 244.9, the Board is required to meet expenditures through revenues raised by fees, fines and civil penalties. The Board states that a recent systems audit determined that the fees for certain services did not accurately reflect the actual cost involved in providing the service. Accordingly, the Board proposes to amend the schedule of fees as follows:

<u>Application/Service</u>	<u>Current Fee</u>	<u>Proposed Fee</u>
Certified Copy of License for Each		
Additional Practice Location	\$ 15.00	\$ 20.00
Application for Continuing Education		
Program Approval	\$ 0.00	\$ 45.00
Verification of Licensure	\$ 10.00	\$ 15.00
Certification of Scores or Licensure or Both	\$ 15.00	\$ 25.00

The Committee requested an explanation as to the circumstances under which the Board would certify an examination score, and what accounted for the difference in the amount charged for certification and verification of licensure, when the functions of Board staff for each service appear to be identical. The Board explained that certification of examination scores is requested by licensees who are seeking licensure by reciprocity in other states. Generally, the state of original licensure is the only source of exam scores in that testing agencies do not maintain that information. Additionally, the boards of other states require that the Pennsylvania Board and other boards certify the exam scores.

The Board explained that the difference in the fee amounts for certification and verification is due to the difference in the amount of time it takes to perform each service. Verifications, which

on average take five minutes to prepare, are usually computer generated letters which contain general information about the status of a license. Certifications contain additional and more specific information, and on average take 45 minutes to prepare.

The Committee requested an explanation as to why the proposed fees to be charged are always rounded up to the nearest five dollar increment. The Board explained that the rounding up process creates a minimal but necessary cushion or surplus to accommodate unexpected needs and expenditures.

Finally, the Board estimated that 1500 applicants will apply for continuing education program approval per biennium. The Committee noted that this seemed to be an excessive amount of continuing education programs for one profession. The Committee also requested an explanation as to how continuing education programs are approved, and whether the approval fee is actually paid by providers or licensees.

The Board states that the estimate of 1,500 program approvals for the biennial period is based on the experiences in prior biennial periods. As for the program approval process, a provider seeking approval submits an application to the Board. The information is entered into the Board's computer system, and the application is sent to the board's Continuing Education chairperson, who either approves or disapproves the course. The application is returned to the board's administrative offices and the approval or disapproval is entered into the Board's computer system. It is not uncommon for a single provider to request approval for numerous continuing education programs. The fee is paid by the provider for each program for which approval is sought.

**RECOMMENDATIONS:** It is recommended that the Professional Licensure Committee approve the regulation.

House of Representatives  
Professional Licensure Committee  
March 22, 2000