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House of Representatives
COMMONWEALTH OF PENNSYLVANIA
HARRISBURG

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June 15, 1999

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LEGISLATIVE COUNCIL

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

Dear Chairman McGinley:

Please be advised that on June 14, 1999, the House Professional Licensure Committee held a meeting to review Regulation 16A-527, which was submitted by the State Board of Optometry as proposed rulemaking. The Committee voted to take no formal action until final-form regulations are promulgated. However, the Committee submits the following comments:

- (1) The Committee is requesting additional information as to the category of "certification of scores or licensure or both." The Committee is questioning under what circumstances the Board would "certify" an examination score. In the fee report form, the explanations as to what functions the Board staff performs for certification and verification are identical. The Committee requests an explanation as to the distinction between these two categories and what accounts for the differential in fees.
- (2) The fee report forms list a total estimated cost for each service based on a formula of staff time expended plus average administrative overhead. However, in all but a few cases, the proposed fee to be charged is rounded up to the nearest five dollar increment. The Committee is requesting an explanation as to why the proposed fees are rounded up and are not the actual cost of services as estimated by the Board.
- (3) In Item 20a of the Regulatory Analysis Form, the Board estimates that 1500 applicants will apply for continuing education program approval per biennium. This would seem to be an excessive amount of continuing education programs for one profession. The Committee requests an explanation as to how continuing education programs are approved and whether the approval fee is actually paid by providers or licensees.

John R. McGinley, Jr., Chairman
Independent Regulatory Review Commission
Page 2
June 15, 1999

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

Sincerely,

A handwritten signature in black ink that reads "Mario J. Civera". The signature is written in a cursive style with a large, stylized "M" and "C".

Mario J. Civera, Chairman
House Professional Licensure Committee

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