

MARIO J. CIVERA, JR., MEMBER  
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*House of Representatives*  
COMMONWEALTH OF PENNSYLVANIA  
HARRISBURG

October 3, 2000

Original: 2064

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

Dear Chairman McGinley:

I am writing to inform you that the House Professional Licensure Committee held a meeting on October 3, 2000, and voted to approve Regulation 16-20, Regulation 16A-414, Regulation 16A-579, and Regulation 16A-499.

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  
Enclosures

cc: Dorothy Childress, Commissioner  
Bureau of Professional and Occupational Affairs  
Frank M. Adams, President  
State Architects Licensure Board  
Brian V. Harpster, V.M.D., Chairman  
State Board of Veterinary Medicine  
Charles D. Hummer, Jr., M.D., Chairman  
State Board of Medicine  
K. Stephen Anderson, R.N., CRNA, Chairman  
State Board of Nursing  
Honorable Kim H. Pizzingrilli, Secretary of the Commonwealth  
Department of State

COMMITTEES

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

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## **Regulation 16A-499**

### **State Board of Nursing and State Board of Medicine**

Original: 2064

**PROPOSAL:** Regulation 16A-499 amends 49 PA Code, Chapter 18, regulations of the State Board of Medicine, and Chapter 21, regulations of the State Board of Nursing. Section 15(b) of the Medical Practice Act of 1985, 63 P.S. Sec. 422.15(b), authorizes the boards to promulgate regulations which would authorize Certified Registered Nurse Practitioners to prescribe medications. The House Professional Licensure Committee approved the regulation package at a meeting held on June 13, 2000. However, the regulation package has been resubmitted by the Boards pursuant to Section 7 (c) of the Regulatory Review Act (71 P.S. Sec. 745.7(c)), after the regulations were disapproved by the Independent Regulatory Review Commission (IRRC) on July 13, 2000. The disapproval order was issued by the IRRC on September 11, 2000. The Boards have amended the regulations to address the objections raised by the IRRC.

Regulation 16A-499 is Final Rulemaking which was delivered to the Professional Licensure Committee on October 2, 2000. The Professional Licensure Committee has until October 22, 2000, to approve or disapprove the regulation.

**ANALYSIS:** The IRRC objected to Sections 18.57 and 21.287 of the final regulations, which restricted physicians to collaborating with no more than two prescribing CRNPs, on the basis that these sections had not appeared in the proposed regulations. There was no explanation by the Boards as to how this ratio was determined or why such a ratio would be appropriate. The Boards have amended these sections to eliminate any limitation on the number of prescribing CRNPs with whom a physician could collaborate. However, a physician would be permitted to supervise no more than four prescribing CRNPs at any given time. For example, a physician would be permitted to supervise four CRNPs who work in the morning, and four other CRNPs who work in the afternoon.

The IRRC also objected to Sections 18.53(2) and 21.283(2), which required prescribing CRNPs to have completed a specific course in advanced pharmacology of not less than 45 hours, on the basis that currently practicing CRNPs could not be reasonably expected to comply with that provision. The IRRC recommended that the regulation should allow all CRNPs the opportunity to demonstrate an equivalency of the 45-hour advanced pharmacology course to the Boards. The Boards have amended these sections to adopt the IRRC's recommendation. Regulation 16A-499 remains unchanged in all other respects.

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

House of Representatives  
Professional Licensure Committee  
October 2, 2000