

MARIO J. CIVERA, JR., MEMBER
HOUSE POST OFFICE BOX 202020
MAIN CAPITOL BUILDING
HARRISBURG, PENNSYLVANIA 17120-2020

232 LONG LANE
UPPER DARBY, PENNSYLVANIA 19082



House of Representatives
COMMONWEALTH OF PENNSYLVANIA
HARRISBURG

November 16, 1999

COMMITTEES

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

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

Dear Chairman McGinley:

This is to advise you that the House Professional Licensure Committee met on November 16, 1999, and submits the following comments pertaining to the regulations considered by the Committee:

The Committee voted to take no formal action on **Regulation 16A-499** until final-form regulations are promulgated. However, the Committee submits the following comments:

1. The Committee recommends that a minimum number of hours of core education in advanced pharmacology be required in order for a CRNP to be permitted to prescribe and dispense drugs, and that a minimum number of hours of continuing education in advanced pharmacology be required per biennium in order for a CRNP to maintain prescriptive authority.
2. The Committee recommends that a collaborative agreement between a CRNP and a physician be in writing, that the agreement contain a list of the classes of medications that the CRNP is authorized to prescribe, that the agreement identify the collaborating physician, and that the agreement provide for an identified substitute collaborating physician for up to thirty days when the collaborating physician is not available.
3. The Committee recommends that a CRNP who prescribes medications provide a clear and conspicuous notice to patients that he or she is a CRNP.

The Committee voted to take no formal action on **Regulation 16A-600** until final-form regulations are promulgated. However, the Committee submits the following comments:

1. 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 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.

2. Information regarding expenditure history has not been provided in Section 20b of the Regulatory Analysis Form as required. The Committee is requesting that the Board submit the expenditure information, income figures and an explanation of the administrative overhead costs contained in the fee package. The administrative overhead cost for certification of license history is listed as \$9.76, while all other services are listed as \$11.53. The Committee is requesting an explanation as to what accounts for the difference in administrative overhead costs.

The Committee voted to take no formal action on **Regulation 16A-422** until final-form regulations are promulgated. However, the Committee submits the following comments:

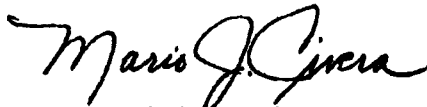
1. The Committee is requesting additional information as to the category of "certification of licensure, registration or scores." The Committee is questioning under what circumstances the Board would "certify" an examination score.
2. The fee report forms list a total estimated cost for each service based on a formula of staff time expended plus average administrative overhead. However, in all 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. The administrative overhead costs for certification of examination scores is listed as \$9.76 while all other services are listed as \$8.08. The Committee is requesting an explanation as to what accounts for the difference in administrative overhead costs.
4. The Committee notes that the expenditure history information provided in Section 20b of the Regulatory Analysis Form shows a substantial increase from 1996-97 to 1997-98 (from \$305,331 to \$347,362). Expenditures for 1998-99 are budgeted at \$345,000. The Committee is requesting an explanation as to what accounted for the increase, including an itemized list of income and expenditures for the fiscal years listed on the form. Without an understanding of the nature of the expenditures it is not possible to assess what costs are reflected in the administrative overhead fees.
5. The Committee notes an apparent typographical error on the Fee Report Form for Application for Licensure of Barber School. The proposed fee is listed as \$335.00 at the top of the form and \$280.00 on the bottom. The \$280.00 figure is consistent with other portions of the rulemaking package.
6. The Committee notes that the fee for Application for Licensure of Barber School would be increased significantly, and that the bulk of the increase would be attributed to a cost of \$195.50 for the Board to meet for a half hour and vote on the application. The Committee is requesting an explanation as to why it would be necessary for the Board to take a half hour of time in order to discuss and vote on an application.

John R. McGinley, Jr., Chairman
Independent Regulatory Review Commission
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The Committee voted to approve **Regulation 16A-567**.

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

Sincerely,

A handwritten signature in black ink, reading "Mario J. Civera". The signature is fluid and cursive, with the first name "Mario" being the most prominent part.

Mario J. Civera, Chairman
House Professional Licensure Committee

MJC/sms
Enclosures

cc: Daniel B. Kimball, Jr., M.D., Chairman
State Board of Medicine
M. Christine Alichnie, Ph.D., RN, Chairperson
State Board of Nursing
Robert G. Pickerill, Chairman
State Board of Vehicle Manufacturers,
Dealers and Salespersons
Richard Sciorillo, Chairman
State Board of Barber Examiners
Rita Halverson, Chairperson
State Real Estate Commission
Honorable Kim H. Pizzingrilli, Secretary of the Commonwealth
Department of State

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INDEPENDENT REGULATORY
REVIEW COMMISSION

Regulation 16A-600

State Board of Vehicle Manufacturers, Dealers and Salespersons

PROPOSAL: Regulation 16A-600 amends 49 PA Code, Chapter 19, regulations of the State Board of Vehicle Manufacturers, Dealers and Salespersons. The amendment makes revisions to the schedule of Board fees by increasing the fees for certain services provided by the Board, and adding fees for two services for which there are currently no fees charged.

The proposed Rulemaking was published in the Pennsylvania Bulletin on October 2, 1999. The Professional Licensure Committee has until November 22, 1999, to submit comments on the regulation.

ANALYSIS: Pursuant to Sec. 30(b) of the Board of Vehicles Act, 63 P.S. Sec. 818.30(b), the Board is required to meet expenditures through revenues raised by fees, fines and civil penalties. The Board is required to increase fees so that projected revenues will meet or exceed projected expenditures. Fees for various services provided directly to applicants or licensees are based upon the actual charge of providing the service requested. The Board does not currently charge a fee for reinspection after a failed inspection, nor does it currently charge a fee for certification of license history. The Board states that the following fees would be changed to reflect the actual cost of providing the service:

<u>Application/Service</u>	<u>Current Fee</u>	<u>Proposed Fee</u>
Vehicle Salesperson License Application	\$ 15.00	\$ 25.00
Vehicle Representative License Application	\$ 15.00	\$ 25.00
Vehicle Manufacturer License Application	\$ 20.00	\$ 30.00
Manufacturer Branch License Application	\$ 20.00	\$ 30.00
Distributor License Application	\$ 20.00	\$ 30.00
Vehicle Dealer License Application	\$ 55.00	\$ 65.00
Vehicle Broker License Application	\$ 55.00	\$ 65.00
Dealer or Broker Branch License Application	\$ 55.00	\$ 65.00
Used Vehicle Lot License Application	\$ 55.00	\$ 65.00
Vehicle Salesperson Change of Employer		
Transfer Application	\$ 15.00	\$ 25.00
Business Name or Post Office Address Change	\$ 15.00	\$ 30.00

Business Physical Location Change	\$ 20.00	\$ 60.00
Verification of Licensure	\$ 10.00	\$ 15.00
Reinspection After Failure	\$ 0.00	\$ 45.00
Certification of License History	\$ 0.00	\$ 25.00

RECOMMENDATIONS: It is recommended that the Professional Licensure Committee take no formal action until final form regulations are promulgated. However, the Committee submits the following comments:

- (1) 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 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.
- (2) Information regarding expenditure history has not been provided in Section 20b of the Regulatory Analysis Form as required. The Committee is requesting that the Board submit the expenditure information, income figures and an explanation of the administrative overhead costs contained in the fee package. The administrative overhead cost for certification of license history is listed as \$9.76, while all other services are listed as \$11.53. The Committee is requesting an explanation as to what accounts for the difference in administrative overhead costs.

House of Representatives
Professional Licensure Committee
November 9, 1999