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House of Representatives
COMMONWEALTH OF PENNSYLVANIA
HARRISBURG

February 1, 2000

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

Dear Chairman McGinley:

This is to advise you that the House Professional Licensure Committee met on February 1, 2000, and voted to approve Regulation 16A-4911.

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: Charles D. Hummer, Jr., M.D., Chairman
State Board of Medicine
Hon. Kim H. Pizzingrilli, Secretary of the Commonwealth
Department of State

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Regulation 16A-4911

State Board of Medicine

PROPOSAL: Regulation 16A-4911 amends 49 PA Code, Chapter 16, regulations of the State Board of Medicine. The amendment deletes unnecessary language pertaining to compliance with the Health Care Services Malpractice Act (40 P.S. Sec. 1301.101 *et seq.*).

The proposed Rulemaking was omitted and Regulation 16A-4911 was delivered to the Professional Licensure Committee on January 18, 2000, as an Order of Final Rulemaking. The Professional Licensure Committee has until February 7, 1999, to approve or disapprove the regulation.

ANALYSIS: Licensees of the State Board of Medicine, pursuant to the Health Care Services Malpractice Act, are required to maintain minimum malpractice insurance coverage in amounts from \$200,000/\$600,000 to \$300,000/\$900,000 for policies written in years 1997-98; \$400,000/\$1,200,00 for years 1999-2000 policies; and \$500,000/\$1,500,000 for year 2001 and thereafter. The current minimum coverage requirements are set forth in Board regulation 16.32. Rather than periodically update the regulation as minimum coverage amounts increase pursuant to the act, the Board has deleted references to dollar amounts in the regulation, while retaining cross-reference language pertaining to licensees' obligation to comply with the minimum coverage requirements set forth in the act.

The Board has omitted the proposed rulemaking process in this instance on the basis that the regulation relates to the interpretation of a self-executing act of Assembly. Regulation 16.32 relates to the self-executing provisions of the Health Care Services Malpractice Act.

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

House of Representatives
Professional Licensure Committee
January 25, 2000