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**INDEPENDENT REGULATORY REVIEW COMMISSION**  
333 MARKET STREET, 14TH FLOOR, HARRISBURG, PA 17101

April 13, 2000

Honorable Feather O. Houstoun, Secretary  
Department of Public Welfare  
333 Health & Welfare Building  
Harrisburg, PA 17105

Re: IRRC Regulation #14-465 (#2103)  
Department of Public Welfare  
Elimination of Physician Attestation Requirement

Dear Secretary Houstoun:

The Independent Regulatory Review Commission approved the subject regulation at its April 13, 2000 public meeting. Our Order is enclosed and is available on our website at <http://www.irrc.state.pa.us>.

We appreciate the joint effort that went into producing a regulation that met the criteria and intent of the Regulatory Review Act.

Sincerely,

  
Alvin C. Bush  
Vice Chairman

wbg  
Enclosure  
cc: Ann Burnett  
Linda Miller  
Thomas Vracarich

**INDEPENDENT REGULATORY REVIEW COMMISSION**

14th Floor, 333 Market Street  
Harrisburg, PA 17101

Commissioners Voting:

Public Meeting Held April 13, 2000

John R. McGinley, Jr., Chairman – by proxy  
Alvin C. Bush, Vice Chairman  
Arthur Coccodrilli  
Robert J. Harbison, III  
John F. Mizner

Department of Public Welfare  
Elimination of Physician Attestation Requirement

Regulation No. 14-465

**BY ORDER OF THE COMMISSION**

On March 6, 2000, the Independent Regulatory Review Commission (Commission) received this regulation from the Department of Public Welfare (Department). This rulemaking amends 55 Pa. Code Chapter 1163, Subchapter A. The authority for this regulation is Sections 201(2) and 443.1 of the Public Welfare Code (62 P.S. §§ 201(2) and 443.1). Notice of proposed rulemaking was omitted for this regulation. It will become effective upon publication in the *Pennsylvania Bulletin*.

Under existing regulations, the attending physician must attest to the accuracy of the principal and secondary diagnoses and the procedures performed during a Medical Assistance patient's stay in the hospital. These amendments eliminate this requirement.

Federal Medicare regulations eliminated a similar requirement on September 1, 1995. That was done because it was administratively burdensome, and there was an extremely low denial rate (less than 0.01 percent) for claims involving the physician attestation requirement. This rulemaking change will reduce the administrative burden on hospitals and physicians.

This regulation meets the criteria of the Regulatory Review Act.

**THEREFORE, IT IS ORDERED THAT:**

1. Regulation No.14-465 from the Department of Public Welfare, as submitted to the Commission on March 6, 2000, is approved; and
2. The Commission will transmit a copy of this Order to the Legislative Reference Bureau.

  
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Alvin C. Bush, Vice Chairman

