

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

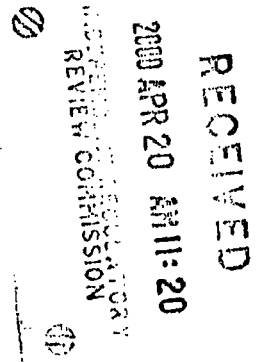
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April 18, 2000

COMMITTEES

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

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 April 18, 2000, and voted to approve Regulation 16A-5710, Regulation 16A-673, Regulation 16A-5112, Regulation 16A-566, and Regulation 16A-633.

In addition, the Committee voted to table Regulation 16A-657 until the committee meeting scheduled for May 2, 2000.

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: Brian V. Harpster, V.M.D., Chairman
State Board of Veterinary Medicine
Hanna Gruen, Chairperson
State Board of Occupational Therapy
Education and Licensure
K. Stephen Anderson, CRNA, Chairman
State Board of Nursing
Joseph Tarantino, Jr., Chairman
State Real Estate Commission
Joseph L. French, Ed.D., Chairman
State Board of Psychology
James J. Irrgang, Chairman
State Board of Physical Therapy
Honorable Kim H. Pizzigrilli, Secretary of the Commonwealth
Department of State

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PROFESSIONAL REGULATORY
REVIEW COMMISSION

Regulation 16A-633

State Board of Psychology

PROPOSAL: Regulation 16A-633 amends 49 PA Code, Chapter 41, regulations of the State Board of Psychology. The amendment pertains to Sexual Intimacies between Psychologists and Patients.

Regulation 16A-633 is Final Rulemaking which was delivered to the Professional Licensure Committee on April 6, 2000. The Professional Licensure Committee has until April 26, 2000, to approve or disapprove the regulation.

ANALYSIS: Regulation 16A-633 amends 49 PA Code, Chapter 41, regulations of the State Board of Psychology. The amendment pertains to Sexual Intimacies between Psychologists and Patients.

The regulation defines a "sexual intimacy" as any romantic, sexually suggestive, sexually demeaning or erotic behavior. The regulation prohibits Psychologists from engaging in "sexual intimacies" with a current patient/client or an immediate family member of a current patient/client. Similar conducted is prohibited with persons with whom a psychologists has a supervisory, evaluative or authority role.

Under limited circumstances, a psychologists may engage in a sexual intimacy with a former client/patient, or their immediate family member, after two years have passed from the termination of the professional relationship. In such a case the psychologists would bear the burden of proving that there has been no exploitation of the patient/client. Psychologists will be prohibited from accepting persons with whom they have formerly engaged in sexual intimacies as clients/patients.

The Committee asked what effect the regulation would have in a situation where a licensee is engaged in a romantic relationship with an individual, and an immediate family member of that individual subsequently seeks psychological services. Would the licensee be permitted or prohibited from treating the family member? The Board did not respond to this question.

The Committee also questioned the definition of "sexual intimacies" as being overly broad. In response, the Board modified the definition to clarify that the non-therapeutic verbal communications or inappropriate non-verbal communications would have to be of a sexual or romantic nature.

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

House of Representatives
Professional Licensure Committee
April 13, 2000

MARIO J. CIVERA, JR., MEMBER
HOUSE POST OFFICE BOX 202020
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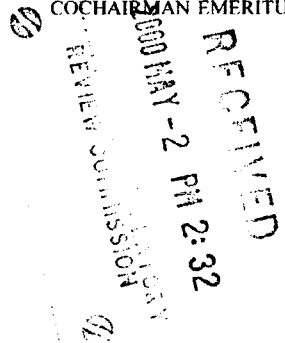


House of Representatives
COMMONWEALTH OF PENNSYLVANIA
HARRISBURG

May 2, 2000

COMMITTEES

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



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 May 2, 2000, and voted to approve Regulation 16A-657, with the recommendation that in future contract negotiations for the administration of its licensure examination, the Board should seek as long a contract term as possible in order to avoid frequent cost increases.

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

Sincerely,

A handwritten signature in cursive that reads "Mario J. Civera".

Mario J. Civera, Chairman
House Professional Licensure Committee

MJC/sms
Enclosure

cc: James J. Irrgang, Chairman
State Board of Physical Therapy
Honorable Kim H. Pizzigrilli, Secretary of the Commonwealth
Department of State

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REGULATORY
REVIEW COMMISSION

Regulation 16A-657

State Board of Physical Therapy

PROPOSAL: Regulation 16A-657 amends 49 PA Code, Chapter 40, regulations of the State Board of Physical Therapy. The amendment would increase the fees for taking the licensure examination for physical therapists from \$245 to \$345, and the examination for physical therapy assistants from \$230 to \$330.

The proposed Rulemaking was omitted and Regulation 16A-657 was delivered to the Professional Licensure Committee on April 13, 2000, as an Order of Final Rulemaking. The Professional Licensure Committee has until May 3, 2000, to approve or disapprove the regulation.

ANALYSIS: As with all licensing boards with the Bureau of Professional and Occupational Affairs, the State Board of Physical Therapy is required to contract with a professional testing organization for the preparation and administration of its licensing examinations. The Board contracts with the Federation of State Boards of Physical Therapy (FSBPT) which subcontracts with Sylvan Technology Centers for this service. The Board states that the fee increases are due to an increase in contract costs with the FSBPT for examination services on or after July 1, 2000.

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

House of Representatives
Professional Licensure Committee
April 14, 2000