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House of Representatives
COMMONWEALTH OF PENNSYLVANIA
HARRISBURG

May 22, 2001

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 22, 2001, and voted to take no formal action on Regulation 16A-444 until final form regulations are promulgated. However, the Committee notes that no "Fee Report Forms" were included with the regulation package received from the Board.

In addition, the Committee voted to take no formal action on Regulation 16A-4910 until final form regulations are promulgated. However, the Committee submits the following comments:

- (1) The \$5.00 fee for registration of additional physician assistant supervisors appears to be a new fee, but is not listed as such in the Description of Proposed Amendments in the regulation package.
- (2) As shown in Annex A of the regulation package, the fee for biennial renewal as a drugless therapist would be increased from \$25.00 to \$35.00. This increase is not shown in the Description of Proposed Amendments.
- (3) As shown in Annex A of the regulation package, the fee for annual renewal of a graduate license would be increased from \$10.00 to \$15.00. This increase is not shown in the Description of Proposed Amendments.

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: Jeffrey S. Gerland, DPM, Chairman
State Board of Podiatry
Charles D. Hummer, Jr., M.D., Chairperson
State Board of Medicine
Honorable Kim H. Pizzigrilli, Secretary of the Commonwealth
Department of State

COMMITTEES

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

INDEPENDENT REGULATORY
REVIEW COMMISSION

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RECEIVED

Regulation 16A-444

State Board of Podiatry

PROPOSAL: Regulation 16A-444 amends 49 PA Code, Chapter 29, regulations of the State Board of Podiatry. The amendment identifies two nationally recognized examinations, taken in sequential order, as the current licensing examinations. The amendment also makes revisions to the schedule of Board fees by increasing certain fees, reducing one fee, adding certain fees for services for which there are currently no fees, and eliminating references to examination fees.

The proposed Rulemaking was published in the Pennsylvania Bulletin on April 7, 2001. The Professional Licensure Committee has until May 29, 2001 to submit comments on the regulation.

ANALYSIS: Pursuant to Sec. 14 of the Podiatry Practice Act, 63 P.S. Sec. 42.14, 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 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>
Initial License	\$ 25.00	\$ 30.00
License By Reciprocity	\$105.00	\$ 95.00
Application For Approval of Educational Conference	\$ 50.00	\$ 75.00
Certification of Licensure or Scores	\$ 15.00	\$ 25.00
Verification of License	\$ 10.00	\$ 15.00
Application for Authorization to Perform Radiologic Procedures	\$ 0.00	\$ 25.00

The Board's licensure examination has two parts. The first part is the examination given by the National Board of Podiatric Medical Examiners. Applicants who pass that part are then permitted to take the PM Lexis examination. Both are nationally recognized examinations, with fees established by the owners/providers of the exams. Since the Board has no control over the fees, specific references to the fees have been eliminated, and applicants directed to pay the fees directly to the providers.

RECOMMENDATIONS: It is recommended that the Professional Licensure Committee take no formal action until final form regulations are promulgated. However, the Committee notes that no "Fee Report Forms" were included with the regulation package received from the Board.

House of Representatives
Professional Licensure Committee
May 16, 2001

Regulation 16A-4910

State Board of Medicine

PROPOSAL: Regulation 16A-4910 amends 49 PA Code, Chapter 16, regulations of the State Board of Medicine. The amendment makes revisions to the schedule of Board fees by increasing fees for providing certain services, reducing a number of fees, adding an application fee for radiology examinations, and adding a fee for certification of license, scores, permit or registration.

The proposed Rulemaking was published in the Pennsylvania Bulletin on April 21, 2001. The Professional Licensure Committee has until June 11, 2001 to submit comments on the regulation.

ANALYSIS: Pursuant to Sec. 6 of the Medical Practice Act, 63 P.S. Sec. 422.6, the Board is required to establish fees by regulation, and to increase fees to meet or exceed projected expenditures if the revenues raised by fees, fines and civil penalties are not sufficient to meet expenditures. The Board states that a recent systems audit determined that the fees for certain services did not accurately reflect the actual cost involved in providing the service. Accordingly, the Board proposes to amend its schedule of fees to reflect actual costs. Additionally, the proposed regulation would consolidate Board fees under one section, and eliminate references to nationally established examination fees over which the Board has no control or involvement. The revised fee schedule would read as follows:

<u>Application/Service</u>	<u>Current Fee</u>	<u>Proposed Fee</u>
Application, License w/o Restriction, Accredited School (MD)	\$ 20.00	\$ 35.00
Application, License w/o Restriction, Non-accredited School (MD)	\$ 80.00	\$ 85.00
Application, Extraterritorial License (XT)	\$ 10.00	\$ 30.00
Application, Graduate License, Accredited College (MT)	\$ 15.00	\$ 30.00
Application, Graduate License, Non-accredited College (MT)	\$ 80.00	\$ 85.00
Application, Temporary License	\$ 35.00	\$ 45.00
Application, Interim Limited License (ML)	\$ 10.00	\$ 30.00
Application, Midwife License (MW)	\$ 20.00	\$ 30.00

Application, Physician Assistant Certificate (PA)	\$ 15.00	\$ 30.00
Registration, Physician Assistant supervisor (MX)	\$ 55.00	\$ 35.00
Application, Satellite Location	\$ 45.00	\$ 25.00
Acupuncture Registration (AK)	\$ 15.00	\$ 30.00
Acupuncture Supervisor Registration (MK)	\$ 15.00	\$ 30.00
Respiratory Care Temporary Permit	\$ 15.00	\$ 30.00
Respiratory Care Initial Certificate (YM)	\$ 15.00	\$ 30.00
Application for Radiology Examinations	None	\$ 25.00
Certification of License, scores, Permit, Registration	None	\$ 25.00
Verification of License, Registration, Certificate, Permit	\$ 10.00	\$ 15.00

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 \$5.00 fee for registration of additional physician assistant supervisors appears to be a new fee, but is not listed as such in the Description of Proposed Amendments in the regulation package.
- (2) As shown in Annex A of the regulation package, the fee for biennial renewal as a drugless therapist would be increased from \$25.00 to \$35.00. This increase is not shown in the Description of Proposed Amendments.
- (3) As shown in Annex A of the regulation package, the fee for annual renewal of a graduate license would be increased from \$10.00 to \$15.00. This increase is not shown in the Description of Proposed Amendments.

House of Representatives
Professional Licensure Committee
May 21, 2001