

JOHN R. MCGINLEY, JR., ESQ., CHAIRMAN
ALVIN C. BUSH, VICE CHAIRMAN
ARTHUR COCCODRILLI
ROBERT J. HARBISON, III
JOHN F. MIZNER, ESQ.
ROBERT E. NYCE, EXECUTIVE DIRECTOR
MARY S. WYATTE, CHIEF COUNSEL



PHONE: (717) 783-5417
FAX: (717) 783-2664
irrc@irrc.state.pa.us
<http://www.irrc.state.pa.us>

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

June 8, 2001

Jeffrey S. Gerland, D.P.M., Chairman
State Board of Podiatry
116 Pine Street
Harrisburg, PA 17105

Re: Regulation #16A-444 (IRRC #2181)
State Board of Podiatry
Fees

Dear Chairman Gerland:

Enclosed are our Comments. They will soon be available on our website at www.irrc.state.pa.us.

Our Comments list objections and suggestions for consideration when you prepare the final version of this regulation. We have also specified the regulatory criteria which have not been met. These Comments are not a formal approval or disapproval of the proposed version of this regulation.

If you would like to discuss these Comments, please contact my office at 783-5417.

Sincerely,

A handwritten signature in black ink that reads "Robert E. Nyce".

Robert E. Nyce
Executive Director
evp
Enclosure

cc: Honorable Mario J. Civera, Jr., Majority Chairman, House Professional Licensure Committee
Honorable William W. Rieger, Democratic Chairman, House Professional Licensure Committee
Honorable Clarence D. Bell, Chairman, Senate Consumer Protection & Professional Licensure Committee
Honorable Lisa M. Boscola, Minority Chairman, Senate Consumer Protection & Professional Licensure Committee
Honorable Kim Pizzigrilli, Secretary of the Commonwealth

Comments of the Independent Regulatory Review Commission

on

State Board of Podiatry Regulation No. 16A-444

Fees

June 8, 2001

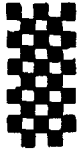
We submit for your consideration the following objections and recommendations regarding this regulation. Each objection or recommendation includes a reference to the criteria in the Regulatory Review Act (71 P.S. § 745.5a(h) and (i)) which have not been met. The State Board of Podiatry (Board) must respond to these Comments when it submits the final-form regulation. If the final-form regulation is not delivered by May 7, 2003, the regulation will be deemed withdrawn.

1. Section 29.12. Adoption of National Board Examination. – Clarity

Subsection (a) uses the phrase “National Board of Podiatric Medical Examiners.” However, Subsection (b) of Section 29.12 and Section 29.11 use the phrase “National Board.” The Board should consider defining National Board in Section 29.1 (Definitions) and use the phrase consistently in each section.

2. Section 29.13 (a). Fees. – Clarity.

Section 29.13 (a) establishes a new fee for application for authorization to perform radiologic procedures. The last paragraph of Section C of the Preamble states that the new fee is paid in advance for providing an authorization form after a person passes the radiology technician examination. Please explain the disposition of the advance fee if the applicant does not pass the examination and ultimately decides not to retake it. Is there a mechanism in place to provide a refund?



JUN-08-2001 FRI 08:53 AM

FAX NO.

INDEPENDENT REGULATORY REVIEW COMMISSION

To: Suzanne Hoy
Agency: Department of State
Licensing Boards and Commissions
Phone: 7-2628
Fax: 7-0251

From: Kristine M. Shomper
Administrative Officer
Company: Independent Regulatory Review
Commission
Phone: (717) 783-5419 or (717) 783-5417
Fax: (717) 783-2664

Date: June 8, 2001
of Pages: 3

Comments: We are submitting the Independent Regulatory Review Commission's comments on the State Board of Podiatry regulation #16A-444 (#2181). Upon receipt, please sign below and return to me immediately at our fax number 783-2664. We have sent the original through interdepartmental mail. You should expect delivery in a few days. Thank you.

Accepted by:

Christal Pike-Nax Date: 6/8/01