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

October 25, 2001

Thomas F. Matta, Ph.D., Chairman
State Board of Social Workers, Marriage and Family Therapists and
Professional Counselors
116 Pine Street
Harrisburg, PA 17105

Re: Regulation #16A-695 (IRRC #2208)
State Board of Social Workers, Marriage and Family Therapists and
Professional Counselors
Fees

Dear Chairman Matta:

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". The signature is written in a cursive style.

Robert E. Nyce
Executive Director

evp

Enclosure

cc: Honorable Mario J. Civera, Jr., Majority Chairman, House Professional Licensure Committee
Honorable William W. Ricger, Democratic Chairman, House Professional Licensure Committee
Honorable Clarence D. Bell, Chairman, Senate Consumer Protection and Professional
Licensure Committee
Honorable Lisa M. Boscola, Minority Chairman, Senate Consumer Protection and Professional
Licensure Committee
Honorable Kim Pizzingrilli, Secretary, Department of State

Comments of the Independent Regulatory Review Commission

on

State Board of Social Workers, Marriage and Family Therapists and Professional Counselors Regulation No. 16A-695

Fees

October 25, 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 Social Workers, Marriage and Family Therapists, and Professional Counselors (Board) must respond to these Comments when it submits the final-form regulation. If the final-form regulation is not delivered by September 24, 2003, the regulation will be deemed withdrawn.

1. Section 47.4. Licensure fees. – Need; Clarity.

The House Professional Licensure Committee questioned why the Board did not delete the fee relating to the 1988 to 1991 licensure cycle. Is this fee needed?

2. Sections 48.4 and 49.3. Applicability of General Provisions in Chapter 47. – Need; Clarity.

These provisions require registration of continuing education providers, courses and programs under Section 47.34. However, there currently is no continuing education requirement for licensed Marriage and Family Therapists or Professional Counselors. If the Board intends to require continuing education for licensees under Chapters 48 and 49 in the future, that requirement would require another rulemaking.

The Board should consider deleting the course registration provisions from this rulemaking. Instead, the Board should promulgate continuing education requirements and registration of course providers together in a future rulemaking. This would allow affected parties to consider the full implications of these requirements.