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House of Representatives
COMMONWEALTH OF PENNSYLVANIA
HARRISBURG

July 8, 2003

John R. McGinley, Jr., Chairman
Independent Regulatory Review Commission
14th Floor, Harristown 2
333 Market Street
Harrisburg, PA 17101

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INDEPENDENT REGULATORY
REVIEW COMMISSION

Dear Chairman McGinley:

I am writing to inform you that the House Professional Licensure Committee held a meeting on June 24, 2003 .

The Committee voted to approve Regulation 16A-5712, State Board of Veterinary Medicine.

Please feel free to contact my office if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Thomas P. Gannon".

Thomas P. Gannon, Chairman
House Professional Licensure Committee

TPG/sjh

cc: Brian V. Harpster, V.M.D., Chairperson
State Board of Veterinary Medicine

Honorable Pedro Cortes, Secretary of the Commonwealth
Department of State

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House of Representatives
COMMONWEALTH OF PENNSYLVANIA
HARRISBURG

October 15, 2003

Brian V. Harpster, V.M.D.
Chairman
State Board of Veterinary Medicine
P.O. Box 2649
Harrisburg, PA 17105-2649

RE: Regulation 16A-5712

Dear Dr. Harpster:

Please be advised that Regulation 16A-5712 was reviewed by the House Professional Licensure Committee at a meeting held on October 8, 2003. As you know, this was the Committee's second review of this final form regulation, which was necessitated by the revisions made by the State Board of Veterinary Medicine after the rulemaking was initially disapproved by the Independent Regulatory Review Commission (IRRC).

At the meeting, the Committee voted to approve the revised regulation, and to communicate to the Board the Committee's disappointment that the "written prescription" provision, contained in the original version of the regulation, had been deleted. In approving the original version, the Committee found this provision to be of great benefit to consumers of veterinary services. According to IRRC, its initial disapproval of the regulation was made to afford the Board the opportunity to make improvements by drafting a public notice provision, to better insure that consumers were aware of their right to a prescription. It is both puzzling and alarming that the Board opted instead to eliminate the prescription provision in its entirety, thus denying consumers the benefit of having a choice as to where they can purchase medications for their animals.

The Committee reluctantly approved the revised regulation for the same reasons expressed by IRRC. Although the regulation is significantly diminished, it has enough consumer oriented provisions remaining to make it worth promulgating. Additionally, Board Counsel has given assurances that the written prescription provision will be the subject of rulemaking in the very near future, and that the public notice issue will also be considered. In that regard, I am asking the Board to provide the Committee with written updates every 60 days detailing the Board's progress in promulgating these regulations.

Thank you for your cooperation and attention in this matter.

Sincerely,

Handwritten signature of Thomas P. Gannon in cursive.

Chairman
Professional Licensure Committee

cc: John R. McGinley, Chairman, IRRC ✓
Professional Licensure Committee Members
Pedro Cortes, Secretary of Commonwealth

CHAIRMAN
PROFESSIONAL LICENSURE COMMITTEE

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