

MARIO J. CIVERA, JR., MEMBER  
HOUSE POST OFFICE BOX 202020  
MAIN CAPITOL BUILDING  
HARRISBURG, PENNSYLVANIA 17120-2020  
PHONE: (717) 787-3850  
FAX: (717) 705-1851

830 N. LANSDOWNE AVENUE  
DREXEL HILL, PENNSYLVANIA 19026  
PHONE: (610) 853-4115  
FAX: (610) 853-4116

232 LONG LANE  
UPPER DARBY, PENNSYLVANIA 19082  
PHONE: (610) 352-7800  
FAX: (610) 352-3389

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 February 11, 2003.

The Committee voted to approve Regulation 16A-696, State Board of Social Workers, Marriage and Family Therapists and Professional Counselors.

The Committee voted to take no formal action on Regulation 16A-5117, State Board of Nursing, until final form regulations are promulgated. However, the Committee submits the following comments:

- (1) The Committee requests an explanation as to why, pursuant to Sec. 21.334(g), 50 minutes is counted as a continuing education hour, rather than 60 minutes.
- (2) The Committee questions whether or not a limit should be placed on the number of credit hours a CRNP may obtain through correspondence courses, taped study courses and other independent study courses.

The Committee voted to take no formal action on Regulation 16A-446, State Board of Podiatry, until final form regulations are promulgated. However, the Committee submits the following comments:

- (1) Although primary responsibility rests with licensees to documents continuing education compliance, the Committee suggests that the Board continue to require course providers to authenticate attendance and retain documentation of attendance for a period of time equal to that required of licensees. The Committee notes that Dental Board regulations require both licensees and course providers to retain documentation for a period of four years. This provides a backup means to authenticate attendance should a licensee's documentation be lost or come into question.
- (2) The Committee notes that the exposure draft of the proposed amendments included courses given by the American Medical Association and the American Osteopathic Association as being preapproved. Reference to these organizations was withdrawn after objection by the Pennsylvania Podiatric Medical Association (PPMA). The Committee requests an explanation as to the grounds for the PPMA's objection, and questions why courses offered by the excluded associations cannot be of some educational value to licensees.



*House of Representatives*  
COMMONWEALTH OF PENNSYLVANIA  
HARRISBURG

February 12, 2003

Original: 2319

COMMITTEES

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

RECEIVED  
FEB 12 2003  
OFFICE OF THE CLERK  
HOUSE OF REPRESENTATIVES  
HARRISBURG, PA

- (3) Section 29.61(a)(2) allows a maximum of 10 hours of continuing education through computer/internet, magazine or journal article courses. The Committee requests an explanation as to how continuing education is accomplished through those means.

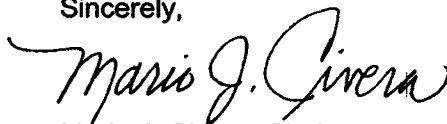
The Committee voted to take no action on Regulation 16A-4613, State Board of Dentistry, until final form regulations are promulgated. However, the Committee submits the following comments:

- (1) The Committee recommends that the Board adopt a similar approach to the other licensing boards that have promulgated regulations pertaining to sexual misconduct. These boards have defined the prohibited conduct with much greater specificity in the definitions sections of their regulations. The definitions of sexual exploitation and sexual behavior proposed by the Board are vague and open to interpretation.
- (2) The Committee suggests that the Board address the issue of what is prohibited or acceptable behavior between licensees and former patients, as well as licensees and current "significant others" who become patients.

The Committee voted to take no formal action on Regulation 16A-4612, State Board of Dentistry, until final form regulations are promulgated. However, the Committee encourages the Board to seek bids for the EFDA examination from the widest possible array of sources, including the State of Ohio, which already examines and certifies EFDAs.

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

Sincerely,



Mario J. Civera, Chairman  
House Professional Licensure Committee

MJC/sms  
Enclosures

cc: Thomas F. Matta, Ph.D., Chairperson  
State Board of Social Workers, Marriage and Family  
Therapists and Professional Counselors  
K. Stephen Anderson, CRNA, Chairperson  
State Board of Nursing  
Jeffrey S. Gerland, D.P.M., Chairman  
State Board of Podiatry  
Veasey B. Cullen, Jr., D.M.D., Chairman  
State Board of Dentistry  
Honorable Benjamin Ramos, Acting Secretary of the Commonwealth  
Department of State

**Regulation 16A-696**

**State Board of Social Workers, Marriage and Family Therapists and Professional Counselors**

**PROPOSAL:** Regulation 16A-696 amends 49 PA Code, Chapter 49, regulations of the State Board of Social Workers, Marriage and Family Therapists and Professional Counselors. The amendment adds a credential that will be recognized for the purpose of exemption from the professional counselor licensure examination that was inadvertently omitted.

The proposed Rulemaking was omitted and Regulation 16A-696 was delivered to the Professional Licensure Committee on January 29, 2001 as an Order of Final Rulemaking. The Professional Licensure Committee has until February 18, 2003 to approve or disapprove the regulation.

**ANALYSIS:** Board Regulation 49.15 sets forth the requirements for obtaining a professional counselor license without passing the licensure examination. The regulation identifies specific credentials awarded by various professional counselor organizations that will be recognized for exemption purposes. The proposed amendment would add the Master Addiction Counselor Credential awarded by the National Association of Alcoholism and Drug Abuse Counselors to the list, which was inadvertently omitted when the list was originally promulgated.

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

House of Representatives  
Professional Licensure Committee  
January 31, 2003