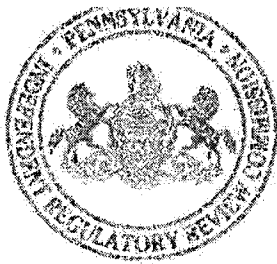


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INDEPENDENT REGULATORY REVIEW COMMISSION
333 MARKET STREET, 14TH FLOOR, HARRISBURG, PA 17101

July 6, 2006

Ronald E. Hays, Chairman
State Board of Social Workers, Marriage/Family Therapists and Professional Counselors
2601 North Third Street
Harrisburg, PA 17110

Re: Regulation #16A-691 (IRRC #2419)
State Board of Social Workers, Marriage/Family Therapists and Professional Counselors
Sexual Misconduct

Dear Chairman Hays:

The Independent Regulatory Review Commission approved the subject regulation today. Our order is enclosed and will be available on our website at www.irrc.state.pa.us.

We appreciate the joint effort that went into producing a regulation that meets the criteria and intent of the Regulatory Review Act.

Sincerely,

Alvin C. Bush
Chairman
wbg
Enclosure

cc: Honorable Robert M. Tomlinson, Chairman, Senate Consumer Protection and Professional Licensure Committee
Honorable Lisa M. Boscola, Minority Chairman, Senate Consumer Protection and Professional Licensure Committee
Honorable Thomas P. Gannon, Majority Chairman, House Professional Licensure Committee
Honorable William W. Rieger, Democratic Chairman, House Professional Licensure Committee
Honorable Pedro A. Cortes, Secretary, Department of State

**INDEPENDENT REGULATORY REVIEW COMMISSION
APPROVAL ORDER**

Commissioners Voting:

Public Meeting Held July 6, 2006

Alvin C. Bush, Chairman
Arthur Coccodrilli
David J. DeVries, Esq.
John F. Mizner, Esq., by Phone

Regulation No. 16A-691
State Board of Social Workers, Marriage and Family
Therapists and Professional Counselors
Sexual Misconduct

On August 23, 2004, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the State Board of Social Workers, Marriage and Family Therapists and Professional Counselors (Board). This rulemaking amends 49 Pa. Code Chapters 47, 48 and 49. The proposed regulation was published in the September 4, 2004 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on May 25, 2006.

This regulation prohibits sexual intimacies between licensees regulated by the Board and their clients or clients' immediate family members. It also prohibits a licensee from accepting an individual as a client when the licensee has previously engaged in sexual intimacies with the individual.

We have determined this regulation is consistent with the statutory authority of the Board (63 P.S. § 1906(2)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

BY ORDER OF THE COMMISSION:

This regulation is approved.





Alvin C. Bush, Chairman