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

November 3, 2004

Charles D. Hummer, Jr., M.D., Chairman
State Board of Medicine
2601 North 3rd Street
Harrisburg, PA 17110

Re: Regulation #16A-4917 (IRRC #2420)
State Board of Medicine
Licensure of Medical Doctors

Dear Chairman Hummer:

Enclosed are the Commission's comments for consideration when you prepare the final version of this regulation. These comments are not a formal approval or disapproval of the regulation. However, they specify the regulation review criteria that have not been met.

The comments will be available on our website at www.irrc.state.pa.us. If you would like to discuss them, please contact my office at 783-5417.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert E. Nyce", written over a horizontal line.

Robert E. Nyce
Executive Director

evp

Enclosure

cc: Honorable Thomas P. Gannon, Majority Chairman, House Professional Licensure Committee
Honorable William W. Rieger, Democratic Chairman, House Professional Licensure Committee
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 Pedro A. Cortes, Secretary, Department of State

Comment of the Independent Regulatory Review Commission

on

State Board of Medicine Regulation #16A-4917 (IRRC #2420)

Licensure of Medical Doctors

November 3, 2004

We submit for your consideration the following comment that includes a reference to the criterion in the Regulatory Review Act (71 P.S. § 745.5b) which has not been met. The State Board of Medicine (Board) must respond to this comment when it submits the final-form regulation. The public comment period for this regulation closed on October 4, 2004. If the final-form regulation is not delivered within two years of the close of the public comment period, the regulation will be deemed withdrawn.

Section 17.1. License without restriction and Section 17.5. Graduate License. – Protection of the public health, safety and welfare.

This rulemaking would delete direct Board evaluation of hourly, monthly and yearly education requirements for graduates of unaccredited medical colleges (foreign medical graduates) to practice in Pennsylvania. The House Professional Licensure Committee objects to these amendments and expressed deep concern that deleting the specific educational requirements from the regulation could jeopardize the health and safety of Pennsylvania citizens.

To complete our evaluation of whether the amendments are in the public interest, we request further explanation and support for the amendments. Specifically, the Board should answer the following questions:

- Will the proposed amendments allow licenses without restriction and graduate licenses to be issued to applicants who cannot qualify under existing regulation?
- Why isn't Board verification of the specific time period requirements needed under Subsection 17.1(b) and Subsection 17.5(c)?
- Under the proposed amendments to Section 17.1, an applicant must meet the qualifications listed in Subsection (a). Subsection (b) states the applicant may use the Federation of State Medical Boards of the United States, Inc., or Federation's Credentials Verification Service (FCVS), to verify their credentials. What specific credentials listed in Subsection (a), or elsewhere, can FCVS verify and what specifically will FCVS verify to the Board?
- What other United States jurisdictions accept and use the FCVS?



Facsimile Cover Sheet

Kristine M. Shomper
Administrative Officer



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

To: Suzanne Hoy
Agency: Department of State
Licensing Boards and Commissions
Phone: 7-2628
Fax: 7-0251
Date: 11/3/04
Pages: 3

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INDEPENDENT REGULATORY REVIEW COMMISSION

Comments: We are submitting the Independent Regulatory Review Commission's comments on the State Board of Medicine regulation #16A-4917 (IRRC #2420). 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: Christine P. Plevy **Date:** 11-3-04