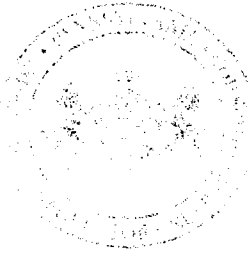


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INDEPENDENT REGULATORY REVIEW COMMISSION
333 MARKET STREET, 14TH FLOOR, HARRISBURG, PA 17101

April 13, 2005

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

Re: Regulation #16A-698 (IRRC #2458)
State Board of Social Workers, Marriage and Family
Therapists and Professional Counselors
Supervised Clinical Experience

Dear Chairman Hays:

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 regulatory 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 me at 783-5506.

Sincerely,

A handwritten signature in black ink, appearing to read "Mary S. Wyatt", is written over a circular stamp.

Mary S. Wyatt
Acting Executive Director/Chief Counsel

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

Comments of the Independent Regulatory Review Commission

on

State Board of Social Workers, Marriage and Family Therapists and Professional Counselors Regulation #16A-698 (IRRC #2458)

Supervised Clinical Experience

April 13, 2005

We submit for your consideration the following comments that include references to the criteria in the Regulatory Review Act (71 P.S. § 745.5b) 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. The public comment period for this regulation closed on March 14, 2005. 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 47.12c. Licensed clinical social worker.

Section 48.13. Licensed MFT [marriage and family therapist].

Section 49.13. Licensed professional counselor. - Clarity.

Subsection (b) Supervised clinical experience.

This subsection sets forth the requirements and procedures for supervised experience for applicants for licensure. The proposed regulation adds identical language to Subsection (b)(6) in Sections 47.12c, 48.13 and 49.13. Currently, Subsection (b)(6) limits a licensee, qualified to act as a supervisor, to supervising no more than six supervisees at the same time. The proposed regulation states that this limitation “does not apply to supervised experience obtained in group sessions within an educational, institutional or agency setting.” We have two concerns.

First, the terminology is used inconsistently. The proposed regulation uses the term “group sessions” while existing regulations use the term “group setting” for what appears to be the same purpose. Under existing language in Subsection (b)(5), a supervisor must meet for two hours with a supervisee during each 40-hour period of supervised experience. The supervisor must meet individually with a supervisee for at least one of the two hours. Subsection (b)(5) also states that the supervisor “may” meet with supervisees in a “group setting” for one of the required two hours. Are the terms “group setting” and “group sessions” synonymous? If so, the Board should use one term consistently. Further, the exception to the limit of six supervisees should be specifically linked to the option of meeting with a group of supervisees for one hour during every 40-hour period.

Second, the term “educational, institutional or agency setting” is not defined. It is our understanding that this term includes schools, universities, hospitals and nursing homes. If this term means an accredited school or university, or licensed health care facility, this should be clearly indicated in a definition for this term in the final-form regulation.

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: April 13, 2005
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 Social Workers, Marriage and Family Therapists and Professional Counselors' regulation #16A-698 (IRRC #2458). 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: *Suzanne Hoy* Date: 4/13/05