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# Pennsylvania MEDICAL SOCIETY®

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INDEPENDENT REGULATORY  
REVIEW COMMISSION

July 30, 2007

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Arthur Coccodrilli, Chair  
Independent Regulatory Review Commission  
333 Market Street, 14<sup>th</sup> Floor  
Harrisburg, PA 17101

Re: Notice of Final Rulemaking: Department of Transportation; School Bus Drivers

Dear Chairman Coccodrilli:

I am writing as President of the Pennsylvania Medical Society to ask that the Independent Regulatory Review Commission disapprove the final rulemaking submitted by the Department of Transportation, permitting chiropractors to administer the physical examination require for school bus drivers.

In its comments on the proposed rulemaking, The Society and several other medical organizations raised concerns that chiropractors were not qualified by training or the definition contained in their practice act to perform assessments and evaluations of various body systems not mentioned in the statutory definition of "Chiropractic" required to be completed for the physical examination of drivers, including school bus drivers. The Department has chosen to trivialize those concerns in their response to comments that are a part of the final rulemaking submitted to the Commission for approval. The Department further minimizes the fact that the scopes of practice for nurse practitioners and physician assistants require that they perform services, including physical examinations, in collaboration with a physician in the case of a nurse practitioner and under the supervision and direction of a physician in the case of physician assistants. If the Department contends that medicine's objections "overstate the sophistication of the basic medical examination required under the Vehicle Code," then they should state what they expect to be accomplished by the examination and how it will be utilized in the determination that the individual is physically and mentally qualified to drive. The Society further contends that the chiropractor as well as the nurse practitioner and physician assistant are required to act "within their scope of practice" as stated in 75 P.S.1508.1(b).

We believe that the final form rulemaking did not go far enough within the constraints of the enabling legislation to protect the children of the Commonwealth transported by school bus drivers, and urge the Commission to disapprove these final form regulations.

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Sincerely,

A handwritten signature in black ink, appearing to read 'm. Piasio'.

Mark a. Piasio, MD  
President

Chair, Senate Transportation Committee  
Chair, House Transportation Committee  
Executive Director, IRRC  
Regulatory Counsel, Department of Transportation