

MIKE TURZAI
MEMBER

Original: 2485
HOUSE BOX 202020
ROOM 145B EAST WING
HARRISBURG, PA 17120-2020
PHONE: 717-772-9943



HOUSE OF REPRESENTATIVES
COMMONWEALTH OF PENNSYLVANIA
HARRISBURG

125 HILLVUE LANE
FIRST FLOOR
PITTSBURGH, PA 15237
PHONE: 412-369-2230

April 17, 2006

John R. McGinley, Jr., Chairman
Independent Regulatory Review Commission
14th Floor
333 Market Street
Harrisburg, PA 17101

Dear Chairman McGinley:

As the prime sponsor and author of Act 53 of 2003 and a member of the House of Representatives Labor Relations Committee, I write to recommend that the Independent Regulatory Review Commission disapprove the Department of Labor and Industry's final-form regulation on qualifications for vocational experts.

Act 53 of 2003, which changed Section 306 (b) (2) of the Workers' Compensation Act to require only that the Department set qualifications for vocational experts by regulation, rather than affirmatively approve such experts. It was enacted in the context of an already-existing regulation setting forth qualifications for these experts, qualifications which the IRRC had approved. Act 53 was not an attempt to revise those qualifications, and certainly not an attempt to impede the use of vocational experts.

This regulation if enacted would establish new and needless restrictions on the use of vocational experts by requiring that they be licensed as professional counselors by the state, and that they complete their reports within 30 days of performing interviews with employees.

These requirements are not responsive to any comments on the proposed regulation, are certainly not called for under Act 53. If imposed, they will frustrate the intent of the act and needlessly undermine the proper use of vocational experts.

I recommend that the Independent Regulatory Review Commission disapprove final form regulation on qualifications for vocational experts. Thank you for your consideration in this matter.

Very truly yours,

A handwritten signature of Mike Turzai in black ink, written in a cursive style.

Mike Turzai
Member, 28th District
Pennsylvania House of Representatives

cc: Honorable Elizabeth A. Crum, Deputy Secretary for Compensation and Insurance
Pennsylvania Department of Labor and Industry
Eileen Wunsch, Chief, Health Care Services Review Division, Bureau of Workers'
Compensation

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