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House of Representatives
COMMONWEALTH OF PENNSYLVANIA
HARRISBURG

COMMITTEES

PROFESSIONAL LICENSURE – MAJORITY CHAIRMAN
AGRICULTURE & RURAL AFFAIRS
FINANCE
RULES
MAJORITY POLICY
CAPITOL PRESERVATION

2608

June 6, 2007

Mr. Kim Kaufman
Executive Director
Independent Regulatory Review Commission
333 Market Street, 14th Floor
Harrisburg, PA 17101

RE: Proposed Regulation 16A-5130
State Board of Nursing
Continuing Education for Professional Nurses

Dear Mr. Kaufman:

The House Professional Licensure Committee on this date voted to take no formal action on Regulation 16A-5130 until final regulation is promulgated and submit the following comments:

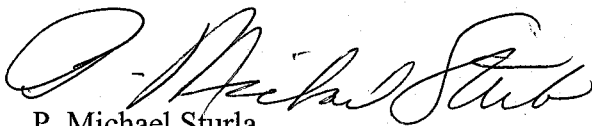
1. Section 21.1, Definitions, defines distance learning continuing education as “continuing education in which the individual participates in the educational activity via electronic media or through peer-reviewed journals or individually, rather than in a classroom, laboratory or clinical setting where the faculty and participant are physically located in the same room.” The Committee seeks an explanation of “peer review journals.”
2. Section 21.5, fees, provides for a \$75 fee for the “request for approval of one hour of continuing education for a professional nurse.” It is not clear whether this is a fee for a program provider. The Committee seeks clarification as to whether this fee applies only to program providers.
3. Section 21.29(c)(1) requires a nurse to complete and submit the renewal application including disclosure of a license to practice in other states. The Committee asks whether the disclosure is part of the application form and whether this requirement should be written as a separate requirement under this section. Under §21.29(d), a licensee is required to retain the wallet size and display portion of their license. The Committee asks if retaining the license means that the licensee shall carry the license, or simply have access to the license.

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REVIEW COMMISSION

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4. Section 21.131(b) allows for an exemption for continuing education for the first two years of licensure for a licensee who has completed an approved nursing education program within two years of the date of the initial application. However, the exemption does not include nurses who are employed by school districts as in section 12.1(g)(2) of the act of March 10, 1949 (P.L. 30, No. 14), known as the "Public School Code of 1949." The Committee asks if the school nurses who are permitted to submit proof of continuing education as required by the Public School Code be permitted to continue to do so by specifically exempting them from the continuing education requirements in §21.131.
5. Section 21.132, Continuing education hours, states that three hours in a course-related clinical practice will be accepted as one hour of continuing education. The Committee would like additional information as to how this ratio was determined.
6. Section 21.134(a) states that a list of programs and sources are approved. The Committee asks whether these programs also required to pay the approval fee listed under §21.5.
7. Section 21.134, entitled Continuing education sources, refers in subsection (a) (1) through (5) to "program." Section 21.134(a)(6) refers to national nursing, medical and osteopathic organizations and their state and regional affiliates. Section 21.134(a)(7) lists all national pharmaceutical organizations and their state affiliates under the section heading of Continuing education sources. For the listing under 21.134(a)(6) and 21.134(a)(7), the Committee asks if the Board is approving "programs" of these organizations. Section 21.134(b) permits the Board to approve other "sources" of continuing education on a case-by-case basis. The Committee asks if the terms "sources" and "programs" are used interchangeably and whether it is the intent of the Board to approve "programs" for the organizations listed in 21.134(a)(6) and 21.134(a)(7). The Committee seeks clarification as to whether the terms "programs", "sources" and "courses" referred to in § 21.134(a) and (b) are used interchangeably.

Sincerely,



P. Michael Sturla
Chairman, House Professional Licensure Committee