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House of Representatives  
COMMONWEALTH OF PENNSYLVANIA  
HARRISBURG

COMMITTEES

PROFESSIONAL LICENSURE – MAJORITY CHAIRMAN  
AGRICULTURE & RURAL AFFAIRS  
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CAPITOL PRESERVATION

2609

June 6, 2007

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

RE: Proposed Regulation 16-38  
Bureau of Professional and Occupational Affairs  
Schedule of Civil Penalties for Nurses

Dear Mr. Kaufman:

The House Professional Licensure Committee on this date voted to take no formal action on Regulation 16-38 until final regulation is promulgated and submit the following comments:

1. Section 43b.18, Schedule of Civil Penalties, the State Board of Nursing codifies a current statement of policy adopted October 23, 2004 (§ 222(b)). Under the proposed statement of policy, a professional nurse practicing on a lapsed license would be subject for the first offense of a lapsed license for 0-12 months, a fine of \$100 per month up to \$1,000. The Proposed Regulations amending § 225.4, adds a fine for failure to complete 30 hours of approved continuing education. As the completion of the continuing education requirements is a condition for biennial renewal, the Committee seeks clarification as to whether a professional nurse failing to complete the 30 hours of continuing education would be subject to fine under § 225.4 and § 222(b) concurrently.

Sincerely,

A handwritten signature in cursive script, appearing to read "P. Michael Sturla".

P. Michael Sturla  
Chairman, House Professional Licensure Committee

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