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## INDEPENDENT REGULATORY REVIEW COMMISSION

333 MARKET STREET, 14TH FLOOR, HARRISBURG, PA 17101

June 11, 2009

Joseph C. Gallagher, Jr., D.O., Chair  
State Board of Osteopathic Medicine  
2601 North 3rd Street  
Harrisburg, PA 17110

Re: Regulation #16A-5318 (IRRC #2644)  
State Board of Osteopathic Medicine  
Prescriptive Privileges for Physician Assistants

Dear Mr. Gallagher:

The Independent Regulatory Review Commission approved the subject regulation today. Our order is enclosed and will be available on our website at [www.irrc.state.pa.us](http://www.irrc.state.pa.us).

We appreciate the joint effort that went into producing a regulation that meets the criteria and intent of the Regulatory Review Act.

Sincerely,

Arthur Coccodrilli

Chairman

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Enclosure

cc: Honorable Robert M. Tomlinson, Chair, Senate Consumer Protection and Professional  
Licensure Committee  
Honorable Lisa M. Boscola, Chair, Senate Consumer Protection and Professional Licensure  
Committee  
Honorable Michael P. McGeehan, Chair, House Professional Licensure Committee  
Honorable William F. Adolph, Jr., Chair, House Professional Licensure Committee  
Honorable Pedro A. Cortes, Secretary, Department of State

**INDEPENDENT REGULATORY REVIEW COMMISSION  
APPROVAL ORDER**

Commissioners Voting:

Public Meeting Held June 11, 2009

Arthur Coccodrilli, Chairman  
George D. Bedwick, Vice Chairman  
S. David Fineman, Esq.  
Nancy Sabol Frantz, Esq., by Phone  
John F. Mizner, Esq.

Regulation No. 16A-5318 (#2644)  
State Board of Osteopathic Medicine  
Prescriptive Privileges for Physician Assistants

On October 10, 2007, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the State Board of Osteopathic Medicine (Board). This rulemaking amends 49 Pa. Code Chapter 25. The proposed regulation was published in the October 20, 2007 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on February 26, 2009. At its April 2, 2009 public meeting, the Commission voted to disapprove the final-form regulation. On May 22, 2009, the Board submitted its report containing the revised final-form regulation to the Commission.

This final-form regulation permits physician assistants practicing under the supervision of osteopathic physicians to prescribe, dispense and administer drugs and therapeutic devices.

We have determined this regulation is consistent with the statutory authority of the Board (63 P.S. § 271.10(p)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

**BY ORDER OF THE COMMISSION:**

This regulation is approved.



  
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Arthur Coccodrilli, Chairman