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OF FAMILY PHYSICIANS

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INDEPENDENT REGULATORY
REVIEW COMMISSION

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Commonwealth of Pennsylvania
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Re: Regulation 16A-4926 – Nurse Midwife Prescriptive Authority

SENT VIA US MAIL AND ELECTRONIC MAIL TRANSMISSION

Dear Ms. Howell:

On behalf of the more than 4,700 members of the Pennsylvania Academy of Family Physicians (PAFP), please accept our comments on the State Board of Medicine's proposed rulemaking pursuant to Act 50 of 2007 granting nurse midwives prescriptive authority. Approximately 12% of our family physician members deliver babies and provide obstetrical services, and many more provide pre-natal care. It is therefore possible that some of our members may enter into collaborative agreements with certified nurse midwives under the provisions of Act 50.

In §18.1 the definitions section, the PAFP requests that the definition of "collaboration" be added to the regulations. This definition currently exists in the Pennsylvania Professional Nursing Law and is applied to other advanced practice nurse collaborative agreements with physicians. Adding the definition of collaboration will provide valuable context and meaning for both the physician and nurse who will be entering into the agreement.

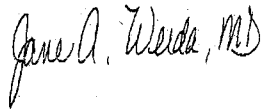
Also in §18.1 the definitions section, the PAFP supports amending the definition of the term "midwife" by changing the word "Board" to the phrase "Board of Medicine or Board of Osteopathic Medicine." This change will permit a midwife to practice in collaboration with allopathic and osteopathic physicians, while recognizing the physicians must be regulated by one of the two Pennsylvania licensing boards.

The PAFP recommends adding a new subsection under §18.6a(a)(2) by adding identical language from the implementing law, Act 50 of 2007. The new subsection should read that, "in the case of a Schedule III or IV controlled substance, the prescription shall be limited to 30 days and shall only be refilled with the approval of the collaborating physician." This should work to clear any ambiguity in prescribing parameters for both the physician and the midwife subject to a collaborative agreement.

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Thank you for the opportunity to provide these comments as the Board of Medicine considers further these regulations. If you have any questions or concerns, please contact PAFP staff Andrew Sandusky at 800-648-5623 or 571-6647.

Sincerely,



Jane A. Weida, MD
PAFP President

Cc: The Honorable Robert M. Tomlinson, Chair
Senate Consumer Protection and Professional Licensure Committee
The Honorable P. Michael Sturla, Chair
House Professional Licensure Committee
Arthur Coccodrilli, Chairman
Independent Regulatory Review Commission