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PROFESSIONAL LICENSURE COMMITTEE  
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House of Representatives  
COMMONWEALTH OF PENNSYLVANIA  
HARRISBURG

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March 31, 2009

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

RE: Proposed Regulation 16A-4317  
State Board of Chiropractic  
Needle Acupuncture

Dear Mr. Kaufman:

The House Professional Licensure Committee on this date voted to take no further action and to submit comments regarding Regulation 16A-4317.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike McGeehan".

Michael P. McGeehan  
Chairman, House Professional Licensure Committee

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2009 APR -6 AM 10:08  
INDEPENDENT REGULATORY  
REVIEW COMMISSION

**State Board of Chiropractic**  
**Regulation 16A-4317: Needle Acupuncture**  
**Proposed Regulation**

**PROPOSAL:** Regulation 16A-4317 is Proposed Regulation which was delivered to the House Professional Licensure Committee on February 11, 2009. The House Professional Licensure Committee has until April 13, 2009 to submit comments on the Proposed Regulation.

Regulation 16A-4317 amends Section 5.81(1) (xv) 49 Pa. Code, Chapter 5, relating to unprofessional and immoral conduct.

**PROPOSED REGULATION ANALYSIS:** 49 Pa. Code § 5.81(1)(xv), Unprofessional and immoral conduct, is amended to permit a licensee of the Board of Chiropractic to practice or advertise needle acupuncture if the licensee is registered to do so by the State Board of Medicine or the State Board of Osteopathic Medicine and acting in accordance with the Acupuncture Registration Act and the regulations of the State Board of Medicine or the regulations of the State Board of Osteopathic Medicine.

**RECOMMENDATION:** It is recommended the House Professional Licensure Committee take no formal action until final regulations are promulgated and submit the following comments:

1. On October 8, 2008, Act 91, with a sixty (60) day effective date, was passed amending the Acupuncture Registration Act. Registration is redesignated to licensure; therefore, the Committee suggests that any reference be made to the Acupuncture Licensure Act and the propose regulation use appropriate language noting licensure and not registration.
2. The Committee notes that the lead in to Section 5.81(1) should read “Unprofessional conduct includes the following:” with a semi-colon rather than ending with a period.

House of Representatives  
Professional Licensure Committee  
March 31, 2009