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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, 14th Floor
Harrisburg, PA 17101

RE: Proposed Regulation 16A-6212
State Board of Examiners of Nursing Home Administrators
Continuing Education

Dear Mr. Kaufman:

The House Professional Licensure Committee on this date voted to take no further action and to submit comments regarding Regulation 16A-6212.

Sincerely,

A handwritten signature in black ink that reads "Mike McGeehan".

Michael P. McGeehan
Chairman, House Professional Licensure Committee

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State Board of Examiners of Nursing Home Administrators
Regulation 16A-6212: Continuing Education
Proposed Regulation

PROPOSAL: Regulation 16A-6212 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-6212 amends Section 39.61 (relating to requirements) of 49 Pa. Code, Chapter 39, Clock Hours Requirement.

PROPOSED REGULATION ANALYSIS:

49 Pa. Code § 39.61, Requirements, is amended to clarify, update and expand on the continuing education requirements. Subsections were also renumbered.

The following are the amendments being proposed:

1. A licensee shall complete at least 48 clock hours of continuing education during the preceding biennial period.
2. Except as provided in the new subsection (c)(2)-(4), all continuing education clock hours shall be completed in courses preapproved by NAB or the Board or lecture, college or university, computer interactive, distance learning or correspondence courses preapproved by NAB or the Board.
3. A maximum of 12 clock hours may be earned by serving as an instructor of a NAB or Board approved continuing education program or as an instructor of a college or university course approved by NAB or the Board or by authoring up to four articles on long term care which are published in professional journals. Additional credit per article may be awarded based on the complexity of the subject matter or work and in exceptional circumstances, a licensee may be awarded up to 24 clock hours when the article is published in a refereed journal and the subject matter is complex.
4. A maximum of 12 clock hours may be awarded retroactively for attending programs, to include lectures, and college or university courses, which have not been preapproved if the attendee submits a written request within 60 days of attending the program and demonstrates to the Board's satisfaction that the programs meet the requirements of §39.14(a)(2), relating to approval of programs of study, and §39.51 relating to standards for continuing education programs.
5. The Board may grant an extension of time for the licensee to complete the continuing education requirement when it determines that a licensee has not met the illness, emergency or hardship requirement for the grant of a waiver.

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

1. The Committee noticed that with the deletion and renumbering of subparagraphs in subsection (b), the existing subparagraph (b)(5), which allows a supervisor for the AIT program to receive credits for continuing education, effective July 12, 2008, was omitted. It should be reinserted as new subparagraph (b)(4) since the existing subparagraph (b)(1) was deleted; and the existing subparagraph (b)(6) should be renumbered to subparagraph (b)(5) since the existing subparagraph (b)(1) was deleted.

House of Representatives
Professional Licensure Committee
March 31, 2009