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LESLIE A. LEWIS JOHNSON, CHIEF COUNSEL



PHONE: (717) 783-5417
FAX: (717) 783-2664
irrc@irrc.state.pa.us
<http://www.irrc.state.pa.us>

INDEPENDENT REGULATORY REVIEW COMMISSION

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

November 18, 2009

James L. Clahane, PT, Chair
State Board of Physical Therapy
2601 North 3rd Street
Harrisburg, PA 17110

Re: Regulation #16A-6513 (IRRC #2786)
State Board of Physical Therapy
Continuing Education Providers

Dear Mr. Clahane:

Enclosed are the Commission's comments for consideration when you prepare the final version of this regulation. These comments are not a formal approval or disapproval of the regulation. However, they specify the regulatory review criteria that have not been met.

The comments will be available on our website at www.irrc.state.pa.us. If you would like to discuss them, please contact me.

Sincerely,

Kim Kaufman
Executive Director
wbg
Enclosure

cc: Honorable Robert M. Tomlinson, Majority Chairman, Senate Consumer Protection and Professional Licensure Committee
Honorable Lisa M. Boscola, Minority Chairman, Senate Consumer Protection and Professional Licensure Committee
Honorable Michael P. McGeehan, Majority Chairman, House Professional Licensure Committee
Honorable William F. Adolph, Jr., Minority Chairman, House Professional Licensure Committee
Honorable Pedro A. Cortes, Secretary, Department of State
Robert A. Mulle, Esq., Office of Attorney General
Andrew Clark, Esq., Office of General Counsel

Comments of the Independent Regulatory Review Commission



State Board of Physical Therapy Regulation #16A-6513 (IRRC #2786)

Continuing Education Providers

November 18, 2009

We submit for your consideration the following comments on the proposed rulemaking published in the September 19, 2009 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P.S. § 745.5a(a)) directs the State Board of Physical Therapy (Board) to respond to all comments received from us or any other source.

House Professional Licensure Committee comment – Reasonableness; Clarity.

In a letter dated October 21, 2009, the House Professional Licensure Committee commented on the following issues:

- Wording changes with regard to the usage of “courses” and “programs” in Subsections (d)(1), (3), (5) and (6).
- Validity of course approval if program and course dates are not firm or if the dates change.
- How will licensees be informed of the approval or disapproval status of a course or program?
- How will distance learning be addressed with regard to distance learning?

We will review the Board’s responses to these issues in our consideration of whether the final-form regulation is in the public interest.

FROM

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Phone: (717) 783-5417
Fax #: (717) 783-2664
E-mail: irrc@irrc.state.pa.us
Website: www.irrc.state.pa.us

INDEPENDENT REGULATORY REVIEW COMMISSION
333 MARKET STREET, 14TH FLOOR, HARRISBURG, PA 17101

To: Tom Blackburn
Cynthia Montgomery
Agency: Department of State
Licensing Boards and Commissions
Phone: 3-7200
3-3394 (Cynthia Montgomery)
Fax: 7-0251
Date: November 18, 2009
Pages: 3

Comments: We are submitting the Independent Regulatory Review Commission's comments on the State Board of Physical Therapy's regulation #16A-6513 (IRRC #2786). Upon receipt, please sign below and return to me immediately at our fax number 783-2664. We have sent the original through interdepartmental mail. You should expect delivery in a few days. Thank you.

Accepted by:

Cynthia Montgomery

Date:

11/18/09

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