

MICHAEL PATRICK MCGEEHAN

PROFESSIONAL LICENSURE COMMITTEE
MAJORITY CHAIRMAN



107 IRVIS OFFICE BUILDING
P.O. BOX 202173
HARRISBURG, PENNSYLVANIA 17120-2173
PHONE: (717) 772-4031
FAX: (717) 772-9862

7731 FRANKFORD AVENUE
PHILADELPHIA, PENNSYLVANIA 19136
PHONE: (215) 333-9760
FAX: (215) 333-5891

2791

House of Representatives
COMMONWEALTH OF PENNSYLVANIA
HARRISBURG

October 21, 2009

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

RECEIVED
2009 OCT 22 PM 3:50
INDEPENDENT REGULATORY
REVIEW COMMISSION

RE: Proposed Regulation
Bureau of Professional and Occupational Affairs
16-44: Schedule of Civil Penalties - Chiropractors

Dear Mr. Kaufman:

The House Professional Licensure Committee on this date voted to take no formal action on Regulation 16-44 until final regulation is promulgated and to submit the following comments.

1. The Committee questions how the amounts of the new civil penalties were determined to assure that the goals are achieved.
2. The Committee requests an explanation for the jeopardy of a licensee having to certify that he/she has complied with the mandated continuing education requirements on the biennial registration renewal and having the registration issued, when the licensee may have failed to complete the required amount of continuing education during the previous biennial renewal period. Is the licensee sanctioned for falsifying a biennial registration as well as failing to comply with the continuing education requirements?
3. The Committee requests an explanation for the failure to address a sanction for a second offense of practice on a lapsed license in compliance with CE and malpractice insurance requirements.

4. The Committee requests information on how the Board monitors the six (6) month grace period within the new biennial period that the proposed §5.77(d) permits a licensee who has renewed his/her registration to make up any deficiency in continuing education and when the Board imposes the civil penalty for the failure to complete the continuing education requirement.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike McGeehan". The signature is written in a cursive style with a large initial "M".

Michael P. McGeehan
Chairman, House Professional Licensure Committee