

SILVAN B. LUTKEWITTE III, CHAIRMAN
GEORGE D. BEDWICK, VICE CHAIRMAN
ARTHUR COCCODRILLI
S. DAVID FINEMAN, ESQ.
JOHN F. MIZNER, ESQ.
KIM KAUFMAN, EXECUTIVE DIRECTOR
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

December 16, 2010

Kathleen McConnell, D.C., Chair
State Board of Chiropractic
2601 North 3rd Street
Harrisburg, PA 17110

Re: Regulation #16A-4318 (IRRC #2792)
State Board of Chiropractic
Continuing Education Violations

Dear Chair McConnell:

The Independent Regulatory Review Commission approved the subject regulation today. Our order is enclosed and will be available on our website at www.irrc.state.pa.us.

Because of *sine die* adjournment of the legislature, the Commission may not deliver the order to the standing committees until the fourth Monday in January of the next year or until both committees have been designated in the next legislative session, whichever is later. 1 P.S. §745.7(c.1). Upon receipt of this order, the standing committees have 14 days to review this regulation and report to the state House of Representatives and Senate a concurrent resolution. If this 14-day period expires and neither committee reports a concurrent resolution, the committees will be deemed to have approved the regulation. Accordingly, the Board may proceed with promulgation of this regulation. 71 P.S. § 745.7(d).

We appreciate the joint effort that went into producing a regulation that meets the criteria and intent of the Regulatory Review Act.

Sincerely,

Silvan B. Lutkewitte, III

Chairman

sfh

Enclosure

cc: Honorable Basil L. Merenda, Acting Secretary, Department of State

**INDEPENDENT REGULATORY REVIEW COMMISSION
APPROVAL ORDER**

Commissioners Voting:

Public Meeting Held December 16, 2010

Silvan B. Lutkewitte, III, Chairman
George D. Bedwick, Vice Chairman
Arthur Coccodrilli
S. David Fineman, Esq.
John F. Mizner, Esq.

Regulation No. 16A-4318 (#2792)
State Board of Chiropractic
Continuing Education Violations

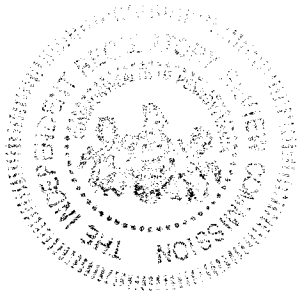
On September 11, 2009, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the State Board of Chiropractic (Board). This rulemaking amends 49 Pa. Code § 5.77. The proposed regulation was published in the September 26, 2009 *Pennsylvania Bulletin* with a 30-day public comment period. A final-form regulation was submitted to the Commission on September 3, 2010, but was disapproved by the Commission on October 7, 2010. The Department resubmitted the final-form regulation with changes to the Commission on November 24, 2010.

This regulation clarifies the course of action the Board will take against a licensee who fails to comply with the continuing education provisions in the Chiropractic Practice Act (63 P.S. § 625.507(a)).

We have determined this regulation is consistent with the statutory authority of the Board (63 P.S. § 625.302(3)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

BY ORDER OF THE COMMISSION:

This regulation is approved.





Silvan B. Lutkewitte, III, Chairman