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House of Representatives
COMMONWEALTH OF PENNSYLVANIA
HARRISBURG

January 25, 2010

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

RE: Proposed Rulemaking Regulation #16A-4410
State Board of Podiatry
Relating to Continuing Education

RECEIVED
INDEPENDENT REGULATORY
COMMISSION (PA) 17101
2010 JAN 25 AM 9:52

Dear Mr. Kaufman:

The House Professional Licensure Committee on this date voted to take no formal action until final regulations are promulgated and submit the comments incorporated into the regulation analysis.

Sincerely,

Handwritten signature of Michael P. McGeehan in cursive.

Michael P. McGeehan
Chairman, House Professional Licensure Committee

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State Board of Podiatry
Regulation 16A-4410: Continuing Education
Proposed Regulation

PROPOSAL: Regulation 16A-4410 is Proposed Regulation which was published on December 19, 2009. The House Professional Licensure Committee has until February 8, 2010 to submit comments on the Proposed Regulation.

Regulation 16A-4410 amends 49 Pa. Code §29.61 (relating to requirements for biennial renewal and eligibility to conduct educational conferences) and deletes §29.63a (relating to preapproved course provider).

PROPOSED REGULATION ANALYSIS: Regulation 16A-4410 amends 49 Pa. Code §29.61; effective with the licensure renewal for the 2011-2012 biennium, a licensee applying for biennial licensure renewal shall complete 50 clock hours of continuing education in approved courses and programs during the preceding biennium; it is an increase of 20 clock hours from those in the current regulation. Of the 50 clock hour proposed requirement, 30 clock hours must be in Board or the Council on Podiatric Medical Education (CMPE) approved courses and programs in podiatry; the remaining clock hours must be in courses and programs in podiatry approved by the Board, CMPE or courses and programs in related medical subjects approved by the American Medical Association or the American Osteopathic Association. A maximum of 10 clock hours in courses or programs involving the use of the Internet or reading of professional journals or magazine articles may be approved. The prohibitions of awarding continuing education credit for clock hours in office management or marketing the practice and carrying over excess clock hours to the next biennium remain. It is also clarified that a licensee is responsible for ensuring that a particular course or program is approved for continuing education credit prior to participating in the course or program.

Section 29.63a, Preapproved course provider, is deleted and is reserved. Its content is subsumed into the proposed amended Section 29.61.

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 questions the prohibition of carrying over excess clock hours from one biennial license period to the next. In light of time management and cost, would it not be beneficial to the licensees to be able to carryover at least a minimum number of clock hours. without defeating the purpose to be current in skill and knowledge?
2. The Committee requests clarification for how a licensee proceeds to ensure that a particular course or program is approved for continuing education credit prior to participating in the course or program. Clarification is also requested for the confusing use in Sections 29.61-29.63 of the following terms: course, program and educational conference.

3. The Committee questions whether the current biennial renewal fee of \$395 supports the new auditing workload for 50 continuing education clock hours –an increase of 20 more than the current requirement.
4. The Committee recognizes that the Board has placed a notice of the increased clock hour requirement for the next biennial renewal period on its website, but it requests information of other methods of how licensees are being notified so that they are eligible to renew for 2011.
5. The Committee questions if and how the change in continuing education will affect reciprocity with any neighboring states.

House of Representatives
Professional Licensure Committee
January 25, 2010