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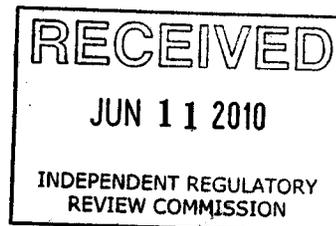
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House of Representatives
COMMONWEALTH OF PENNSYLVANIA
HARRISBURG

June 9, 2010

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



RE: Proposed Regulation
State Board of Chiropractic
16A-4316 – Unlicensed Supportive Personnel

Dear Mr. Kaufman:

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 purpose/need for Proposed Regulation 16A-4316 and requests an explanation of the harm/lack of efficiency that it seeks to rectify.
2. The Committee questions a lack of consistency in the use of the term "Direct supervision" and its definition in Section 5.54(a). In reviewing Section 5.54 Assistance by unlicensed supportive personnel, direct supervision as a term is not used. Reference is made several times to a chiropractor's "direct on-premises supervision" or "supervision"; however, direct supervision is not used. Why is a term defined and then not used? Please note that another form of supervision - one where a chiropractor must be physically present on the premises and able to intervene whenever necessary - is required in Section 5.54 (f).
3. The Committee recommends that "individual" be used in Section 5.54 (a), the definition of "Unlicensed supportive personnel".
4. The Committee requests an explanation of what professionally responsibility means in Section 5.54(b). Does a chiropractor carry liability insurance on unlicensed supportive personnel?

5. The Committee questions the delegation to unlicensed supportive personnel of assisting in applying a cast, brace, appliance or orthotics. Would at least some of these activities or duties fall within adjunctive procedures which require "direct on-premises" supervision by the chiropractor?
6. The Committee expressly questions the need for Section 5.54(h) which appears to be redundant.
7. The Committee requests the rationale for why supportive personnel performing the duties delegated by the licensee do not require any additional training or education. It appears to the Committee that many of the responsibilities delegated should require a level of training, education and/or experience.

Sincerely,



Michael P. McGeehan
Chairman, House Professional Licensure Committee