

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

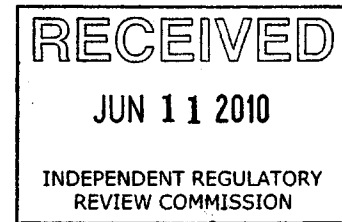
7731 FRANKFORD AVENUE
PHILADELPHIA, PENNSYLVANIA 19136
PHONE: (215) 333-9760
FAX: (215) 333-5891

2843

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 Massage Therapists
16A-721 – General Provisions

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 requests that the term "treatment plan" be defined especially since massage therapy education must provide students with additional skills of developing, implementing and modifying them. It is also requested to explain why a massage therapy student would be developing or modifying a treatment plan on his or her own.
2. The Committee requests the rationale for the inclusion of business subjects in the knowledge base curriculum and continuing education courses for massage therapy. This inclusion is not consistent with continuing education courses of other professions or occupations where business management courses, in particular, are prohibited.
3. The Committee brings to the Board's attention that no procedure is presented for licensure by endorsement and that Section 20.21, Application for temporary practice permit, initial licensure and licensure by reciprocity, is referred to in Section 20.26(b) as relating to application for temporary practice permit, initial licensure and licensure by endorsement.
4. The Committee questions whether an applicant whose license is refused has due process rights to appeal after unfavorable results from the hearing.

5. The Committee questions the definition of Contact hour in Section 20.1 which combines the length of time (50 to 60 minute period of instruction) and the circumstances (in the physical presence of an instructor or supervisor); however, Section 20.32(b) provides for a maximum of 6 hours in correspondence courses. Granted, there is no instructor or supervisor, but are they in 50 to 60 minute periods to meet the quantitative aspect of the definition?

Sincerely,



Michael P. McGeehan
Chairman, House Professional Licensure Committee