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PROFESSIONAL LICENSURE COMMITTEE  
MAJORITY CHAIRMAN



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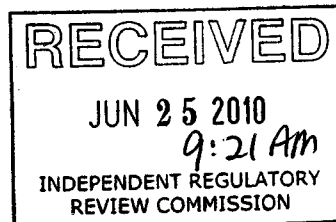
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**House of Representatives**  
COMMONWEALTH OF PENNSYLVANIA  
HARRISBURG

2848

June 23, 2010

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



RE: Proposed Regulation  
State Board of Medicine  
16A-4931 – Perfusionist

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 brings to the Board's attention that proposed Regulation 16A-4931 was published in the May 22, 2010 issue of the *Pennsylvania Bulletin*, approximately 101 days past the eighteen (18) months from the effective date of Act 19 of 2008.
2. The Committee requests an explanation as to how the Board will enforce Section 13.3(a) of the Act. It reads: [T]wo years after the effective date of this section, it shall be unlawful for any person to hold himself out to the public as a perfusionist or to practice or offer to practice perfusionist unless the person holds a valid, current license issued by the board or the State Board of Osteopathic Medicine." What happens in the likely circumstance that final rulemaking does not occur before August 11, 2010?
3. The Committee requests an explanation of how the Board is notified when a temporary graduate perfusionist fails the Nationally-recognized certifying agency's certification examination upon which failure the license expires.

4. The Committee brings to the Board's attention that in §18.535 (c), Application for temporary provisional perfusionist license, there is a reference to an application for certification as a perfusionist. Act 19 of 2008 which amended the Medical Practice Act of 1985 provides for the licensure of perfusionists not certification.
5. The Committee recommends that, for consistency, language referring to various jurisdictional entities read "another state (even though, Commonwealth is used), U.S. territory or possession, the District of Columbia or another country" with similar descriptions for the courts.
6. The Committee requests an explanation as to how continuing education other than category I credit hours are quantified since it can include, in particular, reading or viewing medical journals, audio-visual, or other educational materials, participation in electronic forums.
7. The Committee questions why "working as a clinical or didactic instructor in an accredited school of perfusion" should earn continuing education credit. How many hours can be earned? Can a full-time instructor complete the entire amount of continuing education by working as a clinical or didactic instructor?
8. The Committee requests a rationale for not allowing some minimum amount of surplus continuing education credits from being carried over into the next biennial registration period.
9. The Committee requests an explanation as to how the Board will handle the implementation of Section 13.3(g) of the Medical Practice Act of 1985. It permits licensure of an applicant who was not a graduate of an accredited program prior to 1981, but met the then-current eligibility requirements for certification as a certified clinical perfusionist and subsequently was certified within two years of the effective date of the Act which basically creates a "grandfather clause". Act 19 became effective on August 11, 2008 and the statutory two years expire on August 11, 2010. The time frame for notice and issuing licenses to those who may wish to take advantage of this opportunity is closing in quickly.

Sincerely,



Michael P. McGeehan  
Chairman, House Professional Licensure Committee