



Pennsylvania Society for Respiratory Care, Inc.

June 7, 2012

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Regulatory Unit Counsel
Department of State
P. O. Box 2649
Harrisburg, PA 17105-2649

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**RE: Regulation #16A – 5321: Physician Assistants and Respiratory Therapists—
PROPOSED REGULATIONS**

Dear Regulatory Counsel:

The Pennsylvania Society for Respiratory Care (PSRC), on behalf of its members and the more than 6,500 respiratory therapists in the Commonwealth, appreciates the opportunity to comment on the State Board of Osteopathic Medicine's proposed regulations related to respiratory therapists and physician assistants.

The PSRC has reviewed the proposed regulations with educators and leaders from various work settings and our comments reflect both the feedback we received from those sources as well as those of our general membership. We have three recommendations, which are detailed below:

1. Page 1 of the draft document includes the following:

"For additional clarity, the Board proposes to replace the reference in §25.507(1)(i) (relating to criteria for licensure as a respiratory therapist) from passing the "CRTT" to passing the "credentialing examination" as determined by the National Board for Respiratory Care (NBRC)."

RECOMMENDATION

Change "credentialing examination" to "*entry level credentialing examination*".

RATIONALE

The term "credentialing examination" is too broad given that the NBRC offers multiple credentials and examination. Utilizing the recommended terminology more accurately identifies the intended required examination and allows for future changes at the NBRC that could include changes in the name of the credential or examination as the profession continues to evolve.

2. Page 2 of the draft document includes the following:

“Therefore, the proposed rulemaking would amend §25.506(a) to provide that a temporary permit will be issued to an applicant who is recognized as a credentialed respiratory therapist by the National Board for Respiratory Care (NBRC), which credentials respiratory therapists.”

RECOMMENDATION

Delete Section 25.506 entirely. (Note: If deletion of this section is not feasible, the proposed change is unnecessary as a “credentialed respiratory therapist” would meet the criteria to obtain a license and would not require a temporary.)

RATIONALE

- a. Section 25.506 allows for the issuance of a Temporary Permit. This practice was created many years ago at a time when the credentialing examinations for respiratory therapists were only offered twice per calendar year. This created a hardship for individuals who graduated in May but were unable to take the examination until the end of the year and the temporary permit allowed them to work until they could sit for the examination. The credentialing examination can now be scheduled immediately upon graduation at multiple testing sites thereby eliminating the hardship that once existed.
 - b. Section 25.506(b) states the permit is valid for 12 months but expires if the holder fails the credentialing examination. However, there is currently no system in place whereby the NBRC notifies the Board that a permit holder has failed the examination.
 - c. Elimination of the temporary permit will eliminate clerical work and will streamline the entire licensure application process making it less confusing as well.
3. Page 2-3 of the draft document includes recommended changes regarding advanced cardiac life support courses. Section 25.509(b) concerns approved continuing education programs as follows:

(a) The Board approves respiratory care continuing education programs designated for professional development credits by the AARC, the AMA, the AOA and the CSRT.

(1) Qualifying AMA continuing education programs must be in AMA PRA Category I credits, as defined in §25.1 (relating to definitions).

(2) Qualifying AOA continuing education programs must be in Category I-A or I-B credits, as defined in §25.1.”

RECOMMENDATION

Add the following to Section 25.509(b)(a):

“Advanced life support courses that are nationally accredited by the American Heart Association or similar group are an approved educational program and do not require additional accreditation.”

RATIONALE

Advanced life support courses such as Advanced Cardiac Life Support (ACLS), Neonatal Resuscitation Provider (NRP) and similar courses are nationally recognized and accredited courses and the current regulations require these courses to be "re-accredited". This is a time consuming, expensive and redundant process for facilities that offer these courses.

4. Section 25.509(b) currently reads as follows:

"(b) An individual applying for the first time for certification is exempt from the continuing education requirement for the biennial renewal period following initial certification."

RECOMMENDATION

In order to clear up confusion caused by the current wording of 25.509(b), the following wording is recommended:

"(b) A new graduate applying for the first time for licensure is exempt from the continuing education requirement for the duration of the initial license interval. This exemption does not apply to an individual who is applying for licensure in the Commonwealth and who holds a valid license, certificate or registration in another state."

RATIONALE

- a. The PSRC receives numerous inquiries each year regarding the need for continuing education for new graduates. The new wording of the first sentence would clear up this confusion.
- b. The addition of the second sentence would remove what the PSRC believes is an unintended result of 25.509(b). The original intent of this section was to exempt new graduates from the continuing education requirement for the duration of their initial license since these individuals should be up to date both academically and clinically upon their graduation. However, as currently written, individuals who are not new graduates but are licensed, certified or registered in another state and who apply for a license in the Commonwealth are also exempted from the continuing education requirement. The new wording would remove the exemption for those individuals but would keep it intact for new graduates.

The PSRC appreciates the opportunity to provide comments on these proposed regulations. If you have any questions about PSRC's comments, please feel free to contact Thomas Lamphere, PSRC Executive Director at 215-258-5739 or by email at ExecutiveDirector@psrc.net.

Sincerely,



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