

**INDEPENDENT REGULATORY REVIEW COMMISSION
APPROVAL ORDER**

Commissioners Voting:

Public Meeting Held August 2, 2012

Silvan B. Lutkewitte, III, Chairman
George D. Bedwick, Vice Chairman
John F. Mizner, Esq.
Dennis A. Watson, Esq., abstained

Regulation No. 16A-4925 (#2956)
State Board of Medicine
MCARE Revisions

On June 26, 2012, the Independent Regulatory Review Commission (Commission) received this regulation from the State Board of Medicine (Board). This rulemaking amends 49 Pa. Code (§§ 16.1, 16.18, 16.31 – 16.35, 17.4, 17.6 and 17.7). Notice of proposed rulemaking was omitted for this regulation; it will become effective upon publication in the *Pennsylvania Bulletin*.

This rulemaking amends the Board's regulations to conform to Act 13 of 2002, which repealed the Health Care Services Malpractice Act (40 P.S. § 1301.101-1301.1006) and enacted the Medical Care Availability and Reduction of Error (Mcare) Act (40 P.S. § 1303.101-1303.910). Because the Board's regulations reference the repealed Health Care Services Malpractice Act, the regulations must be amended to conform to current state statutes in order to avoid confusion within the regulated community and to provide appropriate references to current law.

We have determined this regulation is consistent with the statutory authority of the Board (63 P.S. § 422.8) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

BY ORDER OF THE COMMISSION:

This regulation is approved.



A handwritten signature in black ink, reading "Silvan B. Lutkewitte, III".

Silvan B. Lutkewitte, III, Chairman