

# Comments of the Independent Regulatory Review Commission



## State Board of Physical Therapy Regulation #16A-6518 (IRRC #3285)

### Child Abuse Reporting Requirements

February 17, 2021

We submit for your consideration the following comments on the proposed rulemaking published in the December 19, 2020 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P.S. § 745.5a(a)) directs the State Board of Physical Therapy (Board) to respond to all comments received from us or any other source.

#### **1. Section 40.16. Licensure by endorsement. – Need.**

Subsection (b)(1) and (2) requires applicants for licensure by endorsement to submit documentary evidence of authorization to practice and to hold a valid license by examination. These proposed paragraphs are not explained in the Preamble. Further, these provisions are included in Sections 40.4(5) and 40.17(3) (relating to admission to practice of physical therapy; and foreign-educated physical therapists applying to take the licensure examination and pursue a clinical experience). Paragraph (3) is duplicative of subsection (a)(3), which is cross-referenced in the opening statement of subsection (b). We ask the Board to explain in the Preamble to the final-form regulation why paragraphs (1) – (3) are needed.

#### **2. Section 40.208. Child abuse recognition and reporting – mandatory training requirement. – Implementation procedures.**

Subsection (a) requires individuals applying for an initial license or certificate to complete at least three hours of training in child abuse recognition and reporting requirements. This subsection does not address documentation and reporting of completion of training as required under 23 Pa.C.S. § 6383(b)(3)(i) (relating to education and training). We ask the Board to revise this subsection to include the implementation procedures for applicants submitting proof of training.

#### **3. Miscellaneous clarity.**

The reference to “subparagraph” in Section 40.202(c)(1) (relating to suspected child abuse – mandated reporting requirements) should be corrected to “paragraph.”