

**INDEPENDENT REGULATORY REVIEW COMMISSION
PUBLIC MEETING MINUTES**

10:00 A.M.

Thursday, March 22, 2018
14th Floor Conference Room
333 Market Street

I. CALL OF THE MEETING

The March 22, 2018 public meeting of the Independent Regulatory Review Commission (Commission) was called to order by Chairman Bedwick at 10:04 a.m. in the 14th Floor Conference Room, 333 Market Street, Harrisburg, PA.

Commissioners Present: George D. Bedwick, Chairman
 John F. Mizner, Esq., Vice Chairman
 W. Russell Faber

Telephone: Murray Ufberg, Esq.
 Dennis A. Watson, Esq.

II. APPROVAL OF THE FEBRUARY 22, 2018 PUBLIC MEETING MINUTES

Commissioner Faber made a motion for approval of the February 22, 2018 public meeting minutes, as submitted. Vice Chairman Mizner seconded, and the motion passed 5-0.

III. ANNOUNCEMENT OF REGULATION DEEMED TO BE APPROVED BY LAW SINCE THE COMMISSION'S LAST PUBLIC MEETING

1. No. 3180 Department of Agriculture #2-190: Commercial Kennel Canine Health Regulations

IV. NEW BUSINESS

A. ACTION ITEMS

1. No. 3134 State Board of Occupational Therapy Education and Licensure #16A-6711: General Revisions

Scott Schalles, Regulatory Analyst, explained the regulation implements the requirements of Act 138 of 2012 (Act 138) and also implements provisions regarding waivers as suggested by the Commission at its March 16, 2013 public meeting.

Jacqueline Wolfgang, Assistant Counsel, and Cynthia Montgomery, Regulatory Counsel, Department of State, were present to answer any questions.

Ms. Wolfgang provided background on Act 138, noting it requires the maintenance of professional liability insurance and authorizes the board to establish continued competency requirements. She explained the regulation implements those requirements.

Chairman Bedwick noted the Commission had raised the issue of the amount of time it took for the regulation to be written and asked for an explanation. Ms. Wolfgang explained the Board prepared an exposure draft within a week, and within a year, draft regulations started through the internal process. The timeline was delayed with the change of administration and a change of Board counsel.

Commissioner Watson wondered if occupational therapy assistants were included in Act 138 or the regulations. Ms. Wolfgang confirmed the act did not speak to the assistants and emphasized that the competency provisions were at the discretion of the Board. Commissioner Watson estimated the procedural delays meant the competency requirement was delayed by three or four years. Ms. Wolfgang reiterated those requirements are not mandated by the act, but the Board did deem them appropriate.

Vice Chairman Mizner asked that the boards and commissions be reminded about how the process looks from the outside when it takes what appears to be an unreasonable amount of time for regulations to come to fruition.

Chairman Bedwick made a motion for approval. Commissioner Faber seconded, and the motion passed 5-0.

V. OTHER BUSINESS

Approval of Vouchers

Vice Chairman Mizner made motions to approve vouchers and expenses for the period December 8, 2017 through February 22, 2018. Commissioner Faber seconded, and the motions passed 5-0.

VI. DATE AND PLACE OF SUBSEQUENT MEETING

Chairman Bedwick announced the next public meeting is scheduled for Thursday, April 19, 2018, at 10:00 a.m. in the 14th Floor Conference Room, 333 Market Street, Harrisburg.

VII. EXECUTIVE SESSION ANNOUNCEMENTS

Chairman Bedwick announced that no executive session would be held.

VIII. ADJOURNMENT

Chairman Bedwick announced the meeting adjourned at 10:15 a.m.