

Professional Licensure Committee Minutes

The House Professional Licensure Committee met on Tuesday, July 12, 1988 at 4:30 p.m. at the rear of the House to consider two regulations.

Rep. William Lloyd, Vice Chairman, called the meeting to order with twenty one members present.

Regulation 16A-192 - State Board of Osteopathic Medicine Fee Schedule was unanimously approved on the motions of Reps. Boyes and Saurman.

Regulation 16A-193 - State Board of Registered Engineers Fee Schedule was unanimously approved on the motions of Reps. Serafini and Book.

There being no further business for the day, the meeting was adjourned at 4:40 p.m.

Honorable Michael Veon
Secretary

HOUSE OF REPRESENTATIVES
COMMONWEALTH OF PENNSYLVANIA
OFFICE OF THE CHIEF CLERK

Committee Attendance Record

Date July 12, 1988

Committee Professional Licensure

Date and Place July 12, 1988 Rear of House

Time Called to Order 4:30 p.m.

Time Adjourned 4:40 p.m.

MAJORITY MEMBERS	PRES	ABS	ON LEAVE	MINORITY MEMBERS	PRES	ABS	ON LEAVE
William W. Rieger, Chairman	x			Peter XXXXXXXXX, Chairman			
Bill Lloyd, V-Chairman	x			Karl W. Boyes, V-Chairman	x		
Michael Veon, Secretary	x			Raymond Book	x		
Ralph Acosta		x		Nicholas B. Micozzi	x		
Joseph Markosek	x			Marvin Miller		x	
Joseph Preston		x		Elaine Farmer	x		
Ruth Rudy	x			George Saurman	x		
Italo Cappabianca	x			Lynn B. Herman	x		
Robert Donatucci	x			Alice Langtry	x		
John Pressman	x			Frank A. Serafini	x		
Stan Jarolin	x			James Burd, Minority	x		
Edward Stabeck	x			Chairman			
Thomas Corrigan	x						
Karen Ritter	x						

Total Present 21
 Total Absent 3
 Total Absent with Leave _____

Hon. William W. Rieger
 Chairman
 Hon. Michael Veon
 Secretary

HOUSE OF REPRESENTATIVES
COMMONWEALTH OF PENNSYLVANIA
OFFICE OF THE CHIEF CLERK

Committee Roll Call

Date July 12, 1988

Committee Professional Licensure

Date and Time July 12, 1988

Bill or Resolution No. Reg. 16A-192

Type of Motion Approve Regulation
(attach copy if amendment)

Sponsor of Motion Rep. Boyes

Seconded by Rep. Saurman

Brief Description State Board of Osteopathic Medicine Fee Schedule

Yeas 21 Nays 0 Not Voting 3 Passed x Failed

MAJORITY MEMBERS	YEAS	NAYS	N-V	MINORITY MEMBERS	YEAS	NAYS	N-V
William W. Rieger, Chrm.	x			Peter R. Wood, Chrm.			
William Lloyd, V-Chrm.	x			Karl W. Boyes, V-Chrm.	x		
Michael Veon	x			Raymond Book	x		
Ralph Acosta			x	Nicholas B. Micozzi	x		
Joseph Markosek	x			Marvin Miller			x
Joseph Preston			x	Elaine Farmer	x		
Ruth Rudy	x			George Saurman	x		
Italo Cappabianca	x			Lynn B. Herman	x		
Robert Donatucci	x			Alice Langtry	x		
John Pressman	x			Frank A. Serafini	x		
Stanley Jarolin	x			James Burd, Minority	x		
Edward Stabeck	x			Chairman			
Thomas Corrigan	x						
Karen Ritter	x						

Hon. William W. Rieger
Chairman
Hon. Michael Veon
Secretary

Regulation 16A-192
Fee Schedule - State Board of Osteopathic Medicine

Proposal:

Regulation 16A-192 amends 49 Pa. Code, Chapter 25 to establish a new fee schedule for the State Board of Osteopathic Medicine. The regulation also locates the fees for the Board in one place, rather than in the various statutes in which they now appear.

Analysis:

Regulation 16A-192 increases the following fees; National Boards Examination \$125 to \$135, temporary training license or graduate training certificate \$15 to \$25, application for physician assistant certificate \$10 to \$85, application for supervising physicians \$25 to \$85 and biennial renewal-physicians \$75 to \$142.

New fees are established for the following; \$85 for the application for unrestricted license (original, reciprocal, boundary or endorsement) and \$10 for uncertified verification of licensure. The certification of licensure and/or examination is reduced from \$25 to \$15. Short-term camp license (\$25), biennial renewal for physician assistants (\$10), penalty fee for late biennial renewal (\$5) and the fee for duplicate licenses (\$5) remain the same.

This Board is a surplus Board. Fees for this board were last changed in 1978. For the biennial period 7/1/85-6/30/87 the Board collected \$461,210 and spent \$405,274 for a net surplus of \$55,936. This board has a current surplus of \$452,000 which, under the proposed regulation, would be eliminated by the end of FY 1992-93.

The new fee schedule will increase the Board's biennial revenues from \$461,210 to an average of \$854,100. The projected \$448,800 increase is to fund the personnel increases required by the Administration to increase enforcement efforts and administrative efficiency (\$128,100). The remaining \$320,700 is to cover the increased costs for travel, postage, consultants and other operating expenses. Of this \$320,700, \$240,000 is planned for expert witnesses in the enforcement of the sympathomimetic amine regulation.

In October 1987, final regulations were promulgated jointly by the State Board of Medicine and the State Board of Osteopathic Medicine which required physicians to comply with certain reporting requirements in the prescribing of amphetamines. One of these requirements was that a physician must obtain a waiver from the Board when a controlled sympathomimetic amine was to be administered longer than 45 days.

The Pennsylvania Osteopathic Medical Association and the Pennsylvania Medical Society strenuously opposed the sympathomimetic amine regulation and litigation is now pending in Commonwealth Court, with oral arguments for summary judgment held six weeks ago.

The current status of board activity is that the Boards are accepting the applications for waivers, but action on the waivers is being deferred past the fifteen day processing period referenced in the regulation. Physicians are advised they may continue a patient's drug therapy unless and until the application is disapproved by the Board.

The Pennsylvania Osteopathic Medical Association objects to Regulation 16A-192 because of the \$240,000 projected for the expert witnesses to enforce the sympathomimetic amine regulation which would be funded under the proposed fee increase. In addition, the Association points out there is a substantial surplus which should be reduced before increasing biennial renewals.

Recommendation:

It is recommended that Regulation 16A-162 be adopted with the deletion of the increase in the biennial renewal fee for osteopathic physicians. This Board is now carrying a \$452,000 surplus. In addition, under this recommendation the Board would be receiving the other proposed fee increases including the new fee for applications and the increase in the written examination fees. Whether or not the Court finds in the Board's favor in the sympathomimetic litigation, the Board is in a position to fund all projected programs for a minimum of another biennial renewal period. The fee increases proposed in this regulation (not including the biennial renewal increase) will generate an additional \$90,000 per biennium in Board revenues. Current biennial renewal fees and the surplus would fund the Administrations proposals for increases of \$128,100 for personnel and \$320,700 in operating expenses including enforcement of the sympathomimetic amine regulations.

It is also recommended that the Board reevaluate its fiscal situation for the next biennial renewal period to assess whether an increase in the biennial renewal would be needed at that time.

July 12, 1988
Professional Licensure Committee

HOUSE OF REPRESENTATIVES
COMMONWEALTH OF PENNSYLVANIA
OFFICE OF THE CHIEF CLERK

Committee Roll Call

Date July 12, 1988

Committee Professional Licensure

Date and Time July 12, 1988

Bill or Resolution No. Reg. 16A-193

Type of Motion Approve Regulation

Sponsor of Motion Rep. Serafini

(attach copy if amendment)
 Seconded by Rep. Book

Brief Description State Board of Registered Engineers Fee Schedule

Yeas 21 Nays 0 Not Voting 3 Passed x Failed

MAJORITY MEMBERS	YEAS	NAYS	N-V	MINORITY MEMBERS	YEAS	NAYS	N-V
William W. Rieger, Chrm.	x			Peter R. Vroom, Chrm.			
William Lloyd, V-Chrm.	x			Karl W. Boyes, V-Chrm.	x		
Michael Veon	x			Raymond Book	x		
Ralph Acosta			x	Nicholas B. Micozzi	x		
Joseph Markosek	x			Marvin Miller			x
Joseph Preston			x	Elaine Farmer	x		
Ruth Rudy	x			George Saurman	x		
Italo Cappabianca	x			Lynn B. Herman	x		
Robert Donatucci	x			Alice Langtry	x		
John Pressman	x			Frank A. Serafini	x		
Stanley Jarolin	x			James Burd, Minority	x		
Edward Stabeck	x			Chairman			
Thomas Corrigan	x						
Karen Ritter	x						

Hon. William W. Rieger

Chairman

Hon. Michael Veon

Secretary

Regulation 16A-193
Fee Schedule - State Registration Board for Professional Engineers

Proposal:

Regulation 16A-193 amends 49 Pa. Code, Chapter 37, to list specific fees for the licensure and re-licensure for engineers and land surveyors and the examination for certification as an engineer-in-training. The notice of proposed rule making has been deleted in order that the Board may assess these fees for the October 1988 examinations. Currently, the State Registration Board for Professional Engineers does not have specific examination fees. Rather, the Board has one \$50 fee for application for registration. Therefore, the Board has been charging a \$50 fee for examinations that have cost the Board from \$47.50 to \$127.50. The Board has been subsidizing this difference through biennial renewal fees.

Analysis:

This regulation will have the applicants pay the cost of examinations rather than have biennial renewals subsidizing examinations. Effective October 1988 and, thereafter, the following fees will be in effect; examination for licensure as a professional engineer (\$70), reexamination for licensure as a professional engineer (\$70), examination for licensure as professional land surveyor (\$127.50), reexamination for licensure as a professional land surveyor - (a) Pa. Fundamentals of Land Surveying Portion (\$20), (b) N.C.E.E. Fundamentals of Land Surveying Portion (\$27.50), (c) N.C.E.E. - PLS portion (\$30), (d) N.C.E.E. - PLS IIB (colonial) portion (\$30), (e) Administration (to be added to total parts taken at one sitting) (\$20), and examination for certification as engineer-in-training (\$47.50).

The Pennsylvania Society of Professional Engineers does not oppose this regulation. There are no known objections to this regulation.

This Board is a surplus Board and during the last biennial renewal period it had a surplus of \$249,000. By factoring out the examination costs and having applicants pay for the costs of the examination it is anticipated that the Board's surplus will substantially increase.

This surplus should be reviewed at the next biennial renewal cycle.

July 12, 1988
Professional Licensure Committee