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House of Representatives
COMMONWEALTH OF PENNSYLVANIA
HARRISBURG

COMMITTEES

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MAJORITY CHAIRMAN
LIQUOR CONTROL
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December 7, 1999

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John R. McGinley, Jr., Chairman
Independent Regulatory Review Commission
14th Floor, Harristown 2
333 Market Street
Harrisburg, PA 17101

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Dear Chairman McGinley:

This is to inform you that the House Professional Licensure Committee met on December 7, 1999, and voted to take no formal action on Regulation 16A-7010 until final-form regulations are promulgated. In addition, the Committee voted to approve Regulation 16A-612 and Regulation 16A-636.

Please feel free to contact my office if any questions should arise.

Sincerely,

A handwritten signature in cursive script that reads "Mario J. Civera".

Mario J. Civera, Chairman
House Professional Licensure Committee

MJC/sms
Enclosures

cc: David J. King, Chairman
State Board of Certified Real Estate Appraisers
David M. DuTot, LA, Chairman
State Board of Landscape Architects
Yvonne E. Keairns, Ph.D., Chairperson
State Board of Psychology
Honorable Kim H. Pizzingrilli, Secretary of the Commonwealth
Department of State

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REVIEW COMMISSION

Regulation 16A-636
State Board of Psychology

PROPOSAL: Regulation 16A-636 amends 49 PA Code, Chapter 41, regulations of the State Board of Psychology. The amendment makes revisions to the schedule of Board fees by increasing two fees for providing certain services, reducing one fee, and adding fees for two services for which there is currently no charge.

Regulation 16A-636 is Final Rulemaking which was delivered to the Professional Licensure Committee on November 30, 1999. The Professional Licensure Committee has until December 20, 1999, to approve or disapprove the regulation.

ANALYSIS: Pursuant to Sec. 3.3(d) of the Professional Psychologists Practice Act, 63 P.S. Sec. 1203.3(d), the Board is required to meet expenditures through revenues raised by fees, fines and civil penalties. The Board states that a recent systems audit determined that the fees for certain services did not accurately reflect the actual cost involved in providing the service. Accordingly, the Board proposes to amend the schedule of fees as follows:

<u>Application/Service</u>	<u>Current Fee</u>	<u>Proposed Fee</u>
Reapplication Fee—First Time Examination		
Failure	\$ 15.00	\$ 20.00
Reapplication Fee—Subsequent Examination		
Failure	\$105.00	\$ 90.00
Certification Fee	\$ 15.00	\$ 25.00
Verification of Licensure	\$ 0.00	\$ 15.00
Fictitious/Corporate Name Registration	\$ 0.00	\$ 80.00

The Committee requested an explanation as to the circumstances under which the Board would certify an examination score, and what accounted for the difference in the amount charged for certification and verification of licensure, when the functions of Board staff for each service appear to be identical. The Board explained that certification of examination scores is requested by licensees who are seeking licensure by reciprocity in other states. Generally, the state of original licensure is the only source of exam scores in that testing agencies do not maintain that information. Additionally, the boards of other states require that the Pennsylvania Board and other boards certify the exam scores.

The Board explained that the difference in the fee amounts for certification and verification is due to the difference in the amount of time it takes to perform each service. Verifications, which on average take five minutes to prepare, are usually computer generated letters which contain general information about the status of a license. Certifications contain additional and more specific information and on average take 45 minutes to prepare.

The Committee requested an explanation as to why the proposed fees to be charged are always rounded up to the nearest five dollar increment. The Board explained that the rounding up process creates a minimal but necessary cushion or surplus to accommodate unexpected needs and expenditures. Finally, in response to Question 25 of the Regulatory Analysis Form, the Board initially stated that the proposed fees are generally consistent with the fees of other states, and will not place Pennsylvania at a disadvantage with other states. The Committee requested more specific information in that regard. The Board replied that it is actually unknown how the fees compare with other states. The Board apparently believes this information is irrelevant in that the Board is required by statute to recoup the costs for providing the specified services.

RECOMMENDATIONS: It is recommended that the Professional Licensure Committee approve the regulation.

House of Representatives
Professional Licensure Committee
December 1, 1999