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## INDEPENDENT REGULATORY REVIEW COMMISSION

333 MARKET STREET, 14TH FLOOR, HARRISBURG, PA 17101

October 24, 2007

Jonathan W. McCullough, D.C., Chairman  
State Board of Chiropractic  
2601 North 3rd Street  
Harrisburg, PA 17110

Re: Regulation #16A-4314 (IRRC #2626)  
State Board of Chiropractic  
Reactivation of Lapsed License

Dear Chairman McCullough:

Enclosed are the Commission's comments for consideration when you prepare the final version of this regulation. These comments are not a formal approval or disapproval of the regulation. However, they specify the regulatory review criteria that have not been met.

The comments will be available on our website at [www.irrc.state.pa.us](http://www.irrc.state.pa.us). If you would like to discuss them, please contact me.

Sincerely,

Kim Kaufman  
Executive Director  
wbg  
Enclosure

cc: Honorable Robert M. Tomlinson, Chairman, Senate Consumer Protection and Professional Licensure Committee  
Honorable Lisa M. Boscola, Minority Chairman, Senate Consumer Protection and Professional Licensure Committee  
Honorable P. Michael Sturla, Majority Chairman, House Professional Licensure Committee  
Honorable William F. Adolph, Jr., Minority Chairman, House Professional Licensure Committee  
Honorable Pedro A. Cortes, Secretary, Department of State

# Comments of the Independent Regulatory Review Commission

on

## State Board of Chiropractic Regulation #16A-4314 (IRRC #2626)

### Reactivation of Lapsed License

October 24, 2007

We submit for your consideration the following comments on the proposed rulemaking published in the August 25, 2007 *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 Chiropractic (Board) to respond to all comments received from us or any other source.

**Section 5.17. Biennial registration; unregistered status and inactive status; failure to renew; address of record. – Clarity.**

Subsection (m)(3) permits an individual to reactivate a license by proving “continuous licensed practice of chiropractic in one or more other jurisdictions...for at least 5 years immediately preceding application for reactivation.” Board staff has explained that the individual must also remain current with Pennsylvania’s continuing education requirements in order to qualify for reactivation. This requirement should be clearly stated in the final-form regulation.

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**Facsimile Cover Sheet**

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INDEPENDENT REGULATORY  
REVIEW COMMISSION



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**INDEPENDENT REGULATORY REVIEW COMMISSION**  
333 MARKET STREET, 14<sup>TH</sup> FLOOR, HARRISBURG, PA 17101

**To:** Tom Blackburn  
Cynthia Montgomery  
**Agency:** Department of State  
Licensing Boards and Commissions  
**Phone:** 3-7200 or 3-3394 (Cynthia)  
**Fax:** 7-0251  
**Date:** October 24, 2007  
**Pages:** 3

**Comments:** We are submitting the Independent Regulatory Review Commission's comments on the State Board of Chiropractic regulation #16A-4314 (IRRC #2626). Upon receipt, please sign below and return to me immediately at our fax number 783-2664. We have sent the original through interdepartmental mail. You should expect delivery in a few days. Thank you.

Accepted by: Cynthia K. Mutz Date: 10/24/07