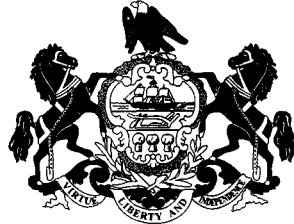


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## House of Representatives

Commonwealth of Pennsylvania  
Harrisburg

May 24, 2011

### COMMITTEES

PROFESSIONAL LICENSURE,  
MAJORITY CHAIR

CONSUMER AFFAIRS

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Kim Kaufman, Executive Director  
Independent Regulatory Review Commission  
14<sup>th</sup> Floor, Harristown 2, 333 Market Street  
Harrisburg, PA

Dear Mr. Kaufman,

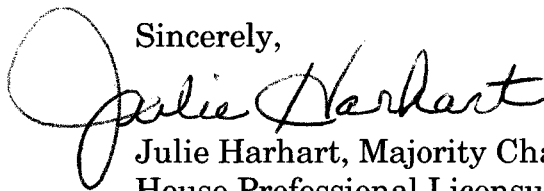
Today the House Professional Licensure Committee voted to take no formal action on Proposed Regulation 16A-677 of the State Board of Occupational Therapy Education and Licensure pertaining to continued competency until final regulation is promulgated and to submit the following comments:

1. The Committee brings to the Board's attention it is stated in the Preamble of Proposed Regulation 16A-677 under "Background and Purpose" the second paragraph that if Senate Bill 187 passes prior to this regulation being adopted in final form the Board will add Occupational Therapy Assistants to the regulation. This bill sponsored by Senator Greenleaf was from the 2009-2010 legislative session. The bill in the 2011-2012 session is Senate Bill 342 prime sponsored by Senator Greenleaf. The Committee prefers, if Senate Bill 342 is enacted prior to the final form rulemaking, the Board **not** add Occupational Therapy Assistants to this rulemaking so the Committee retains the ability to comment on the language.
2. The Committee recommends specifying in the definition of "Protégé" that the other health care professional be "licensed."
3. The Committee recommends the Board be more flexible with how the 24 contact hours are obtained by a licensed Occupational Therapist in §§ 42.53 and 42.55. There is great diversity among the 5,828 active licensed therapists regarding how they work in the marketplace. Requiring that 6 of the 24 hours be obtained from mentorships, fieldwork supervision, professional writing, book or professional journal editing or presentation and instruction may cause active licensees who are not able to obtain the required 6 hours to not renew their license thus resulting in a reduction of active licensees available to the citizens of Pennsylvania.

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4. The Committee recommends clarifying the language in § 42.53 (b) as it is not clear whether the continued competency requirement begins after the licensee's initial renewal date or after the licensee's second biennial renewal date.
5. The Committee recommends clarifying the language in § 42.53 (d) as it is not clear. A suggestion would be to move "as a condition of reinstatement" to the beginning of the paragraph.
6. The Committee notes an inconsistency in § 42.54 regarding notification by the Board of approval or disapproval. In (e)(2) it is suggested the Board notify the applicant of disapproval which is what is set forth in (d)(1).
7. The Committee requests clarification of the term "management" in § 42.55(a); and, in (b)(1)(ii) the Committee suggests "directed" be replaced with the term "instructional."
8. The Committee recommends in § 42.55(b)(2)(iv) the post-mentorship summary include the number of hours spent in the mentorship program.
9. The Committee notes the referenced section in § 42.57(b)(2) needs to be changed to § 42.56 (relating to waiver of continued competency requirements and curing deficiencies)."
10. The Committee requests an update as to whether the Fee Report Forms prepared on December 1, 2009, remain valid and accurate for the Occupational Therapy Continuing Education Provider Approval, the Biennial Renewal Fee for Provider Approval, and the Individual Activity Approval.

Sincerely,



Julie Harhart, Majority Chair  
House Professional Licensure Committee

JH/mmgw