

**Chiropractic Fellowship of PA  
Summary of Legislation  
August 2017**

**IRRC Approves Environmental Quality Board Radiation Reg**

The Independent Regulatory Review Commission (IRRC) met on August 24 to consider several regulations. Chairman George Bedwick and Commissioners Russell Faber, Murray Ufberg, and Dennis Watson were in attendance. Commissioner John Mizner participated via conference call. Among those considered by the Commission was **Environmental Quality Board #7-498: Radiological Health and Radiation Certification Fees; Pennsylvania Radon Mitigation System Tag and Feed**

(<http://www.irrc.state.pa.us/regulations/RegSrchRslts.cfm?ID=3164>), which was unanimously adopted. **Michelle Elliott**, regulatory analyst, said that this final regulation increases fees associated with radioactive materials license and certification activities regulated by DEP's Radiation Protection Program by 50 percent. She also said the regulation also adds a requirement for a new radon mitigation system fee in order to help assure the quality of radon services. Elliott indicated IRRC did not receive any public comment on the final regulation and the legislative standing committees have deemed it approved.

The regulation will be effective upon publication in the *PA Bulletin*.

**Governor Announced Regulatory Agenda**

Executive Order 1996-1 requires all agencies under the jurisdiction of the Governor to submit for publication semi-annually an agenda of regulations under development or consideration. The agendas are compiled to provide members of the regulated community advanced notice of regulatory activity. It is the intention of the Administration that these agendas will serve to increase public participation in the regulatory process. Agency contacts should be contacted for more information regarding the regulation and the procedure for submitting comments.

This Agenda represents the Administration's present intentions regarding future regulations. The nature and complexity of an individual regulation obviously will determine whether and when any particular regulation listed (as well as any considered subsequent to publication of this Agenda) is published.

<b>Regulation Being Considered</b>	<b>Proposed Date of Promulgation</b>	<b>Need and Legal Basis for Action</b>	<b>Agency Contact</b>
<b>Department of Environmental Protection (DEP)</b>			
Radiological Health 25 Pa. Code Chapters 215—240	Quarter 1, 2018, EQB Consideration, as Final	This rulemaking proposes to amend Chapters 215—240 to update Computed Tomography and Fluoroscopic regulations; to address new X-ray technology that is not addressed in current regulations; and to include comprehensive updates to the radon regulations to incorporate procedures and protocols that are not addressed in the current regulations. Additional items of clarification are 45-day reporting and application requirements, specifying the number of mitigation firm employees, and numerous changes and additions to the definitions section. (Radiation Protection Act and Radon Certification Act)	<b>Joseph Melnic</b> (717) 783-9730 jmelnic@pa.gov
<b>Department of Health (DOH)</b>			
Photo Identification Tag Regulations 28 Pa. Code Chapters 54 and 55	November 2017, as Proposed	The Health Care Facilities Act (35 P.S. §§ 448.101 et seq.) was amended by the passage of Act 2010-110 on November 23, 2010. This new section of the Act (35 P.S. § 448.809.2) requires persons working in health care facilities and physician practices to wear photo identification badges that also contain other information including the person's name, title and name of the health care facility.	Karin Simpson (717) 783-2500 Susan Coble

(717)  
783-8665

**Department of State (DOS)**  
**State Board of Chiropractic**

Chiropractic Specialties	Fall 2017, as Proposed	The Chiropractic Practice Act prohibits licensees from holding themselves out as specialists unless they possess a post-graduate certification in that specialty. The proposed rulemaking would prohibit a chiropractor from advertising that the chiropractor holds certification or otherwise is a specialist in a chiropractic specialty unless the chiropractor holds certification or diplomate status from a specialty board recognized by the American Board of Chiropractic Specialties. This proposal protects consumers of chiropractic services who can be misled by advertising of "certifications" that do not truly reflect advanced knowledge, training or skill.	Michelle Roberts (717) 783-7155
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### **Legislative Activity**

**The following bills of interest to CFoP were acted on by the General Assembly this past month.**

### **Scope of Practice/Licensure Bills**

[HB 1737](#) RE: Chiropractic Students (by Rep. Adam Ravenstahl, et al)

Amends the Chiropractic Practice Act, in licensure and regulation, further providing for license required. The bill establishes that this section does not apply to a student enrolled in a chiropractic education program who is conducting chiropractic activities under the supervision of: instructors or supervisors who meet the licensing criteria of the Department of Education or the board; and enrolled in a program approved by the board at a regionally accredited college or university or Pennsylvania private licensed school or its equivalent as determined by the board.

**Introduced and referred to House Professional Licensure Committee, 8/18/2017**

### **Budget-Related Bills**

**NONE. The House is still considering the "code" bills sent from the Senate in July, to finish the FY 2017/18 budget approval process. The Fiscal Year started on July 1, with only the spending package approved, via HB 218. The bills required to fund the spending, and to describe how the funds are driven out, remain to be decided.**

### **Child Abuse Reporting**

[HB 1707](#) RE: Mandatory Reporting of Children Under One Year Of Age (by Rep. Kathy Watson, et al)

Amends Title 23 (Domestic Relations), in child protective services, further providing for mandatory reporting of children under one year of age by removing exemptions for those under the care of a prescribing medical professional and in compliance with prescription directions during delivery or care.

**Introduced and referred to House Children and Youth Committee, 8/16/2017**

### **Health Care Bills**

**Cosponsor memo filed**

[HCO2375](#) (Quinn) - Requires a summary or impression which is provided to a health care practitioner after certain diagnostic imaging services are performed be sent directly to the patient or designee within 20 days of the results being sent to the physician.

**Filed, 8/4/2017**

### **Health Care Work Force Bills**

NONE

## Health Insurance Bills

[HB 1739](#) RE: Medical Service Agreement Act (by Rep. Matt Baker, et al)

Provides for direct primary care, medical service agreements and insurance, for medical service agreement requirements, for use of health savings accounts or flexible spending accounts and for use of other health care practitioners. The bill establishes that in order to be considered a medical service agreement under this act, the medical service agreement shall: be in writing; be signed by the patient or patient's legal representative or guardian; be signed by the physician; allow either party to terminate the medical service agreement upon written notice to the other party; describe the specific health care services that are included in the medical service agreement; specify the fee for the medical service agreement; specify the period of time under the medical service agreement; and include the following statement: This agreement does not provide comprehensive health insurance coverage. The agreement only provides for the health care services specifically described.

**Introduced and referred to House Health Committee, 8/24/2017**

## Cosponsor Memos Filed

[SCO1008](#) (Folmer) - Recreates the Healthy Pennsylvania package from 2013 to bring consumer-driven/market-driven initiatives to our Commonwealth.

**Filed, 8/4/2017**

[SCO1018](#) (Browne) - Provides for a direct primary care model, where patients receive access to their physician for a flat monthly fee.

**Filed, 8/16/2017**

## Medical Assistance/DHS

NONE

## Opioid Reduction

[HB 1712](#) RE: [Limiting Opioid Prescriptions](#) (by Rep. Ed Neilson, et al)

Amends Title 35 (Health & Safety), in prescribing opioids to minors, providing for prescribing opioids to individuals and further providing for definitions, for prohibition and for procedure. The bill extends protections under the act to all individuals (changed from minors) and requires a 12-week conservative care management treatment regimen by a doctor.

**Introduced and referred to House Health Committee, 8/16/2017**

## Partnerships/Liability

NONE

## Sales Tax Expansion

NONE

## WORKER'S COMP

NONE

## Upcoming meetings of Interest

Some House Committee meetings and session can be viewed online at: <http://www.pahousegop.com/>

Senate Committee meetings and session can be streamed at: <http://www.pasenategop.com/>

## 2017 Senate Fall Session Schedule

September 18, 19, 20

October 16, 17, 18, 23, 24, 25

November 13, 14, 15

December 11, 12, 13, 18, 19, 20

## **2017 House Fall Session Schedule**

**September** 11, 12, 13, 25, 26, 27  
**October** 2, 3, 4, 16, 17, 18, 23, 24, 25  
**November** 13, 14, 15, 20, 21, 22  
**December** 4, 5, 6, 11, 12, 13, 18, 19, 20

## **State Board of Chiropractic Board Meeting Schedule**

**2017 Meeting Dates (Subject to Change)**

**September 21, November 9**

**All Board meetings are held at Penn Center, 2601 N. 3<sup>rd</sup> Street, Harrisburg, PA, at 9 AM**

**DHS Medical Assistance Advisory Committee (MAAC)**

**ALL MEETINGS ARE SCHEDULED FROM 10:00 A.M. TO 12 NOON**

**Lecture Hall 246/248**

**Temple University Harrisburg**

**234 Strawberry Square**

**Harrisburg, PA**

**Remaining 2017 Meeting Dates**

**September 28, October 26, December 14**

*Copies of bills described above can be obtained through the CFOP office, or on-line at:*

<http://www.legis.state.pa.us/cfdocs/legis/home/session.cfm>