

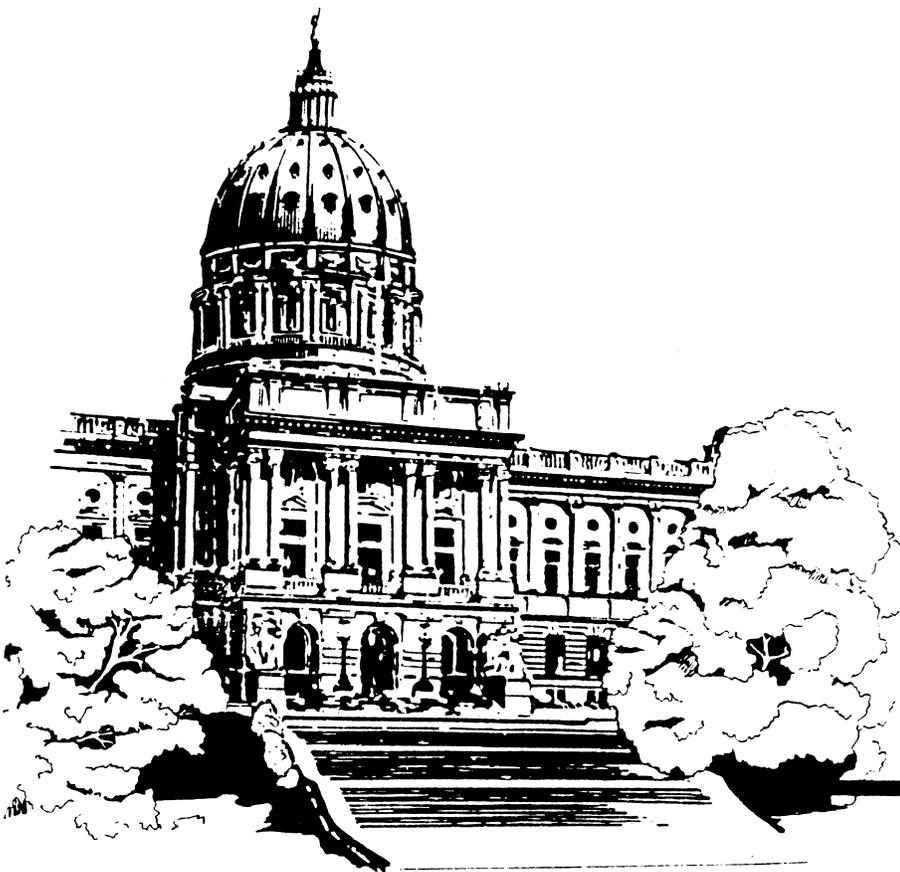
# PENNSYLVANIA BULLETIN

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Number 11

## Part II

This part contains  
the Governor's Office  
Regulatory Agenda





# NOTICES

## GOVERNOR'S OFFICE

### 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 information provided is current as of March 1, 2024. 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.

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b><i>Department of Aging</i></b>			
No regulations being developed or considered at this time.			
<b><i>Department of Agriculture</i></b>			
Agricultural Conservation Easement Purchase Program 7 Pa. Code Chapter 138e (# 2-192)	Expected publication proposed Q2 or Q3, 2024. Internal reviews continued from Fall 2024 update; anticipated stakeholder outreach will occur this year.	The regulation will revise the regulation to address the five amendments of the Agricultural Area Security Law that occurred since 2004, when the regulation was last revised. The revision will accomplish a "housekeeping" update to reflect the Department's experience in administering the Agricultural Conservation Easement purchase program.	Stephanie Zimmerman (717) 705-7796
Milk Sanitation 7 Pa. Code Chapter 59a (# 2-194)	Expected publication on proposed Q2, 2024. Internal reviews continued from Fall 2023 update.	The regulation will: 1) accomplish a "housekeeping" update to the technical Milk Sanitation regulations; 2) allow for the lawful production and sale of raw milk butter; and 3) lower the maximum permissible somatic cell count for milk.	Sheri Morris (717) 787-4315
Pesticide Rules and Regulations 7 Pa. Code Chapter 128	Expected publication proposed Q2, 2024. Internal reviews continued from Fall 2023 update.	The current regulation is being revised to: 1) meet the updated Federal EPA Pesticide Certification Rule as required by EPA; 2) add clarifying language where needed; and 3) add/remove certain regulatory requirements to accommodate pesticide use needs in the Commonwealth.	Jessica Lenker (717) 772-5212
<b><i>Department of Banking and Securities (DOBS)</i></b>			
Amendment of regulations at 10 Pa. Code Part VII Securities	Fall 2024	This rulemaking would add annual continuing education for investment adviser representatives and an Examination Validity Extension Program for investment adviser representatives.	Stefanie Hamilton (717) 787-1471

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b><i>Department of Conservation and Natural Resources (DCNR)</i></b>			
Prescribed Burning Practices Act, Act of July 17, 2009, P.L. 76, No. 17 (32 P.S. § 425)	Fall 2024	DCNR and other agencies and organizations have been utilizing prescribed fires (controlled burns) on publicly-owned forests and grasslands in the Commonwealth since 2009. At this time, there is significant interest and need to expand the use of prescribed fire and allow its use to manage privately-owned lands in Pennsylvania. To do so safely, DCNR feels that it is necessary to establish some baseline regulations for the training and certification of prescribed burn managers and for the review and approval of prescribed burn plans.	Michael Kern (717) 783-7957
<b><i>Department of Corrections (DOC)</i></b>			
Inmate Correspondence 37 Pa. Code § 93.2	Spring 2025	Inmate correspondence regulations are being revised to reflect new DOC procedures for processing mail. Preparation of proposed rulemaking package currently underway.	Tracey Tubbs (717) 728-7763
Inmate Visiting Privileges 37 Pa. Code § 93.3	Spring 2025	Inmate visiting privileges regulations are being revised to reflect DOC changes to its visiting policy. Preparation of proposed rulemaking package currently underway.	Tracey Tubbs (717) 728-7763
Purchase for Inmates by Family and Friends 37 Pa. Code § 93.4	Spring 2025	Purchase for inmates by family and friends regulations are being revised for clarification and to more accurately comport with current standards. Preparation of proposed rulemaking package currently underway.	Tracey Tubbs (717) 728-7763
Motivational Boot Camp 37 Pa. Code §§ 93.301—93.308	Spring 2025	Motivational Boot Camp Regulations are being revised to correct statutory citations and reflect changes in procedures.	Tracey Tubbs (717) 728-7763
<b><i>Department of Education (PDE)</i></b>			
Academic Standards and Assessment 22 Pa. Code, Part I State Board of Education Chapter 4	Spring 2024, as Proposed	This proposed regulation will update academic standards for Career Education and Work, Economics, and Family and Consumer Sciences and proposes new standards for Personal Finance to reflect new statutory provisions enacted by Act 35 of 2023.	Karen Molchanow kamolchano@pa.gov
State Library and Advisory Council on Library Development 22 Pa. Code Part IX	Spring 2024, as Proposed	This proposed regulation clarifies and updates the standards and practices under which libraries are governed and deemed eligible to receive state aide, bringing them in alignment with changes that were made to the statute in 2012.	Sue Banks susbanks@pa.gov

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b><i>Environmental Hearing Board (EHB)</i></b>			
Practice and Procedure 25 Pa. Code Chapter 1021 (# 106-14)	Preparation of final-form regulatory package completed; regulatory package presented to Governor's Policy Office and Office of General Counsel for review pursuant to E.O. 1996-1, Sec. 4. Final rulemaking expected to be published Spring 2024.	This rulemaking amends the following Rules of Practice and Procedure for the Board: 25 Pa. Code § 1021.2 (Definitions); 25 Pa. Code § 1021.51 (Commencement, form and content of notice of appeal) to clarify who should receive notice of the filing of a notice of appeal; 25 Pa. Code § 1021.61 (Supersedeas) to address reopening the record; 25 Pa. Code § 1021.63 (Circumstances affecting grant or denial of supersedeas) to amend the section on likelihood of injury; 25 Pa. Code § 1021.81 (Intervention) to add a Comment; 25 Pa. Code § 1021.92 (Procedural motions) to clarify that all requests whether by motion or letter must be accompanied by a proposed order; 25 Pa. Code § 1021.94a (Summary judgment) to correct a typographical error; 25 Pa. Code § 1021.133 (Reopening of record) to address reopening the record after a supersedeas hearing; 25 Pa. Code §§ 1021.182—1021.191 (Attorneys fees and costs) to clarify the procedure for seeking costs and attorney fees in certain types of proceedings; and to add a new rule at 25 Pa. Code § 1021.5 on Citations to Board decisions.	Maryanne Wesdock Senior Assistant Counsel (412) 565-5245
<b><i>Department of Environmental Protection (DEP)</i></b>			
Environmental Protection Performance Standards for Conventional Oil and Gas Operators 25 Pa. Code Chapter 78 (# 7-539)	Quarter 2, 2024, EQB Consideration, as Proposed	This rulemaking proposes to amend the Oil and Gas regulations applicable to conventional operators (Chapter 78) to update the environmental protection performance standards related to oil and gas activities. (2012 Oil and Gas Act, Clean Streams Law, Solid Waste Management Act, Dam Safety Encroachment Act, Land Recycling and Environmental Remediation Standards Act, Radiation Protection Act, Unconventional Well Report Act, Act 126 of 2014)	Kris Shiffer (717) 772-5809 kshiffer@pa.gov
Waste Management and Related Issues at Conventional Oil and Gas Well Sites 25 Pa. Code Chapter 78 (# 7-540)	Quarter 4, 2024, EQB Consideration, as Proposed	This proposed rulemaking relates primarily to the proper management of waste generated at conventional oil and gas well sites. The purpose of this regulation is to update the performance standards for surface activities at conventional well sites to ensure that these activities are conducted in a manner that protects the health, safety, and environment and property of Pennsylvania's residents.	Kris Shiffer (717) 772-5809 kshiffer@pa.gov
Annual Fee for Unconventional Operations 25 Pa. Code Chapter 78a (# 7-573)	Quarter 3, 2024, EQB Consideration, as Proposed	This rulemaking proposes to establish an annual fee for unconventional operations. The annual fee will provide a stable source of funding through FY 2027-2028. (2012 Oil and Gas Act, Clean Streams Law, Dam Safety and Encroachments Act, Solid Waste Management Act)	Kris Shiffer (717) 772-5809 kshiffer@pa.gov

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Administration of Sewage Facilities Program 25 Pa. Code Chapters 71—73 (# 7-570)	Quarter 4, 2024, EQB Consideration, as Proposed	This rulemaking proposes to update 25 Pa. Code Chapters 71—73 to implement recent amendments to the Pennsylvania Sewage Facilities Act made by Act 26 of 2017 and Act 34 of 2020, and to address a number of other issues in these regulations, which were last revised significantly in 1997. The regulatory revisions in this proposed rulemaking will include site suitability criteria for sites with shallow soils, which will provide additional opportunities for new land development in a manner that provides safe, effective long-term sewage disposal. This proposed rulemaking will also include other regulatory revisions and updates to ensure that the planning, permitting, operation and maintenance of sewage facilities sufficiently protect public health and safety, the waters of the Commonwealth and property values. (Pennsylvania Clean Streams Law, Pennsylvania Sewage Facilities Act)	Jay Patel (717) 783-2283 jaypatel@pa.gov
Water Quality Standards for Site-Specific Criteria for Methylmercury and Clarifications to the Process for Developing Site-Specific Criteria 25 Pa. Code Chapter 93 (# 7-571)	Quarter 3, 2024, EQB Consideration, as Final	This rulemaking proposes to update 25 Pa. Code Chapter 93 with site-specific water quality criteria for methylmercury for unnamed tributary to Ebaughs Creek located in York County. In addition, proposed updates will revise provisions to allow for a more efficient regulatory review process to incorporate site-specific criteria into the water quality standards in 25 Pa. Code Chapter 93, which would allow site-specific criteria to be incorporated into National Pollutant Discharge Elimination System (NPDES) permits more quickly. (Pennsylvania Clean Streams Law, Federal Clean Water Act)	Josh Lookenbill (717) 783-2959 mlookenbil@pa.gov
Water Quality Standards— Triennial Review of Water Quality Standards and Updates to Toxics Management Strategy— Statement of Policy 25 Pa. Code Chapters 93 and 16 (# 7-577 and # 7-582)	Quarter 2, 2024, EQB Consideration, as Final	This rulemaking revises the Commonwealth's water quality criteria and standards in Chapter 93 and updates the Chapter 16 Statement of Policy to reflect the latest scientific information and Federal guidelines for criteria development, as required by the triennial review requirements in the Federal Clean Water Act. (40 CFR 131.20)	Josh Lookenbill (717) 783-2959 mlookenbil@pa.gov

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Water Quality Standards— Class A Stream Redesignations 25 Pa. Code Chapter 93	Quarter 2, 2024, EQB Consideration, as Proposed	The proposed regulatory changes included in this rulemaking are the result of stream evaluations conducted by DEP in response to a submittal of data from the Pennsylvania Fish and Boat Commission (PFBC). In this rulemaking, redesignations rely on § 93.4b(a)(2)(ii) to qualify streams for High Quality (HQ) designations based upon their classifications as Class A wild trout streams. DEP staff conducted an independent review of the trout biomass data in the PFBC's fisheries management reports for streams throughout the Commonwealth to ensure that the HQ criteria were met. Based on these data and appropriate regulatory criteria, DEP developed this package of stream redesignations including HQ stream redesignations in the Delaware, Susquehanna and Ohio River basins. (Section 303(c)(1) of the Federal Clean Water Act)	Josh Lookenbill (717) 783-2959 mlookenbil@pa.gov
Notification Requirements for Unauthorized Discharges to Waters of the Commonwealth 25 Pa. Code Chapter 91	Quarter 2, 2024, EQB Consideration, as Proposed	This rulemaking proposes to clarify the immediate notification requirements for unauthorized discharges of a substance that would cause or threaten pollution to waters of the Commonwealth, endanger downstream users or damage property. (Pennsylvania Clean Streams Law)	Manyi Liu (717) 787-5017 malieu@pa.gov
Dam Safety and Waterway Management 25 Pa. Code Chapter 105	Quarter 2, 2024, EQB Consideration, as Proposed	This rulemaking proposes to amend Chapter 105 to provide updates and clarifications to definitions and requirements to improve permit application submission and permit review efficiency. (Federal Clean Water Act, Pennsylvania Clean Streams Law, Dam Safety and Encroachment Act)	Andy Klinger (717) 772-5975 anklinger@pa.gov
State and Federal Plans for Existing Sources 25 Pa. Code Chapter 122	Quarter 3, 2024, EQB Consideration, as Proposed	This rulemaking proposes to amend Chapter 122 to clarify the authority for adoption and submittal to the EPA of State plans for implementation and enforcement of emission guidelines for existing sources and for delegation of Federal plans for existing sources. (Air Pollution Control Act)	Sean Wenrich (717) 772-3979 sewenrich@pa.gov
Corrective Amendments to RACT Requirements for Major Sources of NO <sub>x</sub> and VOCs 25 Pa. Code Chapter 129	Quarter 3, 2024, EQB Consideration, as Proposed	This rulemaking proposes to amend Chapter 129 to correct administrative errors in the mass equivalent basis factors for combined-cycle or combined heat and power combustion turbines and to correct a cross reference error. (Air Pollution Control Act)	Sean Wenrich (717) 772-3979 sewenrich@pa.gov

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Administration of the Land Recycling Program 25 Pa. Code Chapter 250 (# 7-575)	Quarter 1, 2024, EQB Consideration, as Proposed	The rulemaking proposes to amend 25 Pa. Code Chapter 250 to update the medium specific concentrations (MSCs) established under the Statewide health standard based on the most recent published scientific information. MSCs are concentrations of contaminants in soil and groundwater that are protective of human health and the environment under various exposure scenarios. This rule will focus on updates to the models used to calculate the MSCs for lead in soil and potential changes to how the MSCs for PAHs are calculated. These regulations identify the formulas DEP must use to calculate MSCs and the sources of the toxicological information. This rulemaking also proposes to clarify administrative elements of Chapter 250. DEP is required by § 250.11 to propose appropriate MSC changes based on current scientific information no more than 36 months after the effective date of the most recently promulgated MSCs. (Land Recycling and Environmental Remediation Standards Act)	Mike Maddigan (717) 772-3609 mmaddigan@pa.gov
Environmental Lab Accreditation Fees 25 Pa. Code Chapter 252	Quarter 3, 2024, EQB Consideration, as Proposed	This rulemaking proposes to update the fees for the environmental laboratory accreditation program to cover the cost of the operation of the program, as required by the Environmental Laboratory Accreditation Act. (Environmental Laboratory Accreditation Act)	Annmarie Beach (717) 346-8212 anbeach@pa.gov
Update to Coproduct Regulations 25 Pa. Code Chapter 287	Quarter 1, 2025, EQB Consideration, as Proposed	This rulemaking proposes to amend the coproduct regulations to ensure that the efficacy of a waste for a particular use and the consistency of the process by which the waste is generated is considered and adequately demonstrated as part of a coproduct demonstration. (Solid Waste Management Act)	Chris Solloway (717) 787-1791 csolloway@pa.gov
Revisions to the Nutrient Management Regulations 25 Pa. Code Chapter 83, Subchapters D and E (# 7-581)	Fall 2024, SCC Consideration, as Proposed	The State Conservation Commission proposes to revise the nutrient management regulations to more effectively address nutrient losses from concentrated animal operations and farms which receive manure from those operations. The proposed revisions to these regulations include incorporating advances in nutrient management knowledge and technology, as well as updating provisions on the protection of water quality regarding nutrient management. (Conservation District Law, Nutrient Management Act, Conservation and Natural Resources Act)	Brady Seeley (717) 772-4188 braseeley@pa.gov

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b><i>Department of Health (DOH)</i></b>			
Communicable and Noncommunicable Diseases 28 Pa. Code Chapter 27	May 2024, as Proposed	The Department is proposing to update the list of diseases, conditions and infections, to update the requirements for reporting diseases, conditions and infections, and to update the regulations generally to align with National standards and to improve disease surveillance, investigation and response. The proposed rulemaking is under development at DOH. DOH will be engaging in discussions with stakeholders in upcoming months.	Neil Mahalingam (717) 783-2500 Mason Myers (717) 783-2500 Kirsten Waller (717) 787-3350 Lisa McHugh (717) 787-3350
Clean Indoor Air Act (CIAA)	April 2024, as Proposed	Regulations are needed to further clarify and define the CIAA (35 P.S. §§ 637.1 et seq.). Such regulations would result in more consistent implementation of the CIAA and additional clarity for establishments that apply for an exception to the CIAA. The proposed rulemaking is under development at DOH. DOH will be engaging in discussions with stakeholders in upcoming months.	George Mitchell (717) 783-2500 Will Sunday (717) 783-6600
Hospitals 28 Pa. Code Part IV, Subpart B	April 2025, as Proposed	The Department is proposing to make several updates to these regulations, incorporating policy measures related to telemedicine, hospital closure plan requirements and patient care coordination. The proposed rulemaking is under development at DOH. DOH will be engaging in discussions with stakeholders in upcoming months.	Sarah Kurish (717) 783-2500 Jeanne Parisi (717) 547-3067
Newborn Safety Incubators	August 2024, as Proposed	Act 68 of 2017 permits hospitals, police stations or other entities employing or otherwise providing access to an emergency services provider to provide an incubator for the care of a newborn anonymously placed by a parent. The Department is required to promulgate regulations regarding the requirements for installation and registration of incubators installed under the Act. The proposed rulemaking is under development at DOH. DOH will be engaging in discussions with stakeholders in upcoming months.	Chris Gleeson (717) 783-2500 Melissa Myers (717) 787-9857
<b><i>Department of Human Services (DHS)</i></b>			
Psychiatric Rehabilitation Services 55 Pa. Code Chapter 5230	Summer 2024, as Final-Form	This regulation will expand psychiatric rehabilitation services to individuals 14 years of age or older, but under 18 years of age, who meet admission requirements and individuals diagnosed with posttraumatic stress disorder, attention deficit hyperactivity disorder or anxiety disorders and amend outdated language throughout.	Maeve Curley macurley@pa.gov
Covered Outpatient Drugs 55 Pa. Code Chapters 1101, 1121, 1141, 1142 and 1144	Fall 2024, as Final-Form	This regulation includes technical amendments to Title 55 of the <i>Pennsylvania Code</i> , Chapters 1101, 1121, 1141, 1142 and 1144. In addition to the technical amendments, the payment methodology for covered outpatient drugs has been amended in Chapter 1121 to comply with the Covered Outpatient Drugs final rule issued by the Centers for Medicare & Medicaid Services.	Maeve Curley macurley@pa.gov

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Payment for Certified Registered Nurse Anesthetists 55 Pa. Code Chapter 1150	Fall 2024, as Proposed	This regulation revises Title 55 of the <i>Pennsylvania Code</i> , Chapter 1150, to recognize and provide direct payment to certified registered nurse anesthetists who are enrolled in the Medical Assistance Program when in compliance with State Board of Nursing regulations at Title 49 of the <i>Pennsylvania Code</i> , Section 21.17 (relating to anesthesia).	Maeve Curley macurley@pa.gov
Non-Physician Prescriber for Home Health Services 55 Pa. Code Chapters 1123 and 1249	Summer 2024, as Proposed	This regulation revises Title 55 of the <i>Pennsylvania Code</i> , Chapters 1123 and 1249, to add Medical Assistance enrolled non-physician practitioners, allowed under State and Federal regulations, to the provider types who can prescribe home health services, durable medical equipment and medical supplies.	Maeve Curley macurley@pa.gov
Protective Services for Adults 55 Pa. Code Chapter 15	Fall 2024, as Final-Form	This regulation will govern the investigation of allegations of abuse, neglect, exploitation or abandonment of adults between the ages of 18 and 59 years, and the provision of protective services as indicated by the results of those investigations. The authority for the regulation and resulting services is provided by Act 70 of 2010, the Adult Protective Services Act.	Maeve Curley macurley@pa.gov
Crisis Intervention Services (Licensure) 55 Pa. Code Chapter 5250	Summer 2024, as Proposed	This regulation codifies the minimum standards for the issuance of licenses to provide behavioral health crisis intervention services in the Commonwealth.	Maeve Curley macurley@pa.gov
Crisis Intervention Services (Payment) 55 Pa. Code Chapter 1350	Fall 2024, as Proposed	This regulation establishes the conditions for MA payment of crisis intervention services.	Maeve Curley macurley@pa.gov
Child Residential and Day Treatment Facilities 55 Pa. Code Chapters 3900, 3910 and 3920	Fall 2024, as Proposed	The Department is proposing to revise Chapter 3800 (relating to child residential and day treatment facilities) to clarify that Chapter 3800 does not apply to child residential facilities or secure residential and secure detention facilities for youth. Instead, the Department proposes to establish three new regulatory licensure chapters: Chapter 3900 (relating to child and youth facility requirements), Chapter 3910 (relating to child residential facilities) and Chapter 3920 (relating to secure residential and secure detention facilities for youth).	Maeve Curley macurley@pa.gov
Psychiatric Residential Treatment Facilities 55 Pa. Code Chapters 1330, 3800 and 5330	Spring 2024, as Proposed	This regulation will provide foundational standards to meet the complex mental health needs of children, youth and young adults receiving services in psychiatric residential treatment facilities. Specifically, the proposed rulemaking will codify the minimum licensing standards, Medical Assistance (MA) participation requirements and MA payment conditions for RTFs that are currently licensed and certified by the Department. Under the proposed rulemaking, these facilities will be licensed as psychiatric residential treatment facilities (PRTFs).	Maeve Curley macurley@pa.gov

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Confidentiality of Records 55 Pa. Code Chapter 5100	Summer 2024, as Proposed	This regulation amends Chapter 5100 to be consistent with the HIPAA regulations for confidentiality of records and Act 32 of 2022.	Maeve Curley macurley@pa.gov
Nursing Facility Reimbursement 55 Pa. Code Chapters 1187 and 1189	Summer 2024, as Proposed	This proposed regulation will meet new Centers for Medicare & Medicaid Services requirements for Nursing Facility per diem reimbursement. The current rate setting methodology will no longer be supported by CMS. This regulation will amend Chapters 1187 and 1189 to a new methodology that meets CMS requirements.	Maeve Curley macurley@pa.gov
<b><i>Pennsylvania Insurance Department (PID)</i></b>			
Producer Licensing Modernization Regulatory Updates	Spring 2024, as Proposed	Repeal outdated regulations and replace with a new chapter implementing sections 601-A—699.1-A of the Insurance Department Act of 1921 (40 P.S. §§ 310.1—310.99a), which will set forth requirements and standards for insurance producers in this Commonwealth. The package was submitted to GPO/OGC and a fiscal note was created by GBO. Awaiting OGC approval.	Caroline Boehm Policy Director (717) 787-0164
Underground Storage Tank Indemnification Fund (USTIF) Regulations	Summer 2024, as Proposed	Amend regulation to clarify USTIF and TIIP eligibility requirements by incorporating Pennsylvania appellate court decisions and to also require that underground storage tanks be registered under Section 503 of the Tank Act within 60 days of when a release is confirmed. The Underground Storage Tank Indemnification Board approved the language in the draft amendment; PID plans to send the exposure draft to stakeholders for review and comment the first week in February.	Caroline Boehm Policy Director (717) 787-0164
<b><i>Department of Labor and Industry (L&amp;I)</i></b>			
Flammable and Combustible Liquids Title 34, Part I, Chapters 14 and 14a Bureau of Occupational and Industrial Safety	Fall 2024, as Proposed	Update regulations based on Act 144 of 2012 and adopt requirements for storage and dispensing of compressed natural gas as vehicular fuel. <i>Status update:</i> Preparation of reg package currently underway.	Matthew Kegg (717) 783-6304
Bureau of Workers' Compensation Title 34, Chapter 123, Subchapter B Impairment Ratings	Summer 2024, as Final-Form	Update regulations to reflect new statutory provisions and changes to the IRE process enacted by Act 111 of 2018. <i>Status update:</i> Regulation # 12-117: Impairment Rating proposed rulemaking delivered to IRRC on 4/12/23 and subsequently published in <i>Pennsylvania Bulletin</i> on 4/22/2023. Agency reviewing public comment and IRRC comment. Final-form preparation currently under way.	Marianne Saylor (717) 886-9001
Uniform Construction Code Regulations Title 34, Part I, Chapter 405 Bureau of Occupational and Industrial Safety	Summer 2024, as Proposed	Update regulations related to lifting devices based on Act 68 of 2018 and adopt certification standards for third party inspection agencies. <i>Status update:</i> Preparation of reg package currently underway.	Matthew Kegg (717) 783-6304

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Sign Language Interpreter and Transliterator State Registration Act Title 34, Part XV, Chapter 501 Office of Deaf and Hard of Hearing	Spring 2024, as Proposed	Update regulations related to registration and examination of sign language interpreters. <i>Status update:</i> Preparation of reg package currently underway and almost complete.	Melissa Hawkins (717) 783-4912
UCBR—Title 34, Chapter 101 (relating to the manner in which hearings shall be conducted and appeals filed)	Summer 2024, as Proposed	Update regulation based on implementation of the new UC Claims System, amendments to the UC statute, and potential for virtual hearings. <i>Status update:</i> Courtesy draft of proposed amendments have been sent to stakeholders and stakeholders to have 30 days to provide comments on the courtesy draft.	Brian Parr (717) 787-4857
Services for the Blind and Visually Impaired Currently Title 55, Part IV, Adult Services Manual, Subpart D Non-residential Agencies/Facilities/Services Chapter 2430 to be moved to Title 34	Fall 2024, as Proposed	Deletion of current regulations and creation of new regulations for the Business Enterprise Program to reflect operational changes, based on the transfer of the program from the Department of Human Services to L&I, Act 15 of 1999. <i>Status update:</i> Under consideration.	Dawn Sokol (814) 871-4401
<b><i>Department of Military and Veterans Affairs (DMVA)</i></b>			
Bureau of Veterans' Affairs 43 Pa. Code Chapter 9	Spring 2024, Repeal	The Department proposes to repeal its Persian Gulf Conflict Veterans Benefit Program. The Program was established by Act on April 24, 2006 (P.L. 91, No. 29). The current rules and regulations at Title 43 Pa. Code Chapter 9 were promulgated in 2008 to implement, administer and enforce the Act. Section 4(b) of the Act allowed the Department to accept applications through August 31, 2015. The Act of October 30, 2015 (P.L. 205, No. 50), amended this authority by extending the application period through August 31, 2018. The Act of October 30, 2015, also amended the expiration date, in section 12(e), to prohibit the issuance of bonds and notes funding the program after December 31, 2019. The Department accordingly ceased accepting applications for the benefit after August 31, 2018, and ceased issuing bonds and notes for the program after December 31, 2019. For these reasons, the rules and regulations at Chapter 9 are inoperable and proposed to be repealed with the chapter reserved.	Ed Cherry (717) 861-8503 DMVA Office of Chief Counsel
Bureau of Veterans' Affairs 43 Pa. Code Chapter 5	Spring 2024, as Proposed	The Department wishes to promulgate a comprehensive update to its regulations related to the former Bureau of Veterans' Affairs that is now the Bureau of Programs, Initiatives, Reintegration and Outreach. The statutory authority for these regulations Sections 1704(7) and 7701 of the Military and Veterans Code (51 Pa.C.S.). These regulations are out-of-date. They were last updated in 1991.	Ed Cherry (717) 861-8503

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Veterans' Homes Regulations 43 Pa. Code Chapter 7	Fall 2025, as Proposed	The Department wishes to promulgate a comprehensive update to its regulations on State Veterans' Homes. The statutory authority for these regulations is section 902(10) of the Military and Veterans Code (51 Pa.C.S § 903(10)). These regulations are out-of-date. They were last updated in 1986. The purpose of the changes to these regulations is to bring them in line with best practices in the long-term care arena.	Ed Cherry (717) 861-8503
Fort Indiantown Gap 43 Pa. Code (new Chapter)	Fall 2025, as Proposed	Fort Indiantown Gap is owned by the Commonwealth of Pennsylvania and operated by the Department of Military and Veterans Affairs. The post is home to tens of thousands of Soldiers and civilians every year for training and other activities. Department wishes to promulgate regulatory authority and installation regulations that enhance the safety of military and civilian personnel and protect the military and Commonwealth property. The statutory authority for these regulations Chapter 7 § 708 of the Military and Veterans Code (51 Pa.C.S.).	Ed Cherry (717) 861-8503
<b><i>Municipal Police Officers' Education and Training Commission (MPOETC)</i></b>			
Administration of the Municipal Police Officers' Education and Training Program 37 Pa. Code Chapter 203 (# 17-80)	Spring 2024, as Proposed Preparation of regulatory package underway.	Title 53 Pa.C.S. § 2164(14) conveys powers and duties to the Municipal Police Officers' Education and Training Commission to make such rules and regulations and to perform such other duties as may be reasonably necessary or appropriate to implement the education and training program for police officers. Omnibus revisions to Chapter 203, which pertains to the certification and training of the Commonwealth's municipal police officers, are necessary to modernize these regulations, as they have not undergone a major revision since 1996. The amendments that will be proposed are the product of an extensive review project that included key stakeholders of the regulated community.	Sergeant Travis Messenger (717) 705-0843
Administration of Law Enforcement Background Investigations and Employment Information Act 57 of 2020 (# 17-87)	Spring 2024, as Proposed Temporary rulemaking published in <i>Pennsylvania Bulletin</i> on March 6, 2021. Preparation of proposed rulemaking package underway.	Act 57 of 2020 (P.L. 613, July 14, 2020, No. 57) established the requirement for background investigations and employment information for law enforcement officers. Duties conveyed to the Municipal Police Officers' Education and Training Commission include to establish and maintain an electronic database containing separation records of law enforcement officers; establish minimum background investigation standards; and promulgate regulations.	Sergeant Travis Messenger (717) 705-0843

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Administration of Mental Health Evaluations for Law Enforcement Officers Act 59 of 2020 (# 17-88)	Spring 2024, as Proposed Temporary rulemaking published in <i>Pennsylvania Bulletin</i> on March 20, 2021. Preparation of proposed rulemaking package underway.	Act 59 of 2020 (P.L. 624, July 14, 2020, No. 59) established the requirement for mandatory mental health evaluations for law enforcement officers. Duties conveyed to the Municipal Police Officers' Education and Training Commission include to establish procedures for confidentiality of mental health evaluations and related records; other procedures as necessary; and promulgate regulations.	Sergeant Travis Messenger (717) 705-0843
<b><i>Pennsylvania Commission on Crime and Delinquency (PCCD)</i></b>			
Sheriffs' and Deputy Sheriffs' Education and Training Program 37 Pa. Code Chapter 421	2024, as Proposed	The Sheriffs' and Deputy Sheriffs' Education and Training Board (Board), an advisory board within the Commission on Crime and Delinquency, plans to amend the regulations at 37 Pa. Code Chapter 421 (relating to the Board) due to statutory changes in Act 114 of 2014 (Act of Jul. 9, 2014, P.L. 1006, No. 114).	Mike Pennington (717) 265-8461 Debra Sandifer (717) 265-8517
County Probation and Parole Officers' Firearm Education and Training Commission 37 Pa. Code Chapter 79	2024, as Proposed	The County Adult Probation and Parole Advisory Committee (CAPPAC), an advisory committee within the Commission on Crime and Delinquency, plans to transfer and amend the regulations at 37 Pa. Code Chapter 79 to a newly created 37 Pa. Code Chapter 491 due to statutory changes in Act 115 of 2019 (Act of Dec. 18, 2019, P.L. 776, No. 115).	Mike Pennington (717) 265-8461 Debra Sandifer (717) 265-8517
Constables' Education and Training Board 37 Pa. Code Chapter 431	2024, as Proposed	The Constables' Education and Training Board, an advisory board within the Commission on Crime and Delinquency, plans to amend the regulations at 37 Pa. Code Chapter 431 (relating to Constables' Education and Training Board) to update policies and procedures.	Mike Pennington (717) 265-8461 Debra Sandifer (717) 265-8517
Crime Victims Compensation 37 Pa. Code Chapter 411	2024, as Proposed	The Victims Services Advisory Committee, an advisory board within the Commission on Crime and Delinquency, plans to amend the regulations at 37 Pa. Code Chapter 411 (relating to Crime Victims Compensation) to update policies and procedures to reflect statutory changes in Act 77 of 2022 (Act of Jul. 11, 2022, P.L. 775, No. 77).	Mike Pennington (717) 265-8461 Debra Sandifer (717) 265-8517
<b><i>Pennsylvania Infrastructure Investment Authority (PENNVEST)</i></b>			
Pennsylvania Infrastructure Investment Authority (PENNVEST) Assistance and Clean Water State Revolving Fund 25 Pa. Code Sections 963.1—963.20, including inter alia: 963.12(a) 963.13(c) 963.13(e) 963.15(a) 963.15(c) 963.16 963.18(c) 963.20	Summer/Fall 2024, as Proposed The PENNVEST Board voted to approve the proposed rulemaking on January 29, 2020.	Revisions under consideration include, inter alia: Amendments to 25 Pa. Code §§ 963.1—963.20 to be consistent with statutory revisions imposed by P.L. 51, No. 16, enacted June 19, 2013, the Federal Water Resources Reform and Development Act of 2014, the Water Infrastructure Improvements for the Nations Act of 2016, the Infrastructure Investment and Jobs Act of 2021 and guidance revisions implemented by the Department of Environmental Protection, to reflect updates to business practices, and to incorporate any provisions necessary to accommodate for the deletion of 25 Pa. Code § 965 in its entirety, including, but not limited to the following:	Shawn W. Weis (717) 783-6776

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
		<p>(1) Amend 25 Pa. Code § 963.12(a)(1) by revising the section to provide for the eligibility of certain interior plumbing costs.</p> <p>(2) Delete 25 Pa. Code § 963.12(a)(3) and § 963.12(c)(3) thereby allowing PENNVEST to provide financial assistance (loan and grant) for costs associated with the purchase of land that qualify as eligible costs under § 963.11(a)(4).</p> <p>(3) Delete 25 Pa. Code § 963.12(a)(7) thereby allowing PENNVEST to provide financial assistance (loan and grant) for costs associated with the extraction for profit of minerals or other resources from wastewater or sludge whether the project is sponsored by a public or private actor.</p> <p>(4) Amend 25 Pa. Code § 963.13(c) by revising the section to provide for an amortization of advance funding loans with a term of 59 months of interest only and repayment of principal and interest on the 60th month.</p> <p>(5) Delete 25 Pa. Code § 963.13(e) requiring PENNVEST to set aside 10% of the available finance assistance for advance funding assistance due to a lack of demand.</p> <p>(6) Amend 25 Pa. Code § 963.15(a) by revising the first sentence to provide for a change in the normal loan term to allow 3 years of interest only prior to principal amortization.</p> <p>(7) Amend 25 Pa. Code § 963.15(c)(5) to provide that maximum interest rates on loans shall be determined based upon the unemployment rate for the applicable county in the most recent calendar year for which data has been finalized as of the application cutoff date.</p> <p>(8) Amend 25 Pa. Code § 963.15(c)(6) by revising the sentence to define “bond interest rate” to mean the rate of interest paid by the Commonwealth in its issuance of general obligation bonds immediately preceding the application cut-off date for the next regularly scheduled PENNVEST Board meeting.</p> <p>(9) Amend 25 Pa. Code § 963.16 to provide the parameters of a loan or bond guarantee program to be provided by PENNVEST.</p> <p>(10) Amend 25 Pa. Code § 963.18(c)(2)(iii) to increase the threshold for PENNVEST’s prior written approval of change orders from \$25,000, or 2 percent of the amount of the project’s construction cost, whichever is less, to \$50,000.</p> <p>(11) Delete 25 Pa. Code § 963.20 eliminating the requirement for a second opinion project review for projects in excess of \$10M.</p>	

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b><i>Pennsylvania State Police (PSP)</i></b>			
Purchase and Possession of Partially-Manufactured Frame or Receiver for Pistol or Rifle 37 Pa. Code (new Chapter) (# 17-89)	Spring 2024, as Proposed Preparation of proposed rulemaking package developed. Awaiting Federal court ruling(s).	Title 18 Pa.C.S. § 6111.1 requires the Pennsylvania State Police to administer the provisions of the Uniform Firearms Act. The Office of Attorney General, Official Opinion 2019-3, 49 Pa.B. 7659, establishes a partially-manufactured frame or receiver for a pistol or rifle as a firearm as defined within the Uniform Firearms Act. The purpose of the proposed rulemaking is to ensure clear guidance is given to licensees/sheriffs and the public in processing the sale/transfer and possession of a partially-manufactured frame or receiver for a pistol or rifle.	Sergeant Travis Messenger (717) 705-0843
<b><i>Department of Revenue (DOR)</i></b>			
Corporate Net Income Tax 61 Pa. Code § 153.26a (Proposed Rulemaking) Sales factor sourcing sales of services	June 2024, as Proposed	Under the authority contained in section 6 of the Fiscal Code (72 P.S. § 6) and section 401 of the TRC (72 P.S. § 7401(3)), the Department proposes the addition of § 153.26a (relating to sales factor sourcing sales of services). Act 52 of 2013 enacted a revised methodology for sourcing revenue from sales of services in the computation of CNIT. The proposed rulemaking will establish the processes for sourcing service income and the apportionment of taxpayers' business income to this Commonwealth and ensure that all taxpayers implement uniform methods for sourcing their sales of services to this Commonwealth. Informal public outreach was conducted October/November 2020.	Jack Frehafer (717) 346-4637
Corporate Net Income Tax 61 Pa. Code Chapter 153 (Proposed Rulemaking) Business income and nonbusiness income	June 2024, as Proposed	Under the authority contained in section 6 of Fiscal Code (72 P.S. § 6) and section 401 of the TRC (72 P.S. § 7401(3)), the Department is proposing amendments to the CNIT regulations by adding section 153.24a (relating to business and nonbusiness income) due to legislative changes and further development of the Unitary Business Principle of the U.S. Constitution in case law. Informal public outreach was conducted January/February 2020. Proposed rulemaking was delivered to the Office of General Counsel (OGC), Governor's Policy (GPO) and Budget Offices (GBO) for review on 12/23/2021. It was resubmitted on 10/26/2023, subsequently approved by all 3 agencies and delivered to the Office of Attorney General (OAG) on 11/30/2023. OAG issued a Tolling Memorandum on 12/21/2023. During the 1st Quarter 2024, the Department will draft its response to OAG's Tolling Memorandum.	Michael Vadner (717) 346-4640

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b>Department of State (DOS)</b>			
<b>State Board of Accountancy</b>			
Licensure by Endorsement 49 Pa. Code §§ 11.5a and 11.5b (# 16A-5517)	Summer 2024, as Proposed	This rulemaking amends the Board's regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses.	Miranda Murphy (717) 214-8402
General Revisions 49 Pa. Code §§ 11.16, 11.23a, 11.56, 11.57, 11.82 and 11.84—11.87 (# 16A-5519)	Spring 2024, as Proposed	First, this proposed rulemaking is a general update of the Board's regulations to comply with the Act 110 of 2022 amendments to the CPA Law relating to examinations, education requirements, verification of experience and peer review, as well as the Act 100 of 2021 requirements regarding virtual supervision. Second, this rulemaking provides a CPE "safe harbor" for licensees supervising attest services; requires licensees supervising, signing or authorizing another to sign an accountant's report for attest services to comply with the competency requirements; and fixes a typographical error. Third, the rulemaking amends the Board's regulations to implement continuous testing of the CPA Exam. Currently, section 11.16(a) of the Accountancy regulations states that the CPA examination will be administered within specific testing windows within each quarter of every year. As of July 1, 2020, Prometric, the testing administrator for the Uniform CPA Examination, began administering the CPA Exam throughout the year, without testing windows. This proposed rulemaking would amend section 11.16(a) by eliminating testing windows. Section 11.16(a) would also be amended so that CPA test takers would not have to wait until the next quarter to retake a failed section of the CPA Exam. <i>Statutory Authority:</i> Section 3(a)(12) of the CPA Law (63 P.S. § 9.3(a)(12)) authorizes the Board to promulgate and enforce regulations as are necessary and proper to carry into effect the provisions of the CPA Law.	Miranda Murphy (717) 214-8402

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b>State Architects Licensure Board</b>			
Licensure by Endorsement 49 Pa. Code Chapter 9 (# 16A-4120)	Summer 2024, as Proposed	This rulemaking amends the Board’s regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses.	Jessica Harris (717) 783-3397
General Revisions 49 Pa. Code Chapter 9 (# 16A-4112)	Summer 2024, as Proposed	The Board has undertaken a review of existing regulations with the goal of updating the regulations and eliminating outdated and obsolete provisions. This proposed rulemaking would generally amend, update and clarify the regulations relating to the requirements for licensure by examination and for licensure by reciprocity. The proposed rulemaking will add provisions for licensure with a bachelor’s degree from a regionally accredited program, an associate degree, a Broadly Experienced Architect and through reciprocal licensure. Other affected provisions include those related to inactive records, requirements for examination eligibility, adoption of the Architectural Experience Program (AXP®), application procedures related to experience and the verification thereof, reactivation of lapsed licenses and professional/corporate practice. The proposed rulemaking will also remove the rolling clock requirement which places a five-year expiration date on passed divisions of the Architect Registration Examination (ARE), thereby aligning the Board’s requirements with those of the National Council of Architectural Registration Boards (NCARB) and most other states.	Jessica Harris (717) 783-3397

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b><i>State Board of Auctioneer Examiners</i></b>			
Act 88 Amendments 49 Pa. Code Chapter 1 (# 16A-6410)	Summer 2024, as Proposed	The act of July 20, 2016 (P.L. 789, No. 88) (Act 88 of 2016) amended the Auctioneer Licensing and Trading Assistant Registration Act by updating its provisions, eliminating auction house licenses and creating a registration for trading assistant companies. It also redefined terms and altered qualifications for auctioneers to include a combination of education and apprenticeship. This proposed rulemaking is needed to fully implement Act 88 of 2016.	Terrie Kocher (717) 783-3397
Licensure by Endorsement 49 Pa. Code §§ 1.3, 1.27 and 1.28 (# 16A-6412)	Spring 2024, as Final	This rulemaking amends the Board's regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses. The final-form rulemaking package has been presented to the Governor's Office for review pursuant to Executive Order 1996-1; delivery is expected by 2nd Quarter 2024.	Terrie Kocher (717) 783-3397
<b><i>State Board of Barber Examiners</i></b>			
General Revisions 49 Pa. Code Chapter 3 (# 16A-429)	Summer 2024, as Proposed	The proposed rulemaking would update the Board's regulations to delete obsolete provisions and outdated terminology. It would also update the regulations to make them consistent with the Barber License Law and current practices of the Board and its licensees, and amend certain provisions related to minimum space and minimum equipment requirements.	Sharona Evans (717) 772-8538

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Licensure by Endorsement 49 Pa. Code §§ 3.16 and 3.17 (# 16A-4212)	Summer 2024, as Proposed	This rulemaking amends the Board's regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses.	Sharona Evans (717) 772-8538
<b><i>State Board of Chiropractic</i></b>			
Volunteer License 49 Pa. Code § 5.20 (# 16A-4321)	Summer 2024, as Final-Omitted	This final-omitted regulation is required to amend the current regulations to conform to amendments to the Volunteer Health Services Act (Acts 86 of 2014, 29 of 2007 and 58 of 2002). <i>Statutory Authority:</i> Section 5 of the Volunteer Health Services Act, 35 P.S. § 449.45, requires each enumerated licensing board to promulgate regulations governing the volunteer license category.	Shakeena Chappelle (717) 214-5702
General Revisions 49 Pa. Code Chapter 5 (# 16A-4328)	Summer 2024, as Proposed	This proposed rulemaking would update the Board's regulations to include provisions related to government employee liability coverage and sexual misconduct. <i>Statutory Authority:</i> Section 302(3) of the Chiropractic Practice Act (63 P.S. § 625.302(3)) authorizes the Board to promulgate, adopt and enforce in the manner provided by law, the rules and regulations necessary to carry out this act.	Shakeena Chappelle (717) 214-5702
Licensure by Endorsement 49 Pa. Code §§ 5.1, 5.11a, 5.13a and 5.13b (# 16A-4334)	Spring 2024, as Proposed	This rulemaking amends the Board's regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses. The Board is drafting the proposed regulatory package.	Shakeena Chappelle (717) 214-5702

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Schedule of Fees 49 Pa. Code § 5.6 (# 16A-4335)	Spring 2024, as Final	This rulemaking is needed to increase the application and biennial renewal fees to provide sufficient biennial revenue to meet the projected expenditures as required under section 1101 of the Chiropractic Practice Act (63 P.S. § 625.1101). The proposed rulemaking was published on August 5, 2023; public comments closed on September 5, 2023; and IRRC's comments were received on October 5, 2023. The Board is drafting the final-form regulation.	Shakeena Chappelle (717) 214-5702
<b><i>Commissioner of Professional and Occupational Affairs</i></b>			
Consideration of Criminal Convictions 49 Pa. Code Chapter 43b, Subchapters C and E §§ 43b.201 and 43b.401— 43b.531 (# 16A-66)	Spring 2024, as Final	This rulemaking is required to implement provisions of the act of July 1, 2020 (P.L. 545, No. 53), relating to the consideration of criminal history record information by licensing boards and commissions under the Bureau of Professional and Occupational Affairs, including schedules of criminal convictions that may constitute grounds to refuse to issue, suspend or revoke a license, certificate, registration or permit for each occupation or profession regulated by the various boards/commissions. A draft of the final-form regulation was presented to the Governor's office for review under Executive Order 1996-1.	Cynthia Montgomery (717) 783-7200
<b><i>Bureau of Notaries, Commissions &amp; Legislation</i></b>			
Notaries Public 4 Pa. Code Part VIII, Subpart C (# 16-61)	Spring 2024, as Proposed	The rulemaking implements the act of October 9, 2013 (P.L. 609, No. 73), which adopted the Revised Uniform Law on Notarial Acts (RULONA). Additional stakeholder outreach conducted; preparation and finalization of proposed rulemaking package currently underway.	Martha Brown (717) 783-0736
<b><i>State Board of Cosmetology</i></b>			
Schedule of Civil Penalties 49 Pa. Code § 43b.5 (# 16A-4517)	Summer 2024, as Proposed	This proposed rulemaking would amend the schedule of civil penalties for the State Board of Cosmetology promulgated by the Commissioner of Professional and Occupational Affairs under the authority of the act of July 2, 1993 (P.L. 345, No. 48) (Act 48). The State Board of Cosmetology (Board) has participated in the Act 48 citation program from its inception in 1996 and has not increased the amounts in the schedule of civil penalties since they were originally promulgated. The Board believes that it is necessary to increase the civil penalties in order to improve their deterrent effect.	Val Eaton (717) 783-3402

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Massage Therapists in Cosmetology or Esthetician Salons 49 Pa. Code Chapter 7 (# 16A-4518)	Summer 2024, as Final	This rulemaking implements part of the Act 136 of 2014 (P.L. 2476, No. 136), which allows massage therapists to practice within the licensed square footage of cosmetology or esthetician salons and requires the Board and the State Board of Massage Therapy to jointly promulgate regulations to carry out these provisions. <i>Statutory Authority:</i> Sections 11 and 9.3 of the Act of May 3, 1933 (P.L. 242, No. 86), commonly referred to as the Beauty Culture Law, 63 P.S. §§ 517 and 515.3. The proposed rulemaking was published on December 16, 2023; public comment ended on January 16, 2024; IRRC's comments are due by February 15, 2024.	Val Eaton (717) 783-3402
Licensure by Endorsement 49 Pa. Code Chapter 7 (# 16A-4521)	Spring 2024, as Proposed	This rulemaking amends the Board's regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses.	Val Eaton (717) 783-3402
<b><i>State Board of Crane Operators</i></b>			
Licensure by Endorsement 49 Pa. Code §§ 6.16 and 6.17 (# 16A-7104)	Spring 2024, as Final	This rulemaking amends the Board's regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses. Final-form rulemaking package expected to be presented to the Governor's Office for review pursuant to Executive Order 1996-1 in 1st Quarter 2024; delivery is expected in 2nd Quarter 2024.	Jessica Harris (717) 783-1404

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b>State Board of Dentistry</b>			
Anesthesia Update 49 Pa. Code §§ 33.3, 33.115a and 33.331—33.344 (# 16A-4621)	Fall 2024, as Proposed	The Board's current regulations relating to the administration of general anesthesia, deep sedation, conscious sedation and nitrous oxide/oxygen analgesia were promulgated in 2005. Noting that the standard of care has evolved since that time, the Board wishes to update the regulations to adopt more current standards and provide additional guidance to anesthesia permit holders. <i>Statutory Authority:</i> Sections 3(o) and 11.2 of the Dental Law (63 P.S. §§ 122(o) and 130c). Section 130c authorizes the Board to establish requirements relating to the use of general anesthesia, conscious sedation and nitrous oxide/oxygen analgesia. Section 3(o) provides the general authority of the Board "to adopt, promulgate and enforce such rules and regulations as may be deemed necessary by the Board."	Christina Townley (717) 783-4862
Volunteer License 49 Pa. Code § 33.110 (# 16A-4625)	Summer 2024, as Final-Omitted	This final-omitted regulation is required to amend the current regulations to conform to amendments to the Volunteer Health Services Act (Acts 86 of 2014, 29 of 2007 and 58 of 2002). <i>Statutory Authority:</i> Section 5 of the Volunteer Health Services Act, 35 P.S. § 449.45, requires each enumerated licensing board to promulgate regulations governing the volunteer license category.	Christina Townley (717) 783-4862
General Revisions 49 Pa. Code Chapter 33 (# 16A-4628)	Summer 2024, as Proposed	The State Board of Dentistry has undertaken a review of existing regulations with the goal of updating the regulations and eliminating outdated and obsolete provisions. This proposed rulemaking would generally amend, update and clarify the regulations relating to fictitious names, biennial renewal, inactive status, reactivation, EFDA program approval, licensure by criteria approval, acceptable proof of professional liability insurance, use of titles, advertising, unprofessional conduct, multi-disciplinary professional corporations, exclusion of auxiliary personnel from performing radiological procedures and continuing dental education.	Christina Townley (717) 783-4862
Schedule of Civil Penalties— Dentists, Dental Hygienists and EFDAs 49 Pa. Code § 43b.14a (# 16A-4630)	Summer 2024, as Proposed	This proposed regulation would amend the schedule of civil penalties for practicing on a lapsed license, permit or certificate and other violations of the Dental Law, including failure to complete continuing education. <i>Statutory Authority:</i> 63 Pa.C.S. § 3108 authorizes the Commissioner to set forth schedules of civil penalties.	Christina Townley (717) 783-4862

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Licensure by Endorsement 49 Pa. Code §§ 33.107a and 33.107b (# 16A-4635)	Spring 2024, as Proposed	This rulemaking amends the Board’s regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses.	Christina Townley (717) 783-4862
Opioid Prescribing and Education 49 Pa. Code Chapter 33 (# 16A-4637)	Summer 2024, as Proposed	The State Board of Dentistry proposes this rulemaking to set forth the minimum acceptable standards of practice that a dentist licensed by the Board must follow when prescribing, administering or dispensing drugs, including the requirements of the Safe Emergency Prescribing Act (Act 122 of 2016), the provisions of Chapter 52A of Title 35, relating to prescribing opioids to minors and the provisions of Chapter 51 of Title 35 relating to safe opioid prescription and voluntary non-opioid directives. The rulemaking will also amend the Board’s regulations to conform to the requirements of the omnibus amendments to the Achieving Better Care By Monitoring All Prescriptions Program (ABC-MAP) Act found in Act 124 of 2016. This rulemaking will adopt the PA-Support curriculum developed under contract with the Bureau of Professional and Occupational Affairs to implement the “safe prescription of a controlled substance containing an opioid” curriculum required by Act 126 of 2016.	Christina Townley (717) 783-4862

***State Board of Funeral Directors***

Licensure by Endorsement 49 Pa. Code §§ 13.1, 13.78 and 13.79 (# 16A-4832)	Summer 2024, as Proposed	This rulemaking amends the Board’s regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses.	J. Leslie Warner (717) 214-7781
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<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Food and Beverages 49 Pa. Code Chapter 13 (# 16A-4834)	Summer 2024, as Proposed	This rulemaking codifies a prior statement of policy setting forth the Board's interpretation and application of § 13.183 (relating to food and beverages). The rulemaking will clarify that, other than water, food and beverages may not be served in any part of the funeral establishment where the professional practice of funeral directing is conducted. This would include any area which is used in the care and disposition of the human dead, or in the practice of disinfecting and preparing by embalming the human dead. It would also include any room in which human remains or cremated remains are placed for viewing, visitation or services. The prohibition, therefore, would not prohibit the serving of food or beverages in a separate "hospitality room" or "lounge" or any other area where the practice of funeral directing does not occur.	J. Leslie Warner (717) 214-7781
<b><i>State Board of Landscape Architects</i></b>			
Schedule of Civil Penalties— Landscape Architects 49 Pa. Code Chapter 43b (# 16A-6120)	Spring 2024, as Proposed	This proposed regulation would adopt a schedule of civil penalties for unlicensed practice and other violations of the Landscape Architects Registration Law. <i>Statutory Authority:</i> 63 Pa.C.S. § 3108 authorizes the Commissioner to set forth schedules of civil penalties.	Terri Kocher (717) 772-8528
Licensure by Endorsement 49 Pa. Code Chapter 15 (# 16A-6121)	Spring 2024, as Proposed	This rulemaking amends the Board's regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses.	Terri Kocher (717) 772-8528
<b><i>State Board of Massage Therapy</i></b>			
Child Abuse Reporting Requirements 49 Pa. Code Chapter 20 (# 16A-722)	Spring 2024, as Proposed	This regulation implements mandatory reporting requirements relating to suspected child abuse under the Child Protective Services Law (CPSL) to conform to recent amendments to the CPSL, including the requirement that all applicants and licensees of the State Board of Massage Therapy obtain required training in child abuse recognition and reporting.	Paul Keller (717) 783-7155

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
General Revisions 49 Pa. Code §§ 20.1—20.54 (# 16A-725)	Summer 2024, as Proposed	This proposed rulemaking updates several provisions, including education, scope of practice, and examinations. <i>Statutory Authority:</i> Section 4(2) of the Massage Therapy Act, 63 P.S. § 627.4(2).	Paul Keller (717) 783-7155
Massage Therapists in Cosmetology or Esthetician Salons 49 Pa. Code Chapter 20 (# 16A-726)	Summer 2024, as Final	This rulemaking enacts part of the act of September 24, 2014 (P.L. 2476, No. 136), which allows massage therapists to practice in cosmetology or esthetician salons. <i>Statutory Authority:</i> Act 136 requires the Board and the State Board of Cosmetology to jointly promulgate regulations implementing the new law; Section 4(2) of the Massage Therapy Law, 63 P.S. § 4(2), provides the Board's general authority to promulgate regulations. The proposed rulemaking was published on December 16, 2023; public comment ended on January 16, 2024; IRRC's comments are due by February 15, 2024.	Paul Keller (717) 783-7155
Licensure by Endorsement 49 Pa. Code Chapter 20 (# 16A-727)	Spring 2024, as Proposed	This rulemaking amends the Board's regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses.	Paul Keller (717) 783-7155
Virtual Education 49 Pa. Code Chapter 20 (# 16A-728)	Summer 2024, as Proposed	This rulemaking amends the Board's regulations to allow for instruction of massage therapy students via a "virtual platform," defined as a "live-stream synchronous videoconferencing or similar virtual presence technology." This regulation implements the act of December 22, 2021 (P.L. 488, No.100) (Act 100 of 2021).	Paul Keller (717) 783-7155
Schedule of Fees 49 Pa. Code Chapter 20 (# 16A-729)	Summer 2024, as Proposed	The proposed rulemaking is needed to increase the application and biennial renewal fees to provide sufficient biennial revenue to meet the projected expenditures as required under section 11 of the Massage Therapy Law (63 P.S. § 627.11).	Paul Keller (717) 783-7155

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b>State Board of Medicine</b>			
Volunteer License 49 Pa. Code Chapter 16 (# 16A-4934)	Summer 2024, as Final-Omitted	This final-omitted regulation is required to amend the current regulations to conform to amendments to the Volunteer Health Services Act (Acts 86 of 2014, 29 of 2007 and 58 of 2002). <i>Statutory Authority:</i> Section 5 of the Volunteer Health Services Act, 35 P.S. § 449.45, requires each enumerated licensing board to promulgate regulations governing the volunteer license category.	Saiyad Ali (717) 783-4852
Status Change and Continued Competency 49 Pa. Code Chapter 16 (# 16A-4945)	Summer 2024, as Proposed	This regulation defines the status types of existing licensees (active, active-retired, inactive, expired), provides the scope of practice for the active-retired license type created by the MCARE Act, and provides specific authorization for the Board to require a competency evaluation following a period of inactive practice. The regulation further replaces the term “registration” with “renewal” to reflect the ministerial act the Board performs upon a licensee’s application at or near the time of license expiration.	Saiyad Ali (717) 783-4852
Fees 18 Pa. Code § 16.13 (# 16A-4951)	Summer 2024, as Proposed	The rulemaking would update the fees for initial applications and reduce the biennial renewal fees of the State Board of Medicine to reflect recent analysis by the budget office of Board finances and fee-for-service costs. <i>Statutory Authority:</i> Section 6(a) of the Medical Practice Act of 1985 (63 P.S. § 422.6(a)) authorizes the setting of fees by regulation.	Saiyad Ali (717) 783-4852
Registration of Naturopathic Doctors 49 Pa. Code Chapter 18 (# 16A-4953)	Spring 2024, as Final	The final rulemaking will amend the Board’s regulations to implement the Naturopathic Doctor Registration Act, Act of Nov. 3, 2016, P.L. 997, No. 128, 63 P.S. §§ 272.101—272.301, which provides for the registration of naturopathic doctors. The regulation establishes fees, registration requirements, continuing education requirements, standards of practice, required records, advertising, grounds for discipline and types of discipline. The proposed regulation was published in the <i>Pennsylvania Bulletin</i> on December 18, 2022. Thereafter, the Board published an advance notice of final rulemaking (ANFR) on June 3, 2023, requesting additional public comment regarding certain key terms and definitions and corresponding amendments incorporating the key terms, as well as amendments to address clarity and lack of ambiguity. The final-form rulemaking has been delivered and is on the IRRC agenda scheduled for March 21, 2024.	Saiyad Ali (717) 783-4852

NOTICES

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<p>Physician Assistants 49 Pa. Code Chapter 18 (# 16A-4955)</p>	<p>Summer 2024, as Final</p>	<p>This regulation implements Act 79 of 2021 by removing the requirement that a supervising physician countersign 100% of the patient files, by allowing all written agreements between physicians and physician assistants to be “filed” with the State Board of Medicine (Board) instead of “approved” by the Board, by specifying that physician assistants may practice without the onsite presence or personal direction of the supervising physician, by allowing for more autonomy in the language of the written agreement filed with the Board and by increasing the number of physician assistants that a supervising physician may supervise. This proposed regulation will amend the existing physician assistant regulations to conform with the amendments made to the Medical Practice Act under Act 79 of 2021 and to remove outdated language. The proposed rulemaking was published on December 16, 2023; public comment ended on January 16, 2024; IRRC’s comments are due on February 15, 2024. After the comment periods end, the Board will consider comments received and draft the final rulemaking package.</p>	<p>Saiyad Ali (717) 783-4852</p>
<p>Licensure by Endorsement 49 Pa. Code Chapter 17 (# 16A-4958)</p>	<p>Spring 2024, as Final</p>	<p>This rulemaking amends the Board’s regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses. The proposed rulemaking was published in the <i>Pennsylvania Bulletin</i> on August 13, 2022. The Board has drafted the final-form regulation and will be submitting same to the Governor’s office for internal review in the 1st quarter of 2024, as required by Executive Order 1996-1.</p>	<p>Saiyad Ali (717) 783-4852</p>

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Opioid Prescribing and Education 49 Pa. Code Chapter 16 (# 16A-4960)	Summer 2024, as Proposed	The rulemaking will add to the current regulation regarding prescribing, administering and dispensing, to clarify that unprofessional conduct violates the Safe Emergency Prescribing Act (Act 122 of 2016), the provisions of Chapter 52A of Title 35 (Prescribing Opioids to Minors) or the provisions of Chapter 51 of Title 35 relating to safe opioid prescription and voluntary non-opioid directives. The rulemaking will also amend the Board's regulations to conform to the requirements of the omnibus amendments to the Achieving Better Care By Monitoring All Prescriptions Program (ABC-MAP) Act found in Act 124 of 2016. This rulemaking would adopt the PA-Support curriculum developed under contract with the Bureau of Professional and Occupational Affairs to implement the "safe prescription of a controlled substance containing an opioid" curriculum required by Act 126 of 2016.	Saiyad Ali (717) 783-4852
<b><i>State Board of Examiners of Nursing Home Administrators</i></b>			
Child Abuse Reporting Requirements 49 Pa. Code Chapter 39 (# 16A-6218)	Spring 2024, as Proposed	This regulation implements mandatory reporting requirements relating to suspected child abuse under the Child Protective Services Law (CPSL) to conform to recent amendments to the CPSL, including the requirement that all applicants and licensees of the State Board of Examiners of Nursing Home Administrators obtain required training in child abuse recognition and reporting.	Thomas Leech (717) 783-7142
Licensure by Endorsement 49 Pa. Code § 39.8a (# 16A-6220)	Spring 2024, as Proposed	This rulemaking amends the Board's regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses.	Thomas Leech (717) 783-7142

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b>State Board of Nursing</b>			
Volunteer License 49 Pa. Code Chapter 21, Subchapter F §§ 21.601—21.607 (# 16A-5139)	Summer 2024, as Final-Omitted	This final-omitted regulation is required to amend the current regulations to conform to amendments to the Volunteer Health Services Act (Acts 86 of 2014, 29 of 2007 and 58 of 2002). <i>Statutory Authority:</i> Section 5 of the Volunteer Health Services Act, 35 P.S. § 449.45 requires each enumerated licensing board to promulgate regulations governing the volunteer license category.	Cindy Miller (717) 783-7142
Nursing Education Programs 49 Pa. Code Chapters 21 and 33 (# 16A-5141)	Spring 2024, as Proposed	This proposed rulemaking consolidates and updates pre- and post-licensure education regulations for registered nurses, licensed practical nurses and certified registered nurse practitioners and updates IV therapy terminology. This proposed rulemaking updates pre-licensure education regulations for registered nurses and licensed practical nurses. <i>Statutory Authority:</i> Sections 2.1(k), 6.2 and 11.2 of the Professional Nursing Law, 63 P.S. §§ 212.1(k), 216.2 and 221.2; and sections 17.5 and 17.6 of the Practical Nursing Law, 63 P.S. §§ 667.5 and 667.6. This rulemaking would also incorporate by reference the PA-Support curriculum developed under contract with the Bureau of Professional and Occupational Affairs to implement the “safe prescription of a controlled substance containing an opioid” curriculum required by Act 126 of 2016.	Cindy Miller (717) 783-7142
Licensure by Endorsement and Reactivation 49 Pa. Code §§ 21.30a, 21.156a and 21.1101— 21.1104 (# 16A-5143)	Spring 2024, as Final	This rulemaking amends the Board’s regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses. In addition, this regulation delineates the specific number of practice hours in another jurisdiction needed as an option to prove continued competence when a license has lapsed or been inactive for 5 or more years. The proposed rulemaking was published in the <i>Pennsylvania Bulletin</i> on December 10, 2022. The Board has drafted the final-form regulation and submitted it to the Governor’s office for internal review on January 25, 2024, as required by Executive Order 1996-1.	Cindy Miller (717) 783-7142

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
CRNA Licensure 49 Pa. Code Chapter 21 (# 16A-5145)	Spring 2024, as Proposed	This proposed rulemaking will add certification and scope of practice provisions for certified registered nurse anesthetists (CRNAs) per Act 60 of 2021. <i>Statutory Authority:</i> Section 8.8 and 8.9 of the Professional Nursing Law (63 P.S. §§ 218.8 and 218.9).	Cindy Miller (717) 783-7142
Opioid Prescription and Education and Organ Donation Education 49 Pa. Code Chapter 21 (# 16A-5146)	Summer 2024, as Final	This rulemaking would add mandatory education on pain management or the identification of addiction under Act 124 of 2016 (ABC-MAP Act) and on organ and tissue donation and recovery under Act 90 of 2018 (Donate Life PA Act). The proposed rulemaking was published on September 16, 2023 (53 Pa.B. 5776); public comment ended on October 16, 2023; on November 15, 2023, IRRC notified the Board that it had no comments. The Board is drafting the final rulemaking package.	Cindy Miller (717) 783-7142
<b><i>State Board of Occupational Therapy Education and Licensure</i></b>			
Child Abuse Reporting Requirements 49 Pa. Code §§ 42.41, 42.42, 42.45 and 42.47 (# 16A-679)	Summer 2023, as Final	This regulation updates the Board's existing regulations relating to mandatory reporting of suspected child abuse under the Child Protective Services Law (CPSL) to conform to recent amendments to the CPSL, including the requirement that all applicants and licensees of the State Board of Occupational Therapy Education and Licensure obtain required training in child abuse recognition and reporting. The proposed rulemaking was published in the <i>Pennsylvania Bulletin</i> on October 22, 2022; the Board is drafting the final-form regulation. No comments were received from the public, IRRC or either legislative standing committee. The Board voted to adopt final-form rulemaking at its June 1, 2023, public meeting, and expects to deliver it Summer 2023.	Christina Townley (717) 783-1389
Licensure by Endorsement 49 Pa. Code §§ 42.1, 42.9 and 42.10 (# 16A-6713)	Winter 2023, as Final	This rulemaking amends the Board's regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses. The final rulemaking was redelivered on June 8, 2023, and is on the agenda for IRRC's July 13, 2023, public meeting.	Christina Townley (717) 783-1389

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b><i>State Board of Optometry</i></b>			
Volunteer License 49 Pa. Code § 23.26 (# 16A-5214)	Spring 2024, as Final-Omitted	This final-omitted regulation is required to amend the current regulations to conform to amendments to the Volunteer Health Services Act (Acts 86 of 2014, 29 of 2007 and 58 of 2002). <i>Statutory Authority:</i> Section 5 of the Volunteer Health Services Act, 35 P.S. § 449.45, requires each enumerated licensing board to promulgate regulations governing the volunteer license category.	Shakeena Chappelle (717) 214-5702
Opioid Prescribing and Education 49 Pa. Code Chapter 23 (# 16A-5219)	Summer 2024, as Proposed	The State Board of Optometry proposes this rulemaking to set forth the minimum acceptable standards of practice that an optometrist licensed by the Board must follow when prescribing, administering or dispensing drugs, including the requirements of the Safe Emergency Prescribing Act (Act 122 of 2016), the provisions of Chapter 52A of Title 35, relating to prescribing opioids to minors and the provisions of Chapter 51 of Title 35 relating to safe opioid prescription and voluntary non-opioid directives. The rulemaking will amend the Board's regulations to conform to the requirements of the omnibus amendments to the Achieving Better Care By Monitoring All Prescriptions Program (ABC-MAP) Act found in Act 124 of 2016. This rulemaking would adopt the PA-Support curriculum developed under contract with the Bureau of Professional and Occupational Affairs to implement the "safe prescription of a controlled substance containing an opioid" curriculum required by Act 126 of 2016.	Shakeena Chappelle (717) 214-5702
<b><i>State Board of Osteopathic Medicine</i></b>			
Volunteer License 49 Pa. Code Chapter 25, Subchapter L, §§ 25.601—25.607 (# 16A-5323)	Summer 2024, as Final-Omitted	This final-omitted regulation is required to amend the current regulations to conform to amendments to the Volunteer Health Services Act (Acts 86 of 2014, 29 of 2007 and 58 of 2002). <i>Statutory Authority:</i> Section 5 of the Volunteer Health Services Act, 35 P.S. § 449.45, requires each enumerated licensing board to promulgate regulations governing the volunteer license category.	Priscilla Turek (717) 346-1188

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Licensure by Endorsement and Licensure Requirements 49 Pa. Code Chapter 25 (# 16A-5336)	Spring 2024, as Proposed	<p>This rulemaking amends the Board's regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses.</p> <p>This proposed regulation will also address the current transition and ultimate merger of the American Osteopathic Association (AOA), the American Association of Colleges of Osteopathic Medicine (AACOM) and the Accreditation Council for Graduate Medical Education (ACGME), creating a single accreditation system for all graduate medical education.</p>	Priscilla Turek (717) 346-1188
		<p>The regulation will also amend the existing licensure by endorsement requirement in § 25.242, which requires an applicant receive a passing score on an osteopathic manipulative therapy examination (the practical examination), by removing the requirement in its entirety. Proposed regulatory package has been prepared and is currently undergoing the necessary review by the Governor's office required by Executive Order 1996-1.</p>	
Opioid Prescribing and Education 49 Pa. Code Chapter 25 (# 16A-5337)	Summer 2024, as Proposed	<p>This rulemaking will add to the current regulation regarding prescribing, administering and dispensing, to clarify that it is unprofessional conduct to violate the Safe Emergency Prescribing Act (Act 122 of 2016), the provisions of Chapter 52A of Title 35 (Prescribing Opioids to Minors) or the provisions of Chapter 51 of Title 35 relating to safe opioid prescription and voluntary non-opioid directives. The rulemaking will amend the Board's regulations to conform to the requirements of the omnibus amendments to the Achieving Better Care By Monitoring All Prescriptions Program (ABC-MAP) Act found in Act 124 of 2016. This rulemaking would adopt the PA-Support curriculum developed under contract with the Bureau of Professional and Occupational Affairs to implement the "safe prescription of a controlled substance containing an opioid" curriculum required by Act 126 of 2016.</p>	Priscilla Turek (717) 346-1188

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b>State Board of Pharmacy</b>			
General Revisions 49 Pa. Code Chapter 27 (# 16A-5427)	Summer 2024, as Proposed	This proposed rulemaking would update the Board's regulations relating to standards of practice for pharmacists. Additionally, the regulation would amend application procedures to increase efficiency, and incorporate several Federal provisions to provide clarity for licensees and the general public. <i>Statutory Authority:</i> Section 6(k)(9) of the Pharmacy Act, 63 P.S. § 390-6(k)(9).	Christina Townley (717) 783-4862
Child Abuse Reporting Requirements 49 Pa. Code Chapter 27 (# 16A-5430)	Spring 2024, as Proposed	This proposed regulation implements mandatory reporting requirements relating to suspected child abuse under the Child Protective Services Law (CPSL) to conform to recent amendments to the CPSL, including the requirement that all applicants and licensees of the State Board of Pharmacy obtain required training in child abuse recognition and reporting.	Christina Townley (717) 783-4862
Licensure by Endorsement 49 Pa. Code §§ 27.25a and 27.25b (# 16A-5432)	Summer 2024, as Proposed	This rulemaking amends the Board's regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses.	Christina Townley (717) 783-4862
Pharmacy Technicians 49 Pa. Code Chapter 27 (# 16A-5433)	Spring 2024, as Proposed	This rulemaking will set up the registration requirements for pharmacy technicians and pharmacy technician trainees in accordance with the amendments made to the Pharmacy Act (Act 140 of 2020). Initial stakeholder outreach conducted; preparation of proposed rulemaking package currently underway. The proposed rulemaking package is being reviewed by the Office of Attorney General (OAG); pending OAG approval, delivery of the proposed rulemaking is expected 1st Quarter 2024.	Christina Townley (717) 783-4862

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Immunizations 49 Pa. Code Chapter 27 (# 16A-5434)	Summer 2024, as Final-Omitted	This rulemaking will implement Act 80 (Act of July 11, 2022, P.L. No. 80) which amended the Pharmacy Act to allow pharmacists and pharmacy interns to administer influenza and COVID-19 immunizations to children five years of age and older, and expanded who could supervise a pharmacy intern while such immunizations are administered. The Board's regulations will be revised to make relevant provisions consistent with Act 80.	Christina Townley (717) 783-4862
ABC-MAP Opioid Education 49 Pa. Code § 25.271(c) (# 16A-5435)	Summer 2024, as Proposed	The rulemaking will amend the Board's continuing education requirements to conform to the requirements of the omnibus amendments to the Achieving Better Care By Monitoring All Prescriptions Program (ABC-MAP) Act found in Act 124 of 2016. <i>Statutory Authority:</i> Section 6(k)(9) of the Pharmacy Act, 63 P.S. § 390-6(k)(9).	Christina Townley (717) 783-4862
<b><i>State Board of Physical Therapy</i></b>			
Education; Continuing Education 49 Pa. Code Chapter 40 (# 16A-6519)	Summer 2024, as Proposed	This proposed rulemaking would clarify an issue related to students enrolled in Board-approved schools of physical therapy who perform acts of physical therapy incidental to the student's course of study. Furthermore, this rulemaking would clarify that all PTs and PTAs may to obtain 100% of the required continuing education (CE) hours via online continuing education.	Michelle Roberts (717) 783-7134
Early Exam and CE for Clinical Instruction 49 Pa. Code Chapter 40 (# 16A-6522)	Fall 2024, as Final	This proposed rulemaking would allow physical therapist students, and physical therapist assistant students, to sit for the requisite examinations up to 90 days prior to graduation from their respective programs. Additionally, this proposed rulemaking would allow physical therapists (PTs) and physical therapist assistants (PTAs) who provide clinical instruction to student PTs and student PTAs, at clinical facilities affiliated with accredited programs, to receive a limited amount of continuing education credits for providing clinical instruction to student PTs and student PTAs. Furthermore, the proposed rulemaking will amend the Board's regulations to allow applicants to register for the National examination with the examination provider, without having to first obtain the Board's permission. Proposed rulemaking published on January 27, 2024 (54 Pa.B. 383); public comment ends on February 26, 2024; IRRC's comments will be due on March 27, 2024.	Michelle Roberts (717) 783-7134

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Licensure by Endorsement 49 Pa. Code Chapter 40 (# 16A-6523)	Spring 2024, as Proposed	This rulemaking amends the Board's regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses.	Michelle Roberts (717) 783-7134
<b><i>State Board of Podiatry</i></b>			
Sexual Misconduct 49 Pa. Code Chapter 29 (# 16A-448)	Spring 2024, as Proposed	This proposed regulation would define and prohibit sexual behavior with patients and sexual exploitation. <i>Statutory Authority:</i> Section 15 of the Podiatry Practice Act (63 P.S. § 45.15) authorizes the Board to make such reasonable rules and regulations as it deems necessary and proper in order to carry out the intent and purposes of this act within the scope of this act.	Priscilla Turek (717) 346-1188
Authority to Perform Acupuncture 49 Pa. Code Chapter 29 (# 16A-449)	Summer 2024, as Proposed	This regulation is required to regulate the practice of acupuncture by podiatrists under the Acupuncture Licensure Act. <i>Statutory Authority:</i> Section 3(b) of the Acupuncture Licensure Act (63 P.S. § 1803).	Priscilla Turek (717) 346-1188
Volunteer License 49 Pa. Code Chapter 29 § 29.55 (# 16A-4411)	Summer 2024, as Final-Omitted	This final-omitted regulation is required to amend the current regulations to conform to amendments to the Volunteer Health Services Act (Acts 86 of 2014, 29 of 2007 and 58 of 2002). <i>Statutory Authority:</i> Section 5 of the Volunteer Health Services Act, 35 P.S. § 449.45, requires each enumerated licensing board to promulgate regulations governing the volunteer license category.	Priscilla Turek (717) 346-1188
Child Abuse Reporting Requirements 49 Pa. Code §§ 29.91—29.97 (# 16A-4412)	Summer 2024, as Final	This regulation updates the Board's regulations on mandatory reporting of suspected child abuse and implements the training/continuing education mandated by recent amendments to the Child Protective Services Law (CPSL), 23 P.S. §§ 6301—6386. <i>Statutory Authority:</i> Section 6383(b)(2) of the CPSL requires the Board to promulgate regulations consistent with the CPSL; Section 15 of the Podiatry Practice Act (act), 63 P.S. § 42.15, directs the Board to adopt regulations to carry out the purposes of the act. The proposed rulemaking was published on December 2, 2023; public comment ended on January 2, 2024; IRRC's comments are due by February 1, 2024.	Priscilla Turek (717) 346-1188

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<p>Opioid Prescribing and Education 49 Pa. Code Chapter 29 (# 16A-4418)</p>	<p>Summer 2024, as Proposed</p>	<p>The rulemaking will add to the current regulation regarding prescribing, administering and dispensing, to clarify that it is unprofessional conduct to violate the Safe Emergency Prescribing Act (Act 122 of 2016), the provisions of Chapter 52A of Title 35 (Prescribing Opioids to Minors) or the provisions of Chapter 51 of Title 35 relating to safe opioid prescription and voluntary non-opioid directives. The rulemaking will amend the Board's regulations to conform to the requirements of the omnibus amendments to the Achieving Better Care By Monitoring All Prescriptions Program (ABC-MAP) Act found in Act 124 of 2016. This rulemaking will also amend the therapeutic drug list in order to update and make the list more current. This rulemaking would adopt the PA-Support curriculum developed under contract with the Bureau of Professional and Occupational Affairs to implement the "safe prescription of a controlled substance containing an opioid" curriculum required by Act 126 of 2016. <i>Statutory Authority:</i> 35 Pa.C.S. § 5102, requires the board to adopt the curriculum by joint regulation. This rulemaking will amend the Boards Continuing Education regulation to allow for the carryover of 10 CE credits to the next renewal.</p>	<p>Priscilla Turek (717) 346-1188</p>
<p>Licensure by Endorsement and Qualifications for Licensure 49 Pa. Code Chapter 29 (# 16A-4419)</p>	<p>Spring 2024, as Proposed</p>	<p>This rulemaking amends the Board's regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses. This regulation combined 16A-4415 (relating to qualifications for licensure), which proposes to update and clarify the requirements for licensure as a doctor of podiatric medicine. Combining was necessary to clarify Act 41 licensure requirements.</p>	<p>Priscilla Turek (717) 346-1188</p>

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Performance of Radiographic Procedures by Auxiliary Personnel 49 Pa. Code Chapter 29 (# 16A-4420)	Spring 2024, as Proposed	The proposed rulemaking would amend § 29.13 to delete the fee for the application for authorization to perform radiologic procedures. It would also amend § 29.81 to add the acronyms ARRT and ASPMA to the definition section. The proposal seeks to amend § 29.82 to provide for the Board's preapproval of an examination in radiology. The proposal seeks to amend § 29.83 to delete reference to the application forms and to require auxiliary personnel to submit applications and pay the fee directly to the testing service rather than applying to the Board. Additionally, the Board seeks to delete and reserve § 29.84 as it no longer administers the examination.	Priscilla Turek (717) 346-1188
<b><i>State Board of Psychology</i></b>			
Continuing Education 49 Pa. Code § 41.59 (# 16A-6317)	Summer 2024, as Proposed	The Board, in its effort to continually review the efficacy of its regulations, has again reviewed the continuing education regulations and has determined that amendments are needed to update, revise and clarify the continuing education requirements. This proposed rulemaking would amend the requirements relating to home study, instruction and carry over. <i>Statutory Authority:</i> Section 15 of the Professional Psychologists Practice Act (63 P.S. § 1215) authorizes the Board to promulgate regulations relating to continuing education.	Thomas Leech (717) 710-2750
General Revisions 49 Pa. Code § 41.31 (# 16A-6320)	Summer 2024, as Proposed	This proposed rulemaking will update the Board's regulations to conform to changes made to the Professional Psychologists Practice Act by the Act of June 23, 2016 (P.L. 379, No. 53) (Act 53 of 2016). Act 53 of 2016 clarifies the scope of practice of psychology, grants the Board the power to issue temporary licenses to out of state licensees, revises and removes some of the previous exemptions to licensure, removes the time limitation pertaining to the retaking of the licensure examinations, eliminates the requirement that at least one year of supervised experience be obtained subsequent to the granting of the doctoral degree, gives the Board the ability to bar a suspended licensee from engaging in any other form of counseling or mental health practice and requires licensees to report multiple licensure of any other health profession. <i>Statutory Authority:</i> Section 3.2(2) of the Professional Psychologists Practice Act, 63 P.S. § 1203.2(2).	Thomas Leech (717) 710-2750

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Volunteer License 49 Pa. Code Chapter 41 (# 16A-6325)	Summer 2024, as Proposed	This proposed rulemaking implements amendments to the Volunteer Health Services Act made by the act of July 2, 2014 (P.L. 820, No. 86), which extended the coverage of the law to include mental health services. <i>Statutory Authority:</i> Section 5 of the Volunteer Health Services Act, 35 P.S. § 449.45, requires each enumerated licensing board to promulgate regulations governing the volunteer license category.	Thomas Leech (717) 710-2750
PCSAS Parity 49 Pa. Code §§ 41.1 and 41.31 (# 16A-6327)	Summer 2024, as Proposed	This proposed rulemaking increases acceptable accreditation programs to add PCSAS (Psychological Clinical Science Accreditation System). <i>Statutory Authority:</i> Section 3.2(2) of the Professional Psychologists Practice Act (act) (63 P.S. § 1203.2(2)) authorizes the Board to adopt and, from time to time, revise such rules and regulations and policies not inconsistent with the law as may be necessary to carry into effect the provisions of this act. Section 6(a)(1) of the act requires applicants to have graduated from an accredited college or university.	Thomas Leech (717) 710-2750
<b><i>State Board of Certified Real Estate Appraisers</i></b>			
Licensure by Endorsement 49 Pa. Code §§ 36.226 and 36.227 (# 16A-7024)	Summer 2024, as Proposed	This rulemaking amends the Board's regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses.	Kristel Hennessy Hemler (717) 214-7779
Schedule of Fees 49 Pa. Code § 36.6 (# 16A-7025)	Spring 2024, as Proposed	The proposed rulemaking is needed to increase the application and biennial renewal fees to provide sufficient biennial revenue to meet the projected expenditures as required under section 9 of the Real Estate Appraisers Certification Act (63 P.S. § 457.9). Initial stakeholder outreach conducted. The Board has drafted the proposed rulemaking but is evaluating changes in fiscal status and will determine whether amendments to the fee package are warranted.	Kristel Hennessy Hemler (717) 214-7779

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
General Revisions 49 Pa. Code §§ 458.1—458.16 (# 16A-7026)	Summer 2024, as Proposed	This proposed rulemaking will update several provisions, including definitions, permissible and prohibited activity, and qualification of applicants, to conform with the Act 88 of 2020 amendments to the Assessors Certification Act. <i>Statutory Authority:</i> Section (3) of the Assessors Certification Act, 63 P.S. § 458.3. Board voted to approve proposed rulemaking; delivery of same to IRRC expected in 2nd Quarter 2024.	Kristel Hennessy Hemler (717) 214-7779
Broker Price Opinions 49 Pa. Code § 36.434 (# 16A-7027)	Summer 2024, as Proposed	This proposed rulemaking is needed for consistency with Act 75 of 2018, which amended the Real Estate Licensing Registration Act (RELRA) to allow licensed brokers, associate brokers and salespersons to perform BPO's in Pennsylvania.	Kristel Hennessy Hemler (717) 214-7779
Distance Education and PAREA 49 Pa. Code §§ 36.1, 36.11, 36.12, 36.12a, 36.13, 36.31, 36.43, 36.201, 36.224, 36.262 and 36.263 (# 16A-7029)	Spring 2024, as Proposed	The act of December 22, 2021 (P.L. 488, No. 100) (Act 100 of 2021) requires each licensing board to establish rules and regulations for continuing education that provides for distance education. This proposed rulemaking will update definitions and distance education standards for qualifying and continuing education courses. The rulemaking will affect certified residential and general real estate appraisers, licensed appraiser trainees and Certified Pennsylvania Evaluators. The distance education standards will comply with new Federal requirements implemented by the Appraisal Qualifications Board (AQB) effective January 1, 2022. Act 100 of 2021 also requires the Board to establish rules and regulations providing for virtual supervision in a manner that meets the requirements for licensure and certification. PAREA is the concept of using simulated computer-based, virtual training to fulfill the experience requirement to become a certified real estate appraiser. Candidates meet virtually with certified real estate appraisers (for example, mentors) who will review the appraiser training material, provide support and track the candidate's progress. Proposed regulatory package has been prepared and is currently undergoing the necessary internal review required by Executive Order 1996-1.	Kristel Hennessy Hemler (717) 214-7779

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
AMC Revisions (AMC Ownership Limitations) 49 Pa. Code § 36.412(b) (# 16A-7031)	Spring 2024, as Final-Omitted	The Board's AMC regulation regarding AMC ownership limitations is inconsistent with Federal regulations at 12 CFR 34.215(b)(1) and (2). Section 36.412(b) of the Board's AMC regulations states that an individual may not be an owner or key person if they had a license or certificate refused, denied, cancelled, suspended or revoked or if they voluntarily surrendered a license or certificate, unless the license or certificate was subsequently granted or reinstated to the individual. Under 12 CFR 34.215(b), however, an individual is not disqualified from becoming an owner of an AMC if the Board determines that the individual's license or certificate was not revoked, suspended, refused or surrendered for substantive cause and the individual's license or certificate was granted or reinstated. The final-omitted rulemaking is being revised and will be delivered 1st quarter 2024.	Kristel Hennessy Hemler (717) 214-7779
<b>State Real Estate Commission</b>			
General Revisions 49 Pa. Code Chapter 35 (# 16A-5616)	Fall 2024, as Proposed	The proposed rulemaking would update the Commission's regulations to reflect changes in the law and practice in the industry, which include advertising and escrow requirements. <i>Statutory Authority:</i> Section 404 of the Real Estate Licensing and Registration Act, 63 P.S. § 455.404. This regulation was formerly entitled "Advertising." The Board decided to expand the regulation to include other general updates.	Deon Bowers (717) 772-8542
Licensure by Endorsement 49 Pa. Code § 35.230 (# 16A-5625)	Summer 2024, as Proposed	This rulemaking amends the Commission's regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses.	Deon Bowers (717) 772-8542

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Broker Price Opinions 49 Pa. Code Subchapter J (# 16A-5626)	Summer 2024, as Proposed	The proposed rulemaking implements the act of June 29, 2018 (P.L. 500, No. 75) (Act 75 of 2018) which amended the Real Estate Licensing and Registration Act (63 P.S. §§ 455.101—455.902). The proposed regulations would add a new subchapter which sets forth limitations and requirements for broker price opinions, including required disclosures, signature requirements, permissible uses and required experience and education for brokers, associate brokers and salespersons.	Deon Bowers (717) 772-8542
<b><i>State Board of Social Workers, Marriage and Family Therapists and Professional Counselors</i></b>			
General Revisions 49 Pa. Code Chapters 47—49 (# 16A-6923)	Summer 2024, as Proposed	The Board has undertaken a comprehensive review of its regulations relating to qualifications for licensure, supervision of clinical experience, including the provision of supervision through electronic means and continuing education. The purpose of this rulemaking is to eliminate outdated provisions, update standards to reflect modern technology and to modernize the Board's processes relating to licensure. This rulemaking also amends the Board's regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses.	Sarah McNeill (717) 425-7398
Volunteer License 49 Pa. Code Chapter 41 (# 16A-6924)	Summer 2024, as Proposed	This proposed rulemaking implements recent amendments to the Volunteer Health Services Act made by the act of July 2, 2014 (P.L. 820, No. 86), which extend the coverage of the law to include mental health services. <i>Statutory Authority:</i> Section 5 of the Volunteer Health Services Act, 35 P.S. § 449.45, requires each enumerated licensing board to promulgate regulations governing the volunteer license category.	Sarah McNeill (717) 425-7398

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Licensure by Endorsement 49 Pa. Code Chapters 47—49 (# 16A-6925)	Summer 2024, as Proposed	This rulemaking amends the Board's regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses. The Board is drafting the proposed regulatory package.	Sarah McNeill (717) 425-7398
<b><i>State Board of Examiners in Speech-Language Pathology and Audiology</i></b>			
Licensure by Endorsement 49 Pa. Code §§ 45.601— 45.604 (# 16A-6808)	Spring 2024, as Final	This rulemaking amends the Board's regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses. Proposed rulemaking published May 26, 2023. The Board will review any comments received and begin drafting the final-form regulation.	Shakeena Chappelle (717) 214-5702
<b><i>State Board of Veterinary Medicine</i></b>			
Euthanasia 49 Pa. Code Chapter 31 (# 16A-5726)	Spring 2024, as Final	This rulemaking is necessary to implement the act of October 24, 2012 (P.L. 1452, No. 182) (Act 182 of 2012) which amended the Animal Destruction Method Authorization Law to require the State Board of Veterinary Medicine to register animal organizations and to license euthanasia technicians to permit the organizations to purchase controlled substances and employ euthanasia technicians for the humane euthanasia of small domestic animals. The Board is preparing the final rulemaking package.	Michelle Roberts (717) 783-7134

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Licensure by Endorsement 49 Pa. Code Chapter 31 (# 16A-5730)	Spring 2024, as Proposed	This rulemaking amends the Board's regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses.	Michelle Roberts (717) 783-7134
Continuing Education 49 Pa. Code Chapter 31 (# 16A-5731)	Spring 2024, as Proposed	This rulemaking amends the Board's regulations to allow veterinarians to obtain 100% of the required 30 continuing education (CE) hours via online continuing education, and to clarify that veterinarians and CVTs are not required to complete continuing education during the biennial renewal cycle in which they first obtain certification or licensure. <i>Statutory Authority:</i> The act of December 22, 2021 (P.L. 488, No. 100) (Act 100 of 2021) requires each licensing board to establish rules and regulations for continuing education that provides for distance education. Section 18 of the Veterinary Medicine Practice Act (63 P.S. § 485.18) authorizes the Board to promulgate regulations relating to continuing education.	Michelle Roberts (717) 783-7134
Fees 49 Pa. Code Chapter 31 (# 16A-5732)	Spring 2024, as Proposed	The proposed rulemaking is needed to increase the application and biennial renewal fees to provide sufficient biennial revenue to meet the projected expenditures as required under section 13 of the Veterinary Medicine Practice Act (63 P.S. § 485.13). The proposed rulemaking is undergoing review as required by Executive Order 1996-1.	Michelle Roberts (717) 783-7134
<b><i>Department of Transportation (DOT)</i></b>			
Access to and Occupancy of Highways by Driveways and Local Roads 67 Pa. Code Chapter 441	Ongoing	The Department will be promulgating a regulation to rewrite the entirety of Chapter 441 and to address comments received during the promulgation of an earlier promulgated Chapter 441 regulation redefining the term "owner." Also increase in fees to cover Department costs.	Mike Dzurko (717) 783-6080

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Vehicle Equipment and Inspection 67 Pa. Code Chapter 175	Ongoing	This rulemaking updates vehicle equipment and inspection standards to better reflect current technologies, consistent with recommendations made by the Department's Inspection Advisory Board.	Laura Krol (717) 346-1907
Mid-cabin Cameras in School Buses 67 Pa. Code Chapter 171	Fall 2024	This rulemaking will allow and provide requirements on the installation of mid-cabin cameras to be placed in school buses.	Angelia Gillis (717) 346-1907
Mental/Emotional Regulations 67 Pa. Code Chapter 83	Fall 2024	The Department has proposed amendments to this regulation adding to authorize additional disqualifications by a healthcare provider of anyone that has a mental/emotional loss that may impair an individual's ability to drive safely.	Angelia Gillis (717) 346-1907
<b><i>Office of Administration (OA)</i></b>			
Office of Administration Civil Service Reform 4 Pa. Code Chapters 608—615	Winter 2023/ Spring 2024, as Proposed	This proposed rulemaking is needed to continue the implementation of Act 71 of 2018 (P.L. 460, No. 71), 71 Pa.C.S. Part III, commonly referred to as "the Civil Service Reform Act" ("Act"). The Act transferred administration of the Commonwealth's merit system of employment from the State Civil Service Commission ("SCSC") to the Office of Administration ("OA"). Under Section 2203(b)(2) of the Act, 71 Pa.C.S. § 2203(b)(2), OA may promulgate proposed regulations to facilitate implementation of the merit system. On March 16, 2019, OA, pursuant to its statutory authority, published temporary regulations implementing the transfer of duties from SCSC to OA. In March 2022, OA promulgated a new set of temporary regulations to address policy and procedural changes made by OA since promulgating the March 16, 2019 temporary regulations.	Cynthia Williams (717) 772-0981
<b><i>Pennsylvania Municipal Retirement System (PMRS)</i></b>			
No regulations being developed or considered at this time.			
<b><i>Pennsylvania State Employees' Retirement System (SERS)</i></b>			
No regulations being developed or considered at this time.			

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b><i>Department of Drug and Alcohol Programs (DDAP)</i></b>			
<p>Drug and alcohol treatment facility and recovery house licensing regulations 28 Pa. Code Part V, Chapters 701—717</p>	<p>Spring 2026, as Proposed</p>	<p>The Department plans to undergo a full-scale review and update of its regulations for licensure of drug and alcohol treatment facilities and recovery houses. Treatment facilities provide detoxification, inpatient and outpatient treatment, and rehabilitation to clients with substance use disorders (SUDs). Recovery houses provide supportive housing to individuals receiving outpatient treatment for SUD who may benefit from a substance-free environment and peer camaraderie, and must be licensed to accept funding or referrals from public sources. These regulations protect the public health and safety of clients and residents in treatment and housing settings. There has been substantial development in the field since the last comprehensive update to the treatment facility regulations in the 1980s. Prior to publishing proposed regulations, the Department will conduct significant background research and stakeholder engagement to draft all components of the regulatory package. The legal basis for the treatment facility regulations is section 1021 of the Human Services Code (62 P.S. § 1021) and the legal basis for the recovery house regulations is section 2312-A of The Administrative Code of 1929 (71 P.S. § 613.12).</p>	<p>Amichai Stout (215) 445-5496</p>
<b><i>Department of Community and Economic Development (DCED)</i></b>			
<p>Industrial Housing and Components 12 Pa. Code Chapter 145 (# 4-100) IRRC # 3382</p>	<p>Spring of 2024, as Proposed</p>	<p>The proposed regulation will revise section 145.93 to reduce the timing of factory inspections from every year to every two years, and will revise section 145.94 to increase fees. The proposed rulemaking package was approved by OGC on May 23, 2023, and the Office of Attorney General on June 14, 2023. It was submitted to IRRC on September 5, 2023. The public comment closed on October 16, 2023, with no comments having been received. However, subsequent to the comment deadline one supportive comment was received from Mary Gaiski, Exec. Vice Pres of the PA Manufactured Housing Association. We received one comment from IRRC which questioned whether we needed to consult with the Industrialized Housing Advisory Commission (IHAC) as per the statute. The IHAC is functionally defunct and DCED has promulgated regulations in the recent past without IHAC input because of this. We are working through this issue. The final regulation must be promulgated by October 16, 2025.</p>	<p>Katherine Jones (717) 257-6574 Kathejones@pa.gov</p>

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b><i>Department of General Services (DGS)</i></b>			
Amendments to General Provisions; Allocations of Parking Permits 4 Pa. Code Chapter 71 Commonwealth Parking Facilities	April 2024, as Proposed	The Department is proposing to increase the violation fees from \$5.00 to \$30.00. This will align with Harrisburg City's fee amounts and deter misuse of Commonwealth parking spaces. The rulemaking will also update sections to better mirror current procedures concerning parking facilities. This proposed rulemaking primarily affects Commonwealth Employees, thus pursuing as final omitted. Preparation of proposed rulemaking package currently underway.	Juan Ruiz (717) 787-6789
<b><i>Pennsylvania Emergency Management Agency (PEMA)</i></b>			
No regulations being developed or considered at this time.			

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