

# NOTICES

## GOVERNOR'S OFFICE

### Regulatory Agenda

Executive Order 1996-1 requires all agencies under the jurisdiction of the Governor to submit for publication an agenda of regulations under development or consideration. Subsequent agendas will be published on the first Saturdays in February and July.

The agendas are compiled to provide members of the regulated community advanced notice of regulatory activity. It is the intention of the Administration that these agendas will serve to increase public participation in the regulatory process.

Agency contacts should be contacted for more information regarding the regulation and the procedure for submitting comments.

This Agenda represents the Administration's present intentions regarding future regulations. The nature and complexity of an individual regulation obviously will determine whether and when any particular regulation listed below (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>ADMINISTRATION</b>   |                                      |  |   |
| No regulations being developed or considered at this time.                |                                      |  |   |
| <b>AGING</b>  |                                      |  |   |
| 6 Pa. Code Chapter 20<br>Pennsylvania Caregiver Support Program           | September 2014, as proposed.         | The Family Caregiver Support Act Regulations are being revised as authorized by the Pennsylvania Caregiver Support Act (Act 112 of 2011) which amends the Family Caregiver Support Act. As in the State Statute, the regulations will better align the Federal Family Caregiver Support Program provisions of the Older Americans Act and the Pennsylvania Family Caregiver Support Act provisions. Currently, some of the program criteria for the Federal and State Programs are divergent which has been confusing for consumers and the Area Agencies on Aging who administer the program. | Cindy Haines<br>(717) 772-0184                      |
| <b>AGRICULTURE</b>  |                                      |  |   |
| Domestic Animal<br>7 Pa. Code Chapters 2, 3, 16, 18 and 20a               | December 2014, as proposed.          | The long-term project is intended to update the Department's Regulatory authority to make it more consistent with the provisions of the Domestic Animal Law (3 Pa.C.S. §§ 2301—2389).  | Craig E. Shultz, DVM,<br>Director<br>(717) 772-2852 |
| Weights and Measures<br>Regulations<br>70 Pa. Code Chapters 1 through 101 | September 2013, as proposed.         | This long-term project is intended to update the Department's regulations authorized by the Consolidated Weights and Measures Act.   | Walt Remmert<br>(717) 787-6772                      |
| Commercial Feed Rules and<br>Regulations<br>7 Pa. Code Chapter 71         | July 2014, as proposed.              | This regulation will replace 7 Pa. Code Chapter 71 and implement provisions of 3 Pa.C.S. §§ 5101—5115 (Commercial Feed Act).   | Erin Bubb<br>(717) 772-5215                         |

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|---|--------------------------------------|---|---|
| Pet Food Rules and Regulations<br>7 Pa. Code Chapter 72                                   | July 2014, as proposed.              | This regulation will replace 7 Pa. Code Chapter 72 and implement provisions of 3 Pa.C.S. §§ 5101—5115 (Commercial Feed Act).  | Erin Bubb<br>(717) 772-5215                         |
| Fertilizer Regulations<br>7 Pa. Code Chapter 73   | December 2015, as proposed.          | This regulation will replace 7 Pa. Code Chapter 73 and implement provisions of 3 Pa.C.S. §§ 6701—6725 (Fertilizer Act).   | Erin Bubb<br>(717) 772-5215                         |
| Soil and Plant Amendment Regulations<br>7 Pa. Code Chapter 130a                           | December 2015, as proposed.          | This regulation will replace 7 Pa. Code Chapter 130a and implement provisions of 3 Pa.C.S. §§ 6901—6921 (Soil and Plant Amendment Act).   | Erin Bubb<br>(717) 772-5215                         |
| Clean and Green Regulations<br>7 Pa. Code Chapter 137b                                    | August 2014, as final.               | This regulation will address statutory changes made by six separate amendments to the underlying statute, and will otherwise update the current regulations.  | Douglas Wolfgang<br>(717) 783-3167                  |
| Agriculture Conservation Easement Purchase Program Regulations<br>7 Pa. Code Chapter 138e | August 2014, as proposed.            | This regulation will address statutory changes made by Act 61 of 2005 and Act 46 of 2006, and will otherwise update the current regulations.  | Douglas Wolfgang<br>(717) 783-3167                  |
| Pennsylvania Preferred Program Regulations<br>7 Pa. Code Chapter 107                      | June 2014, as final.                 | This regulation will establish standards required under the Pennsylvania Preferred Act (3 Pa.C.S. §§ 4601—4611).  | Lela Reichart<br>(717) 783-8462                     |
| Pesticide Regulations<br>7 Pa. Code Chapter 128   | September 2014, as final.            | This regulation will amend 7 Pa. Code Chapter 128 to allow the Department to collect and pass on any additional service fees charged by a contracted agency or vendor that provides testing services. | David Scott<br>(717) 772-5214                       |
| <b><i>BANKING &amp; SECURITIES</i></b>  |                                      |   |   |
| Regulation governing continuing education under the Debt Management Services Act.         | Summer 2014 As Proposed              | Required pursuant to 63 P. S. § 2409(c).  | Carter D. Frantz<br>Chief Counsel<br>(717) 787-1471 |
| Merger-related amendatory regulations under the Pennsylvania Securities Act of 1972       | Spring 2015 As Proposed              | Required pursuant to 70 P. S. § 1-609   | Carter D. Frantz<br>Chief Counsel<br>(717) 787-1471 |
| <b><i>BOARD OF PARDONS</i></b>  |                                      |   |   |
| No regulations being developed or considered at this date.                                |                                      |   |   |

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| <b>COMMUNITY &amp; ECONOMIC DEVELOPMENT</b>                  |   |   |  |
| Industrialized Housing Act amendment                         | Summer 2014 as proposed.                | Act 8-2013 expanded the current Industrialized Housing Act to establish a regulatory program for commercial modular buildings. Buildings produced under this program will be deemed to comply with the Uniform Construction Code.   | Mark Conte<br>(717) 720-7416   |
| Local Earned Income Tax                                      | Fall of 2014 as proposed                | The proposed regulation interprets and makes specific the provisions of the Local Tax Enabling Act, as provided in Chapter 5 of the act (53 P. S. § 6924.501 et seq.). The proposed regulation establishes procedures to supplement the implementation of the act which will facilitate consolidated collection of local income taxes in this Commonwealth. | Sean Sanderson<br>(717) 720-7384   |
| <b>COMMISSION ON CRIME AND DELINQUENCY</b>                   |   |   |  |
| No regulations being developed or considered at this date.   |   |   |  |
| <b>CONSERVATION &amp; NATURAL RESOURCES</b>                  |   |   |  |
| State Forests (Chapter 21)                                   | Publish proposed rulemaking Summer 2014 | A number of provisions in this chapter need to be clarified and updated. The State Forest Picnic Area chapter (23) will be incorporated into this chapter to eliminate duplication and for ease of reference. Legal basis: Sections 302, 313, 502 of the Conservation & Natural Resources Act (71 P. S. §§ 1340.302, 1340.313, 1340.502)                    | Matt Beaver<br>(717) 783-0379<br>Wendy Carson, Esq.<br>(717) 772-4171      |
| State Forest Picnic Areas (Chapter 23)                       | Publish proposed rulemaking Summer 2014 | The provisions of this chapter will be incorporated into Chapter 21 (State Forests) for purposes of simplification and ease of reference. Legal basis: Sections 302, 313, 502 of the Conservation & Natural Resources Act (71 P. S. §§ 1340.302, 1340.313, 1340.502)  | Matt Beaver<br>(717) 783-0379<br>Wendy Carson, Esq.<br>(717) 772-4171      |
| Conservation of Pennsylvania Native Wild Plants (Chapter 45) | Publish proposed rulemaking Fall 2014   | Purpose of rulemaking is to update the department's listing of Pennsylvania's classified plant species. Legal basis: Section 7 of the Wild Resource Conservation Act (32 P. S. § 5307); and Sections 305 and 313 of the Conservation and Natural Resources Act (71 P. S. § 1340.305 and § 1340.313).  | Ellen Shultzabarger,<br>717-214-3818<br>Wendy Carson, Esq.<br>717-772-4171 |

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| <b><i>CORRECTIONS</i></b>   |                                      |   |                                |
| No regulations being developed or considered at this date.  |                                      |   |                                |
| <b><i>DRUG AND ALCOHOL PROGRAMS</i></b>   |                                      |   |                                |
| General Standards for Free-Standing Treatment Activities<br>28 Pa. Code Chapter 709, Subchapter C | Fall 2014, as final                  | This Chapter is being revised to reduce redundant and obsolete regulations, with a focus upon patient care and safety, and to require certain incident reporting by all drug and alcohol facilities to DDAP. Act 50 of 2010 authorizes DDAP to modify existing drug and alcohol regulations.                          | Tawny Mummah<br>(717) 787-9354 |
| General Provisions<br>28 Pa. Code Chapter 701, Subchapter A                                       | Fall 2014, as final omitted          | This Chapter is being revised to change the definition of "Department" in § 701.1 (Definitions) from DOH to DDAP, to update § 701.3 (Legal Base) to include Act 50 of 2010, and to update § 701.13 (Contact Person) from DOH to DDAP. Act 50 of 2010 authorizes DDAP to modify existing drug and alcohol regulations. | Tawny Mummah<br>(717) 787-9354 |
| Drug and Alcohol Services<br>28 Pa. Code Chapter 157  | Fall 2014, as final omitted          | This Chapter concerning drug and alcohol treatment provided by a hospital will be moved to Part V of 28 Pa. Code to consolidate all drug and alcohol regulations enforced by DDAP in one place within the Pa. Code. Act 50 of 2010 authorizes DDAP to modify existing drug and alcohol regulations.                   | Tawny Mummah<br>(717) 787-9354 |
| Governor's Council on Drug and Alcohol Abuse<br>4 Pa. Code Part XI (Chapters 251—265)             | Fall 2014, as final omitted          | This Chapter concerning the Governor's Council on Drug and Alcohol Abuse will be moved to Part V of 28 Pa. Code to consolidate all drug and alcohol regulations enforced by DDAP in one place within the Pa. Code. Chapters strictly related to the Council will be repealed because the Council no longer exists.    | Tawny Mummah<br>(717) 787-9354 |

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| <b>EDUCATION</b>   |                                      |   |                                    |
| State Board of Private Licensed Schools<br>22 Pa. Code Chapter 73  | Summer 2014, as final.               | These regulations define the requirements for obtaining licensure or registration and for operating as a Private Licensed School. The regulations also define the investigatory and hearing process for enforcement of statutory and regulatory requirements. The Board plans to update the regulations which were promulgated in 1988 to reflect inflation and to address certain issues that have arisen during that time. The regulations are promulgated under the authority of the Private Licensed Schools Act (24 P. S. Section 6501, et. Seq.). | Patricia Landis<br>(717) 783-8228  |
| Regulations of the State Board of Private Academic Schools<br>22 Pa. Code Chapters 51, 53, 55, 57, 61 and 63 | Fall 2015, as proposed.              | These regulations define the requirements for obtaining licensure as a Private Academic School. The Board plans to update the regulations, which were promulgated in 1988. The regulations are promulgated under the Authority of the Private Academic Schools Act (24 P. S. section 6701 et. Seq.).  | Robert Staver<br>(717) 783-6583    |
| State Board of Education<br>22 Pa. Code Chapter 18   | Fall 2014, as final.                 | These regulations address criteria the Secretary of Education may consider in determining whether to designate a school district in financial recovery status and in determining whether a district is in moderate or severe recovery status. The regulations are promulgated under the authority of the Public School Code of 1949, 24 P. S. § 621-A(A)(2)(I).   | Karen Molchanow<br>(717) 787-3787  |
| Standards for Approved Private Schools<br>22 Pa. Code Chapter 171, Subchapter A                              | Spring 2015, as proposed.            | These standards define the elements of Approved Private Schools and the Chartered Schools (schools for the deaf and blind). This subchapter contains general provisions, which the Department seeks to update to conform to intervening changes in applicable law. The standards are promulgated under the Authority of the Public School Code of 1949, as amended, PL 30, No. 14, March 16, 1949, P. S. Section 1-101, et. Seq.  | Patricia Hozella<br>(717) 783-6134 |

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| Regulations of the State Library and Advisory Council on Library Development<br>22 Pa. Code Chapters 131, 133, 135, 127, 141, 142 and 143 | Fall 2014, as proposed.   | The Department will be promulgating regulations under the Authority of the Library Code of 2012, Act 210 of 2012, P. N. 2411. The Department plans to update the regulations (promulgated in 1962) in 2013. These regulations will address the use of the State Library, the Advisory Council on Library Development, general provisions and plans for the use of State Aid, certification of library personnel, grants for public library facilities and state document depositories. | Stacey Aldrich<br>(717) 783-2466                      |
| <b>EMERGENCY MANAGEMENT AGENCY</b>  |   |  |   |
| No regulations being developed or considered at this time.  |   |  |   |
| <b>ENVIRONMENTAL HEARING BOARD</b>  |   |  |   |
| 25 Pa. Code Chapter 1021<br>Practice and Procedure  | The Environmental Hearing Board's proposed rulemaking was published at 43 Pa.B. 2591 (May 11, 2013). Final rulemaking is expected to be published in June or July 2014. | The Environmental Hearing Board has proposed the following revisions to its rules of practice and procedure: 1) correct an omission in the language of 25 Pa. Code sec. 1021.51 which was amended in 2009, 2) eliminate its rules pertaining to the Costs Act which has expired, 3) adopt rules to implement mandatory electronic filing, and 4) clarify the types of responses that may be filed to a dispositive motion.   | Maryanne Wesdock,<br>Senior Counsel<br>(412) 565-5245 |
| <b>ENVIRONMENTAL PROTECTION</b>   |   |  |   |
| Land Reclamation Financial Guarantees and Bioenergy Crop Bonding<br>25 Pa. Code Chapter 86  | Quarter 3 2014<br>As Proposed   | This proposed rulemaking will implement Acts 95 and 157 which provide for an incentive for reclamation of mine sites with bioenergy crops and establish the Land Reclamation Financial Guarantee Program, respectively. (Acts 95 and 157 of 2012)  | Bill Allen<br>717-783-9580<br>wallen@pa.gov           |
| Noncoal Program<br>25 Pa. Code Chapter 77   | Quarter 4 2014<br>As Proposed   | This proposed rulemaking includes revisions to Chapter 77 (Noncoal Mining) that govern the licensing of mine operators and permitting of mines for minerals other than coal. Specific areas for revision include clarification of permit application requirements including hydrologic data requirements. (Noncoal Surface Mining Conservation and Reclamation Act)  | Bill Allen<br>717-783-9580<br>wallen@pa.gov           |

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|---|--------------------------------------|---|---|
| Water Supply Replacement<br>25 Pa. Code Chapters 87 and 88  | Early 2015<br>As proposed            | The rulemaking includes revisions to Chapters 87 and 88, which will clarify what is necessary to meet the coal mine operator's obligation to permanently pay the operation and maintenance costs for replacement water supplies. (Surface Mining Conservation & Reclamation Act )   | Bill Allen<br>717-783-9580<br>wallen@pa.gov   |
| Remining Requirements (Subchapters F and G Revisions)<br>25 Pa. Code Chapters 86 and 88                   | Quarter 4 2014<br>As Proposed        | This proposed rulemaking includes amendments to remining requirements in Chapters 86 and 88 (Subchapters F and G) in order to reflect changes enacted in EPA regulations. (Surface Mining Conservation and Reclamation Act)   | Bill Allen<br>717-783-9580<br>wallen@pa.gov   |
| Federal Office of Surface Mining (OSM) Program Consistency Updates<br>25 Pa. Code Chapters 86, 89, and 90 | Quarter 4 2014<br>As Proposed        | This proposed rulemaking will include amendments to Chapter 86 in order to comply with federal regulatory requirements; revisions to Chapter 89 effluent limits for passive treatment systems to comply with federal regulations; and updates to Chapter 90 coal refuse site selection regulations to comply with the revised Coal Refuse Disposal Control Act. (Surface Mining Conservation and Reclamation Act)   | Bill Allen<br>717-783-9580<br>wallen@pa.gov   |
| Handling and Use of Explosives<br>25 Pa. Code Chapter 211   | Quarter 1 2015<br>As Proposed        | This proposed rulemaking will revise current explosives regulations to address blasting activities relating to seismic exploration. The rulemaking will also update explosives use requirements, enforcement authority and eliminate antiquated requirements. (Explosives Act of 1937; The Administrative Code of 1929; Reorganization Plan No. 2 of 1975; Reorganization Plan No. 8 of 1981; Surface Mining Conservation and Reclamation Act; and Noncoal Surface Mining Conservation and Reclamation Act) | Rick Lamkie<br>814-472-1885<br>rlamkie@pa.gov |
| Water Supply Replacement<br>25 Pa. Code Chapters 87 and 88  | Quarter 1 2015<br>As Proposed        | This proposed rulemaking includes revisions to Chapters 87 and 88, which will clarify what is necessary to meet the coal mine operator's obligation to permanently pay the operation and maintenance costs for replacement water supplies. (Surface Mining Conservation and Reclamation Act)  | Bill Allen<br>717-783-9580<br>wallen@pa.gov   |

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| Environmental Protection Performance Standards at Oil and Gas Well Sites<br>25 Pa. Code Chapter 78 Subchapter C | Quarter 4 2015<br>As Final           | This final rulemaking includes revisions to Chapter 78 (Oil and Gas Wells) Subchapter C, regulating all surface activities associated with Oil and Gas exploration and development, including: changes to PPC planning, production fluid control, storage, disposal and containment in pits/tanks, liner standards for centralized impoundments, disposal of drill cuttings and residual wastes, secondary containment, site restoration, pipelines, water management plans, reporting releases and road spreading of brine. (Oil and Gas Act)   | Kurt Klappkowski<br>717-772-2199<br>kklappkowski@pa.gov |
| Well Drilling, Operation, and Plugging<br>25 Pa. Code Chapter 78 Subchapter D                                   | Quarter 1 2015<br>As Proposed        | This proposed rulemaking includes revisions to Chapter 78 (Oil and Gas Wells) Subchapter D, regulating the drilling, casing, cementing, completion, operation, production, plugging and other subsurface activities associated with Oil and Gas exploration and development, including revisions to well plugging procedures, venting, alternative methods, and to address the plugging of unconventional wellbore laterals and coal bed methane wells. (Oil and Gas Act)  | Kurt Klappkowski<br>717-772-2199<br>kklappkowski@pa.gov |
| Underground Coal Mine Safety Surface Regulations<br>25 Pa. Code Chapter 208 Board of Coal Mine Safety           | Quarter 1 2015<br>As Final           | This final rulemaking adopts by reference, with certain modifications, the MSHA regulations (30 CFR Part 77) for surface areas of underground bituminous coal mines. (Bituminous Coal Mine Safety Act)   | Joseph Sbaffoni<br>724-439-7469<br>jsbaffoni@pa.gov     |
| Revised Total Coliform Rule<br>25 Pa. Code Chapter 109  | Quarter 1 2015<br>As Proposed        | This proposed rulemaking will amend 25 Pa. Code Chapter 109 to incorporate the federal Revised Total Coliform Rule (RTCT), which was promulgated February 13, 2013, and to make other revisions to clarify portions of Chapter 109. The RTCR is expected to improve public health protection by requiring public water systems that are vulnerable to microbial contamination to identify and fix problems. Revisions being proposed in addition to the federal RTCR are designed to protect public health by improving and clarifying permitting, design and compliance requirements for public water systems. (Pennsylvania Safe Drinking Water Act) | Jeff Allgyer<br>(717) 772-4015<br>jallgyer@pa.gov       |



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| Nutrient Credit Trading and Offsetting Program<br>25 Pa. Code Chapter 96.8 and Chapter 98 | Quarter 4 2015<br>As Proposed        | This proposed rulemaking will rescind Chapter 96.8 related to the implementation of a nutrient credit trading program and create a new, separate Chapter 98 for this program. The rulemaking is also intended to implement program enhancements designed to address U.S. Environmental Protection Agency concerns, streamline the current process for the certification, registration and verification of credits and allow for the implementation of a statewide trading program. (Clean Streams Law)  | Veronica Kasi<br>(717) 772-4053<br>vbkasi@pa.gov |
| Administration of Sewage Facilities Planning Program<br>25 Pa. Code Chapter 71            | Quarter 4 2015<br>As Proposed        | This proposed rulemaking will help facilitate DEP's approval of sewage planning modules for new land development for sites located in High Quality (HQ) and Exceptional Value (EV) watersheds. The revisions to Chapter 71 would also require municipalities to certify every ten years that their official sewage facility plans remain adequate to meet the municipalities' needs. It will also address and clarify site suitability requirements and provide alternate types of onsite treatment allowances during the planning stages. (Pennsylvania Sewage Facilities Act Clean Streams Law) | Ron Furlan<br>(717) 787-8184<br>rfurlan@pa.gov   |
| Administration of Sewage Facilities Permitting Program<br>25 Pa. Code Chapter 72          | Quarter 4 2015<br>As Proposed        | This proposed rulemaking will clarify DEP's ability to require and establish training requirements for sewage enforcement officers, both prior to the certification examination and for subsequent renewal of certifications. The revisions will further clarify that DEP has the ability to provide training through third-party providers that have been approved to do so by DEP, which could provide additional flexibility and efficiency in implementation of the training program. (Pennsylvania Sewage Facilities Act Clean Streams Law)  | Ron Furlan<br>(717) 787-8184<br>rfurlan@pa.gov   |

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| Standards for Onlot Sewage Treatment Facilities<br>25 Pa. Code Chapter 73                 | Quarter 4 2015<br>As Proposed        | This proposed rulemaking will revise DEP's standards for onlot systems for consistency with Chapters 71 and 72. For example, a section in Chapter 73 dealing with experimental and alternate onsite treatment systems will need to be modified to be consistent with the Chapter 71 changes.<br>(Pennsylvania Sewage Facilities Act Clean Streams Law)   | Ron Furlan<br>(717) 787-8184<br>rfurlan@pa.gov |
| Additional RACT Requirements for Major Sources of NOx and VOCs<br>25 Pa. Code Chapter 129 | Quarter 2 2015<br>As Final           | This final rulemaking amends 25 Pa. Code Chapter 129 (relating to standards for sources) to establish additional reasonably available control technology (RACT) requirements for major stationary sources of nitrogen oxides and volatile organic compound (VOC) emissions to fulfill 8-hour ozone RACT requirements for all major sources not covered by Federal Control Techniques Guidelines recommendations. The final rulemaking will be submitted to the United States Environmental Protection Agency upon final-form publication in the Pennsylvania Bulletin with a request for approval as a revision to the Commonwealth's State Implementation Plan. (Air Pollution Control Act) | Susan Hoyle<br>717-772-2329<br>shoyle@pa.gov   |

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|---|--------------------------------------|---|--|
| Control of VOC Emissions from Fiberglass Boat Manufacturing Materials<br>25 Pa. Code Chapter 129        | Quarter 1 2015<br>As Final           | This final rulemaking amends 25 Pa. Code Chapter 129 (relating to standards for sources) to reduce the emissions of volatile organic compounds from fiberglass boat manufacturing materials including open molding resins, gel coats and cleaning materials to meet the Clean Air Act “reasonably available control measures,” including “reasonably available control technology,” requirements for ozone nonattainment areas. The emission limits and work practice standards would be consistent with the recommendations of the United States Environmental Protection Agency included in the Control Techniques Guideline document for this source category. The final rulemaking will be submitted to the United States Environmental Protection Agency for approval as revision to the Commonwealth’s State Implementation Plan. (Air Pollution Control Act)                       | Susan Hoyle<br>717-772-2329<br>shoyle@pa.gov |
| Control of VOC Emissions from Miscellaneous Metal and Plastic Parts Coatings<br>25 Pa. Code Chapter 129 | Quarter 3 2014<br>As Proposed        | This proposed rulemaking would amend the existing surface coating regulations under 25 Pa. Code Chapter 129 (relating to standards for sources) to further reduce the emissions of volatile organic compounds from miscellaneous metal and plastic parts coatings to meet the Clean Air Act “reasonably available control measures,” including “reasonably available control technology,” requirements for ozone nonattainment areas. The emission limits and work practice standards would be consistent with the recommendations of the United States Environmental Protection Agency included in the corresponding Control Techniques Guideline document for this source category. The final rulemaking will be submitted to the United States Environmental Protection Agency for approval as a revision to the Commonwealth’s State Implementation Plan. (Air Pollution Control Act) | Susan Hoyle<br>717-772-2329<br>shoyle@pa.gov |

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| Control of VOCs from Gasoline Dispensing Facilities (Stage II)<br>25 Pa. Code § 129.82    | Quarter 4 2015<br>As Proposed        | The proposed rulemaking would amend 25 Pa. Code § 129.82 (relating to control of VOCs from gasoline dispensing facilities (Stage II)) to remove the requirements for installing new and operating existing Stage II vapor recovery systems. The proposed rulemaking would establish procedures for the decommissioning of existing Stage II systems and would require Stage II systems that are not decommissioned to still comply with regulatory maintenance requirements. (Air Pollution Control Act)   | Susan Hoyle<br>717-772-2329<br>shoyle@pa.gov |
| Amendments to Mobile Equipment Repair and Refinishing<br>25 Pa. Code Chapters 121 and 129 | Quarter 1 2015<br>As Proposed        | This proposed rulemaking would amend the existing surface coating regulations in 25 Pa. Code § 129.75 (relating to mobile equipment repair and refinishing) to coordinate emission limits and work practice requirements of the Clean Air Act “reasonably available control technology” requirements for automobiles and light-duty trucks and the Ozone Transport Commission model rule requirements for motor vehicle and mobile equipment non-assembly line coating operations. Clarifying amendments would be proposed for the adhesives, sealants, primers and solvents regulations in 25 Pa. Code §§ 129.77 and 130.701—130.708 (relating to control of emissions from the use or application of adhesives, sealants, primers and solvents; and adhesives, sealants, primers and solvents). Amendments to 25 Pa. Code § 121.1 (relating to definitions) would also be proposed to support the amendments to Chapter 129. The final rulemaking will be submitted to the United States Environmental Protection Agency for approval as a revision to the Commonwealth’s State Implementation Plan. (Air Pollution Control Act) | Susan Hoyle<br>717-772-2329<br>shoyle@pa.gov |

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| Control of VOC Emissions from Industrial Cleaning Solvents<br>25 Pa. Code Chapter 129                      | Quarter 3 2014<br>As Proposed        | This proposed rulemaking would amend the existing surface coating regulations under 25 Pa. Code Chapter 129 (relating to standards for sources) to reduce the emissions of volatile organic compounds from industrial cleaning solvents not regulated elsewhere in 25 Pa. Code, Article III to meet the Clean Air Act “reasonably available control measures,” including “reasonably available control technology,” requirements for ozone nonattainment areas. The emission limits and work practice standards would be consistent with the recommendations of the United States Environmental Protection Agency included in the corresponding Control Techniques Guideline document for this source category. The final rulemaking will be submitted to the United States Environmental Protection Agency for approval as a revision to the Commonwealth’s State Implementation Plan. (Air Pollution Control Act) | Susan Hoyle<br>717-772-2329<br>shoyle@pa.gov |
| Control of VOC Emissions from Automobile and Light-Duty Truck Assembly Coatings<br>25 Pa. Code Chapter 129 | Quarter 3 2014<br>As Proposed        | This proposed rulemaking would amend the existing surface coating regulations under 25 Pa. Code Chapter 129 (relating to standards for sources) to further reduce the emissions of volatile organic compounds from automobile and light-duty truck assembly coatings to meet the Clean Air Act “reasonably available control measures,” including “reasonably available control technology,” requirements for ozone nonattainment areas. The emission limits and work practice standards would be consistent with the recommendations of the United States Environmental Protection Agency included in the corresponding Control Techniques Guideline document for this source category. The final rulemaking will be submitted to the United States Environmental Protection Agency for approval as a revision to the Commonwealth’s State Implementation Plan. (Air Pollution Control Act)                        | Susan Hoyle<br>717-772-2329<br>shoyle@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>                                    |
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| Regulated Medical and Chemotherapeutic Waste Amendments<br>25 Pa. Code Chapters 271, 284 and 285 | Quarter 3 2014<br>As Final           | This final rulemaking will amend the existing Chapter 284 and add or amend definitions in Chapter 271. The term “infectious waste” will be replaced globally with the term “regulated medical waste”. In addition to definitional changes, this proposal includes changes to storage, transporter licensing and manifesting requirements for regulated medical waste. (Solid Waste Management Act)   | Ali Tarquino Morris<br>717-783-2630<br>altarquino@pa.gov |
| Radiological Health<br>25 Pa. Code Chapters 215—240  | Quarter 1 2015<br>As Proposed        | This proposed rulemaking will amend 25 Pa. Code Chapters 215—240 to incorporate by reference federal regulations in 10 CFR Part 37 pertaining to the security of certain radioactive material; to address new x-ray technology that is not addressed in current regulations; and to include comprehensive updates to the radon regulations to incorporate procedures and protocols that are not addressed in the current regulations. Additional items of clarification are 45-day reporting and application requirements, specifying the number of mitigation firm employees, and numerous changes and additions to the definitions section. The Radiation Protection Program is also reviewing all of its fees. The results of this review will be reported to the EQB and may result in proposed amendments to the fees in Chapters 218 and 240. (Radiation Protection Act and Radon Certification Act) | David Allard<br>717-787-2480<br>djallard@pa.gov          |
| Administration of Land Recycling Program<br>25 Pa. Code Chapter 250                              | Quarter 1 2015<br>As Final           | This final rulemaking will amend 25 Pa. Code Chapter 250 to update the Medium Specific Concentrations established under the Statewide health standards. (Land Recycling and Environmental Remediation Standards Act)   | Troy Conrad<br>717-783-9480<br>tconrad@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>   |
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| Environmental Laboratory Accreditation Fee Amendments<br>25 Pa. Code Chapter 252   | 2015<br>As Proposed                  | The purpose of the regulation is to establish appropriate standards for laboratories performing DEP compliance testing of environmental samples. The regulation outlines the minimum requirements to which laboratories must adhere when producing environmental data. The anticipated changes to the Chapter 252 regulation will only change the application fees and out-of-State travel expense reimbursement rate. The Environmental Laboratory Accreditation Act requires that the accreditation fees cover the cost of the operation of the laboratory accreditation program. (Environmental Laboratory Accreditation Act) | Aaren Alger<br>717-346-8212<br>aaalger@pa.gov   |
| <b>GENERAL SERVICES</b>  |                                      |  |   |
| Responsibility,<br>4 Pa. Code Chapter 60   | Spring 2014, as proposed             | This chapter will be amended to be consistent with the Procurement Code and to provide for uniform debarment and suspension procedures.  | Ken Rapp<br>(717) 787-5295<br>Chuck Anderson<br>(717) 214-7739<br>Michael Barrett<br>(717) 346-9781 |
| Committee on Construction Contract Documents,<br>4 Pa. Code Chapter 62   | Spring 2014, as final omitted        | The Procurement Code repealed the legislation creating this committee, which no longer exists.   | Liz O'Reilly<br>(717) 787-7095<br>Ed Olivieri<br>(717) 783-3280                                     |
| Selections Committee,<br>4 Pa. Code Chapter 64   | Spring 2014, as final omitted        | These regulations should be rescinded since they have been superseded by the Commonwealth Procurement Code.  | Liz O'Reilly<br>(717) 787-7095<br>Ed Olivieri<br>(717) 783-3280                                     |
| Emergency Construction Repairs<br>4 Pa. Code Chapter 67  | Spring 2014, as final omitted        | These regulations should be rescinded since they have been superseded by the Commonwealth Procurement Code.  | Liz O'Reilly<br>(717) 787-7095<br>Ed Olivieri<br>(717) 783-3280                                     |
| Contract Compliance<br>4 Pa. Code Chapter 68,<br>Subchapter A,<br>Prequalification of Vendors and Non-construction Contractors | Spring 2014, as final omitted        | These regulations should be rescinded since the subject matter of these rules is now covered by the directives management system.  | Liz O'Reilly<br>(717) 787-7095<br>Ed Olivieri<br>(717) 783-3280                                     |
| Methods of Awarding Contracts,<br>4 Pa. Code Chapter 69  | Spring 2014, as final omitted        | These regulations should be rescinded since they have been superseded by the Commonwealth Procurement Code.  | Ken Rapp<br>(717) 787-5295<br>Chuck Anderson<br>(717) 214-7739                                      |
| Surplus State Property,<br>4 Pa. Code Chapters 41—47   | Winter 2014, as final omitted        | These regulations should be rescinded since they are outdated and have been superseded by new Commonwealth procedures.   | Michael Richart<br>Joshua Soreth-Harman   |

| <i>Regulation Being Considered</i>                                   | <i>Proposed Date of Promulgation</i> | <i>Need and Legal Basis for Action</i>   | <i>Agency Contact</i>             |
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| <b>HEALTH</b>  |                                      |  |                                   |
| Communicable and non-Communicable Diseases<br>28 Pa. Code Chapter 27 | Winter 2015, as proposed.            | These existing regulations are being revised to improve the Department's ability to prevent and control the spread of communicable and non-communicable diseases. The Department's authority to promulgate these regulations is found in the Disease Prevention Control law of 1955, 35 P. S. §§ 521.1 et seq. (the Act). Section 16(a) of the (Act 35 P. S. § 521.16 (a)) gives the Board authority to issue rules and regulations on a variety of matters related to communicable and non-communicable diseases. Section 16(b) of the Act (35 P. S. § 521.16 (b)) gives the Secretary of Health the authority to review existing regulations and make recommendations to the Board for changes that the Secretary considers to be desirable. There is also a legislative authority for specific provisions of the regulations. Administrative Code of 1929 (71 P. S. §§ 51 et seq.) (Code) Section 20102 (g) of the Code (71 P. S. § 532 (g)) provides general authority for the Department to promulgate regulations. | Jalene Kolb<br>(717) 783-8228     |
| Photo Identification Tag Regulations<br>28 Pa. Code Chapter 54       | Summer 2014, as proposed.            | The Health Care Facilities Act (35 P. S. § 448.101 et seq.) was amended by the passage of Act 2010-110 on November 23, 2010. This new section of the Act (35 P. S. § 448.809.2) requires health care workers employed in health care facilities and physician practices to wear photo identification tags that also contain other information including name, title and name of the health care facility.  | James T. Steele<br>(717) 783-2500 |



| <i>Regulation Being Considered</i>   | <i>Proposed Date of Promulgation</i> | <i>Need and Legal Basis for Action</i>   | <i>Agency Contact</i>           |
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| School Health Services<br>28 Pa. Code Chapter 23   | Winter, 2015, as proposed.           | The School Health regulations were promulgated pursuant to the Department's authority to oversee school health services required by Article XIV of the Public School Code, 24 P. S. §§ 14.1401 et seq. State and federal laws enacted since 2005 have changed the requirements for school health services. Those legislative changes require changes to the school health regulations. Anticipated changes include new provisions to address: possession and use of asthma inhalers and epinephrine auto-injectors (24 P. S. § 14-1414.1); currently accepted precautions against the spread of tuberculosis (24 P. S. § 14-1416); medical examinations of teachers and other persons including volunteers (24 P. S. § 14-1418(b)); requirements for local wellness policies (24 P. S. § 14-1422.1); requirements for independent dental hygiene practitioners working in the school setting; and revisions to the duties of the Certified School Nurse to track requirements in federal laws protecting the rights of students with disabilities and to incorporate applicable professional nursing practice standards. | Karin Simpson<br>(717) 783-2500 |
| Program Standards for Long-Term Care Facilities<br>28 Pa. Code § 211.7 (relating to physician assistants and certified registered nurse practitioners) | Summer, 2014, as final               | The Department received approval to omit proposed rulemaking and to promulgate as final § 211.7, revised to eliminate the requirement for countersignature by the supervising attorney on physician assistants' documentation on the resident's record within 7 days. The revised regulation will require countersignature by the supervising attorney in accordance with requirements in statutes and regulations governing their practice. Acts 100 and 101 of 2013, respectively, amended the Medical Practice Act and the Osteopathic Medical Practice Act to add provisions addressing patient record reviews for patient records completed by a physician assistant. Both acts require countersignatures by a physician only in limited circumstances.   | Karin Simpson<br>(717) 783-2500 |

| <i>Regulation Being Considered</i>  | <i>Proposed Date of Promulgation</i> | <i>Need and Legal Basis for Action</i>   | <i>Agency Contact</i>           |
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| Home Health Care Agencies<br>28 Pa. Code § 601.31   | Fall 2014, as proposed               | The Department plans to revise § 601.31 (relating to acceptance of patients, plan of treatment and medical supervision) and change the 7 day countersignature requirement for physician oral orders to a 30 day countersignature requirement.  | Puja Khare<br>(717) 783-2500    |
| <b>HOUSING FINANCE AGENCY</b>   |                                      |  |                                 |
| No regulations being developed or considered at this date.  |                                      |  |                                 |
| <b>INFRASTRUCTURE INVESTMENT AUTHORITY</b>  |                                      |  |                                 |
| 25 Pa. Code §§ 963.1—963.20, including specifically 963.12(a)(7), 963.13(c), 963.15(a), 963(15)(c), 961(16), and 963.18(c). | Summer 2014-Proposed                 | PENNVEST recommends the following revisions: Amend 25 Pa. Code § 963.1—20 to be consistent with statutory revisions imposed by P. L. 51, No. 16, enacted June 19, 2013 and guidance revisions implemented by the Department of Environmental Protection 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:<br>(1) 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.<br>(2) 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 on principal and interest on the 60th month.<br>(3) 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.<br>(4) 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. | Shawn W. Weis<br>(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>   |
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|  |  | (5) 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 date of the approval of the loan.<br>(6) Amend 25 Pa. Code § 963.16 to provide the parameters of a loan or bond guarantee program to be provided by PENNVEST.<br>(7) Delete 25 Pa. Code § 963.18(c)(2)(iii) to eliminate the requirement for prior written approval of change orders that exceed \$25,000 or 2 percent of the amount of the project's construction cost, or an aggregate of all change orders that exceed 10 percent of the project's construction cost. |   |
| <b>INSURANCE</b>   |  |   |   |
| Annual Financial Reporting Requirements<br>31 Pa. Code Ch. 147   | Fall 2014, as proposed.                      | To amend Chapter 147, for a requirement for an internal function for large insurers.  | Peter J. Salvatore,<br>Regulatory Coordinator<br>717-787-4429 |
| Requirements for Qualified Reinsurers<br>31 Pa. Code §§ 161.1—161.9  | Fall 2014, as proposed.                      | Amend to delete a provision that is no longer applicable.   | Peter J. Salvatore,<br>Regulatory Coordinator<br>717-787-4429 |
| Medical Catastrophe Loss Fund,<br>31 Pa. Code §§ 242.1—242.18  | Fall 2014, as proposed.                      | Amend the regulation to be consistent with the statute.   | Peter J. Salvatore,<br>Regulatory Coordinator<br>717-787-4429 |
| <b>LABOR AND INDUSTRY</b>  |  |   |   |
| Boiler and Unfired Pressure Vessel Regulations, Title 34, Part I, Chapter 3a   | Submit proposed rulemaking in Winter 2015    | Update regulations based on Act 104 of 2013 and adopt certification standards for third party inspection agencies   | Kim Peck<br>717-783-6304                                      |
| Flammable and Combustible Liquids, Title 37, Part I, Bureau of Occupational and Industrial Safety                              | Submit proposed rulemaking in Spring 2014    | Update regulations based on Act 144 of 2012 and adopt requirements for storage and dispensing of compressed natural gas as vehicular fuel   | Kim Peck<br>717-783-6304                                      |
| Unemployment Compensation<br>Title 34, Chapter 101,<br>Board of Review   | Submit proposed rulemaking in Winter 2014-15 | Amend telephone regulation regarding distance requirement to conform with Act 6 of 2011   | Gerard Mackarevich<br>717-783-1232                            |
| Bureau of Labor Law Compliance,<br>Title 34, Chapters 83 and 84,<br>Apprentices  | Submit proposed rulemaking in Summer 2015    | Amend regulations to reflect federal requirements. Will need legislative change to statute first.   | Rich Lengler<br>717-787-4186                                  |
| Office of Deaf and Hard of Hearing,<br>Title 34, Chapter 501<br>Registration of Sign Language Interpreters and Transliterators | Submit proposed rulemaking in Fall 2014      | Amend regulations to be consistent with amendments in Sign Language Interpreter and Transliterators State Registration Act, 63 P. S. §§ 1725.1—1725.11, that were enacted in November 2010.   | Sharon Behun<br>717-783-4912                                  |

| <i>Regulation Being Considered</i>  | <i>Proposed Date of Promulgation</i>      | <i>Need and Legal Basis for Action</i>  | <i>Agency Contact</i>                                      |
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| Workers' Compensation Appeal Board (Board), Title 34, Chapter 111, Special Rules of Administrative and Procedure Before the Board             | Submit final form rulemaking by Fall 2014 | Revise regulations to reflect evolving procedures and technological changes   | Commissioner Alfonso Frioni, Jr.<br>412-531-2680           |
| Office of Adjudication, Title 34, Chapter 131, Special Rules of Administrative Practice and Procedure Before the Workers' Compensation Judges | Submit proposed rulemaking by Fall 2014   | Revise regulations to reflect evolving procedures and technological changes   | Director of Adjudication<br>Elizabeth Crum<br>717-783-4151 |
| Bureau of Labor Law Compliance, Title 34, Chapter 11, Employment of Minors  | Submit proposed rulemaking by Fall 2014   | Revise/update current regulations in light of the new Child Labor Act   | Richard Lengler<br>717-787-4186                            |
| <b>MILITARY AND VETERANS AFFAIRS</b>  |   |   |  |
| 43 Pa. Code Chapter 11<br>Fort Indiantown Gap   | June 2014, as final omitted               | Section 708 of the Military and Veterans Code (51 Pa.C.S. § 708) authorizes the Adjutant General to promulgate rules, regulations, and policies for the continuing operation of Fort Indiantown Gap and to designate regulations as being for the protection of persons or property at Fort Indiantown Gap. The new 43 Pa. Code Chapter 11 provides comprehensive regulations for the operation, management and control of this military installation. Fort Indiantown Gap is owned by the Commonwealth, but the bulk of it is leased by the U.S. Government. The Fort Indiantown Gap Police Force is a state entity with offices commissioned under state law and powers and duties defined by 51 Pa.C.S. § 711. | Michael Barrett<br>(717) 861-8503                          |
| 43 Pa. Code Chapter 7<br>State Veterans Homes   | August 2014                               | 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 updates 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.  | Michael Barrett<br>(717) 861-8503                          |

| <i>Regulation Being Considered</i>  | <i>Proposed Date of Promulgation</i>  | <i>Need and Legal Basis for Action</i>   | <i>Agency Contact</i>  |
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| 43 Pa. Code Chapter 5<br>Veterans' Affairs Regulations  | July 2014                             | 43 Pa. Code Ch. 5 contains regulations on a number of Commonwealth veterans' benefit programs. These include the Disabled Veteran Real Estate Tax Exemption, the Blind Veterans' Pension, the Paralyzed Veterans; Pension, Veterans' Emergency Assistance and the Educational Gratuity Program, All of these regulations need to be updated to take into account changes in the law as well as changes in organizational structures. | Marsha Davis<br>(717) 861-8503   |
| <b>MUNICIPAL POLICE OFFICERS' EDUCATION AND TRAINING COMMISSION</b>   |                                       |  |  |
| 37 Pa. Code Chapter 203   | Summer 2014, as Proposed              | Omnibus revisions to Chapter 203, which pertains to the certification and training of the Commonwealth's Municipal Police officers.  | Lieutenant Robert J. Krol<br>(717) 783-5566                                    |
| <b>PENNSYLVANIA MUNICIPAL RETIREMENT SYSTEM</b>   |                                       |  |  |
| No regulations being developed or considered at this time.  |                                       |  |  |
| <b>PENNSYLVANIA HIGHER EDUCATION ASSISTANCE AGENCY</b>  |                                       |  |  |
| 22 Pa. Code Chapter 121<br>Student Financial Aid  | Fall 2014 as Proposed                 | These regulations have not been updated in some time. The revisions seek to increase the transparency in regard to the processes used for financial assistance determinations.   | Christine Zuzack<br>(717) 720-2368   |
| <b>PROBATION AND PAROLE</b>   |                                       |  |  |
| Revision to 37 Pa. Code Chapters 63, 65, 67, 69, 71, 73, 75, 77 "Board of Probation and Parole"   | Continues to be worked on in FY 2014. | Updates to incorporate recent changes to Title 61 and emphasis on evidence based practices.  | Barbara Christie<br>Chief Counsel<br>(717) 787-8126                            |
| Addition of a section to 37 Pa. Code Part II. "Board of Probation and Parole"   | Continues to be worked on in FY 2014. | Addition to address urinalysis collection as mandated by 61 Pa.C.S. § 6137(e).   | Colleen Fickel, Director,<br>Central Services, PBPP<br>(717) 787-5699 x 292    |
| The Domestic and Sexual Violence Address Confidentiality Program, 37 Pa. Code §§ 802.1, 802.2, 802.3, 802.11, 802.12, 802.13, 802.14, 802.15, 802.16, 802.17, 802.21, 802.22, 802.23, 802.31, 802.32, and 802.33. | Continues to be worked on in FY 2014. | Add updates to better address changes to the act and process that have occurred since 2007.  | John Talaber,<br>Counsel to the Office of<br>Victim Advocate,<br>717-787-8126. |
| <b>PUBLIC SCHOOL EMPLOYEES' RETIREMENT SYSTEM</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>            |
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| <b>PUBLIC WELFARE</b>   |                                      |  |                                  |
| Rate Setting for County Nursing Facilities that Privatize<br>55 Pa. Code Chapters 1187 and 1189                                     | September 2014, as final             | This regulation will codify the methodology for setting rates for county nursing facilities that have a change of ownership to a nonpublic nursing facility provider. County nursing facilities that have a change of ownership will have per diem rates determined using the peer group price for resident care, other resident related and administrative costs from the appropriate peer group in accordance with 55 Pa. Code Chapter 1187.45 (relating to peer grouping for price setting) until there is a nursing facility cost report submitted by the new provider audited for use in the rebasing process | Angie Logan<br>(717) 772-4141    |
| Administration of County Children and Youth Programs<br>55 Pa. Code Chapter 3130  | July 2015, as proposed               | This regulation incorporates the amendments to the Juvenile Act and the federal regulations for Title IV-B and Title IV-E funding for child welfare services for children in their own homes and for children receiving placement services. Major changes include permanency hearings.   | Angie Logan<br>(717) 772-4141    |
| Planning and Financial Reimbursement requirements for County Children and Youth Social Service Programs<br>55 Pa. Code Chapter 3140 | June 2015, as proposed               | This regulation provides the requirements for reimbursement for services to county children and youth agencies. The regulations are in need of revision to ensure consistency with federal requirements and policy to ensure the validity of State and Federal claims.   | Angie Logan<br>(717) 772-4141    |
| <b>REVENUE</b>  |                                      |  |                                  |
| Amendments to Estates & Trusts—Personal Income Tax Regulations<br>61 Pa. Code Chapters 101, 103, 105 and 117                        | December 2014, as proposed.          | The Department is promulgating this regulation to codify the Department's policy for the taxation of estates and trusts in the Commonwealth and to provide clear instructions for taxpayers regarding reporting requirements.  | Douglas Berguson<br>717-346-4633 |
| Amendments to Local Option Small Games of Chance (SGOC)<br>61 Pa. Code Chapter 901a   | January 2015, as proposed            | The Department is proposing to replace Chapter 901 with a new Chapter 901a as a result of the amendments to the SGOC law. The proposed rulemaking will reorganize and clarify the SGOC regulations as well as incorporate necessary changes to implement Acts 2 and 184 of 2012 and Acts 90 and 92 of 2013.  | Douglas Berguson<br>717-346-4633 |

| <i>Regulation Being Considered</i>  | <i>Proposed Date of Promulgation</i> | <i>Need and Legal Basis for Action</i>  | <i>Agency Contact</i>                   |
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| General Provisions<br>Application of Payments<br>61 Pa. Code Chapter 5a   | October 2014, as proposed            | The Department is promulgating this regulation to clarify the provisions of the Taxpayers' Bill of Rights and provide a procedure for the application of a payment received from a taxpayer to tax liability owed the Department.   | Douglas Berguson<br>717-346-4633        |
| <b>STATE</b>  |                                      |   |   |
| Bureau of Professional and Occupational Affairs<br>—Telephonic Testimony—<br>49 Pa. Code Chapter 43b.<br>(16A-55) | Summer 2014, as Proposed.            | This proposed rulemaking would provide rules for the admission of testimony received by telephone at hearings conducted by boards/commissions or hearing examiners. Statutory Authority: Section 3 of the act of July 2, 1993 (P. L. 345, No. 48) authorizes the Commissioner of Professional and Occupational Affairs to promulgate regulations setting forth the procedural rules to be followed in the conduct of hearings in disciplinary matters before a licensing board or commission, after consultation with the licensing boards and commissions. | Cynthia K. Montgomery<br>(717) 783-7200 |
| State Board of Accountancy<br>—General Revisions—<br>49 Pa. Code Chapter 11<br>(16A-5513)                         | Summer 2014, as Proposed.            | This proposed rulemaking would implement the amendments to the CPA Law made by the act of July 9, 2008 (P. L. 954, No. 73), and the act of June 19, 2013 (P. L. 46, No. 15). Statutory Authority: Section 3 of the C.P.A. Law, 63 P. S. § 9.3.  | Sara Fox<br>(717) 783-1404              |
| Schedule of Civil Penalties—<br>49 Pa. Code Chapter 43b<br>(16A-5514)   | Summer 2014, as Proposed.            | The proposed rulemaking would amend the schedule of civil penalties for violations of the CPA law and regulations of the State Board of Accountancy. Statutory Authority: Section 5(a) of the act of July 2, 1993 (P. L. 345, No. 48), 63 P. S. § 2205(a).  | Sara Fox<br>(717) 783-1404              |
| State Architects Licensure Board<br>—Electronic seals and signing—<br>49 Pa. Code Chapter 9<br>(16A-4110)         | Summer 2014, as Proposed.            | This proposed rulemaking will implement rules on electronic seals and signing. Statutory Authority: Sections 6(a), 6(b) and 12 of the Architects' Licensure Law, 63 P. S. §§ 34.6(a), 34.6(b) and 34.12.  | Penny Walker<br>(717) 783-3397          |
| State Board of Auctioneer Examiners<br>—Schedule of Civil Penalties—<br>49 Pa. Code § 43b.12a<br>(16A-648)        | Summer 2014, as Proposed.            | The proposed rulemaking would make updates to the current schedule of civil penalties, as requested by the Board. Statutory Authority: Section 5(a) of the act of July 2, 1993 (P. L. 345, No. 48), 63 P. S. § 2205(a).   | Terrie Kocher<br>(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>            |
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| —Biennial Renewal Fees—<br>49 Pa. Code § 1.41<br>(16A-649)                                   | Summer 2014, as Final.                       | The final-form rulemaking would increase biennial renewal fees to meet projected expenditures as required by law. Statutory Authority: Section 6(a) of the Auctioneer Licensing and Trading Assistant Registration Act, 63 P. S. § 734.6(a).  | Terrie Kocher<br>(717) 783-3397  |
| State Board of Barber Examiners<br>—General Revisions—<br>49 Pa. Code Chapter 3<br>(16A-429) | Summer 2014, as Proposed.                    | The proposed rulemaking would update the regulations for barber managers, temporary student licenses, barber shops and schools of barbering. Statutory Authority: Section 10 of the Barbers License Law, 63 P. S. § 560.  | Kelly Diller<br>(717) 783-3402   |
| State Board of Chiropractic<br>—Chiropractic specialties—<br>49 Pa. Code Ch. 5<br>(16A-4312) | Summer 2014, as Proposed.                    | The Chiropractic Practice Act prohibits licensees from holding themselves out as specialists unless they possess a post-graduate certification in that specialty. This proposed rulemaking would identify the certifications acceptable to the Board. Statutory Authority: Section 302(3) of the Chiropractic Practice Act, 63 P. S. § 625.302(3).  | Stephen Snyder<br>(717) 783-7155 |
| —Volunteer License—<br>49 Pa. Code § 5.20<br>(16A-4321)                                      | Spring 2014, as Final<br>(proposed-omitted). | This regulation would amend the volunteer license regulations to conform to amendments to the Volunteer Health Services Act. Statutory Authority: Section 302 of the Chiropractic Practice Act, 63 P. S. § 625.302; and section 5 of the Volunteer Health Services Act, 35 P. S. § 449.45.  | Stephen Snyder<br>(717) 783-7155 |
| —Child Abuse Reporting Requirements—<br>49 Pa. Code §§ 5.91—5.96<br>(16A-4322)               | Fall 2014, as Proposed.                      | This regulation would update the Board's existing regulations relating to mandatory reporting of suspected child abuse under the Child Protective Services Law (CPSL, 23 P. S. §§ 6301—6386. Statutory Authority: Section 6383(b)(2) of the CPSL, 23 P. S. § 6383(b)(2); and section 302(3) of the Chiropractic Practice Act, 63 P. S. § 62.302(3). | Stephen Snyder<br>(717) 783-7155 |
| Distance Education—<br>49 Pa. Code § 5.79<br>(16A-4323)                                      | Summer 2014, as Proposed.                    | This proposed rulemaking would expressly permit continuing education to be completed through distance education, but limit it to 50% of the required hours. Statutory Authority: Section 302(3) of the Chiropractic Practice Act, 63 P. S. § 625.302(3).  | Stephen Snyder<br>(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>             |
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| Bureau of Commissions, Elections & Legislation<br>—Lobbying Disclosure Fee—<br>51 Pa. Code § 51.12<br>(16-56) | Summer 2014, as Final.               | This proposed rulemaking would increase the biennial registration fee for individuals and entities required to be registered un 65 P. S. Chapter 13A (relating to lobbying disclosure). Statutory Authority: Section 13A08(j) of the act provides that the Department may by regulation adjust the filing fee if a higher fee is needed to cover the costs of carrying out the provisions of the act. | Caroline Bailey<br>(717) 265-7632 |
| —Notaries Public—<br>4 Pa. Code Part VIII, Subpart C<br>(number not yet assigned)                             | Summer 2014, as Proposed.            | The proposed rulemaking would implement the act of October 9, 2013 (P. L. 609, No. 73), which adopted the Revised Uniform Law on Notarial Acts (RULONA). Statutory Authority: Section 327 of the RULONA, 57 Pa.C.S. § 327, authorizes the Department to promulgate regulations to implement the RULONA.   | Martha Brown<br>(717) 787-6802    |
| Bureau of Corporations and Charitable Organizations<br>—UCC Revised Article 9—<br>(16-35)                     | Fall 2014, as Proposed.              | This proposed rulemaking would adopt (with some revisions) the Model rules promulgated by the International Association of Corporate Administrators, which call for the delivery of filings by electronic means and acceptance of credit card payments. Statutory Authority: Section 9526 of the Uniform Commercial Code Modernization Act of 2001, 13 Pa.C.S. § 9526.                                | Martha Brown<br>(717) 787-6802    |
| State Board of Cosmetology<br>—Sanitation—<br>49 Pa. Code Chapter 7<br>(16A-4516)                             | Fall 2014, as Proposed.              | This proposed rulemaking would update the Board's regulations on sanitation to conform to modern standards within the profession. Statutory Authority: Sections 11 and 14 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 520.   | Kelly Diller<br>(717) 783-7130    |
| —Schedule of Civil Penalties—<br>49 Pa. Code § 43b.5.<br>(16A-4517)   | Summer 2014, as Proposed.            | This proposed rulemaking would amend the schedule of civil penalties for the State Board of Cosmetology. Statutory authority: Section 5(a) of the act of July 2, 1993 (P. L. 345, No. 48), 63 P. S. § 2205(a).  | Kelly Diller<br>(717) 783-7130    |
| State Board of Crane Operators<br>—Fees—<br>49 Pa. Code § 6.4<br>(16A-7102)                                   | Summer 2014, as Final.               | This final-form regulation would increase the biennial renewal fee for licensed crane operators. Statutory Authority: Section 701(a) of the Crane Operator Licensure Act, 63 P. S. § 2400.701(a).   | Penny Walker<br>(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>        |
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| State Board of Dentistry<br>—Anesthesia Update—<br>49 Pa. Code §§ 33.331—33.342<br>(16A-4621) | Fall 2014, as Proposed.                      | This proposed rulemaking would update the standards for the administration of general anesthesia, deep sedation, moderate sedation, minimal sedation and nitrous oxide/oxygen analgesia in dental offices. Statutory Authority: Sections 3(o) and 11.2 of the Dental Law, 63 P. S. §§ 122(o) and 130c.   | Lisa Burns<br>(717) 783-7162 |
| —Volunteer License—<br>49 Pa. Code § 33.110<br>(16A-4625)                                     | Spring 2014, as Final<br>(proposed-omitted). | This regulation would amend the current volunteer license regulations to conform to amendments to the Volunteer Health Services Act. Statutory Authority: Section 3(o) of the Dental Law, 63 P. S. § 122(o).   | Lisa Burns<br>(717) 783-7162 |
| —Child Abuse Reporting Requirements—<br>49 Pa. Code § 33.250<br>(16A-4626)                    | Fall 2014, as Proposed.                      | This regulation would update the Board's existing regulations relating to mandatory reporting of suspected child abuse under the Child Protective Services Law (CPSL), 23 P. S. §§ 6301—6386. Statutory Authority: section 6383(b)(2) of the CPSL, 23 P. S. § 6383(b)(2); and section 3(o) of the Dental Law, 63 P. S. § 122(o).   | Lisa Burns<br>(717) 783-7162 |
| —General Revisions—<br>49 Pa. Code Chapter 33<br>(16A-4628)                                   | Fall 2014, as Proposed.                      | This proposed rulemaking would generally amend, update and clarify the regulations relating to fictitious names, biennial renewal, inactive status, reactivation, 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. Section 3(o) of the Dental Law, 63 P. S. § 122(o). | Lisa Burns<br>(717) 783-7162 |
| —Mobile Dentistry—<br>49 Pa. Code Chapter 33<br>(16A-4629)                                    | Fall 2014, as Proposed.                      | This proposed rulemaking will establish standards for the provision of dental and dental hygiene services through mobile dental units. Statutory Authority: Section 3(o) of the Dental Law, 63 P. S. § 122(o).   | Lisa Burns<br>(717) 783-7162 |
| Schedule of Civil Penalties—<br>49 Pa. Code § 43b.14a<br>(16A-4630)                           | Summer 2014, as Proposed.                    | The proposed regulation will update the Board's schedule of civil penalties to address lapsed licenses and permits and continuing education violations. Statutory Authority: Section 5(a) of the act of July 2, 1993 (P. L. 345, No. 48), 63 P. S. § 2205(a).  | Lisa Burns<br>(717) 783-7162 |

| <i>Regulation Being Considered</i>   | <i>Proposed Date of Promulgation</i> | <i>Need and Legal Basis for Action</i>   | <i>Agency Contact</i>           |
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| Temporary Volunteer Dental Licenses—<br>49 Pa. Code § 33.118<br>(16A-4631)   | Summer 2014, as Proposed.            | This proposed regulation would implement the act of February 4, 2014 (P. L. 19, No. 7) to set forth the procedures to apply for a temporary volunteer dental license. Statutory Authority: Section 3(o) of the Dental Law, 63 P. S. § 122(o).  | Lisa Burns<br>(717) 783-7162    |
| State Registration Board for Professional Engineers, Land Surveyors and Geologists—<br>Qualifications for Licensure—<br>49 Pa. Code Chapter 37<br>(16A-4711) | Summer 2014, as Final.               | The regulation implements Act 25 of 2010, to provide for the certification of geologists-in-training, and to update the board's regulations concerning the licensure process for engineers and land surveyors. Statutory Authority: Section 4(l) of the Engineer, Land Surveyor and Geologist Registration Law, 63 P. S. § 151(l). | Robin Shearer<br>(717) 783-7049 |
| —Electronic Seals and Signing<br>49 Pa. Code Chapter 37<br>(16A-4712)  | Summer 2014, as Proposed.            | This proposed rulemaking will implement rules on electronic seals and signing. Statutory Authority: Sections 4(l) and 7 of the Engineer, Land Surveyor and Geologist Registration Law, 63 P. S. §§ 151.4(l) and 151.7.   | Robin Shearer<br>(717) 783-7049 |
| Renewal Fees—<br>49 Pa. Code § 37.17<br>(16A-4713)   | Summer 2014, as Proposed.            | This proposed rulemaking will implement rules on electronic seals and signing. Statutory Authority: Sections 4(l) and 7 of the Engineer, Land Surveyor and Geologist Registration Law, 63 P. S. §§ 151.4(l) and 151.7.   | Robin Shearer<br>(717) 783-7049 |
| State Board of Funeral Directors<br>—Renewal; Continuing Education Enforcement—<br>49 Pa. Code Chapter 13<br>(16A-4819)                                      | Summer 2014, as Proposed.            | This proposed rulemaking would update and clarify the Board's regulations relating to renewal of licenses and enforcement of continuing education. Statutory authority: Sections 10(b)(1) and 16(a) of the Funeral Director Law, 63 P. S. §§ 479.10(b)(1) and 479.16(a).   | Heidy Weirich<br>(717) 783-3397 |
| —Schedule of Civil Penalties—<br>Funeral Directors<br>49 Pa. Code § 43b.6<br>(16A-4820)  | Summer 2014, as Proposed.            | This proposed regulation would establish a schedule of civil penalties for continuing education enforcement. Statutory Authority: Section 5(a) of the act of July 2, 1993 (P. L. 345, No. 48), 63 P. S. § 2205(a).   | Heidy Weirich<br>(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>           |
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| —Child Abuse Reporting Requirements—<br>49 Pa. Code § 13.301—13.307<br>(16A-4824)                             | Fall 2014, as Proposed.              | This regulation would update the Board's existing regulations relating to mandatory reporting of suspected child abuse under the Child Protective Services Law (CPSL), 23 P. S. §§ 6301—6386. Statutory Authority: section 6383(b)(2) of the CPSL, 23 P. S. § 6383(b)(2); and section 16(a) of the Funeral Director Law, 63 P. S. § 479.16(a). | Heidy Weirich<br>(717) 783-3397 |
| State Board of Landscape Architects<br>—General Revisions—<br>49 Pa. Code Chapter 15<br>(16A-6111)            | Summer 2014, as Proposed             | This proposed rulemaking implements updates to current practices of the Board with respect to qualifications and experience, examinations and continuing education. Statutory Authority: Section 4(9) of the Landscape Architects' Registration Law, 63 P. S. § 904(9).  | Terrie Kocher<br>(717) 772-8528 |
| Electronic Seals and Signing<br>49 Pa. Code Chapter 15<br>(16A-6112)  | Summer 2014, as Proposed.            | This proposed rulemaking will implement rules on electronic seals and signing from other design professional boards in Pennsylvania and other states. Statutory Authority: Sections 4 and 9 of the Landscape Architects' Registration Law, 63 P. S. §§ 904 and 909.  | Terrie Kocher<br>(717) 772-8528 |
| —Schedule of Civil Penalties—<br>Landscape Architects<br>49 Pa. Code Chapter 43b.<br>(16A-6120)               | Spring 2014, as Proposed.            | This proposed rulemaking would adopt a schedule of civil penalties for unlicensed practice and other violations of the Landscape Architects Registration Law. Statutory Authority: Section 5(a) of the act of July 2, 1993 (P. L. 345, No. 48), 63 P. S. § 2205(a).  | Terrie Kocher<br>(717) 772-8528 |
| State Board of Massage Therapy<br>—Child Abuse Reporting Requirements—<br>49 Pa. Code Chapter 20<br>(16A-722) | Fall 2014, as Proposed.              | This proposed rulemaking establishes mandatory reporting requirements relating to suspected child abuse under the Child Protective Services Law (CPSL), 23 P. S. §§ 6301—6386. Statutory Authority: Section 6383(b)(2) of the CPSL, 23 P. S. § 6383(b)(2); and section 4(2) of the Massage Therapy Law, 63 P. S. § 627.4(2).                   | Judy Harner<br>(717) 783-7155   |
| —Schedule of Civil Penalties—<br>Massage Therapists—<br>49 Pa. Code § 43b.23a<br>(16A-723)                    | Summer 2014, as Proposed.            | The proposed rulemaking updates the schedule of civil penalties promulgated by the Board as a statement of policy in 2010. Statutory Authority: Section 5(a) of the act of July 2, 1993 (P. L. 345, No. 48), 63 P. S. § 2205(a).   | Judy Harner<br>(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>            |
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| State Board of Medicine<br>—Volunteer Licenses—<br>49 Pa. Code Chapter 16<br>(16A-4934)  | Summer 2014, as Final<br>(proposed-omitted). | This regulation will amend the volunteer license regulations to conform to amendments to the Volunteer Health Services Act (Acts 29 of 2007 and 58 of 2002). Statutory Authority: Section 8 of the Medical Practice Act of 1985, 63 P. S. § 422.8.  | Michael Coates<br>(717) 783-1400 |
| —Genetic Counselors—<br>49 Pa. Code Chapter 18<br>(16A-4937)   | Summer 2014, as Final.                       | This proposed rulemaking would implement the act of December 22, 2011 (P. L. 576, No. 125) relating to the licensure of genetic counselors. Statutory Authority: Section 3 of Act 125 of 2011 requires the Board to promulgate regulations within 12 months. Section 8 of the Medical Practice Act of 1985, 63 P. S. § 422.8, provides the general regulatory authority of the Board. | Michael Coates<br>(717) 783-1400 |
| —Use of Medical Lasers—<br>49 Pa. Code Chapter 18,<br>Subchapter G<br>(16A-4939)   | Fall 2014, as Proposed.                      | This proposed rulemaking is intended to clarify the requirements for the use and delegation of medical devices and medical lasers. Statutory Authority: Section 8 of the Medical Practice Act of 1985, 63 P. S. § 422.8.  | Michael Coates<br>(717) 783-1400 |
| —Child Abuse Reporting<br>Requirements—<br>49 Pa. Code §§ 16.101—16.107<br>(16A-4941)  | Fall 2014, as Proposed.                      | This regulation updates the Board's existing regulation on mandatory reporting of suspected child abuse under the Child Protective Services Law (CPSL), 23 P. S. §§ 6301—6386. Statutory Authority: Section 6383(b)(2) of the CPSL, 23 P. S. § 6383(b)(2); and section 8 of the Medical Practice Act of 1985, 63 P. S. § 422.8.   | Michael Coates<br>(717) 783-1400 |
| —Schedule of Civil Penalties—<br>49 Pa. Code § 43b.20.<br>(16A-4942)   | Summer 2014, as<br>Proposed.                 | This proposed rulemaking would amend the schedule of civil penalties for the State Board of Medicine to implement Act 48 civil penalties for practicing on a lapsed license and for continuing education violations. Statutory authority: Section 5(a) of Act 48 of 1993, 63 P. S. § 2205(a).   | Michael Coates<br>(717) 783-1400 |
| —Prosthetists, orthotists,<br>pedorthists and orthotic fitters—<br>49 Pa. Code Chapters 16 and 18<br>(Number not yet assigned) | Summer 2014, as<br>Proposed.                 | This proposed regulation would implement Act 90 of 2012 to establish licensure of prosthetists, orthotists, pedorthists and orthotic fitters. Statutory Authority: Section 3 of the act of July 5, 2012 (P. L. 873, No. 90) directs the Board to promulgate regulations within 18 months.   | Michael Coates<br>(717) 783-1400 |

| <i>Regulation Being Considered</i>   | <i>Proposed Date of Promulgation</i>         | <i>Need and Legal Basis for Action</i>  | <i>Agency Contact</i>           |
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| State Board of Nursing<br>—General Revisions—<br>49 Pa. Code Chapter 21<br>(16A-5125)  | Summer 2014, as Proposed.                    | This proposed rulemaking would establish a timeframe within which candidates for licensure as registered nurses, practical nurses and dietitian-nutritionists must first take and ultimately pass the appropriate licensing examination and updates and makes uniform application and examination provisions across the licensure categories. Statutory Authority: Sections 2.1(k) and 12(a) of the Professional Nursing Law, 63 P. S. §§ 212.1(k) and 222(a); and section 17.6 of the Practical Nurse Law, 63 P. S. § 667.6. | Cindy Miller<br>(717) 783-7142  |
| —Continuing Education; Reporting of Crimes and Discipline—<br>49 Pa. Code §§ 21.131—21.134<br>(16A-5126)                     | Fall 2014, as Final.                         | This proposed regulation will amend the Board's continuing education regulations to eliminate the ability of registered nurses to renew their licenses without completing their continuing education, and will clarify the requirements for timely reporting of crimes and disciplinary actions. Statutory Authority: Sections 2.1 and 12.1 of the Professional Nursing Law, 63 P. S. §§ 212.1 and 222.   | Cindy Miller<br>(717) 783-7142  |
| —Volunteer License—<br>49 Pa. Code §§ 21.601—21.607.<br>(16A-5139)   | Summer 2014, as Final<br>(Proposed-omitted). | This regulation would amend the volunteer license regulations to conform to amendments to the Volunteer Health Services Act. Statutory Authority: Section 2.1(k) of the Professional Nursing Law, 63 P. S. § 212.1(k).  | Cindy Miller<br>(717) 783-7142  |
| —Child Abuse Reporting Requirements—<br>49 Pa. Code §§ 21.501—21.507.<br>(16A-5140)  | Fall 2014, as Proposed.                      | This regulation updates the Board's existing regulations relating to mandatory reporting of suspected child abuse under the Child Protective Services Law, (CPSL), 23 P. S. §§ 6301—6386. Statutory Authority: Section 6383(b)(2) of the CPSL, 23 P. S. § 6383(b)(2); section 2.1(k) of the Professional Nursing Law, 63 P. S. § 212.1(k); and Section 17.6 of the Practical Nurse Law, 63 P. S. § 667.6.   | Cindy Miller<br>(717) 783-7142  |
| State Board of Examiners of Nursing Home Administrators<br>—Sexual Misconduct—<br>49 Pa. Code §§ 39.1 and 39.9<br>(16A-6211) | Fall 2014, as Proposed.                      | This proposed rulemaking would add sexual abuse and sexual misconduct as offenses for which a nursing home administrator's license may be disciplined. Statutory Authority: Sections 4(c) and 6(g) of the Nursing Home Administrators Licensure Act, 63 P. S. §§ 1104(c) and 1106(g).   | Chris Stuckey<br>(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>           |
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| —Schedule of Civil Penalties—<br>49 Pa. Code § 43b.17<br>(16A-6213)  | Summer 2014, as Proposed.            | This proposed rulemaking would amend the schedule of civil penalties for the State Board of Examiners of Nursing Home Administrators to implement Act 48 civil penalties for continuing education violations. Statutory authority: Section 5(a) of Act 48 of 1993, 63 P. S. § 2205(a).   | Chris Stuckey<br>(717) 783-7155 |
| —Continuing Education—<br>49 Pa. Code Chapter 39<br>(16A-6215)   | Fall 2014, as Proposed.              | This proposed regulation updates the Board's existing regulations relating to continuing education requirements and reporting and establishes requirements for licensees who have been expired or inactive for more than five years to demonstrate competence prior to reactivation. Statutory Authority: Sections 4(a)(9), 8(e) and 9(a)—(c) of the Nursing Home Administrators Act, 63 P. S. §§ 1104(a)(9), 1108(e) and 1109(a)—(c). | Chris Stuckey<br>(717) 783-7155 |
| —Notice Requirements—<br>49 Pa. Code §§ 39.92 and 39.93<br>(16A-6217)  | Summer 2014, as Proposed.            | This proposed rulemaking clarifies notice requirements relating to convictions of crimes and return of suspended or revoked licenses. Statutory Authority: Section 4(c) of the Nursing Home Administrators License Act, 63 P. S. § 1104(c).  | Chris Stuckey<br>(717) 783-7155 |
| State Board of Occupational Therapy Education and Licensure<br>—Child Abuse Reporting Requirements—<br>49 Pa. Code Chapter 42<br>(16A-679) | Fall 2014, as Proposed.              | This regulation updates the Board's regulations on mandatory reporting of suspected child abuse under the Child Protective Services Law (CPSL), 23 P. S. 6301—6386. Statutory Authority: Section 6383(b)(2) of the CPSL requires the Board to promulgate regulations consistent with the CPSL; Section 5(b) of the Occupational Therapy Practice Act, 63 P. S. § 1505(b) directs the Board to adopt regulations consistent with law.   | Judy Harner<br>(717) 783-1389   |
| —Code of Ethics—<br>49 Pa. Code § 42.24<br>(16A-6710)  | Fall 2014, as Proposed.              | This proposed rulemaking would update and amend the Board's existing code of ethics to adopt the AOTA ethics standards. Statutory authority: Section 5(b) of the Occupational Therapy Practice Act, 63 P. S. § 1505(b).  | Judy Harner<br>(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>           |
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| —General Revisions—<br>49 Pa. Code Chapter 22<br>(16A-6711)  | Summer 2014, as Proposed.                    | This proposed rulemaking implements the act of July 5, 2012 (P. L. 1132, No. 138), which amended the Occupational Therapy Practice Act. Statutory Authority: Section 5(b) of the Occupational Therapy Practice Act, 63 P. S. § 1505(b) directs the Board to adopt regulations consistent with law.  | Judy Harner<br>(717) 783-1389   |
| State Board of Optometry<br>—Schedule of Civil Penalties—Optometrists<br>49 Pa. Code Chapter 43b<br>(16A-5212) | Fall 2014, as Final.                         | This proposed rulemaking would adopt a schedule of civil penalties for continuing education violations. Statutory Authority: Section 5(a) of Act 48 of 1993, 63 P. S. § 2205(a), authorizes the Commissioner to set forth schedules of civil penalties.   | Judy Harner<br>(717) 783-7155   |
| —General Revisions—<br>49 Pa. Code Chapter 23<br>(16A-5213)  | Summer 2014, as Proposed.                    | This proposed rulemaking would update the Board's regulations to conform to current practices. Statutory Authority: Sections 3(b)(14) and 5 of the Optometric Practice and Licensure Act (63 P. S. §§ 244.3(b)(14) and 244.5).  | Judy Harner<br>(717) 783-7155   |
| —Volunteer License—<br>49 Pa. Code § 23.26<br>(16A-5214)   | Summer 2014, as Final<br>(Proposed-omitted). | This regulation would amend the Board's volunteer license regulations to conform to amendments to the Volunteer Health Services Act. Statutory Authority: Section 3(b)(14) of the Optometric Practice and Licensure Act, 63 P. S. § 244.3(b)(14).   | Judy Harner<br>(717) 783-7155   |
| —Child Abuse Reporting Requirements—<br>49 Pa. Code §§ 23.111—23.116<br>(16A-5215)                             | Fall 2014, as Proposed.                      | This regulation updates the Board's existing regulations relating to mandatory reporting of suspected child abuse under the Child Protective Services Law, (CPSL), 23 P. S. §§ 6301—6386. Statutory Authority: Section 6383(b)(2) of the CPSL, 23 P. S. § 6383(b)(2); and section 3(b)(14) of the Optometric Practice and Licensure Act, 63 P. S. § 244.3(b)(14). | Judy Harner<br>(717) 783-7155   |
| State Board of Osteopathic Medicine<br>Volunteer License—<br>49 Pa. Code §§ 25.601—25.607.<br>(16A-5323)       | Summer 2014, as Final<br>(Proposed-omitted). | This regulation would amend the Board's volunteer license regulations to conform to amendments to the Volunteer Health Services Act made by Act 58 of 2002 and Act 29 of 2007. Statutory Authority: Section 16 of the Osteopathic Medicine Act, 63 P. S. § 271.16.  | Suzanne Smith<br>(717) 783-4858 |



| <i>Regulation Being Considered</i>   | <i>Proposed Date of Promulgation</i> | <i>Need and Legal Basis for Action</i>   | <i>Agency Contact</i>               |
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| —Child Abuse Reporting Requirements—<br>49 Pa. Code §§ 25.401—25.416<br>(16A-5326)         | Fall 2014, as Proposed.              | This regulation updates the Board's existing regulations relating to mandatory reporting of suspected child abuse under the Child Protective Services Law, CPSL), 23 P. S. §§ 6301—6386. Statutory Authority: Section 6383(b)(2) of the CPSL, 23 P. S. § 6383(b)(2); and section 16 of the Osteopathic Medicine Practice Act, 63 P. S. § 271.16.   | Suzanne Smith<br>(717) 783-4858     |
| —Schedule of Civil Penalties—<br>49 Pa. Code Chapter 43b.<br>(16A-5327)                    | Fall 2014, as Proposed.              | This proposed rulemaking would establish a schedule of civil penalties for the State Board of Osteopathic Medicine to implement Act 48 civil penalties for failure to report complaints filed against an osteopathic physician in a medical professional liability action. Statutory authority: Section 5(a) of Act 48 of 1993, 63 P. S. § 2205(a).  | Suzanne Smith<br>(717) 783-4858     |
| —Genetic Counselors—<br>49 Pa. Code Chapter 25<br>(16A-5328)                               | Fall 2014, as Final.                 | This proposed rulemaking would implement the act of December 22, 2011 (P. L. 581, No. 126) relating to the licensure of genetic counselors. Statutory Authority: Section 3 of Act 126 of 2011 requires the Board to promulgate regulations within 12 months. Section 16 of the Osteopathic Medicine Practice Act, 63 P. S. § 271.16, provides the general regulatory authority of the Board.               | Suzanne Smith<br>(717) 783-4858     |
| State Board of Pharmacy<br>—Compounding Practices—<br>49 Pa. Code Chapter 27<br>(16A-5419) | Summer 2014, as Proposed.            | This proposed rulemaking would establish standards for the compounding of drugs by pharmacists. Statutory Authority: Section 6(k)(9) of the Pharmacy Act, 63 P. S. § 390-6(k)(9) grants the authority to promulgate rules and regulations to effectuate the purposes of the act. Section 2 of the Pharmacy Act, 63 P. S. § 390-2(11) defines the practice of pharmacy to include the compounding of drugs. | Melanie Zimmerman<br>(717) 783-7156 |
| —Pharmacy Internship—<br>49 Pa. Code Chapter 27<br>(16A-5424)                              | Summer 2014, as Final.               | This final-form rulemaking would update the Board's regulations relating to the pharmacy internship required under section 3 of the Pharmacy Act. Statutory Authority: Section 3 of the Pharmacy Act, 63 P. S. § 390-3(c) requires the Board to establish by regulation the internship requirements which must be satisfactorily completed prior to issuance of a pharmacist license.                      | Melanie Zimmerman<br>(717) 783-7156 |

| <i>Regulation Being Considered</i>   | <i>Proposed Date of Promulgation</i> | <i>Need and Legal Basis for Action</i>   | <i>Agency Contact</i>               |
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| —Collaborative Management of Drug Therapy—<br>49 Pa. Code Chapter 27<br>(16A-5425)                 | Fall 2014, as Final.                 | This final-form rulemaking would implement Act 29 of 2010, which provides for collaborative drug therapy management between a pharmacist and a licensed physician. Statutory Authority: Section 5 of the act of June 1, 2010 (P. L. 201, No. 29) requires the Board to promulgate regulations to implement Act 29 within 18 months of its effective date.              | Melanie Zimmerman<br>(717) 783-7156 |
| —Emergency Preparedness—<br>49 Pa. Code Chapter 27<br>(16A-5426)                                   | Fall 2014, as Proposed.              | The proposed rulemaking would establish procedures and standards for the operation of remote emergency pharmacies in the event of an emergency caused by a natural or manmade disaster or any other exceptional situation that causes an extraordinary demand for pharmacy services. Statutory Authority: Section 6(k)(9) of the Pharmacy Act, 63 P. S. § 390-6(k)(9). | Melanie Zimmerman<br>(717) 783-7156 |
| —General Revisions to Standards of Practice—<br>49 Pa. Code § 27.18<br>(16A-5427)                  | Fall 2014, as Proposed.              | This proposed rulemaking would update the Board's regulations relating to standards of practice for pharmacists. Statutory Authority: Section 6(k)(9) of the Pharmacy Act, 63 P. S. § 390-6(k)(9).   | Melanie Zimmerman<br>(717) 783-7156 |
| —Correctional Facility Drug Redistribution—<br>49 Pa. Code Chapter 27<br>(number not yet assigned) | Fall 2014, as Proposed.              | This proposed rulemaking is required to conform the Board's regulations to the act of July 9, 2010 (P. L. 457, No. 59), which permits a vendor pharmacy to redistribute drugs returned by a correctional facility to other correctional facilities. Statutory Authority: Section 6(k)(9) of the Pharmacy Act, 63 P. S. § 390-6(k)(9).                                  | Melanie Zimmerman<br>(717) 783-7156 |
| —Schedule of Civil Penalties—<br>49 Pa. Code § 43b.7<br>(number not yet assigned)                  | Fall 2014, as Proposed.              | This proposed rulemaking would amend the schedule of civil penalties for the State Board of Pharmacy to implement Act 48 civil penalties for continuing education violations. Statutory authority: Section 5(a) of Act 48 of 1993, 63 P. S. § 2205(a).   | Melanie Zimmerman<br>(717) 783-7156 |

| <i>Regulation Being Considered</i>  | <i>Proposed Date of Promulgation</i> | <i>Need and Legal Basis for Action</i>   | <i>Agency Contact</i>              |
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| State Board of Physical Therapy—Child Abuse Reporting Requirements—49 Pa. Code §§ 40.201—40.207. (16A-6515) | Fall 2014, as Proposed.              | This regulation updates the Board's existing regulations relating to mandatory reporting of suspected child abuse under the Child Protective Services Law, (CPSL), 23 P. S. §§ 6301—6386. Statutory Authority: Section 6383(b)(2) of the CPSL, 23 P. S. § 6383(b)(2); and section 3(a) of the Physical Therapy Practice Act, 63 P. S. § 1303(a). | Michelle Roberts<br>(717) 783-7134 |
| Schedule of Civil Penalties—49 Pa. Code Chapter 43b. (16A-6516)   | Summer 2014, as Proposed.            | This proposed rulemaking would establish a schedule of civil penalties for the State Board of Physical Therapy to implement Act 48 civil penalties for practicing on a lapsed license. Statutory authority: Section 5(a) of Act 48 of 1993, 63 P. S. § 2205(a).  | Michelle Roberts<br>(717) 783-7134 |
| —Post-Act 38 Corrections—49 Pa. Code Ch. 40 (16A-6517)  | Summer 2014, as Proposed.            | This proposed regulation would address provisions related to the Act 38 amendments that were not part of the rulemaking promulgated December 22, 2012 at 42 Pa.B. 7652. Statutory Authority: Section 3(a) of the Physical Therapy Practice Act 48 of 1993, 63 P. S. § 1303(a).   | Michelle Roberts<br>(717) 783-7134 |
| Continuing education enforcement—49 Pa. Code §§ 40.67(f) and 40.192(f) (16A-6518)                           | Summer 2014, as Proposed.            | In conjunction with the civil penalty schedule, this proposed rulemaking would amend the continuing education regulations with regard to enforcement. Statutory Authority: Section 3(a) of the Physical Therapy Practice Act, 63 P. S. § 1303(a).  | Michelle Roberts<br>(717) 783-7134 |
| State Board of Podiatry—General Revisions—49 Pa. Code Chapter 29 (16A-448)                                  | Fall 2014, as Proposed.              | This proposed rulemaking would update the Board's regulations relating to return to practice, continuing education reporting, auditing and enforcement, reciprocity, code of ethics, and sexual misconduct and will remove outdated regulations. Statutory Authority: Section 15 of the Podiatry Practice Act, 63 P. S. § 42.15.                 | Suzanne Smith<br>(717) 783-4858    |
| State Board of Podiatry—Certificate of Authority to Perform Acupuncture—49 Pa. Code Chapter 29 (16A-449)    | Fall 2014, as Proposed.              | This proposed rulemaking would establish the fees and regulate the practice of acupuncture by podiatrists under the Acupuncture Registration Act. Statutory Authority: Section 3 of the Acupuncture Registration Act, 63 P. S. § 1803.   | Suzanne Smith<br>(717) 783-4858    |

| <i>Regulation Being Considered</i>   | <i>Proposed Date of Promulgation</i>         | <i>Need and Legal Basis for Action</i>   | <i>Agency Contact</i>           |
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| —Volunteer License—<br>49 Pa. Code § 29.55<br>(16A-4411)                                 | Summer 2014, as Final<br>(Proposed-omitted). | This regulation would amend the Board's volunteer license regulations to conform to recent amendments to the Volunteer Health Services Act. Statutory Authority: Section 15 of the Podiatry Practice Act, 63 P. S. § 42.15.  | Suzanne Smith<br>(717) 783-4858 |
| —Child Abuse Reporting Requirements—<br>49 Pa. Code §§ 29.91—29.97<br>(16A-4412)         | Fall 2014, as Proposed.                      | This regulation updates the Board's existing regulations relating to mandatory reporting of suspected child abuse under the Child Protective Services Law, (CPSL), 23 P. S. §§ 6301—6386. Statutory Authority: Section 6383(b)(2) of the CPSL, 23 P. S. § 6383(b)(2); and section 15 of the Podiatry Practice Act, 63 P. S. § 42.15. | Suzanne Smith<br>(717) 783-4858 |
| —Schedule of Civil Penalties—<br>Podiatrists<br>49 Pa. Code Chapter 43b<br>(16A-4413)    | Summer 2014, as Proposed.                    | This proposed rulemaking would adopt a schedule of civil penalties for continuing education violations. Statutory Authority: Section 5(a) of Act 48 of 1993, 63 P. S. § 2205(a), authorizes the Commissioner to set forth schedules of civil penalties.  | Suzanne Smith<br>(717) 783-4858 |
| State Board of Psychology—<br>Continuing Education—<br>49 Pa. Code § 41.59<br>(16A-6317) | Summer 2014, as Proposed.                    | This proposed rulemaking would amend the Board's continuing education requirements regarding home study, instruction and carry over. Statutory Authority: Section 15 of the Professional Psychologists Practice Act, 63 P. S. § 1215.  | Chris Stuckey<br>(717) 783-7155 |
| —Code of Ethics—<br>49 Pa. Code § 41.61<br>(16A-6318)                                    | Fall 2014, as Proposed.                      | This proposed rulemaking would update the Board's Code of Conduct so that it would be in line with changes to the American Psychological Association and the Association of State and Provincial Psychology Boards. Statutory Authority: Section 3.2(2) of the Professional Psychologists Practice Act, 63 P. S. § 1203.2(2).        | Chris Stuckey<br>(717) 783-7155 |
| —Qualifications—<br>49 Pa. Code § 41.31<br>(16A-6320)                                    | Summer 2014, as Proposed.                    | This proposed rulemaking would clarify the education, examination and experience requirements. Statutory Authority: Section 3.2(2) of the Professional Psychologists Practice Act, 63 P. S. § 1203.2(2).   | Chris Stuckey<br>(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>             |
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| —Child Abuse Reporting Requirements—<br>49 Pa. Code Chapter 41<br>(16A-6322)   | Fall 2014, as Proposed.              | This regulation would amend the board's regulations to conform to changes made to the Child Protective Services Act. Statutory Authority: Section 6383(b)(2) of the Child Protective Services Law, 23 Pa.C.S. § 6383(b)(2) and section 3.2(2) of the Professional Psychologists Practice Act, 63 P. S. § 1203.2(2).  | Chris Stuckey<br>(717) 783-7155   |
| State Board of Certified Real Estate Appraisers<br>—Schedule of Civil Penalties—<br>Real Estate Appraisers—<br>49 Pa. Code § 43b.15a<br>(16A-7016) | Summer 2014, as Proposed.            | The proposed rulemaking will codify and amend the Board's current schedule of civil penalties statement of policy. Statutory Authority: Section 5(a) of Act 48 of 1993, 63 P. S. § 2205(a), authorizes the Commissioner to set forth schedules of civil penalties, with the approval of the Board.   | Heidy Weirich<br>(717) 783-4866   |
| —Assessment Record Keeping and Reporting—<br>49 Pa. Code §§ 36.201 and 36.265<br>(16A-7018)  | Summer 2014, as Proposed.            | The proposed rulemaking updates the Board's regulations to reflect current practice followed by assessment offices throughout the Commonwealth, and to assure consistency with Uniform Standards of Appraisal Practice (USPAP) and International Association of Assessing Officers (IAAO) standards of assessment practice. Statutory Authority: Section 3 of the Assessors Certification Act, 63 P. S. § 457.3. | Heidy Weirich<br>(717) 783-4866   |
| —Biennial Renewal Fee for Licensed Appraiser Trainee—<br>49 Pa. Code § 36.6<br>(16A-7020)  | Fall 2014, as Final.                 | The proposed rulemaking would adopt a biennial renewal fee for licensed appraiser trainees. Statutory Authority: Section 9 of the Real Estate Appraisers Certification Act, 63 P. S. § 457.9.  | Heidy Weirich<br>(717) 783-4866   |
| —General Rulemaking for Appraisal Management Companies—<br>49 Pa. Code Chapter 36<br>(16A-7021)  | Summer 2014, as Proposed.            | The proposal would promulgate a general rulemaking implementing the Appraisal Management Company Registration Act, 63 P. S. §§ 457.21—457.31. Statutory Authority: Section 4(a) of the Appraisal Management Company Registration Act, 63 P. S. § 457.24(a).  | Heidy Weirich<br>(717) 783-4866   |
| State Real Estate Commission<br>—Advertising and Solicitation—<br>49 Pa. Code § 35.305<br>(16A-5620)   | Fall 2014, as Proposed.              | The proposed rulemaking would require licensees to advertise or otherwise hold themselves out to the public only under the name listed on their licenses. Statutory Authority: Section 404 of the Real Estate Licensing and Registration Act, 63 P. S. § 455.404.  | Patricia Ridley<br>(717) 783-3658 |

| <i>Regulation Being Considered</i>   | <i>Proposed Date of Promulgation</i> | <i>Need and Legal Basis for Action</i>   | <i>Agency Contact</i>             |
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| —Escrow requirements—<br>49 Pa. Code Chapter 35<br>(16A-5622)  | Fall 2014, as Proposed.              | This proposed rulemaking would establish additional escrow requirements consistent with the changes made by Act 14 of 2009. Statutory Authority: Section 404 of the Real Estate Licensing and Registration Act, 63 P. S. § 455.404.  | Patricia Ridley<br>(717) 783-3658 |
| —Schedule of Civil Penalties—<br>49 Pa. Code § 43b.8<br>(16A-5623)   | Fall 2014, as Proposed.              | This proposed rulemaking would amend the schedule of civil penalties for the State Real Estate Commission to implement Act 48 civil penalties for continuing education violations. Statutory authority: Section 5(a) of Act 48 of 1993, 63 P. S. § 2205(a).  | Patricia Ridley<br>(717) 783-3658 |
| State Board of Social Workers,<br>Marriage and Family Therapists<br>and Professional Counselors<br>—Child Abuse Reporting<br>Requirements—<br>49 Pa. Code §§ 47.51—47.57<br>(16A-6919) | Fall 2014, as Proposed.              | This regulation would amend the board's regulations to conform to changes made to the Child Protective Services Act. Statutory Authority: Section 6383(b)(2) of the Child Protective Services Law, 23 Pa.C.S. § 6383(b)(2) and section 6(2) of the Social Workers, Marriage and Family Therapists and Professional Counselors Act, 63 P. S. § 1906(2).   | Sandra Matter<br>(717) 783-1389   |
| —Qualifications for License—<br>49 Pa. Code §§ 47.12c, 48.13<br>and 49.13<br>(16A-6921)  | Summer 2014, as Final.               | This regulation would amend the Board's existing regulations to incorporate changes made by the act of March 14, 2012 (P. L. 191, No. 17) relating to the qualifications for licensure of licensed clinical social workers, marriage and family therapists and professional counselors. Statutory Authority: Section 6(2) of the Social Workers, Marriage and Family Therapists and Professional Counselors Act, 63 P. S. § 1906(2). | Sandra Matter<br>(717) 783-1389   |
| —General Revisions—<br>49 Pa. Code Chapters 47—49<br>(16A-6923)  | Fall 2014, as Proposed.              | This proposed rulemaking will eliminate outdated regulations, and update existing regulations to comport with current standards of the profession and current practices of the Board. Statutory Authority: Section 6(2) of the Social Workers, Marriage and Family Therapists and Professional Counselors Act, 63 P. S. § 1906(2).   | Sandra Matter<br>(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>              |
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| State Board of Examiners in Speech-Language and Hearing—Child Abuse Reporting Requirements—<br>49 Pa. Code §§ 45.401—45.407 (16A-6805) | Fall 2014, as Proposed.              | This regulation would amend the board's regulations to conform to changes made to the Child Protective Services Act. Statutory Authority: Section 6383(b)(2) of the Child Protective Services Law, 23 Pa.C.S. § 6383(b)(2) and section 5(2) of the Speech-Language and Hearing Licensure Act, 63 P. S. § 1705(2).   | Sandra Matter<br>(717) 783-1389    |
| —Termination of Grandfather Provisions—<br>49 Pa. Code § 45.21 (16A-6806)  | Summer 2014, as Final.               | This final-form rulemaking is intended to terminate an outdated grandfathering provision. Statutory Authority: Section 5(2) of the Speech-Language and Hearing Licensure Act, 63 P. S. § 1705(2).   | Sandra Matter<br>(717) 783-1389    |
| —Continuing Education—<br>49 Pa. Code Chapter 45. (16A-6807)   | Summer 2014, as Final.               | This proposed rulemaking is intended to clarify the continuing education requirements for licensees that hold more than one class of license issued by the Board. Statutory Authority: Section 5(2) of the Speech-Language and Hearing Licensure Act, 63 P. S. § 1705(2).   | Sandra Matter<br>(717) 783-1389    |
| State Board of Vehicle Manufacturers, Dealers and Salespersons—Salesperson License—<br>49 Pa. Code Chapter 19 (16A-609)                | Summer 2014, as Proposed.            | This proposed rulemaking would clarify and update the requirements for salespersons in order to permit salespersons to sell at other locations of the same dealer. Statutory Authority: Section 4(9) of the Board of Vehicles Act, 63 P. S. § 818.4(9).   | Janice Cline<br>(717) 783-1697     |
| State Board of Veterinary Medicine—Facilities—<br>49 Pa. Code Chapter 31 (16A-5720)  | Fall 2014, as Proposed.              | This proposed rulemaking would establish standards for and require registration of veterinary facilities. Statutory Authority: Sections 5 and 27 of the Veterinary Medicine Practice Act, 63 P. S. §§ 485.5 and 485.27.   | Michelle Roberts<br>(717) 783-7134 |
| —Licensure of Euthanasia Technicians—<br>49 Pa. Code Chapter 31 (16A-5726)   | Summer 2014, as Proposed.            | This proposed rulemaking is necessary to implement the act of October 24, 2012 (P. L. 1452, No. 182) (Act 182 of 2012) to authorize animal protection organizations to purchase, possess and administer euthanasia drugs and to license euthanasia technicians. Statutory Authority: Section 304 (b) and (c) of Act 182 of 2012 direct the board to promulgate regulations within 18 months of the effective date of the act. | Michelle Roberts<br>(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>   |
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| <b>STATE EMPLOYEES' RETIREMENT SYSTEM</b>  |  |  |   |
| 4 Pa. Code § 247.51. Time for Recomputation of Annuity. (This would impose a time limit for annuitants to change the optional payment plan authorized by the second to the last sentence of 71 Pa.C.S. § 5907(j)).         | 2015                                     | This would provide guidance on when an annuitant is permitted to change their optional payment plan. There is no time frame in the statute for this election to occur causing administrative difficulties including possibly permitting anti-selection of death benefits, requiring members to make a declaration under discontinued disability benefits and negating an option change absent another qualifying event.                | Brian McDonough, Esq.<br>(717) 787-7317<br>Sharon Smith<br>(717) 787-9657<br>David Durbin<br>(717) 783-7210 |
| 4 Pa. Code § 243.8. Membership rules for educational employees.  | 2014                                     | This would clarify the requirements for membership and final average salary calculations for educational employees.  | Brian McDonough, Esq.<br>(717) 787-7317<br>Sharon Smith<br>(717) 787-9657<br>David Durbin<br>(717) 783-7210 |
| 4 Pa. Code § 245.4. Member contributions for the purchase of credit for previous State service or to become a full coverage member. (This would be amended to specify the effects of a service purchase or reinstatement.) | 2014                                     | This would clarify the effects of the reinstatement or purchase of previous State service. An administrative decision has offered partial guidance in this area. This would enable consistent application of the statute and would reduce litigation of purchase of service issues. This is also being considered as a statutory amendment.  | Brian McDonough, Esq.<br>(717) 787-7317<br>Sharon Smith<br>(717) 787-9657<br>David Durbin<br>(717) 783-7210 |
| <b>STATE POLICE</b>  |  |  |   |
| 37 Pa. Code §§ 221.21 and 221.31   | Summer 2014, as Final (proposed-omitted) | Title 53 P. S. § 753.7 directs the Municipal Police Officer's Education and Training Commission (MPOETC) to promulgate regulations to implement the Retired Law Enforcement Identification Act. These amendments will make the regulations consistent with a 2011 change to federal law by reducing the time requirements necessary (from 15 years aggregate employment to 10 years) to be deemed a "retired law enforcement officer." | Lieutenant Robert J. Krol<br>(717) 783-5566   |
| 37 Pa. Code § 41.5 Designation of Emergency Vehicles   | Summer 2014, as Proposed                 | Title 75 Pa.C.S. § 6106 allows PSP to designate emergency vehicles upon certain findings. This amendment would add Philadelphia Prison System vehicles used to escort ambulances transporting sick or injured inmates to the class of vehicles eligible for designation.   | Lieutenant Robert J. Krol<br>(717) 783-5566   |



| <i>Regulation Being Considered</i>  | <i>Proposed Date of Promulgation</i>                           | <i>Need and Legal Basis for Action</i>   | <i>Agency Contact</i>                       |
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| 37 Pa. Code Chapter 51  | Fall 2014, as Proposed   | Revisions to Chapter 51 as it relates to officer certification/re-certification and authorization to engage in the conduct of communications interception.   | Lieutenant Robert J. Krol<br>(717) 783-5566 |
| <b>STATE SYSTEM OF HIGHER EDUCATION</b>   |  |  |   |
| No regulations being developed or considered at this date.  |  |  |   |
| <b>TRANSPORTATION</b>   |  |  |   |
| 321—Interstate Motor Carrier Safety<br>67 Pa. Code Chapter 231  | Proposed Rulemaking—<br>Estimated Promulgation<br>October 2014 | The proposed regulation change is needed to provide relief for mass transit drivers and companies from the hours of service and log book requirements and the parameters within which the relief may apply.  | LaVerne Collins<br>717-787-1214             |
| 17—Authorization to Verify ID Numbers<br>67 Pa. Code Chapter 17   | Final Rulemaking—<br>Estimated Promulgation<br>March 2015      | Changes are needed to document the Vehicle Identification Number (VIN) verification process. The VIN verification process is not currently documented in either the Vehicle Code or in regulations.  | Kristen Singer<br>717-787-2171              |
| 71—School Bus Drivers—<br>Physical & Mental Criteria<br>67 Pa. Code Chapter 71  | Proposed Rulemaking—<br>Estimated Promulgation<br>August 2014  | The regulations will be updated to help ensure that school bus drivers diagnosed with various cardiovascular diseases are in stable condition. The regulations will also update the medical standards for school bus drivers that have brain disease, cognitive impairment or a mental/emotional disorder. | Laura Krol<br>717-346-1907                  |
| 71—School Bus Drivers—Vision Standards and Loss of Consciousness Requirements<br>67 Pa. Code Chapter 71                   | Proposed Rulemaking—<br>Estimated Promulgation<br>August 2014  | The regulations will update the medical standards for school bus drivers who have a loss of consciousness of unknown or uncategorized etiology and establish field of vision requirements.   | Laura Krol<br>717-346-1907                  |
| 83—Physical & Mental Criteria Relating to the Licensing of Drivers<br>67 Pa. Code Chapter 83                              | Proposed Rulemaking—<br>Estimated Promulgation<br>August 2014  | The regulations will update the medical standards for license holders that have brain disease, cognitive impairment or a mental/emotional disorder.  | Laura Krol<br>717-346-1907                  |
| 83—Vision Standards and Loss of Consciousness Requirements Relating to the Licensing of Drivers<br>67 Pa. Code Chapter 83 | Proposed Rulemaking—<br>Estimated Promulgation<br>August 2014  | The regulations will update the medical standards for license holders who have a loss of consciousness of unknown or uncategorized etiology and establish field of vision requirements.  | Laura Krol<br>717-346-1907                  |

| <i>Regulation Being Considered</i>   | <i>Proposed Date of Promulgation</i>                           | <i>Need and Legal Basis for Action</i>   | <i>Agency Contact</i>         |
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| 105—Mechanical Electrical and Electronic Speed Timing Devices  | Proposed Rulemaking—<br>Estimated Promulgation<br>July 2014    | The regulations are being updated to reflect changes in equipment technology relating to calibration and maintenance of speed timing devices used for law enforcement purposes and to delete references to obsolete equipment and calibration procedures.  | Kay Kishbaugh<br>717-787-2171 |
| Chapter 441 Driveway/Local Road<br>67 Pa. Code Chapter 441   | Final Rulemaking—<br>Estimated Promulgation<br>October 2014    | This regulation will allow sales agreement or mineral right owners to apply for permits, update sight distance requirements to AASHTO standards, relocate driveway designs to Publication 282 to allow immediate updates, allow driveway applications to be submitted by electronic submission and update outdated references. | Mike Dzurko<br>717-787-7350   |
| Chapter 459<br>Occupancy of Highways by Utilities<br>67 Pa. Code Chapter 459   | Proposed Rulemaking—<br>Estimated Promulgation<br>October 2014 | This regulation will allow utility applications to be submitted by electronic means, allow newest techniques in utility work to be used and update outdated references.  | Glenn Rowe<br>717-787-3620    |
| Chapter 101<br>Authorizing Appropriately Attired Persons to Direct, Control or Regulate Traffic<br>67 Pa. Code Chapter 101 | Proposed Rulemaking—<br>Estimated Promulgation<br>July 2014    | The proposed regulation change is needed to be consistent with a Federal Highway Administration rule making (23 CFR Part 634: Worker Visibility Rule—issued November 24, 2008).  | Matt Briggs<br>783-6268       |
| Chapter 443<br>Roadside Rest Areas<br>67 Pa. Code Chapter 443  | Final Rulemaking—<br>Estimated Promulgation<br>July 2014       | These amendments more clearly delineate what activities are prohibited and permitted at roadside rest areas.   | Terry Pearsal<br>787-0466     |

[Pa.B. Doc. No. 14-1552. Filed for public inspection July 18, 2014, 9:00 a.m.]