

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 480 Session of
1993

INTRODUCED BY CIVERA, LLOYD, ALLEN, TOMLINSON, MUNDY, VANCE AND
HERMAN, MARCH 15, 1993

REFERRED TO COMMITTEE ON PROFESSIONAL LICENSURE, MARCH 15, 1993

AN ACT

1 Providing for the reporting of disciplinary action taken against
2 a practitioner of certain health-related professions and
3 occupations licensed within this Commonwealth; and providing
4 penalties.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Short title.

8 This act shall be known and may be cited as the Practitioners
9 Disclosure Law.

10 Section 2. Definitions

11 The following words and phrases when used in this act shall
12 have the meanings given to them in this section unless the
13 context clearly indicates otherwise:

14 "Board." One of the following professional licensing boards
15 in the Bureau of Professional and Occupational Affairs of the
16 Department of State:

17 (1) The State Board of Chiropractic.

18 (2) The State Dental Council and Examining Board.

19 (3) The State Board of Medicine.

- (4) The State Board of Nursing.
- (5) The State Board of Optometry.
- (6) The State Board of Osteopathic Medical Examiners.
- (7) The State Board of Pharmacy.
- (8) The State Board of Physical Therapy.
- (9) The State Board of Podiatry.
- (10) The State Board of Psychology.
- (11) The State Board of Social Work Examiners.
- (12) The State Board of Examiners in Speech-Language and Hearing.

"National Practitioner Data Bank." The electronic data processing, storage and retrieval system established under the Health Care Quality Improvement Act of 1986 (Public Law 99-660, 42 U.S.C. § 11101 et seq.).

"Practitioner." A natural person licensed or certified by a licensing board as set forth in this section.

Section 3. Reporting required.

(a) General rule.--Any practitioner licensed in this Commonwealth who is also licensed to practice any branch of the healing arts in any other state, territory, possession, or country shall report this information to the appropriate board on the biennial registration application.

(b) Application to practice.--An applicant for a license to practice in this Commonwealth shall report any disciplinary action taken in any other jurisdiction to the appropriate board upon application for the issuance of a license.

(c) Disciplinary action.--Any disciplinary action imposed on a practitioner in any other jurisdiction shall be reported to the appropriate board by the licensee on the biennial registration application or within 90 days of final disposition,

1 whichever is sooner.

2 Section 4. Failure to comply.

3 Failure of a practitioner to comply with section 3 may
4 constitute grounds for the imposition of disciplinary measures
5 by the appropriate licensing board.

6 Section 5. Board requirements.

7 (a) Multiple licensure.--Multiple licensure of any
8 practitioner shall be noted by the appropriate board on the
9 record of the Pennsylvania licensed practitioner.

10 (b) Notice to other jurisdiction.--Any other jurisdiction in
11 which a Pennsylvania licensed practitioner is licensed shall be
12 notified by the appropriate board of any disciplinary actions
13 taken against a practitioner in this Commonwealth within 90 days
14 of final disposition.

15 Section 6. Report from national data bank.

16 Each board shall, upon receipt of an application for
17 licensure, obtain a report from the National Practitioner Data
18 Bank, or its successor, on any applicant for licensure who is a
19 board-regulated practitioner on which the data bank maintains
20 records. Each report shall be evaluated by the board before any
21 license is issued.

22 Section 7. Effective date.

23 This act shall take effect in 90 days.