

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 2783 Session of
1980

INTRODUCED BY POLITE, JUNE 24, 1980

REFERRED TO COMMITTEE ON PROFESSIONAL LICENSURE, JUNE 24, 1980

AN ACT

1 Amending the act of August 10, 1951 (P.L.1182, No.264), entitled
2 "An act relating to and defining chiropractic and the right
3 to practice chiropractic; requiring licensure; conferring
4 powers and imposing duties upon the State Board of
5 Chiropractic Examiners and the Department of Public
6 Instruction; providing for the granting, suspension and
7 revocation of licenses issued by the board; preserving the
8 rights of existing licensees and giving them certain personal
9 choice as to jurisdiction; conferring jurisdiction upon the
10 court of common pleas of Dauphin County; and prescribing
11 penalties," providing for hearing examiners and making an
12 editorial change.

13 The General Assembly of the Commonwealth of Pennsylvania
14 hereby enacts as follows:

15 Section 1. Section 17, act of August 10, 1951 (P.L.1182,
16 No.264), known as the "Chiropractic Registration Act of 1951,"
17 is amended to read:

18 Section 17. Hearing; Appeals.--The board may refuse to
19 issue, suspend, revoke or restore any license or certificate of
20 registration for sufficient cause in accordance with the rules
21 and regulations of the board, but any suspension or revocation
22 shall be after a full and fair hearing held as provided [by the

1 Administrative Agency Law (Act of June 4, 1945, Pamphlet Laws
2 1388, as amended).] in Title 2 of the Pennsylvania Consolidated
3 Statutes (relating to administrative law and procedure). The
4 board shall appoint, with the approval of the Governor, such
5 hearing examiners as shall be necessary to conduct hearings as
6 may be required under this section. The board shall have the
7 power to adopt and promulgate rules and regulations setting
8 forth the functions, powers, standards and duties to be followed
9 by the hearing examiners. The hearing examiners shall have the
10 power to conduct hearings in accordance with the regulations of
11 the board, and to issue subpoenas requiring the attendance and
12 testimony of individuals or the production of, pertinent books,
13 records, documents and papers by persons whom they believe to
14 have information relevant to any matter pending before the
15 examiner. Such examiner shall also have the power to administer
16 oaths. The hearing examiner shall hear evidence submitted and
17 arguments of counsel, if any, with reasonable dispatch, and
18 shall promptly record his decision, supported by findings of
19 fact, and a copy thereof shall immediately be sent to the board
20 and to counsel of record, or the parties, if not represented. If
21 application for review is made to the board within twenty (20)
22 days from the date of any decision made as a result of a hearing
23 held by a hearing examiner, the board shall review the evidence,
24 and if deemed advisable by the board, hear argument and
25 additional evidence. As soon as practicable, the board shall
26 make a decision and shall file the same with its finding of the
27 facts on which it is based and send a copy thereof to each of
28 the parties in dispute.

29 Section 2. This act shall take effect in 60 days.