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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**HOUSE BILL**  
**No. 2791** Session of  
1980

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INTRODUCED BY POLITE, JUNE 24, 1980

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REFERRED TO COMMITTEE ON PROFESSIONAL LICENSURE, JUNE 24, 1980

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AN ACT

1 Amending the act of December 27, 1974 (P.L.995, No.326),  
2 entitled "An act regulating the practice of veterinary  
3 medicine and imposing penalties," providing for hearing  
4 examiners.

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

7 Section 1. Section 23, act of December 27, 1974 (P.L.995,  
8 No.326), known as the "Veterinary Medicine Practice Act," is  
9 amended to read:

10 Section 23. Hearing on Suspensions and Revocations of  
11 Licenses and Registrations Appeals.--Before the license of any  
12 licensee or any registration is suspended or revoked by the  
13 board, a written copy of the complaint shall be furnished to the  
14 licensee or registrant against whom the same is directed and an  
15 opportunity be afforded him or her to be heard [before the board  
16 personally and by counsel. At least ten days' written notice of  
17 the time and place of such hearing shall be given the licensee  
18 or registrant by registered mail addressed to the post office

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

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