

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 595 Session of  
2007

INTRODUCED BY MILLARD, CALTAGIRONE, DALEY, DALLY, FREEMAN,  
GEIST, HENNESSEY, MARKOSEK, MYERS, SAYLOR, SCAVELLO,  
SCHRODER, STERN, YOUNGBLOOD AND SIPTROTH, MARCH 6, 2007

REFERRED TO COMMITTEE ON PROFESSIONAL LICENSURE, MARCH 6, 2007

AN ACT

1 Amending the act of July 2, 1993 (P.L.345, No.48), entitled "An  
2 act empowering the General Counsel or his designee to issue  
3 subpoenas for certain licensing board activities; providing  
4 for hearing examiners in the Bureau of Professional and  
5 Occupational Affairs; providing additional powers to the  
6 Commissioner of Professional and Occupational Affairs; and  
7 further providing for civil penalties and license  
8 suspension," providing for duty of licensees, registrants,  
9 certificate holders and permit holders.

10 The General Assembly of the Commonwealth of Pennsylvania  
11 hereby enacts as follows:

12 Section 1. The act of July 2, 1993 (P.L.345, No.48),  
13 entitled "An act empowering the General Counsel or his designee  
14 to issue subpoenas for certain licensing board activities;  
15 providing for hearing examiners in the Bureau of Professional  
16 and Occupational Affairs; providing additional powers to the  
17 Commissioner of Professional and Occupational Affairs; and  
18 further providing for civil penalties and license suspension,"  
19 is amended by adding a section to read:

20 Section 4.1. Duty of licensees, registrants, certificate  
21 holders and permit holders.

1     (a) General rule.--A licensee, registrant, certificate  
2 holder or permit holder shall have a duty to provide  
3 information, documents and records requested by a licensing  
4 board or licensing commission when the licensing board or  
5 licensing commission is investigating or prosecuting a  
6 disciplinary matter.

7     (b) Unprofessional conduct.--Notwithstanding any other  
8 provisions of law to the contrary, failure to provide  
9 information, documents or records requested by a licensing board  
10 or licensing commission as set forth in subsection (a) shall  
11 constitute unprofessional conduct.

12     (c) Penalty.--Notwithstanding any provision of law to the  
13 contrary, a licensing board or licensing commission shall have  
14 the power to refuse, suspend or revoke a license or registration  
15 or certificate or permit or levy a fine up to \$1,000, or both,  
16 on a licensee, registrant, certificate holder or permit holder  
17 who fails to provide information, documents or records as  
18 provided in this section.

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