
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1226 Session of
2018

INTRODUCED BY BLAKE, COSTA, HUGHES AND TARTAGLIONE,
AUGUST 9, 2018

REFERRED TO CONSUMER PROTECTION AND PROFESSIONAL LICENSURE,
AUGUST 9, 2018

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," further providing for hearing examiners.

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

11 Section 1. Section 3(b) of the act of July 2, 1993 (P.L.345,
12 No.48), entitled "An act empowering the General Counsel or his
13 designee to issue subpoenas for certain licensing board
14 activities; providing for hearing examiners in the Bureau of
15 Professional and Occupational Affairs; providing additional
16 powers to the Commissioner of Professional and Occupational
17 Affairs; and further providing for civil penalties and license
18 suspension," is amended to read:

19 Section 3. Hearing examiners.

20 * * *

1 (b) Regulations.--The Commissioner of Professional and
2 Occupational Affairs, after consultation with the licensing
3 boards and commissions, shall have the power to promulgate
4 regulations setting forth the procedural rules to be followed by
5 any such hearing examiners in the conduct of hearings in
6 disciplinary matters before a licensing board or commission. All
7 proceedings shall comply with the following:

8 (1) Proceedings shall be conducted in accordance with
9 the provisions of 2 Pa.C.S. (relating to administrative law
10 and procedure).

11 (2) The respondent shall appear in person for a hearing
12 conducted under this act.

13 (3) An individual adversely affected by the respondent's
14 actions which are relevant to the disciplinary matter pending
15 before the licensing board or commission or a hearing
16 examiner shall have an opportunity to provide a statement
17 concerning any loss, damages or injury suffered as a direct
18 result of the respondent's actions.

19 * * *

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