
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1566 Session of
2019

INTRODUCED BY KORTZ, KINSEY, MERSKI, BURGOS, NEILSON, HILL-
EVANS, READSHAW, FREEMAN, MURT, MILLARD, SCHWEYER, MARKOSEK,
FITZGERALD AND WARREN, JUNE 4, 2019

REFERRED TO COMMITTEE ON PROFESSIONAL LICENSURE, JUNE 4, 2019

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 civil penalties.

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

11 Section 1. Section 5(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 by adding a paragraph to read:

19 Section 5. Civil penalties.

20 * * *

1 (b) Additional powers.--In addition to the disciplinary
2 powers and duties of the boards and commissions within the
3 Bureau of Professional and Occupational Affairs under their
4 respective practice acts, boards and commissions shall have the
5 power, respectively:

6 * * *

7 (8) To issue, upon request of a licensee, registrant,
8 certificate holder or permit holder, an advisory opinion
9 concerning the meaning or interpretation of an act or
10 regulation pertaining to the license, registration,
11 certificate or permit issued by the licensing board or
12 commission. No person who acts in good faith on an advisory
13 opinion issued by a licensing board or commission upon the
14 person's request shall be subject to criminal or civil
15 penalties or any disciplinary action by the licensing board
16 or commission, provided that the material facts are as stated
17 in the opinion request. An advisory opinion shall not be
18 binding upon the licensing board or commission except with
19 respect to the person to whom the opinion is rendered.
20 Advisory opinions shall be public records and may be
21 published.

22 * * *

23 Section 2. Each licensing board and licensing commission, as
24 defined in section 1 of the act, shall adopt final regulations
25 to implement the addition of section 5(b)(8) of the act within
26 18 months of the effective date of this section.

27 Section 3. This act shall take effect in 60 days.