

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1295 Session of
2023

INTRODUCED BY MULLINS, HILL-EVANS, KINSEY, MADDEN, SANCHEZ,
CEPEDA-FREYTIZ AND NEILSON, JUNE 1, 2023

REFERRED TO COMMITTEE ON PROFESSIONAL LICENSURE, JUNE 1, 2023

AN ACT

1 Amending Title 63 (Professions and Occupations (State Licensed))
2 of the Pennsylvania Consolidated Statutes, in powers and
3 duties, further providing for hearing examiners.

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

6 Section 1. Section 3105(b) of Title 63 of the Pennsylvania
7 Consolidated Statutes is amended and the section is amended by
8 adding a subsection to read:

9 § 3105. Hearing examiners.

10 * * *

11 (b) Regulations.--The commissioner, after consultation with
12 the licensing boards and commissions, shall have the power to
13 promulgate regulations specifying the procedural rules to be
14 followed by hearing examiners in the conduct of hearings in
15 disciplinary matters before a licensing board or licensing
16 commission. [All proceedings shall be] A hearing in a
17 disciplinary matter under this title shall comply with the
18 following:

1 (1) Be conducted in accordance with the provisions of 2
2 Pa.C.S. (relating to administrative law and procedure).

3 (2) A respondent shall appear in person or remotely via
4 the use of communication technology for a hearing before a
5 hearing examiner, licensing board or commission.

6 (3) A complainant and any individual, entity or a
7 representative of an entity that is named in a complaint for
8 a disciplinary matter pending before a hearing examiner,
9 licensing board or commission shall have an opportunity to
10 provide testimony related to the complaint at a hearing.

11 * * *

12 (e) Definitions.--As used in this section, the following
13 words and phrases shall have the meanings given to them in this
14 subsection unless the context clearly indicates otherwise:

15 "Communication technology." An electronic device or process
16 that:

17 (1) Allows a hearing examiner and a remotely located
18 individual to communicate with each other simultaneously by
19 sight and sound.

20 (2) Makes reasonable accommodations for an individual
21 with a vision, hearing or speech impairment.

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