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*House of Representatives*  
COMMONWEALTH OF PENNSYLVANIA  
HARRISBURG

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PA HEALTH CARE COST CONTAINMENT  
COUNCIL ACT - REVIEW COMMITTEE  
CAPITOL PRESERVATION COMMITTEE

# **MEMORANDUM**

**TO: ALL HOUSE MEMBERS**

**FROM: MATT BAKER, MAJORITY CHAIRMAN  
HEALTH COMMITTEE**

**DATE: 2-22-11**

**SUBJECT: PROPOSED LEGISLATION – AMENDING TITLE 42  
1) STATUTE OF LIMITATIONS  
2) IMPERSONATING A PHYSICIAN**

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In an attempt to resolve the shortfalls which were uncovered by the Philadelphia Grand Jury while investigating the Abortion Clinic of Dr. Kermit Gosnell, I plan to introduce two additional bills aimed at making minor revisions to existing law to overcome the systemic flaws which allowed these crimes to occur. These are minor changes, but in making these changes we will decrease the likelihood that these crimes will recur.

The first bill provides minor amendments to Section 5551 and 5552 of Title 42. That is amending the statute of limitations for infanticide to be on par with the crimes of homicide. Infanticide is homicide and should be treated as such. Additionally, it will also change the statute of limitations for illegal abortions performed after 24 weeks gestation to five years. These were both recommendations directly from the grand jury based on their frustration for not being able to charge Dr. Gosnell for crimes they had evidence he committed, but which were outside the present statute of limitations time frame.

The second bill will increase the grading for Impersonating a Physician. Presently, impersonating a physician is treated as the same degree as impersonating a notary public or other licensed professional. This is true whether or not the person “treats” patients. Due to the harm that can result from such treatment by an unlicensed individual, impersonating a medical doctor and rendering treatment will be considered a felony in the third degree. This is similar to HB 416 of 2010, which passed the House unanimously, but which was amended in the Senate to downgrade the offense to a misdemeanor.

If you are interested in cosponsoring this legislation, please contact Gina Strine at 772-5371 or via email at [gstrine@pahousegop.com](mailto:gstrine@pahousegop.com).