AN ACT

Providing for disclosure of information relating to complaints, investigations and inquiries concerning licenses, registrations, certifications or permits issued by licensing boards and commissions within the Bureau of Professional and Occupational Affairs.

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

Section 1. Short title.

This act shall be known and may be cited as the Professional and Occupational Licensing Information Disclosure Act.

Section 2. Definitions.

The following words and phrases when used in this act shall have the meanings given to them in this section unless the context clearly indicates otherwise:

"Licensing board or commission." An administrative board or commission under the Bureau of Professional and Occupational Affairs in the Department of State.

Section 3. Disclosure of information.

(a) General rule.--Except if required or requested by a
criminal justice agency, or if disclosure to a noncriminal
justice agency is authorized or required by law, an individual
who has a license, registration, certification or permit from a
licensing board or commission to practice in this Commonwealth
may not be required or requested to disclose information to any
entity or person relating to a complaint filed with, or
investigation or inquiry by, the Department of State or Bureau
of Professional and Occupational Affairs on behalf of any
licensing board or commission, when the complaint, investigation
or inquiry was closed without the filing of disciplinary charges
or the imposition of any type of civil penalty against the
individual or the individual's license, registration,
certification or permit. This prohibition includes the closing
of the complaint, investigation or inquiry without further
action, regardless of whether the licensing board or commission
reserves the right to re-open the complaint, investigation or
inquiry.

(b) Response to information request.--An individual required
or requested to provide information in violation of this section
may respond as if the complaint, investigation or inquiry did
not occur.

(c) Nonapplicability.--This section shall not apply if
Federal or State law or regulations require the consideration of
a complaint, investigation or inquiry provided for in subsection
(a) for purposes of employment to practice a profession under a
license, registration, certification or permit issued by a
licensing board or commission. If a Federal or State law or
regulation exists, the entity requiring or requesting the
information shall provide a citation and summary of the law or
regulation to the individual.
Section 4. Effective date.

This act shall take effect in 60 days.