

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2791

Session of
1980

INTRODUCED BY POLITE, JUNE 24, 1980

REFERRED TO COMMITTEE ON PROFESSIONAL LICENSURE, JUNE 24, 1980

AN ACT

1 Amending the act of December 27, 1974 (P.L.995, No.326),
2 entitled "An act regulating the practice of veterinary
3 medicine and imposing penalties," providing for hearing
4 examiners.

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

7 Section 1. Section 23, act of December 27, 1974 (P.L.995,
8 No.326), known as the "Veterinary Medicine Practice Act," is
9 amended to read:

10 Section 23. Hearing on Suspensions and Revocations of
11 Licenses and Registrations Appeals.--Before the license of any
12 licensee or any registration is suspended or revoked by the
13 board, a written copy of the complaint shall be furnished to the
14 licensee or registrant against whom the same is directed and an
15 opportunity be afforded him or her to be heard [before the board
16 personally and by counsel. At least ten days' written notice of
17 the time and place of such hearing shall be given the licensee
18 or registrant by registered mail addressed to the post office

1 address as shown on the biennial registration or other record or
2 information in possession of the board.] The board shall
3 appoint, with the approval of the Governor, such hearing
4 examiners as shall be necessary to conduct hearings as may be
5 required under this section. The board shall have the power to
6 adopt and promulgate rules and regulations setting forth the
7 functions, powers, standards and duties to be followed by the
8 hearing examiners. The hearing examiners shall have the power to
9 conduct hearings in accordance with the regulations of the
10 board, and to issue subpoenas requiring the attendance and
11 testimony of individuals or the production of, pertinent books,
12 records, documents and papers by persons whom they believe to
13 have information relevant to any matter pending before the
14 examiner. Such examiner shall also have the power to administer
15 oaths. The hearing examiner shall hear evidence submitted and
16 arguments of counsel, if any, with reasonable dispatch, and
17 shall promptly record his decision, supported by findings of
18 fact, and a copy thereof shall immediately be sent to the board
19 and to counsel of record, or the parties, if not represented. If
20 application for review is made to the board within twenty days
21 from the date of any decision made as a result of a hearing held
22 by a hearing examiner, the board shall review the evidence, and
23 if deemed advisable by the board, hear argument and additional
24 evidence. As soon as practicable, the board shall make a
25 decision and shall file the same with its finding of the facts
26 on which it is based and send a copy thereof to each of the
27 parties in dispute.

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