

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1055 Session of
2005

INTRODUCED BY J. EVANS, LEACH, BEBKO-JONES, BENNINGHOFF, BLAUM,
BUNT, CALTAGIRONE, COSTA, CREIGHTON, CURRY, DENLINGER,
FRANKEL, GEIST, GOOD, HARHART, HENNESSEY, HERMAN, KILLION,
KOTIK, LEVDANSKY, MARKOSEK, PISTELLA, REICHLEY, RUBLEY,
SATHER, SCAVELLO, B. SMITH, T. STEVENSON, THOMAS, TRUE,
TURZAI, WILT AND WOJNAROSKI, MARCH 21, 2005

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 21, 2005

AN ACT

1 Amending Title 23 (Domestic Relations) of the Pennsylvania
2 Consolidated Statutes, providing for court-appointed child
3 custody health care practitioners.

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

6 Section 1. Title 23 of the Pennsylvania Consolidated
7 Statutes is amended by adding a section to read:

8 § 5315. Court-appointed child custody health care
9 practitioners.

10 (a) Presumption.--A licensed health care practitioner who
11 has been appointed by a court as a child custody evaluator,
12 therapist, mediator, parent coordinator, parent educator, case
13 manager or in any other role to assist the court in determining
14 or implementing a child custody agreement shall be presumed to
15 be acting in good faith when assisting the appointing court if,
16 in conducting the evaluation, therapy, mediation, education or

1 other service, the licensed health care practitioner has
2 reasonably complied with the ethical standards adopted by the
3 health care practitioner's profession.

4 (b) Complaints.--No contestant in any child custody
5 proceeding in which the court appointed a licensed health care
6 practitioner to assist the court in determining or implementing
7 a child custody agreement shall be permitted to file a complaint
8 against the licensed health care practitioner with the
9 practitioner's State licensing board without first petitioning
10 for and obtaining the approval of the appointing court. The
11 appointing court shall approve a contestant's petition to file a
12 complaint if the court finds that the licensed health care
13 practitioner failed to act in good faith.

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