

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 658 Session of 2011

INTRODUCED BY HUGHES, TARTAGLIONE, LEACH, FONTANA, SCARNATI,
GREENLEAF, YUDICHAK, D. WHITE, ERICKSON, WOZNIAK, VANCE,
KASUNIC, FARNESE, FERLO AND BROWNE, MARCH 1, 2011

REFERRED TO CONSUMER PROTECTION AND PROFESSIONAL LICENSURE,
MARCH 1, 2011

AN ACT

1 Amending the act of December 20, 1985 (P.L.457, No.112),
2 entitled "An act relating to the right to practice medicine
3 and surgery and the right to practice medically related acts;
4 reestablishing the State Board of Medical Education and
5 Licensure as the State Board of Medicine and providing for
6 its composition, powers and duties; providing for the
7 issuance of licenses and certificates and the suspension and
8 revocation of licenses and certificates; providing penalties;
9 and making repeals," further providing for unauthorized
10 practice of medicine and surgery.

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

13 Section 1. Section 10 of the act act of December 20, 1985
14 (P.L.457, No.112), known as the Medical Practice Act of 1985, is
15 amended to read:

16 Section 10. Unauthorized practice of medicine and surgery.

17 (a) Offense defined.-- No person other than a medical doctor
18 shall engage in any of the following conduct except as
19 authorized or exempted in this act:

20 (1) Practice medicine and surgery.

21 (2) Purport to practice medicine and surgery.

1 (3) Hold forth as authorized to practice medicine and
2 surgery through use of a title, including, but not
3 necessarily limited to, medical doctor, doctor of medicine,
4 doctor of medicine and surgery, doctor of a designated
5 disease, physician, physician of a designated disease, or any
6 abbreviation for the foregoing.

7 (4) Otherwise hold forth as authorized to practice
8 medicine and surgery.

9 (b) Penalty for unauthorized practice.--Any person who
10 violates subsection (a) commits a misdemeanor of the first
11 degree and shall be sentenced to pay a fine of not less than
12 \$5,000 nor more than \$15,000 or to imprisonment for not more
13 than five years, or both, for the first violation. On the second
14 and each subsequent conviction, the person shall be sentenced to
15 pay a fine of not less than \$10,000 nor more than \$25,000 or to
16 imprisonment for not less than six months nor more than five
17 years, or both.

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