
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2127 Session of
2019

INTRODUCED BY ROTHMAN, MULLINS, BERNSTINE, FREEMAN, KOSIEROWSKI
AND HILL-EVANS, DECEMBER 16, 2019

REFERRED TO COMMITTEE ON PROFESSIONAL LICENSURE,
DECEMBER 16, 2019

AN ACT

1 Amending the act of July 2, 1993 (P.L.345, No.48), entitled "An
2 act empowering the General Counsel or his designee to issue
3 subpoenas for certain licensing board activities; providing
4 for hearing examiners in the Bureau of Professional and
5 Occupational Affairs; providing additional powers to the
6 Commissioner of Professional and Occupational Affairs; and
7 further providing for civil penalties and license
8 suspension," further providing for hearing examiners.

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

11 Section 1. Section 3(b) of the act of July 2, 1993 (P.L.345,
12 No.48), entitled "An act empowering the General Counsel or his
13 designee to issue subpoenas for certain licensing board
14 activities; providing for hearing examiners in the Bureau of
15 Professional and Occupational Affairs; providing additional
16 powers to the Commissioner of Professional and Occupational
17 Affairs; and further providing for civil penalties and license
18 suspension," is amended to read:

19 Section 3. Hearing examiners.

20 * * *

1 (b) Regulations.--The Commissioner of Professional and
2 Occupational Affairs, after consultation with the licensing
3 boards and commissions, shall have the power to promulgate
4 regulations setting forth the procedural rules to be followed by
5 any such hearing examiners in the conduct of hearings in
6 disciplinary matters before a licensing board or commission. All
7 proceedings shall comply with the following:

8 (1) Proceedings shall be conducted in accordance with
9 the provisions of 2 Pa.C.S. (relating to administrative law
10 and procedure).

11 (2) The respondent shall appear in person for a hearing
12 conducted under this act.

13 (3) An individual or entity, or an entity's
14 representative, adversely affected by the respondent's
15 actions which are relevant to the disciplinary matter pending
16 before the licensing board or commission or a hearing
17 examiner shall:

18 (i) have an opportunity to provide testimony at a
19 hearing concerning any loss, damages or injury suffered
20 as a direct result of the respondent's actions; or

21 (ii) have an opportunity to provide a written
22 statement concerning any loss, damages or injury suffered
23 as a direct result of the respondent's actions.

24 (4) Any written statement submitted pursuant to
25 paragraph (3) shall be presented to the hearing examiner.

26 * * *

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