

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1186 Session of  
2020

INTRODUCED BY BOSCOLA, PHILLIPS-HILL AND STEFANO, JUNE 4, 2020

REFERRED TO CONSUMER PROTECTION AND PROFESSIONAL LICENSURE,  
JUNE 4, 2020

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; provided penalties;  
9 and making repeals," further providing for license without  
10 restriction.

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

13 Section 1. Section 29 of the act of December 20, 1985  
14 (P.L.457, No.112), known as the Medical Practice Act of 1985, is  
15 amended by adding a subsection to read:

16 Section 29. License without restriction.

17 \* \* \*

18 (e) National criminal history record check.--

19 (1) An applicant for an initial license to practice  
20 medicine and surgery without restriction in this Commonwealth  
21 shall request and submit to the board the results of a  
22 national criminal history record check. The purpose of the

1 national criminal history record check shall be to assist the  
2 board in obtaining information that may relate to the  
3 applicant's fitness for licensure.

4 (2) An applicant for an initial license to practice  
5 medicine and surgery shall submit to fingerprinting by the  
6 Pennsylvania State Police or an authorized agent of the  
7 Pennsylvania State Police. The Pennsylvania State Police or  
8 an authorized agent shall submit the fingerprints to the  
9 Federal Bureau of Investigation for the purposes of obtaining  
10 records of criminal arrests and convictions.

11 (3) An applicant requesting that the Commonwealth act as  
12 the State of Principal License in accordance with the act of  
13 October 26, 2016 (P.L.891, No.112), known as the Interstate  
14 Medical Licensure Compact Act, shall submit to fingerprinting  
15 by the Pennsylvania State Police or an authorized agent of  
16 the Pennsylvania State Police. The Pennsylvania State Police  
17 or an authorized agent shall submit the fingerprints to the  
18 Federal Bureau of Investigation for the purposes of obtaining  
19 records of criminal arrests and convictions to verify  
20 eligibility under the Interstate Medical Licensure Compact  
21 Act. This paragraph shall not be construed to permit records  
22 obtained by the national criminal history record check to be  
23 submitted to the Interstate Medical Licensure Compact.

24 (4) In addition to the application fee, the applicant  
25 shall be responsible for any fees required by the  
26 Pennsylvania State Police or an authorized agent for the  
27 costs of the fingerprinting and the costs of conducting a  
28 complete criminal history record check. The applicant shall  
29 authorize the release of all records obtained by the criminal  
30 history record check to the board.

1           (5) A criminal record check submitted in support of an  
2 application for licensure must have been requested by the  
3 applicant no earlier than 12 months immediately prior to the  
4 board's receipt of the applicant's application for licensure.

5           (6) Information obtained from the criminal history  
6 record check:

7                 (i) Is confidential.

8                 (ii) May not be disseminated.

9                 (iii) May be used only for the licensing purpose  
10 authorized by this act.

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