
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1135 Session of
2024

INTRODUCED BY COLEMAN, PHILLIPS-HILL, LANGERHOLC, ROTHMAN,
MARTIN, J. WARD AND HUTCHINSON, APRIL 5, 2024

REFERRED TO CONSUMER PROTECTION AND PROFESSIONAL LICENSURE,
APRIL 5, 2024

AN ACT

1 Amending Title 63 (Professions and Occupations (State Licensed))
2 of the Pennsylvania Consolidated Statutes, in powers and
3 duties, providing for expungement of disciplinary actions
4 regarding COVID-19 protocols.

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

7 Section 1. Title 63 of the Pennsylvania Consolidated
8 Statutes is amended by adding a section to read:

9 § 3108.1. Expungement of disciplinary actions regarding COVID-
10 19 protocols.

11 (a) General rule.--Subject to subsection (b), a license,
12 registration, certificate or permit that was suspended or
13 revoked or a disciplinary action taken by a licensing board or
14 licensing commission against a licensee for failure of the
15 licensee to comply with any of the following executive actions
16 during the period in which the Governor's Proclamation of
17 Disaster Emergency issued on March 6, 2020, published at 50
18 Pa.B. 1644 (March 21, 2020) was in effect shall be restored and

1 expunged:

2 (1) A proclamation or order of the Governor under 35
3 Pa.C.S. § 7301(f) (7) (relating to general authority of
4 Governor), section 8(a) of the act of April 27, 1905
5 (P.L.312, No.218), entitled "An act creating a Department of
6 Health, and defining its powers and duties," section 2102(a)
7 of the act of April 9, 1929 (P.L.177, No.175), known as The
8 Administrative Code of 1929, or section 5 of the act of April
9 23, 1956 (1955 P.L.1510, No.500), known as the Disease
10 Prevention and Control Law of 1955, which relates to the
11 novel coronavirus known as "COVID-19."

12 (2) An order of the Secretary of Health under section
13 8(a) of the act of April 27, 1905 (P.L.312, No.218), entitled
14 "An act creating a Department of Health, and defining its
15 powers and duties," section 2102(a) or 2106 of The
16 Administrative Code of 1929, section 5 of the Disease
17 Prevention and Control Law of 1955 or 28 Pa. Code § 27.60
18 (relating to disease control measures), 27.61 (relating to
19 isolation), 27.65 (relating to quarantine), 27.66 (relating
20 to placarding), 27.67 (relating to movement of persons and
21 animals subject to isolation or quarantine by action of a
22 local health authority or the Department) or 27.68 (relating
23 to release from isolation or quarantine), which relates to
24 the novel coronavirus known as "COVID-19."

25 (3) Guidance issued by the Department of Health or the
26 Department of Human Services relating to the novel
27 coronavirus known as "COVID-19."

28 (b) Duties of bureau.--

29 (1) The bureau may not retain a warning letter issued
30 under an executive action described in subsection (a) (1), (2)

1 or (3) or consider the executive action in a future
2 disciplinary matter.

3 (2) The commissioner shall:

4 (i) expunge the disciplinary record of a licensee,
5 registrant, certificate holder or permit holder, if the
6 imposition of discipline was for a violation of executive
7 action described in subsection (a)(1), (2) or (3) at no
8 cost to the licensee, registrant, certificate holder or
9 permit holder within 30 days of the effective date of
10 this subparagraph; and

11 (ii) provide notice of the expungement to the
12 licensee, registrant, certificate holder or permit
13 holder.

14 Section 2. This act shall take effect immediately.