

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1882 Session of 2023

INTRODUCED BY BURNS, VENKAT, HADDOCK, SANCHEZ, MADDEN AND HILL- EVANS, DECEMBER 6, 2023

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES, DECEMBER 12, 2023

AN ACT

1 Amending Title 63 (Professions and Occupations (State Licensed))
2 of the Pennsylvania Consolidated Statutes, in powers and
3 duties, further providing for civil penalties.

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

6 Section 1. Section 3108(b) of Title 63 of the Pennsylvania
7 Consolidated Statutes is amended by adding a paragraph to read:
8 § 3108. Civil penalties.

9 * * *

10 (b) Additional powers.--In addition to the disciplinary
11 powers and duties of the licensing boards and licensing
12 commissions within the bureau under their respective practice
13 acts, licensing boards and licensing commissions shall have the
14 power, respectively:

15 * * *

16 (9) To rescind a license, registration, certification or
17 permit issued by the professional or occupational licensing
18 board or licensing commission where there is probable cause

1 that the license, registration, certification or permit was
2 issued based on documentation provided by or on behalf of the
3 applicant that was found to be false or fraudulent. The
4 licensing board or licensing commission shall provide at
5 least 10 BUSINESS days' notice of the rescission of the <--
6 license, registration, certification or permit and shall
7 offer the applicant the opportunity to demonstrate that the
8 license, registration, certification or permit was not issued
9 based on false or fraudulent documentation at a post-
10 rescission hearing before the appropriate licensing board or
11 licensing commission, WHICH SHALL OCCUR WITHIN 20 DAYS OF THE <--
12 RESCISSION. IF THE APPLICANT DEMONSTRATES THAT THE LICENSE, <--
13 REGISTRATION, CERTIFICATION OR PERMIT WAS NOT ISSUED BASED ON
14 FALSE OR FRAUDULENT DOCUMENTATION AT A POST-RESCISSION
15 HEARING, THE LICENSING BOARD OR LICENSING COMMISSION MAY NOT,
16 ABSENT NEW EVIDENCE OF FALSE OR FRAUDULENT DOCUMENTATION,
17 RESCIND THE LICENSE, REGISTRATION, CERTIFICATION OR PERMIT OF
18 THE APPLICANT.

19 * * *

20 Section 2. This act shall take effect immediately.