

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL**No. 1172** Session of
2019

INTRODUCED BY HICKERNELL, READSHAW, CAUSER, SCHLEGEL CULVER,
SCHLOSSBERG, McNEILL, RAVENSTAHL, PICKETT, BARRAR, ROTHMAN,
MILLARD, KEEFER, B. MILLER, DeLUCA, MENTZER, MIHALEK,
MARSHALL, JONES, ZIMMERMAN, SAINATO, HILL-EVANS, BURGOS,
BROWN, CIRESI, KORTZ, GILLEN AND WEBSTER, APRIL 10, 2019

SENATOR TOMLINSON, CONSUMER PROTECTION AND PROFESSIONAL
LICENSURE, IN SENATE, AS AMENDED, JUNE 4, 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," providing for licensure by endorsement.

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

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

1 Section 6.1. Licensure by endorsement.

2 (a) General rule.--Notwithstanding any existing provisions
3 related to licensure by endorsement or licensure by reciprocity
4 in any applicable licensing statute, a licensing board or
5 commission shall issue a license, certificate, registration or
6 permit to an applicant to allow practice in this Commonwealth
7 if, upon application to the licensing board OR COMMISSION, the <--
8 applicant satisfies all of the following conditions:

9 (1) Holds a current license, certificate, registration
10 or permit from another state, territory or country and the
11 licensing board or commission determines that state's,
12 territory's or country's requirements are substantially
13 equivalent to or exceed the requirements established in this
14 Commonwealth.

15 (2) Demonstrates competency in the profession or
16 occupation through methods determined by the licensing board
17 or commission, including having completed continuing
18 education or having experience in the professional or
19 occupation for at least two of the five years preceding the
20 date of the application under this section.

21 (3) Has not committed any act that constitutes grounds
22 for refusal, suspension or revocation of a license,
23 ~~registration,~~ certificate, REGISTRATION or permit to practice <--
24 that profession or occupation in this Commonwealth unless the
25 licensing board or commission determines, in its discretion,
26 that the act should not be an impediment to the granting of a
27 license, ~~registration,~~ certificate, REGISTRATION or permit to <--
28 practice in this Commonwealth.

29 (4) Is in good standing and has not been disciplined by
30 the jurisdiction that issued the license, ~~registration,~~ <--

1 certificate, REGISTRATION or permit unless the licensing <--
2 board or commission determines, in its discretion, that the
3 discipline should not be an impediment to the granting of a
4 license, ~~registration,~~ certificate, REGISTRATION or permit to <--
5 practice in this Commonwealth.

6 (5) Pays any fees established by the licensing board or
7 commission by regulation.

8 (b) Provisional endorsement license.--A licensing board or
9 commission may issue a provisional license, ~~registration,~~ <--
10 certificate, REGISTRATION or permit to an applicant for <--
11 licensure by endorsement while the applicant is satisfying
12 remaining requirements for the licensure by endorsement as
13 determined by the board OR COMMISSION. The holder of a <--
14 provisional endorsement license issued under this subsection may
15 practice until any of the following occurs:

16 (1) A license, ~~registration,~~ certificate, REGISTRATION <--
17 or permit is denied by the licensing board or commission
18 under this section.

19 (2) The expiration of the provisional endorsement
20 license as established by the board OR COMMISSION by <--
21 regulation.

22 (3) The holder of the provisional endorsement license
23 fails to comply with the terms of the provisional license.

24 (c) Construction.--Nothing in this section is intended to
25 supersede or replace existing statutory provisions relating to
26 licensure by endorsement or licensure by reciprocity applicable
27 to licensing boards and commissions through their respective
28 enabling statutes.

29 Section 2. Final regulations shall be promulgated by each
30 licensing board and commission within 18 months of the effective

1 date of this ~~act~~ SECTION.

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2 Section 3. This act shall take effect in 60 days.