

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 AND KORTZ, APRIL 10, 2019

AS REPORTED FROM COMMITTEE ON PROFESSIONAL LICENSURE, HOUSE OF
REPRESENTATIVES, AS AMENDED, MAY 8, 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:

19 Section 6.1. Licensure by endorsement.

1 (a) General rule.--A NOTWITHSTANDING ANY EXISTING PROVISIONS <--
2 RELATED TO LICENSURE BY ENDORSEMENT OR LICENSURE BY RECIPROCITY
3 IN ANY APPLICABLE LICENSING STATUTE, A licensing board or
4 commission shall issue a license, certificate, registration or
5 permit to an applicant to allow practice in this Commonwealth
6 if, upon application to the licensing board, the applicant
7 satisfies all of the following conditions:

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

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

20 (3) Has not committed any act that ~~would have~~ <--
21 ~~constituted~~ CONSTITUTES grounds for refusal, suspension or <--
22 revocation of a license, registration, certificate or permit
23 to practice that profession or occupation in this
24 Commonwealth at the time the act was committed. 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 OR PERMIT TO PRACTICE IN
28 THIS COMMONWEALTH.

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

1 certificate or permit. UNLESS THE LICENSING BOARD OR <--
2 COMMISSION DETERMINES, IN ITS DISCRETION, THAT THE DISCIPLINE
3 SHOULD NOT BE AN IMPEDIMENT TO THE GRANTING OF A LICENSE,
4 REGISTRATION, CERTIFICATE OR PERMIT TO PRACTICE IN THIS
5 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 or permit to an applicant for licensure by
11 endorsement while the applicant is satisfying remaining
12 requirements for the licensure by endorsement as determined by
13 the board. The holder of a provisional endorsement license
14 issued under this subsection may practice until any of the
15 following occurs:

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

19 (2) The expiration of the provisional endorsement
20 license as established by the board by regulation.

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

23 (C) CONSTRUCTION.--NOTHING IN THIS SECTION IS INTENDED TO <--
24 SUPERSEDE OR REPLACE EXISTING STATUTORY PROVISIONS RELATING TO
25 LICENSURE BY ENDORSEMENT OR LICENSURE BY RECIPROCITY APPLICABLE
26 TO LICENSING BOARDS AND COMMISSIONS THROUGH THEIR RESPECTIVE
27 ENABLING STATUTES.

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

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