

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1743 Session of  
2019

INTRODUCED BY SONNEY, COX, DUSH, GILLEN, GLEIM, JAMES,  
KOSIEROWSKI, LONGIETTI, MERSKI, MILLARD, PICKETT, PYLE, RYAN,  
STURLA, ZABEL, ZIMMERMAN AND GAYDOS, AUGUST 16, 2019

REFERRED TO COMMITTEE ON PROFESSIONAL LICENSURE, AUGUST 16, 2019

AN ACT

1 Providing for disclosure of information relating to complaints,  
2 investigations and inquiries concerning licenses,  
3 registrations, certifications or permits issued by licensing  
4 boards and commissions within the Bureau of Professional and  
5 Occupational Affairs.

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

8 Section 1. Short title.

9 This act shall be known and may be cited as the Professional  
10 and Occupational Licensing Information Disclosure Act.

11 Section 2. Definitions.

12 The following words and phrases when used in this act shall  
13 have the meanings given to them in this section unless the  
14 context clearly indicates otherwise:

15 "Licensing board or commission." An administrative board or  
16 commission under the Bureau of Professional and Occupational  
17 Affairs in the Department of State.

18 Section 3. Disclosure of information.

19 (a) General rule.--Except if required or requested by a

1 criminal justice agency, or if disclosure to a noncriminal  
2 justice agency is authorized or required by law, an individual  
3 who has a license, registration, certification or permit from a  
4 licensing board or commission to practice in this Commonwealth  
5 may not be required or requested to disclose information to any  
6 entity or person relating to a complaint filed with, or  
7 investigation or inquiry by, the Department of State or Bureau  
8 of Professional and Occupational Affairs on behalf of any  
9 licensing board or commission, when the complaint, investigation  
10 or inquiry was closed without the filing of disciplinary charges  
11 or the imposition of any type of civil penalty against the  
12 individual or the individual's license, registration,  
13 certification or permit. This prohibition includes the closing  
14 of the complaint, investigation or inquiry without further  
15 action, regardless of whether the licensing board or commission  
16 reserves the right to re-open the complaint, investigation or  
17 inquiry.

18 (b) Response to information request.--An individual required  
19 or requested to provide information in violation of this section  
20 may respond as if the complaint, investigation or inquiry did  
21 not occur.

22 (c) Nonapplicability.--This section shall not apply if  
23 Federal or State law or regulations require the consideration of  
24 a complaint, investigation or inquiry provided for in subsection  
25 (a) for purposes of employment to practice a profession under a  
26 license, registration, certification or permit issued by a  
27 licensing board or commission. If a Federal or State law or  
28 regulation exists, the entity requiring or requesting the  
29 information shall provide a citation and summary of the law or  
30 regulation to the individual.

1 Section 4. Effective date.

2 This act shall take effect in 60 days.