

No. 2019-41

AN ACT

HB 1172

Amending the act of July 2, 1993 (P.L.345, No.48), entitled "An act empowering the General Counsel or his designee to issue subpoenas for certain licensing board activities; providing for hearing examiners in the Bureau of Professional and Occupational Affairs; providing additional powers to the Commissioner of Professional and Occupational Affairs; and further providing for civil penalties and license suspension," providing for licensure by endorsement.

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

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

Section 6.1. Licensure by endorsement.

(a) General rule.—Notwithstanding any existing provisions related to licensure by endorsement or licensure by reciprocity in any applicable licensing statute, a licensing board or commission shall issue a license, certificate, registration or permit to an applicant to allow practice in this Commonwealth if, upon application to the licensing board or commission, the applicant satisfies all of the following conditions:

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

(2) Demonstrates competency in the profession or occupation through methods determined by the licensing board or commission, including having completed continuing education or having experience in the profession or occupation¹ for at least two of the five years preceding the date of the application under this section.

(3) Has not committed any act that constitutes grounds for refusal, suspension or revocation of a license, certificate, registration or permit to practice that profession or occupation in this Commonwealth unless the licensing board or commission determines, in its discretion, that the act should not be an impediment to the granting of a license, certificate, registration or permit to practice in this Commonwealth.

(4) Is in good standing and has not been disciplined by the jurisdiction that issued the license, certificate, registration or permit unless the licensing board or commission determines, in its discretion,

¹"in the professional or occupation" in enrolled bill.

that the discipline should not be an impediment to the granting of a license, certificate, registration or permit to practice in this Commonwealth.

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

(b) Provisional endorsement license.—A licensing board or commission may issue a provisional license, certificate, registration or permit to an applicant for licensure by endorsement while the applicant is satisfying remaining requirements for the licensure by endorsement as determined by the board or commission. The holder of a provisional endorsement license issued under this subsection may practice until any of the following occurs:

(1) A license, certificate, registration or permit is denied by the licensing board or commission under this section.

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

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

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

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

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

APPROVED—The 1st day of July, A.D. 2019

TOM WOLF