

procured by fraud, coercion, or other improper conduct of any party in interest. The board may, upon cause shown, extend the time provided in this article for taking such appeal or for the filing of an answer or other pleading.

Board may disregard referee's findings of fact and substitute own findings.

In any such appeal the board may disregard the findings of fact of the referee, and may examine the testimony taken before such referee, and if it deem proper may hear other evidence, and may substitute for the findings of the referee such findings of fact as the evidence taken before the referee and the board, as hereinbefore provided, may, in the judgment of the board, require, and may make such disallowance or award of compensation or other order as the facts so founded by it may require [; but the board shall accept as conclusive upon it, the findings and conclusions of the medical board].

Disallowance or award of compensation by board.

Act effective immediately.

Section 6. The provisions of this act shall become effective immediately upon final enactment.

APPROVED—The 2nd day of January, A. D. 1952.

JOHN S. FINE

No. 483

AN ACT

To amend the act, approved the twelfth day of June, one thousand nine hundred fifty-one (Pamphlet Laws 533), entitled "An act relating to mental health, including mental illness, mental defect, epilepsy and inebriety; and amending, revising, consolidating and changing the laws relating thereto," by further providing for refusal to issue and revocation of licenses.

"The Mental Health Act of 1951."

Section 212, act of June 12, 1951, P. L. 533, amended by adding, at end of section 212 thereof, a new subsection (e).

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

Section 1. Section 212 of the act, approved the twelfth day of June, one thousand nine hundred fifty-one (Pamphlet Laws 533), entitled "An act relating to mental health, including mental illness, mental defect, epilepsy and inebriety; and amending, revising, consolidating and changing the laws relating thereto," is hereby amended by adding, at the end of section 212 thereof, a new subsection to read as follows:

Section 212. Application for and Grant of License.—

* * * * *

(e) If, after investigation, the department is not satisfied that the applicant should receive a license under this section, it shall notify the applicant of its decision refusing to issue the license. Such decision shall be final.

Section 2. Section 214 of said act is hereby amended to read as follows:

Section 214, said act, amended.

Section 214. [Review of Action by Department.— Any person aggrieved by any action of the department relating to his license, or by rule or regulation adopted and promulgated by the department, shall have the right to file a complaint with the department and to have a hearing thereon before the department. Such hearings shall be conducted and the decision of the department on the issue involved shall be rendered in accordance with the provisions of the Administrative Agency Law, approved the fourth day of June, one thousand nine hundred forty-five (Pamphlet Laws 1388) and its amendments, relating to adjudication procedure. Any person aggrieved by any adjudication of the department shall have the right to appeal therefrom to the Court of Common Pleas of Dauphin County and have a judicial review of such adjudication, within the time and in the manner and with the same effect as is provided by the Administrative Agency Law and the Rules of Civil Procedure promulgated by the Supreme Court for judicial review of adjudication of agencies of the Commonwealth.] *Revocation of License.*—*The department shall have the power, after hearing, to revoke any license issued under this act, whenever it shall appear that the licensed institution is being operated in violation of the laws of this Commonwealth or rules or regulations thereunder pertaining to the operation of mental hospitals, or whenever the department shall determine that the holder of the license would not be qualified to receive a license if application for such license were made under section 212 of this act.*

Any person aggrieved by the action of the department in revoking his license may appeal to the Court of Common Pleas of Dauphin County, the jurisdiction of which shall be limited to a consideration of whether or not the department abused its discretion in revoking such license.

APPROVED—The 2nd day of January, A. D. 1952.

JOHN S. FINE

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No. 484

AN ACT

To fix the salaries and compensation of the judges of the Supreme Court, the judges of the Superior Court, the judges of the courts of common pleas, the judges of the orphans' courts, the judges of the Municipal Court of Philadelphia and the judges of the County Court of Allegheny County, certain associate judges not learned in the law, and repealing certain acts inconsistent herewith.