

Act 25 to Strengthen Consumer Protection

On July 17 **Governor Edward G. Rendell** signed Act 25 into law, which is a major legislative accomplishment for the Bureau for Professional and Occupational Affairs and its boards. This law amends Act 48 of 1993 by adding a provision raising the maximum fine the board imposes for violations of the licensing laws or regulations from \$1,000 to \$10,000, as well as authorizing the licensing boards to impose the costs of investigation. Furthermore, the act provides privilege protection to Department of State investigative files, as well as confidentiality requirements.



At the signing of SB 142, Governor Rendell, center, is joined by (pictured from left to right) Sen. Tomlinson, Commissioner Merenda, Director Biglica and Rep. McGeehan.

“BPOA has been working to pass this legislation since 2004,” **Commissioner Basil L. Merenda** said.

“This is an important law because the new maximum fine acts as a very strong deterrent to unlawful activity by licensees, which in turn will enable us to more effectively protect the health, safety and welfare of every consumer in the commonwealth.”

Act 25 will affect all 29 boards where professionals range from physicians and cosmetologists to accountants and funeral directors. The law, which was passed in the

legislature as Senate Bill 142, will go into effect 60 days after its enactment. At that time, prosecutors will be able to recommend to the respective licensing board to impose the maximum fine if the violation is egregious.

Mobilizing board members to reach across party lines to contact senators and representatives was also key in the enactment of this bill. The board members explained, from their viewpoint, why this legislation needed to be passed to effectively carry out Bureau of Professional and Occupational Affairs' and each board's mission.

Future plans for legislation include proposals to create a statutory obligation for a licensee to cooperate with investigators and prosecutors in disciplinary matters and authorizing the boards' authority to expunge a disciplinary history of a license for minor violations such as failure to complete the continuing education requirement.

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