

**IN THE SUPREME COURT OF PENNSYLVANIA
WESTERN DISTRICT**

SHANNON MCGRATH,	:	No. 365 WAL 2016
	:	
Respondent	:	
	:	
v.	:	Petition for Allowance of Appeal from
	:	the Order of the Commonwealth Court
	:	
	:	
BUREAU OF PROFESSIONAL AND	:	
OCCUPATIONAL AFFAIRS, STATE	:	
BOARD OF NURSING,	:	
	:	
Petitioner	:	

ORDER

PER CURIAM

AND NOW, this 13th day of February, 2017, the Petition for Allowance of Appeal is **GRANTED**. The issues, as stated by the Petitioner, are:

- (1) Whether this Honorable Court should grant allocatur in a case of first impression in this Court and one of substantial public importance to consumer health and safety requiring prompt resolution involving the length of an automatic license suspension of a nurse licensee convicted of a drug felony where the Commonwealth Court incorrectly reversed its prior correct application of Section 1921(c) of the Statutory Construction Act and created a paradigm in which a nurse licensee may be suspended for as little as one day for the same conduct that bars a nurse applicant from obtaining a license for ten years?
- (2) Whether the Commonwealth Court erred in ignoring case law and the principles of statutory construction when it applied the rule of lenity to a statute that was no longer ambiguous under Packer's interpretation?
- (3) Whether the Commonwealth Court erred in not applying the principle of *stare decisis* as Packer was not clearly contrary to the body of law?