

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Department of Professional Regulation Law
5 of the Civil Administrative Code of Illinois is amended by
6 adding Sections 2105-390, 2105-391, and 2105-392 as follows:

7 (20 ILCS 2105/2105-390 new)

8 Sec. 2105-390. Health professionals; duty to report.

9 (a) As used in this Section:

10 "Health professional" means: (1) a person licensed or
11 registered by the Department of Financial and Professional
12 Regulation under the following Acts: the Medical Practice Act
13 of 1987, the Nurse Practice Act, the Acupuncture Practice Act,
14 the Illinois Athletic Trainers Practice Act, the Behavior
15 Analyst Licensing Act, the Clinical Psychologist Licensing
16 Act, the Clinical Social Work and Social Work Practice Act,
17 the Illinois Dental Practice Act, the Dietitian Nutritionist
18 Practice Act, the Marriage and Family Therapy Licensing Act,
19 the Music Therapy Licensing and Practice Act, the Massage
20 Therapy Practice Act, the Naprapathic Practice Act, the
21 Licensed Certified Professional Midwife Practice Act, the
22 Nursing Home Administrators Licensing and Disciplinary Act,
23 the Illinois Occupational Therapy Practice Act, the Illinois

1 Optometric Practice Act of 1987, the Orthotics, Prosthetics,
2 and Podorthics Practice Act, the Pharmacy Practice Act, the
3 Illinois Physical Therapy Act, the Physician Assistant
4 Practice Act of 1987, the Podiatric Medical Practice Act of
5 1987, the Respiratory Care Practice Act, the Professional
6 Counselor and Clinical Professional Counselor Licensing and
7 Practice Act, the Sex Offender Evaluation and Treatment
8 Provider Act, the Illinois Speech-Language Pathology and
9 Audiology Practice Act, the Perfusionist Practice Act, the
10 Registered Surgical Assistant and Registered Surgical
11 Technologist Title Protection Act, or the Genetic Counselor
12 Licensing Act; or (2) a person in any profession that the
13 Department of Financial and Professional Regulation adds by
14 rule.

15 "Intimate conduct" means the following conduct by a health
16 professional:

17 (1) engaging in behavior, gestures, or expressions
18 that are seductive, sexually suggestive, or sexually
19 demeaning to a patient or client in the course of
20 professional service, including, but not limited to, the
21 following:

22 (A) neglecting to employ disrobing or draping
23 practices that respect the patient's or client's
24 privacy or deliberately watching a patient or client
25 dress or undress;

26 (B) subjecting a patient or client to an intimate

1 examination in the presence of students or other
2 persons not delivering professional services without
3 the patient's or client's informed consent or after
4 the withdrawal of informed consent by the patient or
5 client;

6 (C) performing an intimate examination or service;

7 (D) capturing an image of a patient's or client's
8 genitals, anus, breast, or sexualized body part, or
9 transmitting such an image to oneself or to another;
10 or

11 (E) requesting details of a patient's or client's
12 sexual history or sexual likes or dislikes;

13 (2) other than displaying, or attempting to display,
14 anatomical images or models as part of clinical treatment
15 or patient education, whether in the health professional's
16 physical or virtual place of work:

17 (A) engaging in an act or displaying an image of a
18 sexual or seductive nature, or attempting to engage in
19 an act or display an image of a sexual or seductive
20 nature, in view of an individual who does not consent
21 to view the act or image or who is incapable of
22 consenting to such viewing; or

23 (B) communicating an image of the genitals, anus,
24 breast, or sexualized body part of an individual when
25 the individual or the recipient of the communication
26 does not consent to the communication.

1 "Reportable conduct" means conduct that must be reported
2 pursuant to subsection (b).

3 "Retaliatory action" has the meaning given to that term in
4 Section 5 of the Whistleblower Act.

5 "Sexual conduct" means the following conduct by a health
6 professional:

7 (1) engaging in behavior with a patient or client that
8 is sexual, or may be reasonably interpreted as sexual, in
9 the course of professional service, including, but not
10 limited to, the following:

11 (A) genital to genital contact, oral to genital
12 contact, genital to anal contact, or oral to anal
13 contact;

14 (B) kissing in a romantic or sexual manner;

15 (C) touching the genitals, anus, breast, or any
16 other sexualized body part for any purpose other than
17 appropriate clinical examination or professional
18 service;

19 (D) touching the genitals, anus, breast, or any
20 other sexualized body part after the patient or
21 client, who has the capacity to give consent, has
22 refused or has withdrawn consent for such touching,
23 or, in the case of a patient who does not have the
24 capacity to give consent, the patient's or client's
25 decision-maker has refused or has withdrawn consent
26 for such touching;

1 (E) encouraging the patient or client to
2 masturbate in the presence of the professional or
3 masturbation by the professional while the patient or
4 client is present;

5 (F) encouraging the patient or client to engage in
6 a sexual act with another person in the presence of the
7 professional;

8 (G) offering to provide professional services to a
9 patient or client in exchange for sexual favors;

10 (H) examination or touching of a patient's or
11 client's genital mucosal areas without the use of
12 gloves;

13 (I) making sexualized or sexually demeaning
14 comments to a patient or client, making inappropriate
15 comments about potential sexual performance,
16 criticizing the patient's or client's sexual
17 orientation, or making sexual or seductive comments
18 about a patient's or client's body or underclothing;

19 (J) using the professional-patient or
20 professional-client relationship to solicit a romantic
21 or sexual relationship; or

22 (K) initiating a conversation regarding the
23 professional's sexual problems, preferences, or
24 fantasies; or

25 (2) in the health professional's physical place of
26 work, making physical contact of a sexual or seductive

1 nature, or attempting to make such contact, with an
2 individual who does not consent to the contact or who is
3 incapable of consenting to such contact when the conduct
4 does not occur as part of a professional service.

5 (b) Unless excluded by subsection (c), a health
6 professional shall report to the Department of Financial and
7 Professional Regulation within 24 hours after:

8 (1) witnessing sexual conduct or intimate conduct at
9 the person's physical or virtual place of work or
10 otherwise witnessing such conduct in the person's
11 professional capacity;

12 (2) developing reasonable cause to believe that a
13 health professional at the person's physical or virtual
14 place of work or a health professional otherwise known to
15 the person in the person's professional capacity may have
16 committed sexual conduct or intimate conduct; or

17 (3) receiving a report, either written or oral, from a
18 patient, client, patient representative, or client
19 representative alleging sexual conduct or intimate conduct
20 involving a patient or client.

21 (c) A person with a duty to report under subsection (b)
22 need not report the following:

23 (1) conduct that the Department of Financial and
24 Professional Regulation has, by rule, excluded from the
25 duty to report or has informed the person in writing that
26 they need not report; and

1 (2) intimate conduct when:

2 (A) it is not sexual conduct; and

3 (B) the person: (i) knows that the health
4 professional committed the conduct accidentally, and
5 the person has no reason to believe that the health
6 professional engaged in, or was accused of engaging
7 in, similar conduct on a separate occasion, or (ii)
8 has a good faith belief that the health professional's
9 conduct was clinically or professionally justified.

10 (d) If reportable conduct occurred at a hospital or
11 hospital affiliate subject to the requirements of Section 9.6
12 of the Hospital Licensing Act, a person with a duty to report
13 under subsection (b) satisfies that duty, without needing to
14 file the report specified in subsection (e), by:

15 (1) providing, within 24 hours, to the designated
16 hospital administrator responsible for providing reports
17 to the Department of Public Health in accordance with
18 Section 9.6 of the Hospital Licensing Act, an account of
19 the reportable conduct; and

20 (2) receiving confirmation from such administrator,
21 within 48 hours of providing the account, that the
22 hospital or hospital affiliate will investigate or has
23 investigated the account; if the person does not receive
24 such confirmation within that 48-hour time period, the
25 person shall make the report to the Department of
26 Financial and Professional Regulation in accordance with

1 subsection (e) within 24 hours after the expiration of
2 that 48-hour time period.

3 Nothing in this subsection prohibits the person from
4 filing the report specified in subsection (e) with the
5 Department of Financial and Professional Regulation.

6 (e) A report required by subsection (b) shall be in
7 writing and shall contain the following information:

8 (1) the name, address, telephone number, and email
9 address of the person making the report;

10 (2) the name, address, telephone number, and email
11 address of the health professional who is the subject of
12 the report and the profession and professional license
13 number of such health professional, if known;

14 (3) the name, address, or other contact information of
15 the individual or individuals who made the allegation of
16 reportable conduct that is the subject of the report;

17 (4) a description of the acts that are alleged to have
18 occurred, including the name and age of the patient or
19 client involved, the location, date, and time of the
20 alleged acts, and a copy of any document or file
21 containing the allegations received by the hospital;

22 (5) a brief description of the facts that gave rise to
23 the issuance of the report, including the date of
24 receiving the oral or written allegation; and

25 (6) any extenuating information or further pertinent
26 information that the reporting party deems to be an aid in

1 the evaluation of the report, including, without
2 limitation, information showing that the health
3 professional was acting in self-defense.

4 (f) The Department of Financial and Professional
5 Regulation shall provide a means for a person to report an
6 incident of reportable conduct, regardless of whether such
7 report is mandated by law, on its website.

8 (g) A person participating in good faith in the creation
9 of a report under this Section or participating in or
10 assisting with an investigation related to such a report shall
11 have immunity from any civil, criminal, professional, or other
12 liability that might result by reason of those actions,
13 including, but not limited to, defamation actions or tortious
14 interference with contract actions.

15 (h) Individuals and entities licensed or otherwise
16 authorized to practice or operate by the Department of
17 Financial and Professional Regulation or the Department of
18 Public Health shall not take any retaliatory action against
19 any person who lawfully and in good faith made a report under
20 this Section because of the person making such a report.

21 (i) A report made under this Section does not create a
22 presumption that the health professional who is the subject of
23 the report has committed a violation or a criminal act. If the
24 Department of Financial and Professional Regulation seeks to
25 impose discipline on a health professional due to a report
26 received under this Section, nothing in this Section shall

1 modify the elements that the Department must establish to
2 justify such discipline under the health professional's
3 applicable licensing Act.

4 (j) A health professional shall report any instance where
5 another health professional willfully fails to report alleged
6 reportable conduct to the Department of Financial and
7 Professional Regulation as required under this Section.

8 (k) A report made under this Section is subject to the
9 confidentiality provisions of Section 2105-117.

10 (l) The Department of Financial and Professional
11 Regulation may adopt any rules necessary to implement,
12 administer, and enforce this Section.

13 (20 ILCS 2105/2105-391 new)

14 Sec. 2105-391. Health organizations; duty to report.

15 (a) As used in this Section:

16 "Health professional" has the meaning given to that term
17 in Section 2105-390.

18 "Intimate conduct" has the meaning given to that term in
19 Section 2105-390.

20 "Sexual conduct" has the meaning given to that term in
21 Section 2105-390.

22 "Reportable conduct" has the meaning given to that term in
23 Section 2105-390.

24 "Reporting organization" means:

25 (1) an entity that employs or contracts for the

1 services of health professionals and is (i) registered
2 with the Department of Financial and Professional
3 Regulation or the Division of Professional Regulation
4 under the Professional Service Corporation Act, the
5 Medical Corporation Act, the Professional Limited
6 Liability Company Act, or the Limited Liability Company
7 Act; (ii) organized under the Business Corporation Act of
8 1983; or (iii) licensed by the Department of Public
9 Health; or

10 (2) an entity that facilitates the placement of health
11 professionals into organizations that provide health care
12 services.

13 (b) A reporting organization shall submit a report to the
14 Department of Financial and Professional Regulation within 24
15 hours after:

16 (1) if the reporting organization is not a hospital or
17 hospital affiliate, initiating an investigation of an
18 allegation that a health professional engaged in conduct
19 that another health professional would have a duty to
20 report under subsection (b) of Section 2105-390;

21 (2) terminating its relationship with, suspending,
22 placing on leave, or materially changing the professional
23 privileges of a health professional following an
24 allegation that the health professional engaged in sexual
25 conduct or intimate conduct; except that a hospital or
26 hospital affiliate need not report a temporary suspension

1 or leave when they occur pending an internal review under
2 Section 9.6 of the Hospital Licensing Act until the
3 earlier of (i) the conclusion of the investigation and
4 such suspension or leave is made permanent, or (ii) such
5 temporary suspension or leave status lasts longer than 30
6 days; or

7 (3) a health professional resigning, ceasing his or
8 her services, or accepting a material change in
9 professional responsibilities following an allegation that
10 the health professional engaged in sexual conduct or
11 intimate conduct.

12 (c) The Department of Financial and Professional
13 Regulation may request from the Department of Public Health,
14 and the Department of Public Health shall provide, copies of
15 logs or reports received by the Department of Public Health
16 pursuant to Section 9.6 of the Hospital Licensing Act.

17 (d) A report required by subsection (b) shall be in
18 writing. The report shall contain the following information:

19 (1) the name of the reporting organization making the
20 report and the name, address, telephone number, and email
21 address of the person making the report on behalf of the
22 reporting organization;

23 (2) the name, address, telephone number, and email
24 address of the health professional who is the subject of
25 the report and the profession and professional license
26 number of such health professional, if known;

1 (3) the name, address, or other contact information of
2 the individual or individuals who made the allegation that
3 is the subject of the report;

4 (4) a description of the acts that are alleged to have
5 occurred, including the name and age of the patient or
6 client involved, the location, date, and time of the
7 alleged acts, and a copy of any document or file
8 containing the allegations received by the reporter; and

9 (5) any extenuating information or further pertinent
10 information that the reporting organization deems to be an
11 aid in the evaluation of the report, including, without
12 limitation, information showing that the health
13 professional was acting in self-defense.

14 (e) A reporting organization shall take reasonable steps
15 to deliver the following message, or one substantially similar
16 to it, at least annually to each person who is under an
17 obligation to report reportable conduct pursuant to Section
18 2105-390 and who the reporting organization employs, contracts
19 with, or has working in its physical or virtual facilities:
20 "You may report any incidents of actual or potential
21 misconduct by health professionals or other persons licensed
22 by the Illinois Department of Financial and Professional
23 Regulation (IDFPR), including incidents that you choose to
24 voluntarily report and incidents subject to mandatory
25 reporting under 20 ILCS 2105/2105-390, at IDFPR's website.".
26 Reasonable steps include, but are not limited to: (1)

1 providing such message during training sessions; or (2)
2 posting signage, either by physical or electronic means, in a
3 conspicuous location in the reporting organization's physical
4 location.

5 (f) A reporting organization and its staff who are
6 participating in good faith in the creation of a report under
7 this Section or participating in or assisting with an
8 investigation related to such a report shall have immunity
9 from any civil, criminal, professional, or other liability
10 that might result by reason of those actions, including, but
11 not limited to, defamation actions and tortious interference
12 with contract.

13 (g) A report made under this Section does not create a
14 presumption that the health professional who is the subject of
15 the report has committed a violation or a criminal act. If the
16 Department of Financial and Professional Regulation seeks to
17 impose discipline on a health professional due to a report
18 received under this Section, nothing in this Section shall
19 modify the elements that the Department must establish to
20 justify such discipline under the health professional's
21 applicable licensing Act.

22 (h) Nothing in this Section prevents a reporting
23 organization from initiating, conducting, or completing its
24 own investigation of the sexual conduct or intimate conduct at
25 issue in the report while an investigation, hearing, or other
26 action related to the report is, or may be, pending at the

1 Department of Financial and Professional Regulation.

2 (i) The Department of Financial and Professional
3 Regulation shall, as soon as possible, but not later than 21
4 days after such request, respond to a request for an update on
5 the status of a report from an individual acting on behalf of:

6 (1) the reporting organization making the report under
7 this Section; or

8 (2) a hospital or hospital affiliate who has made the
9 report:

10 (A) to the Department of Public Health which has
11 been provided to the Department of Financial and
12 Professional Regulation pursuant to subsection (c); or

13 (B) directly to the Department of Financial and
14 Professional Regulation. In its response, the
15 Department of Financial and Professional Regulation
16 shall indicate that either the investigation of the
17 report is closed or is still ongoing. The Department
18 of Financial and Professional Regulation may require
19 documentation establishing that the individual making
20 the update request is doing so as an agent of such
21 reporting organization, hospital, or hospital
22 affiliate prior to accepting the request.

23 (j) A reporting organization may submit a written request
24 to the Department of Financial and Professional Regulation
25 that specifically identifies a health professional who is the
26 reporting organization's employee, contractor, or affiliated

1 provider and request a copy of any formal complaint filed
2 against the health professional by the Department of Financial
3 and Professional Regulation or any chaperone order or
4 disciplinary order issued by the Department of Financial and
5 Professional Regulation against such health professional. The
6 Department of Financial and Professional Regulation shall,
7 within 21 days of such request, provide the requested
8 documents in response.

9 (k) A report made under this Section is subject to the
10 confidentiality provisions of Section 2105-117.

11 (l) The Department of Financial and Professional
12 Regulation may adopt any rules necessary to implement,
13 administer, and enforce this Section.

14 (20 ILCS 2105/2105-392 new)

15 Sec. 2105-392. State's Attorney; report of arrests,
16 charges, or convictions.

17 (a) As used in this Section:

18 "Health professional" has the meaning given to that term
19 in Section 2105-390.

20 "Intimate conduct" has the meaning given to that term in
21 Section 2105-390.

22 "Sexual conduct" has the meaning given to that term in
23 Section 2105-390.

24 (b) The State's Attorney of a county, or his or her
25 designee, shall report the arrest of, or the bringing of

1 charges against, a person for an offense based on sexual
2 conduct or intimate conduct to the Department of Financial and
3 Professional Regulation if the person is someone who the
4 State's Attorney's office knows or has reason to believe is a
5 health professional.

6 (c) A report under subsection (b) shall be made within 5
7 days after the arrest or the bringing of charges and the report
8 shall include the health professional's name, a description of
9 the conduct on which the offense is based, and, if known, the
10 health professional's home address and practice address.

11 (d) The State's Attorney shall report to the Department of
12 Financial and Professional Regulation within 5 days after the
13 conviction for a felony or Class A misdemeanor of a person who
14 the State's Attorney's office knows or has reason to believe
15 is licensed or registered by the Department of Financial and
16 Professional Regulation as a health professional.

17 (e) The Department of Financial and Professional
18 Regulation may adopt any rules necessary to implement,
19 administer, and enforce this Section.

20 Section 10. The Hospital Licensing Act is amended by
21 changing Sections 6.14c, 7, and 9.6 as follows:

22 (210 ILCS 85/6.14c)

23 Sec. 6.14c. Posting of information.

24 (a) Every hospital shall conspicuously post, either by

1 physical or electronic means, for display in an area of its
2 offices accessible to patients, employees, and visitors the
3 following:

4 (1) its current license;

5 (2) signage, whether multiple signs or a combined
6 sign, that includes:

7 (A) a description, provided by the Department, of:

8 (i) complaint procedures established under this Act,
9 including procedures for allegations of abuse and
10 reportable conduct under Section 9.6; (ii) and the
11 name, address, and telephone number of a person
12 authorized by the Department to receive complaints;
13 and (iii) the contact number of the Department and
14 local law enforcement;

15 (B) a description of: (i) the hospital's process
16 for employees to report allegations of abuse to
17 hospital administration, including that hospital
18 administration is required to investigate, document,
19 and send reports and logs to the Department; and (ii)
20 the process by which employees may report allegations
21 of abuse to the Department, including
22 DPH.HospitalReports@illinois.gov, the Department's
23 email address for such reports; and

24 (C) the following message, or one substantially
25 similar to it: "You may report any incidents of actual
26 or potential misconduct by health professionals or

1 other persons licensed by the Illinois Department of
2 Financial and Professional Regulation (IDFPR),
3 including incidents that you choose to voluntarily
4 report and incidents subject to mandatory reporting
5 under 20 ILCS 2105/2105-390, at IDFPR's website.";

6 (3) a list of any orders pertaining to the hospital
7 issued by the Department during the past year and any
8 court orders reviewing such Department orders issued
9 during the past year; and

10 (4) a list of the material available for public
11 inspection under Section 6.14d.

12 (b) Each hospital shall post, either by physical or
13 electronic means, in each facility that has an emergency room,
14 a notice in a conspicuous location in the emergency room with
15 information about how to enroll in health insurance through
16 the Illinois health insurance marketplace in accordance with
17 Sections 1311 and 1321 of the federal Patient Protection and
18 Affordable Care Act.

19 (Source: P.A. 101-117, eff. 1-1-20; 102-4, eff. 4-27-21.)

20 (210 ILCS 85/7) (from Ch. 111 1/2, par. 148)

21 Sec. 7. (a) The Director after notice and opportunity for
22 hearing to the applicant or licensee may deny, suspend, or
23 revoke a permit to establish a hospital or deny, suspend, or
24 revoke a license to open, conduct, operate, and maintain a
25 hospital in any case in which he finds that there has been a

1 substantial failure to comply with the provisions of this Act,
2 the Hospital Report Card Act, or the Illinois Adverse Health
3 Care Events Reporting Law of 2005 or the standards, rules, and
4 regulations established by virtue of any of those Acts. The
5 Department may impose fines on hospitals, not to exceed \$500
6 per occurrence, for failing to (1) initiate a criminal
7 background check on a patient that meets the criteria for
8 hospital-initiated background checks; ~~or~~ (2) report the death
9 of a person known to be a resident of a facility licensed under
10 the ID/DD Community Care Act or the MC/DD Act to the coroner or
11 medical examiner within 24 hours as required by Section 6.09a
12 of this Act; or (3) comply with Section 3.2 of the Criminal
13 Identification Act. In assessing whether to impose such a fine
14 for failure to initiate a criminal background check, the
15 Department shall consider various factors, including, but not
16 limited to, whether the hospital has engaged in a pattern or
17 practice of failing to initiate criminal background checks.
18 Money from fines shall be deposited into the Long-Term ~~Long~~
19 ~~Term~~ Care Provider Fund.

20 (a-5) If a hospital demonstrates a pattern or practice of
21 failing to substantially comply with the requirements of
22 Section 10.10 or the hospital's written staffing plan, the
23 hospital shall provide a plan of correction to the Department
24 within 60 days. The Department may impose fines as follows:
25 (i) if a hospital fails to implement a written staffing plan
26 for nursing services, a fine not to exceed \$500 per occurrence

1 may be imposed; (ii) if a hospital demonstrates a pattern or
2 practice of failing to substantially comply with a plan of
3 correction within 60 days after the plan takes effect, a fine
4 not to exceed \$500 per occurrence may be imposed; and (iii) if
5 a hospital demonstrates for a second or subsequent time a
6 pattern or practice of failing to substantially comply with a
7 plan of correction within 60 days after the plan takes effect,
8 a fine not to exceed \$1,000 per occurrence may be imposed.
9 Reports of violations of Section 10.10 shall be subject to
10 public disclosure under Section 6.14a. Money from fines
11 imposed under ~~within~~ this subsection (a-5) shall be deposited
12 into the Hospital Licensure Fund, and money from fines for
13 violations of Section 10.10 shall be used for scholarships
14 under the Nursing Education Scholarship Law.

15 (a-10) Failure to comply with subsection (a), (a-1), (b),
16 (c), (d), (d-1), (e), (f), (g), (g-1), or (j) of Section 9.6
17 may result in the following fines: (1) \$10,000 for the first
18 violation; (2) \$15,000 for a second violation within 5 years
19 of the first violation if there has been no change in ownership
20 since the first violation; and (3) \$25,000 for a third
21 violation and every subsequent violation within 7 years of the
22 first violation if there has been no change in ownership since
23 the first violation. Money from fines imposed under this
24 subsection (a-10) relating to incidents involving sexual abuse
25 or assault shall be deposited into the Sexual Assault Services
26 and Prevention Fund. All other fines recovered relating to

1 this subsection (a-10) shall be deposited into the Hospital
2 Licensure Fund. The Department may adopt rules to further
3 implement these provisions, including the process and time
4 frame for submission and approval of a plan of correction. The
5 Department may conduct an investigation or inspection as
6 deemed necessary. The failure to submit an approved plan of
7 correction may result in the Department imposing a plan of
8 correction on the facility. The Department may conduct a visit
9 or request additional information to determine whether the
10 hospital is following the approved or imposed plan of
11 correction.

12 (b) Such notice shall be effected by certified ~~registered~~
13 mail or by personal service setting forth the particular
14 reasons for the proposed action and fixing a date, not less
15 than 15 days from the date of such mailing or service, at which
16 time the applicant or licensee shall be given an opportunity
17 for a hearing. Such hearing shall be conducted by the Director
18 or by an employee of the Department designated in writing by
19 the Director as Hearing Officer to conduct the hearing. On the
20 basis of any such hearing, or upon default of the applicant or
21 licensee, the Director shall make a determination specifying
22 his findings and conclusions. In case of a denial to an
23 applicant of a permit to establish a hospital, such
24 determination shall specify the subsection of Section 6 under
25 which the permit was denied and shall contain findings of fact
26 forming the basis of such denial. A copy of such determination

1 shall be sent by certified ~~registered~~ mail or served
2 personally upon the applicant or licensee. The decision
3 denying, suspending, or revoking a permit or a license shall
4 become final 35 days after it is so mailed or served, unless
5 the applicant or licensee, within such 35-day ~~35-day~~ period,
6 petitions for review pursuant to Section 13.

7 (c) The procedure governing hearings authorized by this
8 Section shall be in accordance with rules promulgated by the
9 Department and approved by the Hospital Licensing Board. A
10 full and complete record shall be kept of all proceedings,
11 including the notice of hearing, complaint, and all other
12 documents in the nature of pleadings, written motions filed in
13 the proceedings, and the report and orders of the Director and
14 Hearing Officer. All testimony shall be reported but need not
15 be transcribed unless the decision is appealed pursuant to
16 Section 13. A copy or copies of the transcript may be obtained
17 by any interested party on payment of the cost of preparing
18 such copy or copies.

19 (d) The Director or Hearing Officer shall, upon his own
20 motion, or on the written request of any party to the
21 proceeding, issue subpoenas requiring the attendance and the
22 giving of testimony by witnesses, and subpoenas duces tecum
23 requiring the production of books, papers, records, or
24 memoranda. All subpoenas and subpoenas duces tecum issued
25 under the terms of this Act may be served by any person of full
26 age. The fees of witnesses for attendance and travel shall be

1 the same as the fees of witnesses before the Circuit Court of
2 this State, such fees to be paid when the witness is excused
3 from further attendance. When the witness is subpoenaed at the
4 instance of the Director, or Hearing Officer, such fees shall
5 be paid in the same manner as other expenses of the Department,
6 and when the witness is subpoenaed at the instance of any other
7 party to any such proceeding, the Department may require that
8 the cost of service of the subpoena or subpoena duces tecum and
9 the fee of the witness be borne by the party at whose instance
10 the witness is summoned. In such case, the Department, in its
11 discretion, may require a deposit to cover the cost of such
12 service and witness fees. A subpoena or subpoena duces tecum
13 issued as aforesaid shall be served in the same manner as a
14 subpoena issued out of a court.

15 (e) Any Circuit Court of this State upon the application
16 of the Director, or upon the application of any other party to
17 the proceeding, may, in its discretion, compel the attendance
18 of witnesses, the production of books, papers, records, or
19 memoranda and the giving of testimony before the Director or
20 Hearing Officer conducting an investigation or holding a
21 hearing authorized by this Act, by an attachment for contempt,
22 or otherwise, in the same manner as production of evidence may
23 be compelled before the court.

24 (f) The Director or Hearing Officer, or any party in an
25 investigation or hearing before the Department, may cause the
26 depositions of witnesses within the State to be taken in the

1 manner prescribed by law for like depositions in civil actions
2 in courts of this State, and to that end compel the attendance
3 of witnesses and the production of books, papers, records, or
4 memoranda.

5 (Source: P.A. 102-641, eff. 8-27-21; revised 6-25-25.)

6 (210 ILCS 85/9.6)

7 Sec. 9.6. Patient protection; reports related to patient
8 abuse and reportable conduct ~~from abuse~~.

9 (a) No administrator, agent, or employee of a hospital or
10 a hospital affiliate, or a member of a hospital's medical
11 staff, or any other staff providing contracted services in the
12 hospital or hospital-affiliated clinic, may abuse a patient in
13 the hospital or in a facility operated by a hospital
14 affiliate.

15 (a-1) A hospital or hospital affiliate shall adopt a
16 written policy regarding patient protection from abuse and the
17 logging and reporting of obligations under this Section. The
18 Department may periodically conduct on-site reviews of such
19 policies.

20 (b) Any hospital administrator, agent, employee, or
21 medical staff member, any hospital-affiliated clinic's
22 professional staff under the hospital's or hospital's health
23 system's ownership, or an administrator, employee, or
24 physician employed by a hospital affiliate, who is made aware
25 of allegations of abuse or reportable conduct or has

1 reasonable cause to believe that any patient with whom he or
2 she has direct contact has been subjected to abuse or
3 reportable conduct in the hospital or hospital affiliate shall
4 promptly provide an account of the allegation or belief or
5 cause an account of the allegation or belief to be provided
6 ~~report or cause a report to be made~~ to a designated hospital
7 administrator responsible for providing such reports to the
8 Department as required by this Section.

9 (c) Retaliatory action ~~Retaliation~~ against a person who
10 lawfully and in good faith provides an account or causes an
11 account to be provided under subsection (b) ~~makes a report~~
12 ~~under this Section~~ is prohibited.

13 (d) Upon receiving an account ~~a report~~ under subsection
14 (b) of this Section, the hospital or hospital affiliate shall
15 immediately initiate an internal review as set forth in
16 subsection (f) of this Section. The hospital or hospital
17 affiliate shall, within 48 hours after receiving the account,
18 assess the information gathered in the internal review and
19 determine whether reasonable cause to support the account
20 exists, reasonable cause to support the account does not
21 exist, or further investigation is needed. If it determines
22 that reasonable cause to support the account exists or that
23 further investigation is needed, the hospital or hospital
24 affiliate shall submit a report of the account to the
25 Department in accordance with subsection (g) within 24 hours
26 after such determination. If it determines that reasonable

1 cause to support the account does not exist, the hospital or
2 hospital affiliate shall document and log the account, in
3 accordance with subsection (g-1), within 24 hours after such
4 determination ~~submit the report to the Department within 24~~
5 ~~hours of obtaining such report.~~ In the event that the hospital
6 or hospital affiliate receives multiple accounts ~~reports~~
7 involving a single alleged instance of abuse or reportable
8 conduct, the hospital or hospital affiliate shall submit one
9 report to the Department.

10 (d-1) If, at any time, additional evidence becomes
11 available that changes the determination of whether there was
12 reasonable cause to support the account or not, the hospital
13 or hospital affiliate shall adjust its records accordingly.
14 Specifically, (i) if the account was originally determined to
15 be supported by reasonable cause, but subsequent evidence
16 reveals that there is no reasonable cause, then the hospital
17 or hospital affiliate shall file an amendment to its report to
18 the Department so indicating, or (ii) if the account was
19 originally determined not to be supported by reasonable cause,
20 but subsequent evidence reveals that there is reasonable
21 cause, then the hospital or hospital affiliate shall, within
22 24 hours, file a report with the Department in accordance with
23 subsection (g) and update its log so indicating.

24 (d-2) If the hospital or hospital affiliate requires
25 additional time to make a determination whether there is
26 reasonable cause to support an account or not in accordance

1 with subsection (d) due to staff who need to be interviewed as
2 part of the internal review not being available due to time off
3 or not being scheduled to work, then the hospital or hospital
4 affiliate shall have an additional 24 hours within which to
5 report or log the account as required in subsection (d). In
6 such an event, the hospital or hospital affiliate shall
7 clearly note the fact in the report or log, as applicable, that
8 the additional time was due to the unavailability of staff as
9 specified in this subsection (d-2).

10 (e) Upon receiving an account under subsection (b) ~~a~~
11 ~~report under this Section~~, the hospital or hospital affiliate
12 shall promptly take necessary action ~~conduct an internal~~
13 ~~review~~ to ensure the alleged victim's safety. Measures to
14 protect the alleged victim shall be taken as deemed necessary
15 by the hospital's administrator and may include, but are not
16 limited to: (i), removing suspected violators from further
17 patient contact during the hospital's or hospital affiliate's
18 internal review; (ii) requiring a third party to accompany the
19 suspected violator while such person is engaged in patient
20 care activities; or (iii) such other measures as deemed
21 appropriate by the hospital administrator to ensure patient
22 safety. If the alleged victim lacks decision-making capacity
23 under the Health Care Surrogate Act and no health care
24 surrogate is available, the hospital or hospital affiliate may
25 contact the Illinois Guardianship and Advocacy Commission to
26 determine the need for a temporary guardian of that person.

1 (f) All ~~internal~~ hospital and hospital affiliate internal
2 reviews shall be conducted by a designated employee or agent
3 who is qualified to detect abuse and is not involved in the
4 alleged victim's treatment. All internal review findings must
5 be documented and filed according to the policy adopted by the
6 hospital or hospital affiliate pursuant to subsection (a-1).
7 Internal reviews may include, but are not limited to: (i)
8 interviewing the alleged victim and family members of the
9 alleged victim, the suspected violator, and ancillary staff
10 who may have witnessed the event or have knowledge of the
11 event; (ii) with the alleged victim's consent, conducting
12 physical exams and documenting any findings; (iii) reviewing
13 any video recordings or other records that may be available;
14 and (iv) such other investigatory activities as may be
15 reasonable and appropriate. ~~hospital or hospital affiliate~~
16 ~~procedures and shall be made available to the Department upon~~
17 ~~request.~~

18 (g) A report required by subsection (d) shall be in
19 writing and shall contain the following information:

20 (1) the name of the hospital or hospital affiliate
21 making the report and the name, address, telephone number,
22 and email address of the administrator making the report
23 on its behalf;

24 (2) the name, address, telephone number, and email
25 address of the person who is accused and, if the person is
26 professionally licensed, the profession and professional

1 license number of the person, if known;

2 (3) the name, address, or other contact information of
3 the individual or individuals who raised the allegation or
4 belief that is the subject of the report;

5 (4) the name and age of the patient involved and the
6 nature of their condition, including any evidence of
7 previous injuries or disabilities;

8 (5) a description of the acts that are alleged to have
9 occurred, including the location, date, and time of the
10 alleged acts, and a copy of any document or file
11 containing the allegations received by the hospital or
12 hospital affiliate;

13 (6) any extenuating information or further pertinent
14 information that the reporting party deems to be an aid in
15 the evaluation of the report, including, without
16 limitation, information showing that the accused person
17 was acting in self-defense;

18 (7) a statement as to whether, at the time of the
19 filing of the report, the hospital's or hospital
20 affiliate's internal review is (i) complete or (ii)
21 ongoing and, if still ongoing, an estimated date for
22 completion; and

23 (8) if the report concerns abuse of unknown cause, any
24 other information that the reporter believes might be
25 helpful in establishing the cause of the reported abuse
26 and the identity of the person believed to have caused the

~~abuse. Any other person may make a report of patient abuse to the Department if that person has reasonable cause to believe that a patient has been abused in the hospital or hospital affiliate.~~

(g-1) If an internal review conducted pursuant to subsections (d) and (f) determines that reasonable cause to support the account does not exist, the hospital or hospital affiliate shall document and log such findings within 24 hours after such determination. The log shall include the following information:

(1) the name, address, telephone number, and email address of the person who was accused and, if the person is professionally licensed, the profession and professional license number of the person, if known;

(2) the name, address, or other contact information of the individual or individuals who raised the allegation or belief that was the subject of the account;

(3) the name and age of the patient involved and the nature of the patient's condition, including any evidence of previous injuries or disabilities;

(4) a description of the acts that were alleged to have occurred, including the location, date, and time of the alleged acts, and a copy of any document or file containing the allegations received by the hospital or hospital affiliate;

(5) any extenuating information or further pertinent

1 information that the reporting party deems to be an aid in
2 the evaluation of the report, including, without
3 limitation, information showing that the accused person
4 was acting in self-defense;

5 (6) if the account concerns abuse of unknown cause,
6 any other information that the reporter believes might be
7 helpful in establishing the cause of the reported abuse
8 and the identity of the person believed to have caused the
9 abuse;

10 (7) a summary of the investigation, including the
11 steps taken during the investigation;

12 (8) a summary of the investigation's findings,
13 including why it was determined that reasonable cause to
14 support the account did not exist; and

15 (9) any other information that may be helpful in
16 explaining the investigation or reason for the
17 investigation's findings.

18 Commencing on December 31, 2027, hospitals shall submit
19 their logs to the Department twice per year. Additionally, the
20 Department or the Department of Financial and Professional
21 Regulation may request to review a hospital's log at any time
22 and from time to time, and the hospital shall provide such
23 logs.

24 (h) Any other person may make a report of patient abuse or
25 reportable conduct to the Department if that person has
26 reasonable cause to believe that a patient has been abused or

1 otherwise harmed in the hospital or hospital affiliate. ~~The~~
2 ~~report required under this Section shall include: the name of~~
3 ~~the patient; the name and address of the hospital or hospital~~
4 ~~affiliate treating the patient; the age of the patient; the~~
5 ~~nature of the patient's condition, including any evidence of~~
6 ~~previous injuries or disabilities; and any other information~~
7 ~~that the reporter believes might be helpful in establishing~~
8 ~~the cause of the reported abuse and the identity of the person~~
9 ~~believed to have caused the abuse.~~

10 (i) A report made under this Section does not create a
11 presumption that the hospital or hospital affiliate that has
12 submitted the report, or the persons against whom the
13 allegations in the report are made, has committed a violation
14 or a criminal act. Except for willful or wanton misconduct,
15 any individual, person, institution, hospital, hospital
16 affiliate, or agency participating in good faith in the making
17 of a report under this Section, or in the investigation of such
18 a report or in making a disclosure of information concerning
19 reports of abuse or reportable conduct under this Section,
20 shall have immunity from any liability, whether civil,
21 professional, or criminal, that otherwise might result by
22 reason of such actions, including, but not limited to, any
23 defamation actions or tortious interference with contract
24 action. For the purpose of any proceedings, whether civil,
25 professional, or criminal, the good faith of any persons
26 required to report cases of suspected abuse or reportable

1 conduct under this Section or who disclose information
2 concerning reports of abuse or reportable conduct in
3 compliance with this Section, shall be presumed.

4 (j) No administrator, agent, or employee of a hospital or
5 hospital affiliate shall adopt or employ practices or
6 procedures designed to discourage good faith reporting of
7 patient abuse or reportable conduct under this Section.

8 (k) (Blank). ~~Every hospital and hospital affiliate shall~~
9 ~~ensure that all new and existing employees are trained in the~~
10 ~~detection and reporting of abuse of patients and retrained at~~
11 ~~least every 2 years thereafter.~~

12 (l) The Department shall investigate each report ~~of~~
13 ~~patient abuse~~ made under this Section according to the
14 procedures of the Department and review all logs submitted by
15 hospitals twice per year, except that a report ~~of abuse~~ which
16 indicates that a patient's life or safety is in imminent
17 danger shall be investigated within 24 hours of such report.
18 Under no circumstances may a hospital's or hospital
19 affiliate's internal review of an allegation of abuse replace
20 an investigation of the allegation by the Department. Within
21 30 days after receiving such a report, the Department shall
22 provide the reporting organization with an update as to the
23 status of the report indicating that the Department has
24 completed the investigation or that the investigation is still
25 ongoing. Thereafter, reporting organizations may contact the
26 Department for updates as to status of reports and anticipated

1 time frames for final disposition. The Department shall
2 respond to all requests for a status update within 10 days.

3 (m) The Department shall keep a continuing record of all
4 reports made pursuant to this Section, including indications
5 of the final determination of any investigation and the final
6 disposition of all reports. The Department shall inform the
7 investigated hospital or hospital affiliate and any other
8 person making a report under subsection (h) ~~(g)~~ of its final
9 determination or disposition in writing.

10 (n) The Department shall not disclose to the public any
11 information regarding any reports and investigations under
12 this Section unless and until the report ~~of abuse~~ is
13 substantiated following a full and proper investigation and a
14 final Department decision has been made.

15 (o) All patient identifiable information in any report or
16 investigation under this Section shall be confidential and
17 shall not be disclosed except as authorized by this Act or
18 other applicable law.

19 (p) Nothing in this Section relieves a hospital or
20 hospital affiliate administrator, or an employee, agent, or
21 medical staff member of the hospital or hospital affiliate
22 administrator from contacting appropriate law enforcement
23 authorities as required by law.

24 (q) Nothing in this Section shall be construed to mean
25 that a patient is a victim of abuse because of health care
26 services provided or not provided by health care

1 professionals.

2 (r) Nothing in this Section shall require a hospital or
3 hospital affiliate, including its employees, agents, and
4 medical staff members, to provide any services to a patient in
5 contravention of his or her stated or implied objection
6 thereto upon grounds that such services conflict with his or
7 her religious beliefs or practices, nor shall such a patient
8 be considered abused under this Section for the exercise of
9 such beliefs or practices.

10 (s) The Department's implementation of this Section is
11 subject to appropriations to the Department for that purpose.

12 (t) As used in this Section, the following terms have the
13 following meanings:

14 "Abuse" means any physical or mental injury or sexual
15 abuse intentionally inflicted by a hospital or hospital
16 affiliate employee, agent, or medical staff member on a
17 patient of the hospital or hospital affiliate and does not
18 include any hospital or hospital affiliate, medical, health
19 care, or other personal care services done in good faith in the
20 interest of the patient according to established medical and
21 clinical standards of care.

22 "Hospital affiliate" has the meaning given to that term in
23 Section 10.8.

24 "Mental injury" means intentionally caused emotional
25 distress in a patient from words or gestures that would be
26 considered by a reasonable person to be humiliating,

1 harassing, or threatening and which causes observable and
2 substantial impairment.

3 "Qualified to detect abuse" means that the individual is a
4 risk manager, in-house or outside legal counsel, social
5 worker, or other person who has experience or been trained in
6 investigations of abuse allegations.

7 "Reportable conduct" means conduct that a person who is
8 working for or at the hospital or hospital affiliate has a duty
9 to report under Section 2105-390 of the Department of
10 Professional Regulation Law of the Civil Administrative Code
11 of Illinois.

12 "Retaliatory action" has the meaning given to that term in
13 Section 5 of the Whistleblower Act.

14 "Sexual abuse" means any intentional act of sexual contact
15 or sexual penetration of a patient in the hospital or any
16 instance of sexual conduct.

17 "Substantiated", with respect to a report of abuse, means
18 that a preponderance of the evidence indicates that abuse
19 occurred.

20 (Source: P.A. 103-803, eff. 1-1-25.)

21 Section 15. The Acupuncture Practice Act is amended by
22 changing Section 110 as follows:

23 (225 ILCS 2/110)

24 (Section scheduled to be repealed on January 1, 2028)

1 Sec. 110. Grounds for disciplinary action. ~~(a)~~ The
2 Department may refuse to issue or to renew, place on
3 probation, suspend, revoke, or take other disciplinary or
4 non-disciplinary action as deemed appropriate, including the
5 imposition of fines not to exceed \$10,000 for each violation,
6 as the Department may deem proper, with regard to a license for
7 any one or combination of the following causes:

8 (1) Violations of this Act or its rules.

9 (2) Conviction by plea of guilty or nolo contendere,
10 finding of guilt, jury verdict, or entry of judgment or
11 sentencing, including, but not limited to, convictions,
12 preceding sentences of supervision, conditional discharge,
13 or first offender probation, under the laws of any
14 jurisdiction of the United States that is (i) a felony or
15 (ii) a misdemeanor, an essential element of which is
16 dishonesty or that is directly related to the practice of
17 the profession.

18 (3) Making any misrepresentation for the purpose of
19 obtaining a license.

20 (4) Aiding or assisting another person in violating
21 any provision of this Act or its rules.

22 (5) Failing to provide information within 60 days in
23 response to a written request made by the Department which
24 has been sent by certified or registered mail to the
25 licensee's address of record or by email to the licensee's
26 email address of record.

1 (6) Discipline by another U.S. jurisdiction or foreign
2 nation, if at least one of the grounds for the discipline
3 is the same or substantially equivalent to one set forth
4 in this Section.

5 (7) Solicitation of professional services by means
6 other than permitted under this Act.

7 (8) Failure to provide a patient with a copy of his or
8 her record upon the written request of the patient.

9 (9) Gross negligence in the practice of acupuncture.

10 (10) Habitual or excessive use or addiction to
11 alcohol, narcotics, stimulants, or any other chemical
12 agent or drug that results in an acupuncturist's inability
13 to practice with reasonable judgment, skill, or safety.

14 (11) A finding that licensure has been applied for or
15 obtained by fraudulent means.

16 (12) A pattern of practice or other behavior that
17 demonstrates incapacity or incompetence to practice under
18 this Act.

19 (13) Being named as a perpetrator in an indicated
20 report by the Department of Children and Family Services
21 under the Abused and Neglected Child Reporting Act and
22 upon the indicated report becoming final after a hearing
23 or opportunity for a hearing. ~~and upon proof by clear and~~
24 ~~convincing evidence that the licensee has caused a child~~
25 ~~to be an abused child or a neglected child as defined in~~
26 ~~the Abused and Neglected Child Reporting Act.~~

1 (14) Willfully failing to report an instance of
2 suspected child abuse or neglect as required by the Abused
3 and Neglected Child Reporting Act.

4 (15) The use of any words, abbreviations, figures, or
5 letters (such as "Acupuncturist", "Licensed
6 Acupuncturist", "Certified Acupuncturist", "Doctor of
7 Acupuncture and Chinese Medicine", "Doctor of Acupuncture
8 and Oriental Medicine", "Doctor of Acupuncture", "Oriental
9 Medicine Practitioner", "Licensed Oriental Medicine
10 Practitioner", "Oriental Medicine Doctor", "Licensed
11 Oriental Medicine Doctor", "C.A.", "Act.", "Lic. Act.",
12 "Lic. Ac.", "D.Ac.", "DACM", "DAOM", or "O.M.D.") or any
13 designation used by the Accreditation Commission for
14 Acupuncture and Oriental Medicine with the intention of
15 indicating practice as a licensed acupuncturist without a
16 valid license as an acupuncturist issued under this Act.

17 When the name of the licensed acupuncturist is used
18 professionally in oral, written, or printed announcements,
19 professional cards, or publications for the information of
20 the public, the degree title or degree abbreviation shall
21 be added immediately following title and name. When the
22 announcement, professional card, or publication is in
23 writing or in print, the explanatory addition shall be in
24 writing, type, or print not less than 1/2 the size of that
25 used in the name and title. No person other than the holder
26 of a valid existing license under this Act shall use the

1 title and designation of "acupuncturist", either directly
2 or indirectly, in connection with his or her profession or
3 business.

4 (16) Using claims of superior quality of care to
5 entice the public or advertising fee comparisons of
6 available services with those of other persons providing
7 acupuncture services.

8 (17) Advertising of professional services that the
9 offeror of the services is not licensed to render.
10 Advertising of professional services that contains false,
11 fraudulent, deceptive, or misleading material or
12 guarantees of success, statements that play upon the
13 vanity or fears of the public, or statements that promote
14 or produce unfair competition.

15 (18) Having treated ailments other than by the
16 practice of acupuncture as defined in this Act, or having
17 treated ailments ~~of~~ as a licensed acupuncturist pursuant
18 to a referral by written order that provides for
19 management of the patient by a physician or dentist
20 without having notified the physician or dentist who
21 established the diagnosis that the patient is receiving
22 acupuncture treatments.

23 (19) Unethical, unauthorized, or unprofessional
24 conduct as defined by rule.

25 (20) Physical illness, mental illness, or other
26 impairment that results in the inability to practice the

1 profession with reasonable judgment, skill, and safety,
2 including, without limitation, deterioration through the
3 aging process, mental illness, or disability.

4 (21) Violation of the Health Care Worker Self-Referral
5 Act.

6 (22) Failure to refer a patient whose condition
7 should, at the time of evaluation or treatment, be
8 determined to be beyond the scope of practice of the
9 acupuncturist to a licensed physician or dentist.

10 (23) Holding himself or herself out as being trained
11 in Chinese herbology without being able to provide the
12 Department with proof of status as a Diplomate of Oriental
13 Medicine certified by the National Certification
14 Commission for Acupuncture and Oriental Medicine or a
15 substantially equivalent status approved by the Department
16 or proof that he or she has successfully completed the
17 National Certification Commission for Acupuncture and
18 Oriental Medicine Chinese Herbology Examination or a
19 substantially equivalent examination approved by the
20 Department.

21 (24) Failure to report actual or alleged reportable
22 conduct in accordance with Section 2105-390 of the
23 Department of Professional Regulation Law of the Civil
24 Administrative Code of Illinois.

25 The entry of an order by a circuit court establishing that
26 any person holding a license under this Act is subject to

1 involuntary admission or judicial admission as provided for in
2 the Mental Health and Developmental Disabilities Code operates
3 as an automatic suspension of that license. That person may
4 have his or her license restored only upon the determination
5 by a circuit court that the patient is no longer subject to
6 involuntary admission or judicial admission and the issuance
7 of an order so finding and discharging the patient and upon the
8 Board's recommendation to the Department that the license be
9 restored. Where the circumstances so indicate, the Board may
10 recommend to the Department that it require an examination
11 prior to restoring a suspended license.

12 The Department may refuse to issue or renew the license of
13 any person who fails to (i) file a return or to pay the tax,
14 penalty, or interest shown in a filed return or (ii) pay any
15 final assessment of the tax, penalty, or interest as required
16 by any tax Act administered by the Illinois Department of
17 Revenue, until the time that the requirements of that tax Act
18 are satisfied.

19 In enforcing this Section, the Department upon a showing
20 of a possible violation may compel an individual licensed to
21 practice under this Act, or who has applied for licensure
22 under this Act, to submit to a mental or physical examination,
23 or both, as required by and at the expense of the Department.
24 The Department may order the examining physician to present
25 testimony concerning the mental or physical examination of the
26 licensee or applicant. No information shall be excluded by

1 reason of any common law or statutory privilege relating to
2 communications between the licensee or applicant and the
3 examining physician. The examining physicians shall be
4 specifically designated by the Department. The individual to
5 be examined may have, at his or her own expense, another
6 physician of his or her choice present during all aspects of
7 this examination. Failure of an individual to submit to a
8 mental or physical examination, when directed, shall be
9 grounds for suspension of his or her license until the
10 individual submits to the examination if the Department finds,
11 after notice and hearing, that the refusal to submit to the
12 examination was without reasonable cause.

13 If the Department finds an individual unable to practice
14 because of the reasons set forth in this Section, the
15 Department may require that individual to submit to care,
16 counseling, or treatment by physicians approved or designated
17 by the Department, as a condition, term, or restriction for
18 continued, restored, or renewed licensure to practice; or, in
19 lieu of care, counseling, or treatment, the Department may
20 file a complaint to immediately suspend, revoke, or otherwise
21 discipline the license of the individual. An individual whose
22 license was granted, continued, restored, renewed,
23 disciplined, or supervised subject to such terms, conditions,
24 or restrictions, and who fails to comply with such terms,
25 conditions, or restrictions, shall be referred to the
26 Secretary for a determination as to whether the individual

1 shall have his or her license suspended immediately, pending a
2 hearing by the Department.

3 In instances in which the Secretary immediately suspends a
4 person's license under this Section, a hearing on that
5 person's license must be convened by the Department within 30
6 days after the suspension and completed without appreciable
7 delay. The Department and Board shall have the authority to
8 review the subject individual's record of treatment and
9 counseling regarding the impairment to the extent permitted by
10 applicable federal statutes and regulations safeguarding the
11 confidentiality of medical records.

12 An individual licensed under this Act and affected under
13 this Section shall be afforded an opportunity to demonstrate
14 to the Department that he or she can resume practice in
15 compliance with acceptable and prevailing standards under the
16 provisions of his or her license.

17 (Source: P.A. 100-375, eff. 8-25-17; 101-201, eff. 1-1-20;
18 revised 6-24-25.)

19 Section 20. The Illinois Athletic Trainers Practice Act is
20 amended by changing Section 16 as follows:

21 (225 ILCS 5/16) (from Ch. 111, par. 7616)

22 (Section scheduled to be repealed on January 1, 2031)

23 Sec. 16. Grounds for discipline.

24 (1) The Department may refuse to issue or renew, or may

1 revoke, suspend, place on probation, reprimand, or take other
2 disciplinary or non-disciplinary action as the Department may
3 deem proper, including fines not to exceed \$10,000 for each
4 violation, with regard to any licensee for any one or
5 combination of the following:

6 (A) Material misstatement in furnishing information to
7 the Department;

8 (B) Violations of this Act, or of the rules or
9 regulations promulgated hereunder;

10 (C) Conviction of or plea of guilty to any crime under
11 the Criminal Code of 2012 or the laws of any jurisdiction
12 of the United States that is (i) a felony, (ii) a
13 misdemeanor, an essential element of which is dishonesty,
14 or (iii) of any crime that is directly related to the
15 practice of the profession;

16 (D) Fraud or any misrepresentation in applying for or
17 procuring a license under this Act, or in connection with
18 applying for renewal of a license under this Act;

19 (E) Professional incompetence or gross negligence;

20 (F) Malpractice;

21 (G) Aiding or assisting another person, firm,
22 partnership, or corporation in violating any provision of
23 this Act or rules;

24 (H) Failing, within 60 days, to provide information in
25 response to a written request made by the Department;

26 (I) Engaging in dishonorable, unethical, or

1 unprofessional conduct of a character likely to deceive,
2 defraud or harm the public;

3 (J) Habitual or excessive use or abuse of drugs
4 defined in law as controlled substances, alcohol, or any
5 other substance that results in the inability to practice
6 with reasonable judgment, skill, or safety;

7 (K) Discipline by another state, unit of government,
8 government agency, the District of Columbia, territory, or
9 foreign nation, if at least one of the grounds for the
10 discipline is the same or substantially equivalent to
11 those set forth herein;

12 (L) Directly or indirectly giving to or receiving from
13 any person, firm, corporation, partnership, or association
14 any fee, commission, rebate, or other form of compensation
15 for any professional services not actually or personally
16 rendered. Nothing in this subparagraph (L) affects any
17 bona fide independent contractor or employment
18 arrangements among health care professionals, health
19 facilities, health care providers, or other entities,
20 except as otherwise prohibited by law. Any employment
21 arrangements may include provisions for compensation,
22 health insurance, pension, or other employment benefits
23 for the provision of services within the scope of the
24 licensee's practice under this Act. Nothing in this
25 subparagraph (L) shall be construed to require an
26 employment arrangement to receive professional fees for

1 services rendered;

2 (M) A finding by the Department that the licensee
3 after having the licensee's license disciplined has
4 violated the terms of probation;

5 (N) Abandonment of an athlete;

6 (O) Willfully making or filing false records or
7 reports in the person's practice, including but not
8 limited to false records filed with State agencies or
9 departments;

10 (P) Willfully failing to report an instance of
11 suspected child abuse or neglect as required by the Abused
12 and Neglected Child Reporting Act;

13 (Q) Physical illness, including but not limited to
14 deterioration through the aging process, or loss of motor
15 skill that results in the inability to practice the
16 profession with reasonable judgment, skill, or safety;

17 (R) Solicitation of professional services other than
18 by permitted institutional policy;

19 (S) The use of any words, abbreviations, figures or
20 letters with the intention of indicating practice as an
21 athletic trainer without a valid license as an athletic
22 trainer under this Act;

23 (T) The evaluation or treatment of ailments of human
24 beings other than by the practice of athletic training as
25 defined in this Act or the treatment of injuries of
26 athletes by a licensed athletic trainer except by the

1 referral of a physician, physician assistant, advanced
2 practice registered nurse, podiatric physician, or
3 dentist;

4 (U) Willfully violating or knowingly assisting in the
5 violation of any law of this State relating to the use of
6 habit-forming drugs;

7 (V) Willfully violating or knowingly assisting in the
8 violation of any law of this State relating to the
9 practice of abortion;

10 (W) Continued practice by a person knowingly having an
11 infectious communicable or contagious disease;

12 (X) Being named as a perpetrator in an indicated
13 report by the Department of Children and Family Services
14 pursuant to the Abused and Neglected Child Reporting Act
15 and upon the indicated report becoming final after a
16 hearing or opportunity for a hearing; and upon proof by
17 ~~clear and convincing evidence that the licensee has caused~~
18 ~~a child to be an abused child or neglected child as defined~~
19 ~~in the Abused and Neglected Child Reporting Act;~~

20 (X-5) Failure to provide a monthly report on the
21 patient's progress to the referring physician, physician
22 assistant, advanced practice registered nurse, podiatric
23 physician, or dentist;

24 (Y) (Blank);

25 (Z) Failure to fulfill continuing education
26 requirements;

1 (AA) Allowing one's license under this Act to be used
2 by an unlicensed person in violation of this Act;

3 (BB) Practicing under a false or, except as provided
4 by law, assumed name;

5 (CC) Promotion of the sale of drugs, devices,
6 appliances, or goods provided in any manner to exploit the
7 client for the financial gain of the licensee;

8 (DD) Gross, willful, or continued overcharging for
9 professional services;

10 (EE) Mental illness or disability that results in the
11 inability to practice under this Act with reasonable
12 judgment, skill, or safety;

13 (FF) Cheating on or attempting to subvert the
14 licensing examination administered under this Act;

15 (GG) Violation of the Health Care Worker Self-Referral
16 Act; ~~or~~

17 (HH) Failure by a supervising athletic trainer of an
18 aide to maintain contact, including personal supervision
19 and instruction, to ensure the safety and welfare of an
20 athlete; or.

21 (II) Failure to report actual or alleged reportable
22 conduct in accordance with Section 2105-390 of the
23 Department of Professional Regulation Law of the Civil
24 Administrative Code of Illinois.

25 All fines imposed under this Section shall be paid within
26 60 days after the effective date of the order imposing the fine

1 or in accordance with the terms set forth in the order imposing
2 the fine.

3 (2) The determination by a circuit court that a licensee
4 is subject to involuntary admission or judicial admission as
5 provided in the Mental Health and Developmental Disabilities
6 Code operates as an automatic suspension. Such suspension will
7 end only upon a finding by a court that the licensee is no
8 longer subject to involuntary admission or judicial admission
9 and issuance of an order so finding and discharging the
10 licensee.

11 (3) The Department may refuse to issue or may suspend
12 without hearing, as provided for in the Code of Civil
13 Procedure, the license of any person who fails to file a
14 return, to pay the tax, penalty, or interest shown in a filed
15 return, or to pay any final assessment of tax, penalty, or
16 interest as required by any tax Act administered by the
17 Illinois Department of Revenue, until such time as the
18 requirements of any such tax Act are satisfied in accordance
19 with subsection (a) of Section 2105-15 of the Department of
20 Professional Regulation Law of the Civil Administrative Code
21 of Illinois.

22 (4) In enforcing this Section, the Department, upon a
23 showing of a possible violation, may compel any individual who
24 is licensed under this Act or any individual who has applied
25 for licensure to submit to a mental or physical examination or
26 evaluation, or both, which may include a substance abuse or

1 sexual offender evaluation, at the expense of the Department.
2 The Department shall specifically designate the examining
3 physician licensed to practice medicine in all of its branches
4 or, if applicable, the multidisciplinary team involved in
5 providing the mental or physical examination and evaluation.
6 The multidisciplinary team shall be led by a physician
7 licensed to practice medicine in all of its branches and may
8 consist of one or more or a combination of physicians licensed
9 to practice medicine in all of its branches, licensed
10 chiropractic physicians, licensed clinical psychologists,
11 licensed clinical social workers, licensed clinical
12 professional counselors, and other professional and
13 administrative staff. Any examining physician or member of the
14 multidisciplinary team may require any person ordered to
15 submit to an examination and evaluation pursuant to this
16 Section to submit to any additional supplemental testing
17 deemed necessary to complete any examination or evaluation
18 process, including, but not limited to, blood testing,
19 urinalysis, psychological testing, or neuropsychological
20 testing.

21 The Department may order the examining physician or any
22 member of the multidisciplinary team to provide to the
23 Department any and all records, including business records,
24 that relate to the examination and evaluation, including any
25 supplemental testing performed. The Department may order the
26 examining physician or any member of the multidisciplinary

1 team to present testimony concerning this examination and
2 evaluation of the licensee or applicant, including testimony
3 concerning any supplemental testing or documents relating to
4 the examination and evaluation. No information, report,
5 record, or other documents in any way related to the
6 examination and evaluation shall be excluded by reason of any
7 common law or statutory privilege relating to communication
8 between the licensee or applicant and the examining physician
9 or any member of the multidisciplinary team. No authorization
10 is necessary from the licensee or applicant ordered to undergo
11 an evaluation and examination for the examining physician or
12 any member of the multidisciplinary team to provide
13 information, reports, records, or other documents or to
14 provide any testimony regarding the examination and
15 evaluation. The individual to be examined may choose to have,
16 at the individual's own expense, another physician present
17 during all aspects of the examination.

18 Failure of any individual to submit to a mental or
19 physical examination or evaluation, or both, when directed,
20 shall result in an automatic suspension without hearing, until
21 such time as the individual submits to the examination. If the
22 Department finds a licensee unable to practice because of the
23 reasons set forth in this Section, the Department shall
24 require the licensee to submit to care, counseling, or
25 treatment by physicians approved or designated by the
26 Department as a condition for continued, reinstated, or

1 renewed licensure.

2 All substance-related violations shall mandate an
3 automatic substance abuse assessment. Failure to submit to an
4 assessment by a licensed physician who is certified as an
5 addictionist or an advanced practice registered nurse with a
6 specialty certification in addictions may be grounds for an
7 automatic suspension.

8 If the Department finds an individual unable to practice
9 or unfit for duty because of the reasons set forth in this
10 Section, the Department may require the individual to submit
11 to a substance abuse evaluation or treatment by individuals or
12 programs approved or designated by the Department, as a
13 condition, term, or restriction for continued, restored, or
14 renewed licensure to practice; or, in lieu of evaluation or
15 treatment, the Department may file a complaint to immediately
16 suspend, revoke, or otherwise discipline the license of the
17 individual. An individual whose license was granted,
18 continued, restored, renewed, disciplined, or supervised
19 subject to such terms, conditions, or restrictions, and who
20 fails to comply with such terms, conditions, or restrictions,
21 shall be referred to the Secretary for a determination as to
22 whether the individual shall have the registration suspended
23 immediately, pending a hearing by the Department.

24 When the Secretary immediately suspends a license under
25 this Section, a hearing upon such person's license must be
26 convened by the Department within 15 days after the suspension

1 and completed without appreciable delay. The Department shall
2 have the authority to review the licensee's record of
3 treatment and counseling regarding the impairment to the
4 extent permitted by applicable federal statutes and
5 regulations safeguarding the confidentiality of medical
6 records.

7 Individuals licensed under this Act who are affected under
8 this Section shall be afforded an opportunity to demonstrate
9 to the Department that they can resume practice in compliance
10 with acceptable and prevailing standards under the provisions
11 of their license.

12 (5) (Blank).

13 (6) In cases where the Department of Healthcare and Family
14 Services has previously determined a licensee or a potential
15 licensee is more than 30 days delinquent in the payment of
16 child support and has subsequently certified the delinquency
17 to the Department, the Department may refuse to issue or renew
18 or may revoke or suspend that person's license or may take
19 other disciplinary action against that person based solely
20 upon the certification of delinquency made by the Department
21 of Healthcare and Family Services in accordance with paragraph
22 (5) of subsection (a) of Section 2105-15 of the Department of
23 Professional Regulation Law of the Civil Administrative Code
24 of Illinois.

25 (Source: P.A. 104-152, eff. 1-1-26.)

1 Section 25. The Behavior Analyst Licensing Act is amended
2 by changing Section 60 as follows:

3 (225 ILCS 6/60)

4 (Section scheduled to be repealed on January 1, 2028)

5 Sec. 60. Grounds for disciplinary action.

6 (a) The Department may refuse to issue or renew a license,
7 or may suspend, revoke, place on probation, reprimand, or take
8 any other disciplinary or nondisciplinary action deemed
9 appropriate by the Department, including the imposition of
10 fines not to exceed \$10,000 for each violation, with regard to
11 any license issued under the provisions of this Act for any one
12 or a combination of the following grounds:

13 (1) material misstatements in furnishing information
14 to the Department or to any other State agency or in
15 furnishing information to any insurance company with
16 respect to a claim on behalf of a licensee or a client;

17 (2) violations or negligent or intentional disregard
18 of this Act or its rules;

19 (3) conviction of or entry of a plea of guilty or nolo
20 contendere, finding of guilt, jury verdict, or entry of
21 judgment or sentencing, including, but not limited to,
22 convictions, preceding sentences of supervision,
23 conditional discharge, or first offender probation, under
24 the laws of any jurisdiction of the United States that is
25 (i) a felony or (ii) a misdemeanor, an essential element

1 of which is dishonesty, or that is directly related to the
2 practice of behavior analysis;

3 (4) fraud or misrepresentation in applying for or
4 procuring a license under this Act or in connection with
5 applying for renewal or restoration of a license under
6 this Act;

7 (5) professional incompetence;

8 (6) gross negligence in practice under this Act;

9 (7) aiding or assisting another person in violating
10 any provision of this Act or its rules;

11 (8) failing to provide information within 60 days in
12 response to a written request made by the Department;

13 (9) engaging in dishonorable, unethical, or
14 unprofessional conduct of a character likely to deceive,
15 defraud, or harm the public as defined by the rules of the
16 Department or violating the rules of professional conduct
17 adopted by the Department;

18 (10) habitual or excessive use or abuse of drugs
19 defined in law as controlled substances, of alcohol, or of
20 any other substances that results in the inability to
21 practice with reasonable judgment, skill, or safety;

22 (11) adverse action taken by another state or
23 jurisdiction if at least one of the grounds for the
24 discipline is the same or substantially equivalent to
25 those set forth in this Section;

26 (12) directly or indirectly giving to or receiving

1 from any person, firm, corporation, partnership, or
2 association any fee, commission, rebate, or other form of
3 compensation for any professional service not actually
4 rendered; nothing in this paragraph affects any bona fide
5 independent contractor or employment arrangements among
6 health care professionals, health facilities, health care
7 providers, or other entities, except as otherwise
8 prohibited by law; any employment arrangements may include
9 provisions for compensation, health insurance, pension, or
10 other employment benefits for the provision of services
11 within the scope of the licensee's practice under this
12 Act; nothing in this paragraph shall be construed to
13 require an employment arrangement to receive professional
14 fees for services rendered;

15 (13) a finding by the Department that the licensee,
16 after having the license placed on probationary status,
17 has violated the terms of probation or failed to comply
18 with those terms;

19 (14) abandonment, without cause, of a client;

20 (15) willfully making or filing false records or
21 reports relating to a licensee's practice, including, but
22 not limited to, false records filed with federal or State
23 agencies or departments;

24 (16) willfully failing to report an instance of
25 suspected child abuse or neglect as required by the Abused
26 and Neglected Child Reporting Act;

1 (17) being named as a perpetrator in an indicated
2 report by the Department of Children and Family Services
3 under the Abused and Neglected Child Reporting Act and
4 upon the indicated report becoming final after a hearing
5 or opportunity for a hearing; ~~and upon proof by clear and~~
6 ~~convincing evidence that the licensee has caused a child~~
7 ~~to be an abused child or neglected child as defined in the~~
8 ~~Abused and Neglected Child Reporting Act;~~

9 (18) physical illness, mental illness, or any other
10 impairment or disability, including, but not limited to,
11 deterioration through the aging process, or loss of motor
12 skills that results in the inability to practice the
13 profession with reasonable judgment, skill, or safety;

14 (19) solicitation of professional services by using
15 false or misleading advertising;

16 (20) violation of the Health Care Worker Self-Referral
17 Act;

18 (21) willfully failing to report an instance of
19 suspected abuse, neglect, financial exploitation, or
20 self-neglect of an eligible adult as defined in and
21 required by the Adult Protective Services Act; ~~or~~

22 (22) being named as an abuser in a verified report by
23 the Department on Aging under the Adult Protective
24 Services Act, and upon proof by clear and convincing
25 evidence that the licensee abused, neglected, or
26 financially exploited an eligible adult as defined in the

1 Adult Protective Services Act; ~~or~~

2 (23) failing to report actual or alleged reportable
3 conduct in accordance with Section 2105-390 of the
4 Department of Professional Regulation Law of the Civil
5 Administrative Code of Illinois.

6 (b) The determination by a court that a licensee is
7 subject to involuntary admission or judicial admission as
8 provided in the Mental Health and Developmental Disabilities
9 Code shall result in an automatic suspension of the licensee's
10 license. The suspension shall end upon a finding by a court
11 that the licensee is no longer subject to involuntary
12 admission or judicial admission and issues an order so finding
13 and discharging the patient, and upon the recommendation of
14 the Board to the Secretary that the licensee be allowed to
15 resume professional practice.

16 (c) The Department shall refuse to issue or renew or may
17 suspend the license of a person who (i) fails to file a tax
18 return, pay the tax, penalty, or interest shown in a filed tax
19 return, or pay any final assessment of tax, penalty, or
20 interest, as required by any tax Act administered by the
21 Department of Revenue, until the requirements of the tax Act
22 are satisfied or (ii) has failed to pay any court-ordered
23 child support as determined by a court order or by referral
24 from the Department of Healthcare and Family Services.

25 (c-1) The Department shall not revoke, suspend, place on
26 probation, reprimand, refuse to issue or renew, or take any

1 other disciplinary or non-disciplinary action against a
2 person's authorization to practice under this Act based solely
3 upon the person recommending, aiding, assisting, referring
4 for, or participating in any health care service, so long as
5 the care was not unlawful under the laws of this State,
6 regardless of whether the client was a resident of this State
7 or another state.

8 (c-2) The Department shall not revoke, suspend, place on
9 prohibition, reprimand, refuse to issue or renew, or take any
10 other disciplinary or non-disciplinary action against a
11 person's authorization to practice under this Act based upon
12 the person's license, registration, or permit being revoked or
13 suspended, or the person being otherwise disciplined, by any
14 other state if that revocation, suspension, or other form of
15 discipline was based solely on the person violating another
16 state's laws prohibiting the provision of, authorization of,
17 recommendation of, aiding or assisting in, referring for, or
18 participation in any health care service if that health care
19 service as provided would not have been unlawful under the
20 laws of this State and is consistent with the applicable
21 standard of conduct for a person practicing in Illinois under
22 this Act.

23 (c-3) The conduct specified in subsections (c-1) and (c-2)
24 shall not constitute grounds for suspension under Section 125.

25 (c-4) The Department shall not revoke, suspend, summarily
26 suspend, place on prohibition, reprimand, refuse to issue or

1 renew, or take any other disciplinary or non-disciplinary
2 action against a person's authorization to practice under this
3 Act based solely upon the person's license, registration, or
4 permit being revoked or suspended, or the person being
5 otherwise disciplined, by any other state or territory other
6 than Illinois for the referral for or having otherwise
7 participated in any health care service, if the revocation,
8 suspension, or disciplinary action was based solely on a
9 violation of the other state's law prohibiting such health
10 care services in the state, for a resident of the state, or in
11 any other state.

12 (d) In enforcing this Section, the Department, upon a
13 showing of a possible violation, may compel a person licensed
14 to practice under this Act, or who has applied for licensure
15 under this Act, to submit to a mental or physical examination,
16 or both, which may include a substance abuse or sexual
17 offender evaluation, as required by and at the expense of the
18 Department.

19 (1) The Department shall specifically designate the
20 examining physician licensed to practice medicine in all
21 of its branches or, if applicable, the multidisciplinary
22 team involved in providing the mental or physical
23 examination or both. The multidisciplinary team shall be
24 led by a physician licensed to practice medicine in all of
25 its branches and may consist of one or more or a
26 combination of physicians licensed to practice medicine in

1 all of its branches, licensed clinical psychologists,
2 licensed clinical professional counselors, and other
3 professional and administrative staff. Any examining
4 physician or member of the multidisciplinary team may
5 require any person ordered to submit to an examination
6 pursuant to this Section to submit to any additional
7 supplemental testing deemed necessary to complete any
8 examination or evaluation process, including, but not
9 limited to, blood testing, urinalysis, psychological
10 testing, or neuropsychological testing.

11 (2) The Department may order the examining physician
12 or any member of the multidisciplinary team to present
13 testimony concerning this mental or physical examination
14 of the licensee or applicant. No information, report,
15 record, or other documents in any way related to the
16 examination shall be excluded by reason of any common law
17 or statutory privilege relating to communications between
18 the licensee or applicant and the examining physician or
19 any member of the multidisciplinary team. No authorization
20 is necessary from the licensee or applicant ordered to
21 undergo an examination for the examining physician or any
22 member of the multidisciplinary team to provide
23 information, reports, records, or other documents or to
24 provide any testimony regarding the examination and
25 evaluation.

26 (3) The person to be examined may have, at the

1 person's own expense, another physician of the person's
2 choice present during all aspects of the examination.
3 However, that physician shall be present only to observe
4 and may not interfere in any way with the examination.

5 (4) The failure of any person to submit to a mental or
6 physical examination without reasonable cause, when
7 ordered, shall result in an automatic suspension of the
8 person's license until the person submits to the
9 examination.

10 (e) If the Department finds a person unable to practice
11 because of the reasons set forth in this Section, the
12 Department or Board may require that person to submit to care,
13 counseling, or treatment by physicians approved or designated
14 by the Department or Board, as a condition, term, or
15 restriction for continued, reinstated, or renewed licensure to
16 practice; or, in lieu of care, counseling, or treatment, the
17 Department may file, or the Board may recommend to the
18 Department to file, a complaint to immediately suspend,
19 revoke, or otherwise discipline the license of the person. Any
20 person whose license was granted, continued, reinstated,
21 renewed, disciplined, or supervised subject to the terms,
22 conditions, or restrictions, and who fails to comply with the
23 terms, conditions, or restrictions, shall be referred to the
24 Secretary for a determination as to whether the person shall
25 have the person's license suspended immediately, pending a
26 hearing by the Department.

1 (f) All fines imposed shall be paid within 60 days after
2 the effective date of the order imposing the fine or in
3 accordance with the terms set forth in the order imposing the
4 fine.

5 If the Secretary immediately suspends a person's license
6 under this subsection, a hearing on that person's license must
7 be convened by the Department within 30 days after the
8 suspension and completed without appreciable delay. The
9 Department and Board shall have the authority to review the
10 subject person's record of treatment and counseling regarding
11 the impairment, to the extent permitted by applicable federal
12 statutes and regulations safeguarding the confidentiality of
13 medical records.

14 A person licensed under this Act and affected under this
15 Section shall be afforded an opportunity to demonstrate to the
16 Department or Board that the person can resume practice in
17 compliance with acceptable and prevailing standards under the
18 provisions of the person's license.

19 (g) The Department may adopt rules to implement,
20 administer, and enforce this Section.

21 (Source: P.A. 104-432, eff. 1-1-26.)

22 Section 30. The Clinical Psychologist Licensing Act is
23 amended by changing Section 15 as follows:

24 (225 ILCS 15/15) (from Ch. 111, par. 5365)

1 (Section scheduled to be repealed on January 1, 2027)

2 Sec. 15. Disciplinary action; grounds.

3 (a) The Department may refuse to issue, refuse to renew,
4 suspend, or revoke any license, or may place on probation,
5 reprimand, or take other disciplinary or non-disciplinary
6 action deemed appropriate by the Department, including the
7 imposition of fines not to exceed \$10,000 for each violation,
8 with regard to any license issued under the provisions of this
9 Act for any one or a combination of the following reasons:

10 (1) Conviction of, or entry of a plea of guilty or nolo
11 contendere to, any crime that is a felony under the laws of
12 the United States or any state or territory thereof or
13 that is a misdemeanor of which an essential element is
14 dishonesty, or any crime that is directly related to the
15 practice of the profession.

16 (2) Gross negligence in the rendering of clinical
17 psychological services.

18 (3) Using fraud or making any misrepresentation in
19 applying for a license or in passing the examination
20 provided for in this Act.

21 (4) Aiding or abetting or conspiring to aid or abet a
22 person, not a clinical psychologist licensed under this
23 Act, in representing himself or herself as so licensed or
24 in applying for a license under this Act.

25 (5) Violation of any provision of this Act or the
26 rules promulgated thereunder.

1 (6) Professional connection or association with any
2 person, firm, association, partnership or corporation
3 holding himself, herself, themselves, or itself out in any
4 manner contrary to this Act.

5 (7) Unethical, unauthorized, or unprofessional conduct
6 as defined by rule. In establishing those rules, the
7 Department shall consider, though is not bound by, the
8 ethical standards for psychologists promulgated by
9 recognized national psychology associations.

10 (8) Aiding or assisting another person in violating
11 any provisions of this Act or the rules promulgated
12 thereunder.

13 (9) Failing to provide, within 60 days, information in
14 response to a written request made by the Department.

15 (10) Habitual or excessive use or addiction to
16 alcohol, narcotics, stimulants, or any other chemical
17 agent or drug that results in a clinical psychologist's
18 inability to practice with reasonable judgment, skill, or
19 safety.

20 (11) Discipline by another state, territory, the
21 District of Columbia, or foreign country, if at least one
22 of the grounds for the discipline is the same or
23 substantially equivalent to those set forth herein.

24 (12) Directly or indirectly giving or receiving from
25 any person, firm, corporation, association, or partnership
26 any fee, commission, rebate, or other form of compensation

1 for any professional service not actually or personally
2 rendered. Nothing in this paragraph (12) affects any bona
3 fide independent contractor or employment arrangements
4 among health care professionals, health facilities, health
5 care providers, or other entities, except as otherwise
6 prohibited by law. Any employment arrangements may include
7 provisions for compensation, health insurance, pension, or
8 other employment benefits for the provision of services
9 within the scope of the licensee's practice under this
10 Act. Nothing in this paragraph (12) shall be construed to
11 require an employment arrangement to receive professional
12 fees for services rendered.

13 (13) A finding that the licensee, after having his or
14 her license placed on probationary status, has violated
15 the terms of probation.

16 (14) Willfully making or filing false records or
17 reports, including, but not limited to, false records or
18 reports filed with State agencies or departments.

19 (15) Physical illness, including, but not limited to,
20 deterioration through the aging process, mental illness,
21 or disability that results in the inability to practice
22 the profession with reasonable judgment, skill, and
23 safety.

24 (16) Willfully failing to report an instance of
25 suspected child abuse or neglect as required by the Abused
26 and Neglected Child Reporting Act.

1 (17) Being named as a perpetrator in an indicated
2 report by the Department of Children and Family Services
3 pursuant to the Abused and Neglected Child Reporting Act
4 and upon the indicated report becoming final after a
5 hearing or opportunity for a hearing. ~~and upon proof by~~
6 ~~clear and convincing evidence that the licensee has caused~~
7 ~~a child to be an abused child or neglected child as defined~~
8 ~~in the Abused and Neglected Child Reporting Act.~~

9 (18) Violation of the Health Care Worker Self-Referral
10 Act.

11 (19) Making a material misstatement in furnishing
12 information to the Department, any other State or federal
13 agency, or any other entity.

14 (20) Failing to report to the Department any adverse
15 judgment, settlement, or award arising from a liability
16 claim related to an act or conduct similar to an act or
17 conduct that would constitute grounds for action as set
18 forth in this Section.

19 (21) Failing to report to the Department any adverse
20 final action taken against a licensee or applicant by
21 another licensing jurisdiction, including any other state
22 or territory of the United States or any foreign state or
23 country, or any peer review body, health care institution,
24 professional society or association related to the
25 profession, governmental agency, law enforcement agency,
26 or court for an act or conduct similar to an act or conduct

1 that would constitute grounds for disciplinary action as
2 set forth in this Section.

3 (22) Prescribing, selling, administering,
4 distributing, giving, or self-administering (A) any drug
5 classified as a controlled substance (designated product)
6 for other than medically accepted therapeutic purposes or
7 (B) any narcotic drug.

8 (23) Violating State or federal laws or regulations
9 relating to controlled substances, legend drugs, or
10 ephedra as defined in the Ephedra Prohibition Act.

11 (24) Exceeding the terms of a collaborative agreement
12 or the prescriptive authority delegated to a licensee by
13 his or her collaborating physician or established under a
14 written collaborative agreement.

15 (25) Failing to report actual or alleged reportable
16 conduct in accordance with Section 2105-390 of the
17 Department of Professional Regulation Law of the Civil
18 Administrative Code of Illinois.

19 The entry of an order by any circuit court establishing
20 that any person holding a license under this Act is subject to
21 involuntary admission or judicial admission as provided for in
22 the Mental Health and Developmental Disabilities Code,
23 operates as an automatic suspension of that license. That
24 person may have his or her license restored only upon the
25 determination by a circuit court that the patient is no longer
26 subject to involuntary admission or judicial admission and the

1 issuance of an order so finding and discharging the patient
2 and upon the Board's recommendation to the Department that the
3 license be restored. Where the circumstances so indicate, the
4 Board may recommend to the Department that it require an
5 examination prior to restoring any license so automatically
6 suspended.

7 The Department shall refuse to issue or suspend the
8 license of any person who fails to file a return, or to pay the
9 tax, penalty, or interest shown in a filed return, or to pay
10 any final assessment of the tax, penalty, or interest, as
11 required by any tax Act administered by the Illinois
12 Department of Revenue, until such time as the requirements of
13 any such tax Act are satisfied.

14 In enforcing this Section, the Department or Board upon a
15 showing of a possible violation may compel any person licensed
16 to practice under this Act, or who has applied for licensure or
17 certification pursuant to this Act, to submit to a mental or
18 physical examination, or both, as required by and at the
19 expense of the Department. The examining physicians or
20 clinical psychologists shall be those specifically designated
21 by the Department. The Board or the Department may order the
22 examining physician or clinical psychologist to present
23 testimony concerning this mental or physical examination of
24 the licensee or applicant. No information shall be excluded by
25 reason of any common law or statutory privilege relating to
26 communications between the licensee or applicant and the

1 examining physician or clinical psychologist. The person to be
2 examined may have, at his or her own expense, another
3 physician or clinical psychologist of his or her choice
4 present during all aspects of the examination. Failure of any
5 person to submit to a mental or physical examination, when
6 directed, shall be grounds for suspension of a license until
7 the person submits to the examination if the Department or
8 Board finds, after notice and hearing, that the refusal to
9 submit to the examination was without reasonable cause.

10 If the Department or Board finds a person unable to
11 practice because of the reasons set forth in this Section, the
12 Department or Board may require that person to submit to care,
13 counseling, or treatment by physicians or clinical
14 psychologists approved or designated by the Department, as a
15 condition, term, or restriction for continued, reinstated, or
16 renewed licensure to practice; or, in lieu of care,
17 counseling, or treatment, the Board may recommend to the
18 Department to file or the Department may file a complaint to
19 immediately suspend, revoke, or otherwise discipline the
20 license of the person. Any person whose license was granted,
21 continued, reinstated, renewed, disciplined, or supervised
22 subject to such terms, conditions, or restrictions, and who
23 fails to comply with such terms, conditions, or restrictions,
24 shall be referred to the Secretary for a determination as to
25 whether the person shall have his or her license suspended
26 immediately, pending a hearing by the Board.

1 In instances in which the Secretary immediately suspends a
2 person's license under this Section, a hearing on that
3 person's license must be convened by the Board within 15 days
4 after the suspension and completed without appreciable delay.
5 The Board shall have the authority to review the subject
6 person's record of treatment and counseling regarding the
7 impairment, to the extent permitted by applicable federal
8 statutes and regulations safeguarding the confidentiality of
9 medical records.

10 A person licensed under this Act and affected under this
11 Section shall be afforded an opportunity to demonstrate to the
12 Board that he or she can resume practice in compliance with
13 acceptable and prevailing standards under the provisions of
14 his or her license.

15 (b) The Department shall not revoke, suspend, place on
16 probation, reprimand, refuse to issue or renew, or take any
17 other disciplinary or non-disciplinary action against a
18 person's authorization to practice under this Act based solely
19 upon the person recommending, aiding, assisting, referring
20 for, or participating in any health care service, so long as
21 the care was not unlawful under the laws of this State,
22 regardless of whether the patient was a resident of this State
23 or another state.

24 (c) The Department shall not revoke, suspend, place on
25 prohibition, reprimand, refuse to issue or renew, or take any
26 other disciplinary or non-disciplinary action against a

1 person's authorization to practice under this Act based upon
2 the person's license, registration, or permit being revoked or
3 suspended, or the person being otherwise disciplined, by any
4 other state if that revocation, suspension, or other form of
5 discipline was based solely on the person violating another
6 state's laws prohibiting the provision of, authorization of,
7 recommendation of, aiding or assisting in, referring for, or
8 participation in any health care service if that health care
9 service as provided would not have been unlawful under the
10 laws of this State and is consistent with the applicable
11 standard of conduct for a person practicing in Illinois under
12 this Act.

13 (d) The conduct specified in subsections (b) and (c) shall
14 not constitute grounds for suspension under Section 21.6.

15 (e) The Department shall not revoke, suspend, summarily
16 suspend, place on prohibition, reprimand, refuse to issue or
17 renew, or take any other disciplinary or non-disciplinary
18 action against a person's authorization to practice under this
19 Act based solely upon the license, registration, or permit of
20 the person being suspended or revoked, or the person being
21 otherwise disciplined, by any other state or territory other
22 than Illinois for the referral for or having otherwise
23 participated in any health care service, if the revocation,
24 suspension, or other disciplinary action was based solely on a
25 violation of the other state's law prohibiting such health
26 care services in the state, for a resident of the state, or in

1 any other state.

2 (f) The Department may adopt rules to implement,
3 administer, and enforce this Section.

4 (Source: P.A. 104-432, eff. 1-1-26.)

5 Section 35. The Clinical Social Work and Social Work
6 Practice Act is amended by changing Section 19 as follows:

7 (225 ILCS 20/19)

8 (Section scheduled to be repealed on January 1, 2028)

9 Sec. 19. Grounds for disciplinary action.

10 (1) The Department may refuse to issue or renew a license,
11 or may suspend, revoke, place on probation, reprimand, or take
12 any other disciplinary or non-disciplinary action deemed
13 appropriate by the Department, including the imposition of
14 fines not to exceed \$10,000 for each violation, with regard to
15 any license issued under the provisions of this Act for any one
16 or a combination of the following grounds:

17 (a) material misstatements in furnishing information
18 to the Department or to any other State agency or in
19 furnishing information to any insurance company with
20 respect to a claim on behalf of a licensee or a patient;

21 (b) violations or negligent or intentional disregard
22 of this Act, or any of the rules promulgated hereunder;

23 (c) conviction of or entry of a plea of guilty or nolo
24 contendere, finding of guilt, jury verdict, or entry of

1 judgment or sentencing, including, but not limited to,
2 convictions, preceding sentences of supervision,
3 conditional discharge, or first offender probation, under
4 the laws of any jurisdiction of the United States that is
5 (i) a felony or (ii) a misdemeanor, an essential element
6 of which is dishonesty, or that is directly related to the
7 practice of the clinical social work or social work
8 professions;

9 (d) fraud or misrepresentation in applying for or
10 procuring a license under this Act or in connection with
11 applying for renewal or restoration of a license under
12 this Act;

13 (e) professional incompetence;

14 (f) gross negligence in practice under this Act;

15 (g) aiding or assisting another person in violating
16 any provision of this Act or its rules;

17 (h) failing to provide information within 60 days in
18 response to a written request made by the Department;

19 (i) engaging in dishonorable, unethical, or
20 unprofessional conduct of a character likely to deceive,
21 defraud, or harm the public as defined by the rules of the
22 Department, or violating the rules of professional conduct
23 adopted by the Department;

24 (j) habitual or excessive use or abuse of drugs
25 defined in law as controlled substances, of alcohol, or of
26 any other substances that results in the inability to

1 practice with reasonable judgment, skill, or safety;

2 (k) adverse action taken by another state or
3 jurisdiction, if at least one of the grounds for the
4 discipline is the same or substantially equivalent to
5 those set forth in this Section;

6 (l) directly or indirectly giving to or receiving from
7 any person, firm, corporation, partnership, or association
8 any fee, commission, rebate, or other form of compensation
9 for any professional service not actually rendered.
10 Nothing in this paragraph (l) affects any bona fide
11 independent contractor or employment arrangements among
12 health care professionals, health facilities, health care
13 providers, or other entities, except as otherwise
14 prohibited by law. Any employment arrangements may include
15 provisions for compensation, health insurance, pension, or
16 other employment benefits for the provision of services
17 within the scope of the licensee's practice under this
18 Act. Nothing in this paragraph (l) shall be construed to
19 require an employment arrangement to receive professional
20 fees for services rendered;

21 (m) a finding by the Department that the licensee,
22 after having the license placed on probationary status,
23 has violated the terms of probation or failed to comply
24 with such terms;

25 (n) abandonment, without cause, of a client;

26 (o) willfully making or filing false records or

1 reports relating to a licensee's practice, including, but
2 not limited to, false records filed with federal or State
3 agencies or departments;

4 (p) willfully failing to report an instance of
5 suspected child abuse or neglect as required by the Abused
6 and Neglected Child Reporting Act;

7 (q) being named as a perpetrator in an indicated
8 report by the Department of Children and Family Services
9 under the Abused and Neglected Child Reporting Act and
10 upon the indicated report becoming final after a hearing
11 or opportunity for a hearing; ~~and upon proof by clear and~~
12 ~~convincing evidence that the licensee has caused a child~~
13 ~~to be an abused child or neglected child as defined in the~~
14 ~~Abused and Neglected Child Reporting Act;~~

15 (r) physical illness, mental illness, or any other
16 impairment or disability, including, but not limited to,
17 deterioration through the aging process, or loss of motor
18 skills that results in the inability to practice the
19 profession with reasonable judgment, skill, or safety;

20 (s) solicitation of professional services by using
21 false or misleading advertising;

22 (t) violation of the Health Care Worker Self-Referral
23 Act;

24 (u) willfully failing to report an instance of
25 suspected abuse, neglect, financial exploitation, or
26 self-neglect of an eligible adult as defined in and

1 required by the Adult Protective Services Act; ~~or~~

2 (v) being named as an abuser in a verified report by
3 the Department on Aging under the Adult Protective
4 Services Act, and upon proof by clear and convincing
5 evidence that the licensee abused, neglected, or
6 financially exploited an eligible adult as defined in the
7 Adult Protective Services Act; or.

8 (w) failing to report actual or alleged reportable
9 conduct in accordance with Section 2105-390 of the
10 Department of Professional Regulation Law of the Civil
11 Administrative Code of Illinois.

12 (2) (Blank).

13 (3) The determination by a court that a licensee is
14 subject to involuntary admission or judicial admission as
15 provided in the Mental Health and Developmental Disabilities
16 Code, will result in an automatic suspension of the licensee's
17 license. Such suspension will end upon a finding by a court
18 that the licensee is no longer subject to involuntary
19 admission or judicial admission and the issuance of ~~issues~~ an
20 order so finding and discharging the patient, and upon the
21 recommendation of the Board to the Secretary that the licensee
22 be allowed to resume professional practice.

23 (4) The Department shall refuse to issue or renew or may
24 suspend the license of a person who (i) fails to file a return,
25 pay the tax, penalty, or interest shown in a filed return, or
26 pay any final assessment of tax, penalty, or interest, as

1 required by any tax Act administered by the Department of
2 Revenue, until the requirements of the tax Act are satisfied
3 or (ii) has failed to pay any court-ordered child support as
4 determined by a court order or by referral from the Department
5 of Healthcare and Family Services.

6 (4.5) The Department shall not revoke, suspend, summarily
7 suspend, place on prohibition, reprimand, refuse to issue or
8 renew, or take any other disciplinary or non-disciplinary
9 action against a person's authorization to practice under this
10 Act based solely upon the person authorizing, recommending,
11 aiding, assisting, referring for, or otherwise participating
12 in any health care service, so long as the care was not
13 unlawful under the laws of this State, regardless of whether
14 the patient was a resident of this State or another state.

15 (4.10) The Department shall not revoke, suspend, summarily
16 suspend, place on prohibition, reprimand, refuse to issue or
17 renew, or take any other disciplinary or non-disciplinary
18 action against a person's authorization to practice under this
19 Act based upon the person's license, registration, or permit
20 being revoked or suspended, or the person being otherwise
21 disciplined, by any other state if that revocation,
22 suspension, or other form of discipline was based solely on
23 the person violating another state's laws prohibiting the
24 provision of, authorization of, recommendation of, aiding or
25 assisting in, referring for, or participation in any health
26 care service if that health care service as provided would not

1 have been unlawful under the laws of this State and is
2 consistent with the applicable standard of conduct for a
3 person practicing in Illinois under this Act.

4 (4.15) The conduct specified in subsection (4.5), (4.10),
5 (4.25), or (4.30) shall not constitute grounds for suspension
6 under Section 32.

7 (4.20) An applicant seeking licensure, certification, or
8 authorization pursuant to this Act who has been subject to
9 disciplinary action by a duly authorized professional
10 disciplinary agency of another jurisdiction solely on the
11 basis of having authorized, recommended, aided, assisted,
12 referred for, or otherwise participated in health care shall
13 not be denied such licensure, certification, or authorization,
14 unless the Department determines that such action would have
15 constituted professional misconduct in this State; however,
16 nothing in this Section shall be construed as prohibiting the
17 Department from evaluating the conduct of such applicant and
18 making a determination regarding the licensure, certification,
19 or authorization to practice a profession under this Act.

20 (4.25) The Department may not revoke, suspend, summarily
21 suspend, place on prohibition, reprimand, refuse to issue or
22 renew, or take any other disciplinary or non-disciplinary
23 action against a person's authorization to practice under this
24 Act based solely upon an immigration violation by the person.

25 (4.30) The Department may not revoke, suspend, summarily
26 suspend, place on prohibition, reprimand, refuse to issue or

1 renew, or take any other disciplinary or non-disciplinary
2 action against a person's authorization to practice under this
3 Act based upon the person's license, registration, or permit
4 being revoked or suspended, or the person being otherwise
5 disciplined, by any other state if that revocation,
6 suspension, or other form of discipline was based solely upon
7 an immigration violation by the person.

8 (5) (a) In enforcing this Section, the Department or Board,
9 upon a showing of a possible violation, may compel a person
10 licensed to practice under this Act, or who has applied for
11 licensure under this Act, to submit to a mental or physical
12 examination, or both, which may include a substance abuse or
13 sexual offender evaluation, as required by and at the expense
14 of the Department.

15 (b) The Department shall specifically designate the
16 examining physician licensed to practice medicine in all of
17 its branches or, if applicable, the multidisciplinary team
18 involved in providing the mental or physical examination or
19 both. The multidisciplinary team shall be led by a physician
20 licensed to practice medicine in all of its branches and may
21 consist of one or more or a combination of physicians licensed
22 to practice medicine in all of its branches, licensed clinical
23 psychologists, licensed clinical social workers, licensed
24 clinical professional counselors, and other professional and
25 administrative staff. Any examining physician or member of the
26 multidisciplinary team may require any person ordered to

1 submit to an examination pursuant to this Section to submit to
2 any additional supplemental testing deemed necessary to
3 complete any examination or evaluation process, including, but
4 not limited to, blood testing, urinalysis, psychological
5 testing, or neuropsychological testing.

6 (c) The Board or the Department may order the examining
7 physician or any member of the multidisciplinary team to
8 present testimony concerning this mental or physical
9 examination of the licensee or applicant. No information,
10 report, record, or other documents in any way related to the
11 examination shall be excluded by reason of any common law or
12 statutory privilege relating to communications between the
13 licensee or applicant and the examining physician or any
14 member of the multidisciplinary team. No authorization is
15 necessary from the licensee or applicant ordered to undergo an
16 examination for the examining physician or any member of the
17 multidisciplinary team to provide information, reports,
18 records, or other documents or to provide any testimony
19 regarding the examination and evaluation.

20 (d) The person to be examined may have, at the person's own
21 expense, another physician of the person's choice present
22 during all aspects of the examination. However, that physician
23 shall be present only to observe and may not interfere in any
24 way with the examination.

25 (e) Failure of any person to submit to a mental or physical
26 examination without reasonable cause, when ordered, shall

1 result in an automatic suspension of the person's license
2 until the person submits to the examination.

3 (f) If the Department or Board finds a person unable to
4 practice because of the reasons set forth in this Section, the
5 Department or Board may require that person to submit to care,
6 counseling, or treatment by physicians approved or designated
7 by the Department or Board, as a condition, term, or
8 restriction for continued, reinstated, or renewed licensure to
9 practice; or, in lieu of care, counseling, or treatment, the
10 Department may file, or the Board may recommend to the
11 Department to file, a complaint to immediately suspend,
12 revoke, or otherwise discipline the license of the person. Any
13 person whose license was granted, continued, reinstated,
14 renewed, disciplined, or supervised subject to such terms,
15 conditions, or restrictions, and who fails to comply with such
16 terms, conditions, or restrictions, shall be referred to the
17 Secretary for a determination as to whether the person's
18 license shall be suspended immediately, pending a hearing by
19 the Department.

20 (g) All fines imposed shall be paid within 60 days after
21 the effective date of the order imposing the fine or in
22 accordance with the terms set forth in the order imposing the
23 fine.

24 In instances in which the Secretary immediately suspends a
25 person's license under this Section, a hearing on that
26 person's license must be convened by the Department within 30

1 days after the suspension and completed without appreciable
2 delay. The Department and Board shall have the authority to
3 review the subject person's record of treatment and counseling
4 regarding the impairment, to the extent permitted by
5 applicable federal statutes and regulations safeguarding the
6 confidentiality of medical records.

7 A person licensed under this Act and affected under this
8 Section shall be afforded an opportunity to demonstrate to the
9 Department or Board that the person can resume practice in
10 compliance with acceptable and prevailing standards under the
11 provisions of the person's license.

12 (h) The Department may adopt rules to implement,
13 administer, and enforce this Section ~~Public Act 102-1117~~.

14 (Source: P.A. 103-715, eff. 1-1-25; 103-1048, eff. 1-1-25;
15 104-417, eff. 8-15-25; 104-432, eff. 1-1-26; revised 9-15-25.)

16 Section 40. The Illinois Dental Practice Act is amended by
17 changing Section 23 as follows:

18 (225 ILCS 25/23) (from Ch. 111, par. 2323)

19 (Section scheduled to be repealed on January 1, 2031)

20 Sec. 23. Refusal, revocation or suspension of dental
21 licenses. The Department may refuse to issue or renew, or may
22 revoke, suspend, place on probation, reprimand or take other
23 disciplinary or non-disciplinary action as the Department may
24 deem proper, including imposing fines not to exceed \$10,000

1 per violation, with regard to any license for any one or any
2 combination of the following causes:

3 1. Fraud, misrepresentation, or concealment in
4 applying for or procuring a license under this Act, or in
5 connection with applying for renewal of a license under
6 this Act.

7 2. Inability to practice with reasonable judgment,
8 skill, or safety as a result of habitual or excessive use
9 or addiction to alcohol, narcotics, stimulants, or any
10 other chemical agent or drug.

11 3. Willful or repeated violations of the rules of the
12 Department of Public Health or Department of Nuclear
13 Safety.

14 4. Acceptance of a fee for service as a witness,
15 without the knowledge of the court, in addition to the fee
16 allowed by the court.

17 5. Division of fees or agreeing to split or divide the
18 fees received for dental services with any person for
19 bringing or referring a patient, except in regard to
20 referral services as provided for under Section 45, or
21 assisting in the care or treatment of a patient, without
22 the knowledge of the patient or the patient's legal
23 representative. Nothing in this item 5 affects any bona
24 fide independent contractor or employment arrangements
25 among health care professionals, health facilities, health
26 care providers, or other entities, except as otherwise

1 prohibited by law. Any employment arrangements may include
2 provisions for compensation, health insurance, pension, or
3 other employment benefits for the provision of services
4 within the scope of the licensee's practice under this
5 Act. Nothing in this item 5 shall be construed to require
6 an employment arrangement to receive professional fees for
7 services rendered.

8 6. Employing, procuring, inducing, aiding or abetting
9 a person not licensed or registered as a dentist or dental
10 hygienist to engage in the practice of dentistry or dental
11 hygiene. The person practiced upon is not an accomplice,
12 employer, procurer, inducer, aider, or abetter within the
13 meaning of this Act.

14 7. Making any misrepresentations or false promises,
15 directly or indirectly, to influence, persuade or induce
16 dental patronage.

17 8. Professional connection or association with or
18 lending the licensee's name to another for the illegal
19 practice of dentistry by another, or professional
20 connection or association with any person, firm or
21 corporation holding himself, herself, themselves, or
22 itself out in any manner contrary to this Act.

23 9. Obtaining or seeking to obtain practice, money, or
24 any other things of value by false or fraudulent
25 representations, but not limited to, engaging in such
26 fraudulent practice to defraud the medical assistance

1 program of the Department of Healthcare and Family
2 Services (formerly Department of Public Aid) under the
3 Illinois Public Aid Code.

4 10. Practicing under a false or, except as provided by
5 law, an assumed name.

6 11. Engaging in dishonorable, unethical, or
7 unprofessional conduct of a character likely to deceive,
8 defraud, or harm the public.

9 12. Conviction by plea of guilty or nolo contendere,
10 finding of guilt, jury verdict, or entry of judgment or by
11 sentencing for any crime, including, but not limited to,
12 convictions, preceding sentences of supervision,
13 conditional discharge, or first offender probation, under
14 the laws of any jurisdiction of the United States that (i)
15 is a felony under the laws of this State or (ii) is a
16 misdemeanor, an essential element of which is dishonesty,
17 or that is directly related to the practice of dentistry.

18 13. Permitting a dental hygienist, dental assistant or
19 other person under the licensee's supervision to perform
20 any operation not authorized by this Act.

21 14. Permitting more than 4 dental hygienists to be
22 employed under the licensee's supervision at any one time.

23 15. A violation of any provision of this Act or any
24 rules promulgated under this Act.

25 16. Taking impressions for or using the services of
26 any person, firm or corporation violating this Act.

1 17. Violating any provision of Section 45 relating to
2 advertising.

3 18. Discipline by another U.S. jurisdiction or foreign
4 nation, if at least one of the grounds for the discipline
5 is the same or substantially equivalent to those set forth
6 within this Act.

7 19. Willfully failing to report an instance of
8 suspected child abuse or neglect as required by the Abused
9 and Neglected Child Reporting Act.

10 20. Gross negligence in practice under this Act.

11 21. The use or prescription for use of narcotics or
12 controlled substances or designated products as listed in
13 the Illinois Controlled Substances Act, in any way other
14 than for therapeutic purposes.

15 22. Willfully making or filing false records or
16 reports in the licensee's practice as a dentist,
17 including, but not limited to, false records to support
18 claims against the dental assistance program of the
19 Department of Healthcare and Family Services (formerly
20 Illinois Department of Public Aid).

21 23. Professional incompetence as manifested by poor
22 standards of care.

23 24. Physical or mental illness, including, but not
24 limited to, deterioration through the aging process, or
25 loss of motor skills which results in a dentist's
26 inability to practice dentistry with reasonable judgment,

1 skill or safety. In enforcing this paragraph, the
2 Department may compel a person licensed to practice under
3 this Act to submit to a mental or physical examination
4 pursuant to the terms and conditions of Section 23b.

5 25. Gross or repeated irregularities in billing for
6 services rendered to a patient. For purposes of this
7 paragraph 25, "irregularities in billing" shall include:

8 (a) Reporting excessive charges for the purpose of
9 obtaining a total payment in excess of that usually
10 received by the dentist for the services rendered.

11 (b) Reporting charges for services not rendered.

12 (c) Incorrectly reporting services rendered for
13 the purpose of obtaining payment not earned.

14 26. Continuing the active practice of dentistry while
15 knowingly having any infectious, communicable, or
16 contagious disease proscribed by rule or regulation of the
17 Department.

18 27. Being named as a perpetrator in an indicated
19 report by the Department of Children and Family Services
20 pursuant to the Abused and Neglected Child Reporting Act
21 and upon the indicated report becoming final after a
22 hearing or opportunity for a hearing. ~~and upon proof by~~
23 ~~clear and convincing evidence that the licensee has caused~~
24 ~~a child to be an abused child or neglected child as defined~~
25 ~~in the Abused and Neglected Child Reporting Act.~~

26 28. Violating the Health Care Worker Self-Referral

1 Act.

2 29. Abandonment of a patient.

3 30. Mental incompetency as declared by a court of
4 competent jurisdiction.

5 31. A finding by the Department that the licensee,
6 after having the licensee's license placed on probationary
7 status, has violated the terms of probation.

8 32. Material misstatement in furnishing information to
9 the Department.

10 33. Failing, within 60 days, to provide information in
11 response to a written request by the Department in the
12 course of an investigation.

13 34. Immoral conduct in the commission of any act,
14 including, but not limited to, commission of an act of
15 sexual misconduct related to the licensee's practice.

16 35. Cheating on or attempting to subvert the licensing
17 examination administered under this Act.

18 36. A pattern of practice or other behavior that
19 demonstrates incapacity or incompetence to practice under
20 this Act.

21 37. Failure to establish and maintain records of
22 patient care and treatment as required under this Act.

23 38. Failure to provide copies of dental records as
24 required by law.

25 39. Failure of a licensed dentist who owns or is
26 employed at a dental office to give notice of an office

1 closure to the dentist's patients at least 30 days prior
2 to the office closure pursuant to Section 50.1.

3 40. Failure to maintain a sanitary work environment.

4 41. Failure to comply with the provisions of Section
5 17.2 of this Act.

6 42. Failure to report actual or alleged reportable
7 conduct in accordance with Section 2105-390 of the
8 Department of Professional Regulation Law of the Civil
9 Administrative Code of Illinois.

10 All proceedings to suspend, revoke, place on probationary
11 status, or take any other disciplinary action as the
12 Department may deem proper, with regard to a license on any of
13 the foregoing grounds, must be commenced within 5 years after
14 receipt by the Department of a complaint alleging the
15 commission of or notice of the conviction order for any of the
16 acts described herein. Except for fraud in procuring a
17 license, no action shall be commenced more than 7 years after
18 the date of the incident or act alleged to have violated this
19 Section. The time during which the holder of the license was
20 outside the State of Illinois shall not be included within any
21 period of time limiting the commencement of disciplinary
22 action by the Department.

23 All fines imposed under this Section shall be paid within
24 60 days after the effective date of the order imposing the fine
25 or in accordance with the terms set forth in the order imposing
26 the fine.

1 The Department may refuse to issue or may suspend the
2 license of any person who fails to file a return, or to pay the
3 tax, penalty or interest shown in a filed return, or to pay any
4 final assessment of tax, penalty or interest, as required by
5 any tax Act administered by the Illinois Department of
6 Revenue, until such time as the requirements of any such tax
7 Act are satisfied.

8 Any dentist who has had a license suspended or revoked for
9 more than 5 years must comply with the requirements for
10 restoration set forth in Section 16 prior to being eligible
11 for reinstatement from the suspension or revocation.

12 (Source: P.A. 103-425, eff. 1-1-24; 103-902, eff. 8-9-24;
13 104-151, eff. 1-1-26.)

14 Section 45. The Dietitian Nutritionist Practice Act is
15 amended by changing Section 95 as follows:

16 (225 ILCS 30/95) (from Ch. 111, par. 8401-95)

17 (Section scheduled to be repealed on January 1, 2028)

18 Sec. 95. Grounds for discipline.

19 (1) The Department may refuse to issue or renew, or may
20 revoke, suspend, place on probation, reprimand, or take other
21 disciplinary or non-disciplinary action as the Department may
22 deem appropriate, including imposing fines not to exceed
23 \$10,000 for each violation, with regard to any license or
24 certificate for any one or combination of the following

1 causes:

2 (a) Material misstatement in furnishing information to
3 the Department.

4 (b) Violations of this Act or of rules adopted under
5 this Act.

6 (c) Conviction by plea of guilty or nolo contendere,
7 finding of guilt, jury verdict, or entry of judgment or by
8 sentencing of any crime, including, but not limited to,
9 convictions, preceding sentences of supervision,
10 conditional discharge, or first offender probation, under
11 the laws of any jurisdiction of the United States (i) that
12 is a felony or (ii) that is a misdemeanor, an essential
13 element of which is dishonesty, or that is directly
14 related to the practice of the profession.

15 (d) Fraud or any misrepresentation in applying for or
16 procuring a license under this Act or in connection with
17 applying for renewal of a license under this Act.

18 (e) Professional incompetence or gross negligence.

19 (f) Malpractice.

20 (g) Aiding or assisting another person in violating
21 any provision of this Act or its rules.

22 (h) Failing to provide information within 60 days in
23 response to a written request made by the Department.

24 (i) Engaging in dishonorable, unethical or
25 unprofessional conduct of a character likely to deceive,
26 defraud, or harm the public.

1 (j) Habitual or excessive use or abuse of drugs
2 defined in law as controlled substances, alcohol, or any
3 other substance that results in the inability to practice
4 with reasonable judgment, skill, or safety.

5 (k) Discipline by another state, the District of
6 Columbia, territory, country, or governmental agency if at
7 least one of the grounds for the discipline is the same or
8 substantially equivalent to those set forth in this Act.

9 (l) Charging for professional services not rendered,
10 including filing false statements for the collection of
11 fees for which services are not rendered. Nothing in this
12 paragraph (1) affects any bona fide independent contractor
13 or employment arrangements among health care
14 professionals, health facilities, health care providers,
15 or other entities, except as otherwise prohibited by law.
16 Any employment arrangements may include provisions for
17 compensation, health insurance, pension, or other
18 employment benefits for the provision of services within
19 the scope of the licensee's practice under this Act.
20 Nothing in this paragraph (1) shall be construed to
21 require an employment arrangement to receive professional
22 fees for services rendered.

23 (m) A finding by the Department that the licensee,
24 after having his or her license placed on probationary
25 status, has violated the terms of probation.

26 (n) Willfully making or filing false records or

1 reports in his or her practice, including, but not limited
2 to, false records filed with State agencies or
3 departments.

4 (o) Allowing one's license under this Act to be used
5 by an unlicensed person in violation of this Act.

6 (p) Practicing under a false or, except as provided by
7 law, an assumed name.

8 (q) Gross and willful overcharging for professional
9 services.

10 (r) (Blank).

11 (s) Willfully failing to report an instance of
12 suspected child abuse or neglect as required by the Abused
13 and Neglected Child Reporting Act.

14 (t) Cheating on or attempting to subvert a licensing
15 examination administered under this Act.

16 (u) Mental illness or disability that results in the
17 inability to practice under this Act with reasonable
18 judgment, skill, or safety.

19 (v) Physical illness, including, but not limited to,
20 deterioration through the aging process or loss of motor
21 skill that results in a licensee's inability to practice
22 under this Act with reasonable judgment, skill, or safety.

23 (w) Advising an individual to discontinue, reduce,
24 increase, or otherwise alter the intake of a drug
25 prescribed by a physician licensed to practice medicine in
26 all its branches or by a prescriber as defined in Section

1 102 of the Illinois Controlled Substances Act.

2 (x) Failing to report actual or alleged reportable
3 conduct in accordance with Section 2105-390 of the
4 Department of Professional Regulation Law of the Civil
5 Administrative Code of Illinois.

6 (2) The Department may refuse to issue or may suspend
7 without hearing, as provided for in the Code of Civil
8 Procedure, the license of any person who fails to file a
9 return, or pay the tax, penalty, or interest shown in a filed
10 return, or pay any final assessment of the tax, penalty, or
11 interest as required by any tax Act administered by the
12 Illinois Department of Revenue, until such time as the
13 requirements of any such tax Act are satisfied in accordance
14 with subsection (g) of Section 2105-15 of the Civil
15 Administrative Code of Illinois.

16 (3) (Blank).

17 (4) In cases where the Department of Healthcare and Family
18 Services has previously determined a licensee or a potential
19 licensee is more than 30 days delinquent in the payment of
20 child support and has subsequently certified the delinquency
21 to the Department, the Department may refuse to issue or renew
22 or may revoke or suspend that person's license or may take
23 other disciplinary action against that person based solely
24 upon the certification of delinquency made by the Department
25 of Healthcare and Family Services in accordance with item (5)
26 of subsection (a) of Section 2105-15 of the Civil

1 Administrative Code of Illinois.

2 (5) The determination by a circuit court that a licensee
3 is subject to involuntary admission or judicial admission, as
4 provided in the Mental Health and Developmental Disabilities
5 Code, operates as an automatic suspension. The suspension
6 shall end only upon a finding by a court that the patient is no
7 longer subject to involuntary admission or judicial admission
8 and the issuance of an order so finding and discharging the
9 patient.

10 (6) In enforcing this Act, the Department, upon a showing
11 of a possible violation, may compel an individual licensed to
12 practice under this Act, or who has applied for licensure
13 under this Act, to submit to a mental or physical examination,
14 or both, as required by and at the expense of the Department.
15 The Department may order the examining physician to present
16 testimony concerning the mental or physical examination of the
17 licensee or applicant. No information shall be excluded by
18 reason of any common law or statutory privilege relating to
19 communications between the licensee or applicant and the
20 examining physician. The examining physicians shall be
21 specifically designated by the Department. The individual to
22 be examined may have, at his or her own expense, another
23 physician of his or her choice present during all aspects of
24 this examination. The examination shall be performed by a
25 physician licensed to practice medicine in all its branches.
26 Failure of an individual to submit to a mental or physical

1 examination, when directed, shall result in an automatic
2 suspension without hearing.

3 A person holding a license under this Act or who has
4 applied for a license under this Act who, because of a physical
5 or mental illness or disability, including, but not limited
6 to, deterioration through the aging process or loss of motor
7 skill, is unable to practice the profession with reasonable
8 judgment, skill, or safety, may be required by the Department
9 to submit to care, counseling, or treatment by physicians
10 approved or designated by the Department as a condition, term,
11 or restriction for continued, reinstated, or renewed licensure
12 to practice. Submission to care, counseling, or treatment as
13 required by the Department shall not be considered discipline
14 of a license. If the licensee refuses to enter into a care,
15 counseling, or treatment agreement or fails to abide by the
16 terms of the agreement, then the Department may file a
17 complaint to revoke, suspend, or otherwise discipline the
18 license of the individual. The Secretary may order the license
19 suspended immediately, pending a hearing by the Department.
20 Fines shall not be assessed in disciplinary actions involving
21 physical or mental illness or impairment.

22 In instances in which the Secretary immediately suspends a
23 person's license under this Section, a hearing on that
24 person's license must be convened by the Department within 15
25 days after the suspension and completed without appreciable
26 delay. The Department shall have the authority to review the

1 subject individual's record of treatment and counseling
2 regarding the impairment to the extent permitted by applicable
3 federal statutes and regulations safeguarding the
4 confidentiality of medical records.

5 An individual licensed under this Act and affected under
6 this Section shall be afforded an opportunity to demonstrate
7 to the Department that he or she can resume practice in
8 compliance with acceptable and prevailing standards under the
9 provisions of his or her license.

10 (Source: P.A. 100-872, eff. 8-14-18.)

11 Section 50. The Marriage and Family Therapy Licensing Act
12 is amended by changing Section 85 as follows:

13 (225 ILCS 55/85) (from Ch. 111, par. 8351-85)

14 (Section scheduled to be repealed on January 1, 2027)

15 Sec. 85. Refusal, revocation, or suspension.

16 (a) The Department may refuse to issue or renew a license,
17 or may revoke, suspend, reprimand, place on probation, or take
18 any other disciplinary or non-disciplinary action as the
19 Department may deem proper, including the imposition of fines
20 not to exceed \$10,000 for each violation, with regard to any
21 license issued under the provisions of this Act for any one or
22 combination of the following grounds:

23 (1) Material misstatement in furnishing information to
24 the Department.

1 (2) Violation of any provision of this Act or its
2 rules.

3 (3) Conviction of or entry of a plea of guilty or nolo
4 contendere, finding of guilt, jury verdict, or entry of
5 judgment or sentencing, including, but not limited to,
6 convictions, preceding sentences of supervision,
7 conditional discharge, or first offender probation, under
8 the laws of any jurisdiction of the United States that is
9 (i) a felony or (ii) a misdemeanor, an essential element
10 of which is dishonesty or that is directly related to the
11 practice of the profession.

12 (4) Fraud or misrepresentation in applying for or
13 procuring a license under this Act or in connection with
14 applying for renewal or restoration of a license under
15 this Act or its rules.

16 (5) Professional incompetence.

17 (6) Gross negligence in practice under this Act.

18 (7) Aiding or assisting another person in violating
19 any provision of this Act or its rules.

20 (8) Failing, within 60 days, to provide information in
21 response to a written request made by the Department.

22 (9) Engaging in dishonorable, unethical, or
23 unprofessional conduct of a character likely to deceive,
24 defraud or harm the public as defined by the rules of the
25 Department, or violating the rules of professional conduct
26 adopted by the Department.

1 (10) Habitual or excessive use or abuse of drugs
2 defined in law as controlled substances, of alcohol, or
3 any other substance that results in the inability to
4 practice with reasonable judgment, skill, or safety.

5 (11) Discipline by another jurisdiction if at least
6 one of the grounds for the discipline is the same or
7 substantially equivalent to those set forth in this Act.

8 (12) Directly or indirectly giving to or receiving
9 from any person, firm, corporation, partnership, or
10 association any fee, commission, rebate, or other form of
11 compensation for any professional services not actually or
12 personally rendered. Nothing in this paragraph (12)
13 affects any bona fide independent contractor or employment
14 arrangements among health care professionals, health
15 facilities, health care providers, or other entities,
16 except as otherwise prohibited by law. Any employment
17 arrangements may include provisions for compensation,
18 health insurance, pension, or other employment benefits
19 for the provision of services within the scope of the
20 licensee's practice under this Act. Nothing in this
21 paragraph (12) shall be construed to require an employment
22 arrangement to receive professional fees for services
23 rendered.

24 (13) A finding by the Department that the licensee,
25 after having his or her license placed on probationary
26 status, has violated the terms of probation or failed to

1 comply with the terms.

2 (14) Abandonment of a patient without cause.

3 (15) Willfully making or filing false records or
4 reports relating to a licensee's practice, including, but
5 not limited to, false records filed with State agencies or
6 departments.

7 (16) Willfully failing to report an instance of
8 suspected child abuse or neglect as required by the Abused
9 and Neglected Child Reporting Act.

10 (17) Being named as a perpetrator in an indicated
11 report by the Department of Children and Family Services
12 under the Abused and Neglected Child Reporting Act and
13 upon the indicated report becoming final after a hearing
14 or opportunity for a hearing.~~and upon proof by clear and~~
15 ~~convincing evidence that the licensee has caused a child~~
16 ~~to be an abused child or neglected child as defined in the~~
17 ~~Abused and Neglected Child Reporting Act.~~

18 (18) Physical illness or mental illness or impairment,
19 including, but not limited to, deterioration through the
20 aging process or loss of motor skill that results in the
21 inability to practice the profession with reasonable
22 judgment, skill, or safety.

23 (19) Solicitation of professional services by using
24 false or misleading advertising.

25 (20) A pattern of practice or other behavior that
26 demonstrates incapacity or incompetence to practice under

1 this Act.

2 (21) Practicing under a false or assumed name, except
3 as provided by law.

4 (22) Gross, willful, and continued overcharging for
5 professional services, including filing false statements
6 for collection of fees or moneys for which services are
7 not rendered.

8 (23) Failure to establish and maintain records of
9 patient care and treatment as required by law.

10 (24) Cheating on or attempting to subvert the
11 licensing examinations administered under this Act.

12 (25) Willfully failing to report an instance of
13 suspected abuse, neglect, financial exploitation, or
14 self-neglect of an eligible adult as defined in and
15 required by the Adult Protective Services Act.

16 (26) Being named as an abuser in a verified report by
17 the Department on Aging and under the Adult Protective
18 Services Act and upon proof by clear and convincing
19 evidence that the licensee abused, neglected, or
20 financially exploited an eligible adult as defined in the
21 Adult Protective Services Act.

22 (27) Failing to report actual or alleged reportable
23 conduct in accordance with Section 2105-390 of the
24 Department of Professional Regulation Law of the Civil
25 Administrative Code of Illinois.

26 (b) (Blank).

1 (c) The determination by a circuit court that a licensee
2 is subject to involuntary admission or judicial admission, as
3 provided in the Mental Health and Developmental Disabilities
4 Code, operates as an automatic suspension. The suspension will
5 terminate only upon a finding by a court that the patient is no
6 longer subject to involuntary admission or judicial admission
7 and the issuance of an order so finding and discharging the
8 patient, and upon the recommendation of the Board to the
9 Secretary that the licensee be allowed to resume his or her
10 practice as a licensed marriage and family therapist or an
11 associate licensed marriage and family therapist.

12 (d) The Department shall refuse to issue or may suspend
13 the license of any person who fails to file a return, pay the
14 tax, penalty, or interest shown in a filed return or pay any
15 final assessment of tax, penalty, or interest, as required by
16 any tax Act administered by the Illinois Department of
17 Revenue, until the time the requirements of the tax Act are
18 satisfied.

19 (d-5) The Department shall not revoke, suspend, summarily
20 suspend, place on prohibition, reprimand, refuse to issue or
21 renew, or take any other disciplinary or non-disciplinary
22 action against a person's authorization to practice under this
23 Act based solely upon the person authorizing, recommending,
24 aiding, assisting, referring for, or otherwise participating
25 in any health care service, so long as the care was not
26 unlawful under the laws of this State, regardless of whether

1 the patient was a resident of this State or another state.

2 (d-10) The Department shall not revoke, suspend, summarily
3 suspend, place on prohibition, reprimand, refuse to issue or
4 renew, or take any other disciplinary or non-disciplinary
5 action against a person's authorization to practice under this
6 Act based upon the person's license, registration, or permit
7 being revoked or suspended, or the person being otherwise
8 disciplined, by any other state if that revocation,
9 suspension, or other form of discipline was based solely on
10 the person violating another state's laws prohibiting the
11 provision of, authorization of, recommendation of, aiding or
12 assisting in, referring for, or participation in any health
13 care service if that health care service as provided would not
14 have been unlawful under the laws of this State and is
15 consistent with the applicable standard of conduct for a
16 person practicing in Illinois under this Act.

17 (d-15) The conduct specified in subsection (d-5), (d-10),
18 (d-25), or (d-30) shall not constitute grounds for suspension
19 under Section 145.

20 (d-20) An applicant seeking licensure, certification, or
21 authorization pursuant to this Act who has been subject to
22 disciplinary action by a duly authorized professional
23 disciplinary agency of another jurisdiction solely on the
24 basis of having authorized, recommended, aided, assisted,
25 referred for, or otherwise participated in health care shall
26 not be denied such licensure, certification, or authorization,

1 unless the Department determines that such action would have
2 constituted professional misconduct in this State; however,
3 nothing in this Section shall be construed as prohibiting the
4 Department from evaluating the conduct of such applicant and
5 making a determination regarding the licensure, certification,
6 or authorization to practice a profession under this Act.

7 (d-25) The Department may not revoke, suspend, summarily
8 suspend, place on prohibition, reprimand, refuse to issue or
9 renew, or take any other disciplinary or non-disciplinary
10 action against a person's authorization to practice issued
11 under this Act based solely upon an immigration violation by
12 the person.

13 (d-30) The Department may not revoke, suspend, summarily
14 suspend, place on prohibition, reprimand, refuse to issue or
15 renew, or take any other disciplinary or non-disciplinary
16 action against a person's authorization to practice under this
17 Act based upon the person's license, registration, or permit
18 being revoked or suspended, or the person being otherwise
19 disciplined, by any other state if that revocation,
20 suspension, or other form of discipline was based solely upon
21 an immigration violation by the person.

22 (e) In enforcing this Section, the Department or Board
23 upon a showing of a possible violation may compel an
24 individual licensed to practice under this Act, or who has
25 applied for licensure under this Act, to submit to a mental or
26 physical examination, or both, which may include a substance

1 abuse or sexual offender evaluation, as required by and at the
2 expense of the Department.

3 The Department shall specifically designate the examining
4 physician licensed to practice medicine in all of its branches
5 or, if applicable, the multidisciplinary team involved in
6 providing the mental or physical examination or both. The
7 multidisciplinary team shall be led by a physician licensed to
8 practice medicine in all of its branches and may consist of one
9 or more or a combination of physicians licensed to practice
10 medicine in all of its branches, licensed clinical
11 psychologists, licensed clinical social workers, licensed
12 clinical professional counselors, licensed marriage and family
13 therapists, and other professional and administrative staff.
14 Any examining physician or member of the multidisciplinary
15 team may require any person ordered to submit to an
16 examination and evaluation pursuant to this Section to submit
17 to any additional supplemental testing deemed necessary to
18 complete any examination or evaluation process, including, but
19 not limited to, blood testing, urinalysis, psychological
20 testing, or neuropsychological testing.

21 The Department may order the examining physician or any
22 member of the multidisciplinary team to provide to the
23 Department any and all records, including business records,
24 that relate to the examination and evaluation, including any
25 supplemental testing performed.

26 The Department or Board may order the examining physician

1 or any member of the multidisciplinary team to present
2 testimony concerning the mental or physical examination of the
3 licensee or applicant. No information, report, record, or
4 other documents in any way related to the examination shall be
5 excluded by reason of any common law or statutory privilege
6 relating to communications between the licensee or applicant
7 and the examining physician or any member of the
8 multidisciplinary team. No authorization is necessary from the
9 licensee or applicant ordered to undergo an examination for
10 the examining physician or any member of the multidisciplinary
11 team to provide information, reports, records, or other
12 documents or to provide any testimony regarding the
13 examination and evaluation.

14 The individual to be examined may have, at his or her own
15 expense, another physician of his or her choice present during
16 all aspects of this examination. However, that physician shall
17 be present only to observe and may not interfere in any way
18 with the examination.

19 Failure of an individual to submit to a mental or physical
20 examination, when ordered, shall result in an automatic
21 suspension of his or her license until the individual submits
22 to the examination.

23 If the Department or Board finds an individual unable to
24 practice because of the reasons set forth in this Section, the
25 Department or Board may require that individual to submit to
26 care, counseling, or treatment by physicians approved or

1 designated by the Department or Board, as a condition, term,
2 or restriction for continued, reinstated, or renewed licensure
3 to practice; or, in lieu of care, counseling, or treatment,
4 the Department may file, or the Board may recommend to the
5 Department to file, a complaint to immediately suspend,
6 revoke, or otherwise discipline the license of the individual.
7 An individual whose license was granted, continued,
8 reinstated, renewed, disciplined, or supervised subject to
9 such terms, conditions, or restrictions, and who fails to
10 comply with such terms, conditions, or restrictions, shall be
11 referred to the Secretary for a determination as to whether
12 the individual shall have his or her license suspended
13 immediately, pending a hearing by the Department.

14 In instances in which the Secretary immediately suspends a
15 person's license under this Section, a hearing on that
16 person's license must be convened by the Department within 30
17 days after the suspension and completed without appreciable
18 delay. The Department and Board shall have the authority to
19 review the subject individual's record of treatment and
20 counseling regarding the impairment to the extent permitted by
21 applicable federal statutes and regulations safeguarding the
22 confidentiality of medical records.

23 An individual licensed under this Act and affected under
24 this Section shall be afforded an opportunity to demonstrate
25 to the Department or Board that he or she can resume practice
26 in compliance with acceptable and prevailing standards under

1 the provisions of his or her license.

2 (f) A fine shall be paid within 60 days after the effective
3 date of the order imposing the fine or in accordance with the
4 terms set forth in the order imposing the fine.

5 (g) The Department may adopt rules to implement,
6 administer, and enforce this Section.

7 (Source: P.A. 103-715, eff. 1-1-25; 104-432, eff. 1-1-26.)

8 Section 55. The Music Therapy Licensing and Practice Act
9 is amended by changing Section 95 as follows:

10 (225 ILCS 56/95)

11 (Section scheduled to be repealed on January 1, 2028)

12 Sec. 95. Grounds for discipline.

13 (a) The Department may refuse to issue, renew, or may
14 revoke, suspend, place on probation, reprimand, or take other
15 disciplinary or nondisciplinary action as the Department deems
16 appropriate, including the issuance of fines not to exceed
17 \$10,000 for each violation, with regard to any license for any
18 one or more of the following:

19 (1) Material misstatement in furnishing information to
20 the Department or to any other State agency.

21 (2) Violations or negligent or intentional disregard
22 of this Act, or any of its rules.

23 (3) Conviction by plea of guilty or nolo contendere,
24 finding of guilt, jury verdict, or entry of judgment or

1 sentencing, including, but not limited to, convictions,
2 preceding sentences of supervision, conditional discharge,
3 or first offender probation, under the laws of any
4 jurisdiction of the United States (i) that is a felony or
5 (ii) that is a misdemeanor, an essential element of which
6 is dishonesty, or that is directly related to the practice
7 of music therapy.

8 (4) Making any misrepresentation for the purpose of
9 obtaining a license, or violating any provision of this
10 Act or its rules.

11 (5) Negligence in the rendering of music therapy
12 services.

13 (6) Aiding or assisting another person in violating
14 any provision of this Act or any of its rules.

15 (7) Failing to provide information within 60 days in
16 response to a written request made by the Department.

17 (8) Engaging in dishonorable, unethical, or
18 unprofessional conduct of a character likely to deceive,
19 defraud, or harm the public and violating the rules of
20 professional conduct adopted by the Department.

21 (9) Failing to maintain the confidentiality of any
22 information received from a client, unless otherwise
23 authorized or required by law.

24 (10) Failure to maintain client records of services
25 provided and provide copies to clients upon request.

26 (11) Exploiting a client for personal advantage,

1 profit, or interest.

2 (12) Habitual or excessive use or addiction to
3 alcohol, narcotics, stimulants, or any other chemical
4 agent or drug which results in inability to practice with
5 reasonable skill, judgment, or safety.

6 (13) Discipline by another governmental agency or unit
7 of government, by any jurisdiction of the United States,
8 or by a foreign nation, if at least one of the grounds for
9 the discipline is the same or substantially equivalent to
10 those set forth in this Section.

11 (14) Directly or indirectly giving to or receiving
12 from any person, firm, corporation, partnership, or
13 association any fee, commission, rebate, or other form of
14 compensation for any professional service not actually
15 rendered. Nothing in this paragraph affects any bona fide
16 independent contractor or employment arrangements among
17 health care professionals, health facilities, health care
18 providers, or other entities, except as otherwise
19 prohibited by law. Any employment arrangements may include
20 provisions for compensation, health insurance, pension, or
21 other employment benefits for the provision of services
22 within the scope of the licensee's practice under this
23 Act. Nothing in this paragraph shall be construed to
24 require an employment arrangement to receive professional
25 fees for services rendered.

26 (15) A finding by the Department that the licensee,

1 after having the license placed on probationary status,
2 has violated the terms of probation.

3 (16) Failing to refer a client to other health care
4 professionals when the licensee is unable or unwilling to
5 adequately support or serve the client.

6 (17) Willfully filing false reports relating to a
7 licensee's practice, including, but not limited to, false
8 records filed with federal or State agencies or
9 departments.

10 (18) Willfully failing to report an instance of
11 suspected child abuse or neglect as required by the Abused
12 and Neglected Child Reporting Act.

13 (19) Being named as a perpetrator in an indicated
14 report by the Department of Children and Family Services
15 pursuant to the Abused and Neglected Child Reporting Act
16 and upon the indicated report becoming final after a
17 hearing or opportunity for a hearing., ~~and upon proof by~~
18 ~~clear and convincing evidence that the licensee has caused~~
19 ~~a child to be an abused child or neglected child as defined~~
20 ~~in the Abused and Neglected Child Reporting Act.~~

21 (20) Physical or mental disability, including
22 deterioration through the aging process or loss of
23 abilities and skills which results in the inability to
24 practice the profession with reasonable judgment, skill,
25 or safety.

26 (21) Solicitation of professional services by using

1 false or misleading advertising.

2 (22) Fraud or making any misrepresentation in applying
3 for or procuring a license under this Act or in connection
4 with applying for renewal of a license under this Act.

5 (23) Practicing or attempting to practice under a name
6 other than the full name as shown on the license or any
7 other legally authorized name.

8 (24) Gross overcharging for professional services,
9 including filing statements for collection of fees or
10 moneys for which services are not rendered.

11 (25) Charging for professional services not rendered,
12 including filing false statements for the collection of
13 fees for which services are not rendered.

14 (26) Allowing one's license under this Act to be used
15 by an unlicensed person in violation of this Act.

16 (27) Failing to report actual or alleged reportable
17 conduct in accordance with Section 2105-390 of the
18 Department of Professional Regulation Law of the Civil
19 Administrative Code of Illinois.

20 (b) The determination by a court that a licensee is
21 subject to involuntary admission or judicial admission as
22 provided in the Mental Health and Developmental Disabilities
23 Code shall result in an automatic suspension of the licensee's
24 license. The suspension will end upon a finding by a court that
25 the licensee is no longer subject to involuntary admission or
26 judicial admission, the issuance of an order so finding and

1 discharging the patient, and the determination of the
2 Secretary that the licensee be allowed to resume professional
3 practice.

4 (c) The Department may refuse to issue or renew or may
5 suspend without hearing the license of any person who fails to
6 file a return, to pay the tax penalty or interest shown in a
7 filed return, or to pay any final assessment of the tax,
8 penalty, or interest as required by any Act regarding the
9 payment of taxes administered by the Department of Revenue
10 until the requirements of the Act are satisfied in accordance
11 with subsection (g) of Section 2105-15 of the Department of
12 Professional Regulation Law of the Civil Administrative Code
13 of Illinois.

14 (d) In cases where the Department of Healthcare and Family
15 Services has previously determined that a licensee or a
16 potential licensee is more than 30 days delinquent in the
17 payment of child support and has subsequently certified the
18 delinquency to the Department, the Department may refuse to
19 issue or renew or may revoke or suspend that person's license
20 or may take other disciplinary action against that person
21 based solely upon the certification of delinquency made by the
22 Department of Healthcare and Family Services in accordance
23 with paragraph (5) of subsection (a) of Section 2105-15 of the
24 Department of Professional Regulation Law of the Civil
25 Administrative Code of Illinois.

26 (e) All fines or costs imposed under this Section shall be

1 paid within 60 days after the effective date of the order
2 imposing the fine or costs or in accordance with the terms set
3 forth in the order imposing the fine.

4 (Source: P.A. 102-993, eff. 5-27-22; 103-605, eff. 7-1-24.)

5 Section 60. The Massage Therapy Practice Act is amended by
6 changing Section 45 as follows:

7 (225 ILCS 57/45)

8 (Section scheduled to be repealed on January 1, 2027)

9 Sec. 45. Grounds for discipline.

10 (a) The Department may refuse to issue or renew, or may
11 revoke, suspend, place on probation, reprimand, or take other
12 disciplinary or non-disciplinary action, as the Department
13 considers appropriate, including the imposition of fines not
14 to exceed \$10,000 for each violation, with regard to any
15 license or licensee for any one or more of the following:

16 (1) violations of this Act or of the rules adopted
17 under this Act;

18 (2) conviction by plea of guilty or nolo contendere,
19 finding of guilt, jury verdict, or entry of judgment or by
20 sentencing of any crime, including, but not limited to,
21 convictions, preceding sentences of supervision,
22 conditional discharge, or first offender probation, under
23 the laws of any jurisdiction of the United States: (i)
24 that is a felony; or (ii) that is a misdemeanor, an

1 essential element of which is dishonesty, or that is
2 directly related to the practice of the profession;

3 (3) professional incompetence;

4 (4) advertising in a false, deceptive, or misleading
5 manner, including failing to use the massage therapist's
6 own license number in an advertisement;

7 (5) aiding, abetting, assisting, procuring, advising,
8 employing, or contracting with any unlicensed person to
9 practice massage contrary to any rules or provisions of
10 this Act;

11 (6) engaging in immoral conduct in the commission of
12 any act, such as sexual abuse, sexual misconduct, or
13 sexual exploitation, related to the licensee's practice;

14 (7) engaging in dishonorable, unethical, or
15 unprofessional conduct of a character likely to deceive,
16 defraud, or harm the public;

17 (8) practicing or offering to practice beyond the
18 scope permitted by law or accepting and performing
19 professional responsibilities which the licensee knows or
20 has reason to know that he or she is not competent to
21 perform;

22 (9) knowingly delegating professional
23 responsibilities to a person unqualified by training,
24 experience, or licensure to perform;

25 (10) failing to provide information in response to a
26 written request made by the Department within 60 days;

1 (11) having a habitual or excessive use of or
2 addiction to alcohol, narcotics, stimulants, or any other
3 chemical agent or drug which results in the inability to
4 practice with reasonable judgment, skill, or safety;

5 (12) having a pattern of practice or other behavior
6 that demonstrates incapacity or incompetence to practice
7 under this Act;

8 (13) discipline by another state, District of
9 Columbia, territory, or foreign nation, if at least one of
10 the grounds for the discipline is the same or
11 substantially equivalent to those set forth in this
12 Section;

13 (14) a finding by the Department that the licensee,
14 after having his or her license placed on probationary
15 status, has violated the terms of probation;

16 (15) willfully making or filing false records or
17 reports in his or her practice, including, but not limited
18 to, false records filed with State agencies or
19 departments;

20 (16) making a material misstatement in furnishing
21 information to the Department or otherwise making
22 misleading, deceptive, untrue, or fraudulent
23 representations in violation of this Act or otherwise in
24 the practice of the profession;

25 (17) fraud or misrepresentation in applying for or
26 procuring a license under this Act or in connection with

1 applying for renewal of a license under this Act;

2 (18) inability to practice the profession with
3 reasonable judgment, skill, or safety as a result of
4 physical illness, including, but not limited to,
5 deterioration through the aging process, loss of motor
6 skill, or a mental illness or disability;

7 (19) charging for professional services not rendered,
8 including filing false statements for the collection of
9 fees for which services are not rendered;

10 (20) practicing under a false or, except as provided
11 by law, an assumed name; ~~or~~

12 (21) cheating on or attempting to subvert the
13 licensing examination administered under this Act; or.

14 (22) failing to report actual or alleged reportable
15 conduct in accordance with Section 2105-390 of the
16 Department of Professional Regulation Law of the Civil
17 Administrative Code of Illinois.

18 All fines shall be paid within 60 days of the effective
19 date of the order imposing the fine.

20 (b) A person not licensed under this Act and engaged in the
21 business of offering massage therapy services through others,
22 shall not aid, abet, assist, procure, advise, employ, or
23 contract with any unlicensed person to practice massage
24 therapy contrary to any rules or provisions of this Act. A
25 person violating this subsection (b) shall be treated as a
26 licensee for the purposes of disciplinary action under this

1 Section and shall be subject to cease and desist orders as
2 provided in Section 90 of this Act.

3 (c) The Department shall revoke any license issued under
4 this Act of any person who is convicted of prostitution, rape,
5 sexual misconduct, or any crime that subjects the licensee to
6 compliance with the requirements of the Sex Offender
7 Registration Act and any such conviction shall operate as a
8 permanent bar in the State of Illinois to practice as a massage
9 therapist.

10 (c-5) A prosecuting attorney shall provide notice to the
11 Department of the licensed massage therapist's name, address,
12 practice address, and license number and a copy of the
13 criminal charges filed immediately after a licensed massage
14 therapist has been charged with any of the following offenses:

15 (1) an offense for which the sentence includes
16 registration as a sex offender;

17 (2) involuntary sexual servitude of a minor;

18 (3) the crime of battery against a patient, including
19 any offense based on sexual conduct or sexual penetration,
20 in the course of patient care or treatment; or

21 (4) a forcible felony.

22 If the victim of the crime the licensee has been charged
23 with is a patient of the licensee, the prosecuting attorney
24 shall also provide notice to the Department of the patient's
25 name.

26 Within 5 business days after receiving notice from the

1 prosecuting attorney of the filing of criminal charges against
2 the licensed massage therapist, the Secretary shall issue an
3 administrative order that the licensed massage therapist shall
4 practice only with a chaperone during all patient encounters
5 pending the outcome of the criminal proceedings. The chaperone
6 shall be a licensed massage therapist or other health care
7 worker licensed by the Department. The administrative order
8 shall specify any other terms or conditions deemed appropriate
9 by the Secretary. The chaperone shall provide written notice
10 to all of the licensed massage therapist's patients explaining
11 the Department's order to use a chaperone. Each patient shall
12 sign an acknowledgment that the patient received the notice.
13 The notice to the patient of criminal charges shall include,
14 in 14-point font, the following statement: "The massage
15 therapist is presumed innocent until proven guilty of the
16 charges.".

17 The licensed massage therapist shall provide a written
18 plan of compliance with the administrative order that is
19 acceptable to the Department within 5 business days after
20 receipt of the administrative order. Failure to comply with
21 the administrative order, failure to file a compliance plan,
22 or failure to follow the compliance plan shall subject the
23 licensed massage therapist to temporary suspension of his or
24 her license until the completion of the criminal proceedings.

25 If the licensee is not convicted of the charge or if any
26 conviction is later overturned by a reviewing court, the

1 administrative order shall be vacated and removed from the
2 licensee's record.

3 The Department may adopt rules to implement this
4 subsection.

5 (d) The Department may refuse to issue or may suspend the
6 license of any person who fails to file a tax return, to pay
7 the tax, penalty, or interest shown in a filed tax return, or
8 to pay any final assessment of tax, penalty, or interest, as
9 required by any tax Act administered by the Illinois
10 Department of Revenue, until such time as the requirements of
11 the tax Act are satisfied in accordance with subsection (g) of
12 Section 2105-15 of the Civil Administrative Code of Illinois.

13 (e) (Blank).

14 (f) In cases where the Department of Healthcare and Family
15 Services has previously determined that a licensee or a
16 potential licensee is more than 30 days delinquent in the
17 payment of child support and has subsequently certified the
18 delinquency to the Department, the Department may refuse to
19 issue or renew or may revoke or suspend that person's license
20 or may take other disciplinary action against that person
21 based solely upon the certification of delinquency made by the
22 Department of Healthcare and Family Services in accordance
23 with item (5) of subsection (a) of Section 2105-15 of the Civil
24 Administrative Code of Illinois.

25 (g) The determination by a circuit court that a licensee
26 is subject to involuntary admission or judicial admission, as

1 provided in the Mental Health and Developmental Disabilities
2 Code, operates as an automatic suspension. The suspension will
3 end only upon a finding by a court that the patient is no
4 longer subject to involuntary admission or judicial admission
5 and the issuance of a court order so finding and discharging
6 the patient.

7 (h) In enforcing this Act, the Department or Board, upon a
8 showing of a possible violation, may compel an individual
9 licensed to practice under this Act, or who has applied for
10 licensure under this Act, to submit to a mental or physical
11 examination, or both, as required by and at the expense of the
12 Department. The Department or Board may order the examining
13 physician to present testimony concerning the mental or
14 physical examination of the licensee or applicant. No
15 information shall be excluded by reason of any common law or
16 statutory privilege relating to communications between the
17 licensee or applicant and the examining physician. The
18 examining physicians shall be specifically designated by the
19 Board or Department. The individual to be examined may have,
20 at his or her own expense, another physician of his or her
21 choice present during all aspects of this examination. The
22 examination shall be performed by a physician licensed to
23 practice medicine in all its branches. Failure of an
24 individual to submit to a mental or physical examination, when
25 directed, shall result in an automatic suspension without
26 hearing.

1 A person holding a license under this Act or who has
2 applied for a license under this Act who, because of a physical
3 or mental illness or disability, including, but not limited
4 to, deterioration through the aging process or loss of motor
5 skill, is unable to practice the profession with reasonable
6 judgment, skill, or safety, may be required by the Department
7 to submit to care, counseling, or treatment by physicians
8 approved or designated by the Department as a condition, term,
9 or restriction for continued, reinstated, or renewed licensure
10 to practice. Submission to care, counseling, or treatment as
11 required by the Department shall not be considered discipline
12 of a license. If the licensee refuses to enter into a care,
13 counseling, or treatment agreement or fails to abide by the
14 terms of the agreement, the Department may file a complaint to
15 revoke, suspend, or otherwise discipline the license of the
16 individual. The Secretary may order the license suspended
17 immediately, pending a hearing by the Department. Fines shall
18 not be assessed in disciplinary actions involving physical or
19 mental illness or impairment.

20 In instances in which the Secretary immediately suspends a
21 person's license under this Section, a hearing on that
22 person's license must be convened by the Department within 15
23 days after the suspension and completed without appreciable
24 delay. The Department and Board shall have the authority to
25 review the subject individual's record of treatment and
26 counseling regarding the impairment to the extent permitted by

1 applicable federal statutes and regulations safeguarding the
2 confidentiality of medical records.

3 An individual licensed under this Act and affected under
4 this Section shall be afforded an opportunity to demonstrate
5 to the Department or Board that he or she can resume practice
6 in compliance with acceptable and prevailing standards under
7 the provisions of his or her license.

8 (Source: P.A. 103-757, eff. 8-2-24; 104-417, eff. 8-15-25.)

9 Section 65. The Medical Practice Act of 1987 is amended by
10 changing Section 22 as follows:

11 (225 ILCS 60/22)

12 (Section scheduled to be repealed on January 1, 2027)

13 Sec. 22. Disciplinary action.

14 (A) The Department may revoke, suspend, place on
15 probation, reprimand, refuse to issue or renew, or take any
16 other disciplinary or non-disciplinary action as the
17 Department may deem proper with regard to the license or
18 permit of any person issued under this Act, including imposing
19 fines not to exceed \$10,000 for each violation, upon any of the
20 following grounds:

21 (1) (Blank).

22 (2) (Blank).

23 (3) A plea of guilty or nolo contendere, finding of
24 guilt, jury verdict, or entry of judgment or sentencing,

1 including, but not limited to, convictions, preceding
2 sentences of supervision, conditional discharge, or first
3 offender probation, under the laws of any jurisdiction of
4 the United States of any crime that is a felony.

5 (4) Gross negligence in practice under this Act.

6 (5) Engaging in dishonorable, unethical, or
7 unprofessional conduct of a character likely to deceive,
8 defraud, or harm the public.

9 (6) Obtaining any fee by fraud, deceit, or
10 misrepresentation.

11 (7) Habitual or excessive use or abuse of drugs
12 defined in law as controlled substances, of alcohol, or of
13 any other substances which results in the inability to
14 practice with reasonable judgment, skill, or safety.

15 (8) Practicing under a false or, except as provided by
16 law, an assumed name.

17 (9) Fraud or misrepresentation in applying for, or
18 procuring, a license under this Act or in connection with
19 applying for renewal of a license under this Act.

20 (10) Making a false or misleading statement regarding
21 their skill or the efficacy or value of the medicine,
22 treatment, or remedy prescribed by them at their direction
23 in the treatment of any disease or other condition of the
24 body or mind.

25 (11) Allowing another person or organization to use
26 their license, procured under this Act, to practice.

1 (12) Adverse action taken by another state or
2 jurisdiction against a license or other authorization to
3 practice as a medical doctor, doctor of osteopathy, doctor
4 of osteopathic medicine, or doctor of chiropractic, a
5 certified copy of the record of the action taken by the
6 other state or jurisdiction being prima facie evidence
7 thereof. This includes any adverse action taken by a State
8 or federal agency that prohibits a medical doctor, doctor
9 of osteopathy, doctor of osteopathic medicine, or doctor
10 of chiropractic from providing services to the agency's
11 participants.

12 (13) Violation of any provision of this Act or of the
13 Medical Practice Act prior to the repeal of that Act, or
14 violation of the rules, or a final administrative action
15 of the Secretary, after consideration of the
16 recommendation of the Medical Board.

17 (14) Violation of the prohibition against fee
18 splitting in Section 22.2 of this Act.

19 (15) A finding by the Medical Board that the
20 registrant after having his or her license placed on
21 probationary status or subjected to conditions or
22 restrictions violated the terms of the probation or failed
23 to comply with such terms or conditions.

24 (16) Abandonment of a patient.

25 (17) Prescribing, selling, administering,
26 distributing, giving, or self-administering any drug

1 classified as a controlled substance (designated product)
2 or narcotic for other than medically accepted therapeutic
3 purposes.

4 (18) Promotion of the sale of drugs, devices,
5 appliances, or goods provided for a patient in such manner
6 as to exploit the patient for financial gain of the
7 physician.

8 (19) Offering, undertaking, or agreeing to cure or
9 treat disease by a secret method, procedure, treatment, or
10 medicine, or the treating, operating, or prescribing for
11 any human condition by a method, means, or procedure which
12 the licensee refuses to divulge upon demand of the
13 Department.

14 (20) Immoral conduct in the commission of any act,
15 including, but not limited to, commission of an act of
16 sexual misconduct related to the licensee's practice.

17 (21) Willfully making or filing false records or
18 reports in his or her practice as a physician, including,
19 but not limited to, false records to support claims
20 against the medical assistance program of the Department
21 of Healthcare and Family Services (formerly Department of
22 Public Aid) under the Illinois Public Aid Code.

23 (22) Willful omission to file or record, or willfully
24 impeding the filing or recording, or inducing another
25 person to omit to file or record, medical reports as
26 required by law, or willfully failing to report an

1 instance of suspected abuse or neglect as required by law.

2 (23) Being named as a perpetrator in an indicated
3 report by the Department of Children and Family Services
4 under the Abused and Neglected Child Reporting Act and
5 upon the indicated report becoming final after a hearing
6 or opportunity for a hearing. ~~and upon proof by clear and~~
7 ~~convincing evidence that the licensee has caused a child~~
8 ~~to be an abused child or neglected child as defined in the~~
9 ~~Abused and Neglected Child Reporting Act.~~

10 (24) Solicitation of professional patronage by any
11 corporation, agents, or persons, or profiting from those
12 representing themselves to be agents of the licensee.

13 (25) Gross, ~~and~~ willful, and continued overcharging
14 for professional services, including filing false
15 statements for collection of fees for which services are
16 not rendered, including, but not limited to, filing such
17 false statements for collection of monies for services not
18 rendered from the medical assistance program of the
19 Department of Healthcare and Family Services (formerly
20 Department of Public Aid) under the Illinois Public Aid
21 Code.

22 (26) A pattern of practice or other behavior which
23 demonstrates incapacity or incompetence to practice under
24 this Act.

25 (27) Mental illness or disability which results in the
26 inability to practice under this Act with reasonable

1 judgment, skill, or safety.

2 (28) Physical illness, including, but not limited to,
3 deterioration through the aging process, or loss of motor
4 skill which results in a physician's inability to practice
5 under this Act with reasonable judgment, skill, or safety.

6 (29) Cheating on or attempting to subvert the
7 licensing examinations administered under this Act.

8 (30) Willfully or negligently violating the
9 confidentiality between physician and patient except as
10 required by law.

11 (31) The use of any false, fraudulent, or deceptive
12 statement in any document connected with practice under
13 this Act.

14 (32) Aiding and abetting an individual not licensed
15 under this Act in the practice of a profession licensed
16 under this Act.

17 (33) Violating State or federal laws or regulations
18 relating to controlled substances, legend drugs, or
19 ephedra as defined in the Ephedra Prohibition Act.

20 (34) Failure to report to the Department any adverse
21 final action taken against them by another licensing
22 jurisdiction (any other state or any territory of the
23 United States or any foreign state or country), by any
24 peer review body, by any health care institution, by any
25 professional society or association related to practice
26 under this Act, by any governmental agency, by any law

1 enforcement agency, or by any court for acts or conduct
2 similar to acts or conduct which would constitute grounds
3 for action as defined in this Section.

4 (35) Failure to report to the Department surrender of
5 a license or authorization to practice as a medical
6 doctor, a doctor of osteopathy, a doctor of osteopathic
7 medicine, or doctor of chiropractic in another state or
8 jurisdiction, or surrender of membership on any medical
9 staff or in any medical or professional association or
10 society, while under disciplinary investigation by any of
11 those authorities or bodies, for acts or conduct similar
12 to acts or conduct which would constitute grounds for
13 action as defined in this Section.

14 (36) Failure to report to the Department any adverse
15 judgment, settlement, or award arising from a liability
16 claim related to acts or conduct similar to acts or
17 conduct which would constitute grounds for action as
18 defined in this Section.

19 (37) Failure to provide copies of medical records as
20 required by law.

21 (38) Failure to furnish the Department, or its
22 investigators or representatives, relevant information,
23 legally requested by the Department after consultation
24 with the Chief Medical Coordinator or the Deputy Medical
25 Coordinator.

26 (39) Violating the Health Care Worker Self-Referral

1 Act.

2 (40) (Blank).

3 (41) Failure to establish and maintain records of
4 patient care and treatment as required by this law.

5 (42) Entering into an excessive number of written
6 collaborative agreements with licensed advanced practice
7 registered nurses resulting in an inability to adequately
8 collaborate.

9 (43) Repeated failure to adequately collaborate with a
10 licensed advanced practice registered nurse.

11 (44) Violating the Compassionate Use of Medical
12 Cannabis Program Act.

13 (45) Entering into an excessive number of written
14 collaborative agreements with licensed prescribing
15 psychologists resulting in an inability to adequately
16 collaborate.

17 (46) Repeated failure to adequately collaborate with a
18 licensed prescribing psychologist.

19 (47) Willfully failing to report an instance of
20 suspected abuse, neglect, financial exploitation, or
21 self-neglect of an eligible adult as defined in and
22 required by the Adult Protective Services Act.

23 (48) Being named as an abuser in a verified report by
24 the Department on Aging under the Adult Protective
25 Services Act, and upon proof by clear and convincing
26 evidence that the licensee abused, neglected, or

1 financially exploited an eligible adult as defined in the
2 Adult Protective Services Act.

3 (49) Entering into an excessive number of written
4 collaborative agreements with licensed physician
5 assistants resulting in an inability to adequately
6 collaborate.

7 (50) Repeated failure to adequately collaborate with a
8 physician assistant.

9 (51) Failure to report actual or alleged reportable
10 conduct in accordance with Section 2105-390 of the
11 Department of Professional Regulation Law of the Civil
12 Administrative Code of Illinois.

13 (52) Except in the context of emergency care, surgical
14 care, or care that requires more than one health care
15 professional, conducting a physical examination of the
16 breast or genitalia under one of the following conditions:
17 (i) conducting the examination alone with the patient
18 without first informing the patient that the patient may
19 request the presence of a third person during the
20 examination; or (ii) conducting the examination alone with
21 the patient if the patient has requested, and not
22 withdrawn the request, to have a third person present. If
23 the patient does not bring a third person, and if no
24 licensee-provided third person is available, the licensee
25 may inform the patient that the licensee cannot honor the
26 patient's request and invite the patient to either return

1 with a patient-provided third person or voluntarily elect
2 to withdraw the request and proceed with the examination.
3 For a patient whose care decisions are made by a parent or
4 guardian, the licensee's obligation is to inform and honor
5 requests from the parent or guardian. Notwithstanding any
6 provision of this paragraph (52) to the contrary, except
7 in the context of emergency care, surgical care, or care
8 that requires more than one health care professional,
9 licensees may, in their sole discretion, refuse to conduct
10 an examination of the breast or genitalia without a third
11 person present.

12 Except for actions involving the ground numbered (26), all
13 proceedings to suspend, revoke, place on probationary status,
14 or take any other disciplinary action as the Department may
15 deem proper, with regard to a license on any of the foregoing
16 grounds, must be commenced within 5 years next after receipt
17 by the Department of a complaint alleging the commission of or
18 notice of the conviction order for any of the acts described
19 herein. Except for the grounds numbered (8), (9), (26), and
20 (29), no action shall be commenced more than 10 years after the
21 date of the incident or act alleged to have violated this
22 Section. For actions involving the ground numbered (26), a
23 pattern of practice or other behavior includes all incidents
24 alleged to be part of the pattern of practice or other behavior
25 that occurred, or a report pursuant to Section 23 of this Act
26 received, within the 10-year period preceding the filing of

1 the complaint. In the event of the settlement of any claim or
2 cause of action in favor of the claimant or the reduction to
3 final judgment of any civil action in favor of the plaintiff,
4 such claim, cause of action, or civil action being grounded on
5 the allegation that a person licensed under this Act was
6 negligent in providing care, the Department shall have an
7 additional period of 2 years from the date of notification to
8 the Department under Section 23 of this Act of such settlement
9 or final judgment in which to investigate and commence formal
10 disciplinary proceedings under Section 36 of this Act, except
11 as otherwise provided by law. The time during which the holder
12 of the license was outside the State of Illinois shall not be
13 included within any period of time limiting the commencement
14 of disciplinary action by the Department.

15 The entry of an order or judgment by any circuit court
16 establishing that any person holding a license under this Act
17 is a person in need of mental treatment operates as a
18 suspension of that license. That person may resume his or her
19 practice only upon the entry of a Departmental order based
20 upon a finding by the Medical Board that the person has been
21 determined to be recovered from mental illness by the court
22 and upon the Medical Board's recommendation that the person be
23 permitted to resume his or her practice.

24 The Department may refuse to issue or take disciplinary
25 action concerning the license of any person who fails to file a
26 return, or to pay the tax, penalty, or interest shown in a

1 filed return, or to pay any final assessment of tax, penalty,
2 or interest, as required by any tax Act administered by the
3 Illinois Department of Revenue, until such time as the
4 requirements of any such tax Act are satisfied as determined
5 by the Illinois Department of Revenue.

6 The Department, upon the recommendation of the Medical
7 Board, shall adopt rules which set forth standards to be used
8 in determining:

9 (a) when a person will be deemed sufficiently
10 rehabilitated to warrant the public trust;

11 (b) what constitutes dishonorable, unethical, or
12 unprofessional conduct of a character likely to deceive,
13 defraud, or harm the public;

14 (c) what constitutes immoral conduct in the commission
15 of any act, including, but not limited to, commission of
16 an act of sexual misconduct related to the licensee's
17 practice; and

18 (d) what constitutes gross negligence in the practice
19 of medicine.

20 However, no such rule shall be admissible into evidence in
21 any civil action except for review of a licensing or other
22 disciplinary action under this Act.

23 In enforcing this Section, the Medical Board, upon a
24 showing of a possible violation, may compel any individual who
25 is licensed to practice under this Act or holds a permit to
26 practice under this Act, or any individual who has applied for

1 licensure or a permit pursuant to this Act, to submit to a
2 mental or physical examination and evaluation, or both, which
3 may include a substance abuse or sexual offender evaluation,
4 as required by the Medical Board and at the expense of the
5 Department. The Medical Board shall specifically designate the
6 examining physician licensed to practice medicine in all of
7 its branches or, if applicable, the multidisciplinary team
8 involved in providing the mental or physical examination and
9 evaluation, or both. The multidisciplinary team shall be led
10 by a physician licensed to practice medicine in all of its
11 branches and may consist of one or more or a combination of
12 physicians licensed to practice medicine in all of its
13 branches, licensed chiropractic physicians, licensed clinical
14 psychologists, licensed clinical social workers, licensed
15 clinical professional counselors, and other professional and
16 administrative staff. Any examining physician or member of the
17 multidisciplinary team may require any person ordered to
18 submit to an examination and evaluation pursuant to this
19 Section to submit to any additional supplemental testing
20 deemed necessary to complete any examination or evaluation
21 process, including, but not limited to, blood testing,
22 urinalysis, psychological testing, or neuropsychological
23 testing. The Medical Board or the Department may order the
24 examining physician or any member of the multidisciplinary
25 team to provide to the Department or the Medical Board any and
26 all records, including business records, that relate to the

1 examination and evaluation, including any supplemental testing
2 performed. The Medical Board or the Department may order the
3 examining physician or any member of the multidisciplinary
4 team to present testimony concerning this examination and
5 evaluation of the licensee, permit holder, or applicant,
6 including testimony concerning any supplemental testing or
7 documents relating to the examination and evaluation. No
8 information, report, record, or other documents in any way
9 related to the examination and evaluation shall be excluded by
10 reason of any common law or statutory privilege relating to
11 communication between the licensee, permit holder, or
12 applicant and the examining physician or any member of the
13 multidisciplinary team. No authorization is necessary from the
14 licensee, permit holder, or applicant ordered to undergo an
15 evaluation and examination for the examining physician or any
16 member of the multidisciplinary team to provide information,
17 reports, records, or other documents or to provide any
18 testimony regarding the examination and evaluation. The
19 individual to be examined may have, at his or her own expense,
20 another physician of his or her choice present during all
21 aspects of the examination. Failure of any individual to
22 submit to mental or physical examination and evaluation, or
23 both, when directed, shall result in an automatic suspension,
24 without hearing, until such time as the individual submits to
25 the examination. If the Medical Board finds a physician unable
26 to practice following an examination and evaluation because of

1 the reasons set forth in this Section, the Medical Board shall
2 require such physician to submit to care, counseling, or
3 treatment by physicians, or other health care professionals,
4 approved or designated by the Medical Board, as a condition
5 for issued, continued, reinstated, or renewed licensure to
6 practice. Any physician, whose license was granted pursuant to
7 Section 9, 17, or 19 of this Act, or, continued, reinstated,
8 renewed, disciplined, or supervised, subject to such terms,
9 conditions, or restrictions who shall fail to comply with such
10 terms, conditions, or restrictions, or to complete a required
11 program of care, counseling, or treatment, as determined by
12 the Chief Medical Coordinator or Deputy Medical Coordinators,
13 shall be referred to the Secretary for a determination as to
14 whether the licensee shall have his or her license suspended
15 immediately, pending a hearing by the Medical Board. In
16 instances in which the Secretary immediately suspends a
17 license under this Section, a hearing upon such person's
18 license must be convened by the Medical Board within 15 days
19 after such suspension and completed without appreciable delay.
20 The Medical Board shall have the authority to review the
21 subject physician's record of treatment and counseling
22 regarding the impairment, to the extent permitted by
23 applicable federal statutes and regulations safeguarding the
24 confidentiality of medical records.

25 An individual licensed under this Act, affected under this
26 Section, shall be afforded an opportunity to demonstrate to

1 the Medical Board that he or she can resume practice in
2 compliance with acceptable and prevailing standards under the
3 provisions of his or her license.

4 The Medical Board, in determining mental capacity of an
5 individual licensed under this Act, shall consider the latest
6 recommendations of the Federation of State Medical Boards.

7 The Department may promulgate rules for the imposition of
8 fines in disciplinary cases, not to exceed \$10,000 for each
9 violation of this Act. Fines may be imposed in conjunction
10 with other forms of disciplinary action, but shall not be the
11 exclusive disposition of any disciplinary action arising out
12 of conduct resulting in death or injury to a patient. Any funds
13 collected from such fines shall be deposited in the Illinois
14 State Medical Disciplinary Fund.

15 All fines imposed under this Section shall be paid within
16 60 days after the effective date of the order imposing the fine
17 or in accordance with the terms set forth in the order imposing
18 the fine.

19 (B) The Department shall revoke the license or permit
20 issued under this Act to practice medicine of a chiropractic
21 physician who has been convicted a second time of committing
22 any felony under the Illinois Controlled Substances Act or the
23 Methamphetamine Control and Community Protection Act, or who
24 has been convicted a second time of committing a Class 1 felony
25 under Sections 8A-3 and 8A-6 of the Illinois Public Aid Code. A
26 person whose license or permit is revoked under this

1 subsection (B) shall be prohibited from practicing medicine or
2 treating human ailments without the use of drugs and without
3 operative surgery.

4 (C) The Department shall not revoke, suspend, place on
5 probation, reprimand, refuse to issue or renew, or take any
6 other disciplinary or non-disciplinary action against a
7 person's authorization to practice under this Act:

8 (1) based solely upon the recommendation of the person
9 to an eligible patient regarding, or prescription for, or
10 treatment with, an investigational drug, biological
11 product, or device;

12 (2) for experimental treatment for Lyme disease or
13 other tick-borne diseases, including, but not limited to,
14 the prescription of or treatment with long-term
15 antibiotics;

16 (3) based solely upon the person providing,
17 authorizing, recommending, aiding, assisting, referring
18 for, or otherwise participating in any health care
19 service, so long as the care was not unlawful under the
20 laws of this State, regardless of whether the patient was
21 a resident of this State or another state; or

22 (4) based upon the person's license, registration, or
23 permit being revoked or suspended, or the person being
24 otherwise disciplined, by any other state if that
25 revocation, suspension, or other form of discipline was
26 based solely on the person violating another state's laws

1 prohibiting the provision of, authorization of,
2 recommendation of, aiding or assisting in, referring for,
3 or participation in any health care service if that health
4 care service as provided would not have been unlawful
5 under the laws of this State and is consistent with the
6 applicable standard of conduct for the person practicing
7 in Illinois under this Act.

8 (D) (Blank).

9 (E) The conduct specified in subsection (C) shall not
10 trigger reporting requirements under Section 23, constitute
11 grounds for suspension under Section 25, or be included on the
12 physician's profile required under Section 10 of the Patients'
13 Right to Know Act.

14 (F) An applicant seeking licensure, certification, or
15 authorization pursuant to this Act and who has been subject to
16 disciplinary action by a duly authorized professional
17 disciplinary agency of another jurisdiction solely on the
18 basis of having provided, authorized, recommended, aided,
19 assisted, referred for, or otherwise participated in health
20 care shall not be denied such licensure, certification, or
21 authorization, unless the Department determines that the
22 action would have constituted professional misconduct in this
23 State; however, nothing in this Section shall be construed as
24 prohibiting the Department from evaluating the conduct of the
25 applicant and making a determination regarding the licensure,
26 certification, or authorization to practice a profession under

1 this Act.

2 (G) The Department may adopt rules to implement,
3 administer, and enforce this Section ~~Public Act 102-1117~~.

4 (Source: P.A. 103-442, eff. 1-1-24; 104-417, eff. 8-15-25;
5 104-432, eff. 1-1-26; revised 9-15-25.)

6 Section 70. The Naprapathic Practice Act is amended by
7 changing Section 110 as follows:

8 (225 ILCS 63/110)

9 (Section scheduled to be repealed on January 1, 2028)

10 Sec. 110. Grounds for disciplinary action; refusal,
11 revocation, suspension.

12 (a) The Department may refuse to issue or to renew, or may
13 revoke, suspend, place on probation, reprimand or take other
14 disciplinary or non-disciplinary action as the Department may
15 deem appropriate, including imposing fines not to exceed
16 \$10,000 for each violation, with regard to any licensee or
17 license for any one or combination of the following causes:

18 (1) Violations of this Act or of rules adopted under
19 this Act.

20 (2) Making a material misstatement in furnishing
21 information to the Department or otherwise making
22 misleading, deceptive, untrue, or fraudulent
23 representations in violation of this Act or otherwise in
24 the practice of the profession.

1 (3) Conviction by plea of guilty or nolo contendere,
2 finding of guilt, jury verdict, or entry of judgment, or
3 by sentencing of any crime, including, but not limited to,
4 convictions, preceding sentences of supervision,
5 conditional discharge, or first offender probation, under
6 the laws of any jurisdiction of the United States: (i)
7 that is a felony or (ii) that is a misdemeanor, an
8 essential element of which is dishonesty, or that is
9 directly related to the practice of the profession.

10 (4) Fraud or any misrepresentation in applying for or
11 procuring a license under this Act or in connection with
12 applying for renewal of a license under this Act.

13 (5) Professional incompetence or gross negligence.

14 (6) Malpractice.

15 (7) Aiding or assisting another person in violating
16 any provision of this Act or its rules.

17 (8) Failing to provide information within 60 days in
18 response to a written request made by the Department.

19 (9) Engaging in dishonorable, unethical, or
20 unprofessional conduct of a character likely to deceive,
21 defraud, or harm the public.

22 (10) Habitual or excessive use or abuse of drugs
23 defined in law as controlled substances, alcohol, or any
24 other substance which results in the inability to practice
25 with reasonable judgment, skill, or safety.

26 (11) Discipline by another U.S. jurisdiction or

1 foreign nation if at least one of the grounds for the
2 discipline is the same or substantially equivalent to
3 those set forth in this Act.

4 (12) Directly or indirectly giving to or receiving
5 from any person, firm, corporation, partnership, or
6 association any fee, commission, rebate, or other form of
7 compensation for any professional services not actually or
8 personally rendered. This shall not be deemed to include
9 rent or other remunerations paid to an individual,
10 partnership, or corporation by a naprapath for the lease,
11 rental, or use of space, owned or controlled by the
12 individual, partnership, corporation, or association.
13 Nothing in this paragraph (12) affects any bona fide
14 independent contractor or employment arrangements among
15 health care professionals, health facilities, health care
16 providers, or other entities, except as otherwise
17 prohibited by law. Any employment arrangements may include
18 provisions for compensation, health insurance, pension, or
19 other employment benefits for the provision of services
20 within the scope of the licensee's practice under this
21 Act. Nothing in this paragraph (12) shall be construed to
22 require an employment arrangement to receive professional
23 fees for services rendered.

24 (13) Using the title "Doctor" or its abbreviation
25 without further clarifying that title or abbreviation with
26 the word "naprapath" or "naprapathy" or the designation

1 "D.N.".

2 (14) A finding by the Department that the licensee,
3 after having his or her license placed on probationary
4 status, has violated the terms of probation.

5 (15) Abandonment of a patient without cause.

6 (16) Willfully making or filing false records or
7 reports relating to a licensee's practice, including but
8 not limited to, false records filed with State agencies or
9 departments.

10 (17) Willfully failing to report an instance of
11 suspected child abuse or neglect as required by the Abused
12 and Neglected Child Reporting Act.

13 (18) Physical or mental illness or disability,
14 including, but not limited to, deterioration through the
15 aging process or loss of motor skill that results in the
16 inability to practice the profession with reasonable
17 judgment, skill, or safety.

18 (19) Solicitation of professional services by means
19 other than permitted advertising.

20 (20) Failure to provide a patient with a copy of his or
21 her record upon the written request of the patient.

22 (21) Cheating on or attempting to subvert the
23 licensing examination administered under this Act.

24 (22) Allowing one's license under this Act to be used
25 by an unlicensed person in violation of this Act.

26 (23) (Blank).

1 (24) Being named as a perpetrator in an indicated
2 report by the Department of Children and Family Services
3 under the Abused and Neglected Child Reporting Act and
4 upon the indicated report becoming final after a hearing
5 or opportunity for a hearing. ~~and upon proof by clear and~~
6 ~~convincing evidence that the licensee has caused a child~~
7 ~~to be an abused child or a neglected child as defined in~~
8 ~~the Abused and Neglected Child Reporting Act.~~

9 (25) Practicing under a false or, except as provided
10 by law, an assumed name.

11 (26) Immoral conduct in the commission of any act,
12 such as sexual abuse, sexual misconduct, or sexual
13 exploitation, related to the licensee's practice.

14 (27) Maintaining a professional relationship with any
15 person, firm, or corporation when the naprapath knows, or
16 should know, that the person, firm, or corporation is
17 violating this Act.

18 (28) Promotion of the sale of food supplements,
19 devices, appliances, or goods provided for a client or
20 patient in such manner as to exploit the patient or client
21 for financial gain of the licensee.

22 (29) Having treated ailments of human beings other
23 than by the practice of naprapathy as defined in this Act
24 unless authorized to do so by State law.

25 (30) Use by a registered naprapath of the word
26 "infirmary", "hospital", "school", "university", in

1 English or any other language, in connection with the
2 place where naprapathy may be practiced or demonstrated.

3 (31) Continuance of a naprapath in the employ of any
4 person, firm, or corporation, or as an assistant to any
5 naprapath or naprapaths, directly or indirectly, after his
6 or her employer or superior has been found guilty of
7 violating or has been enjoined from violating the laws of
8 the State of Illinois relating to the practice of
9 naprapathy when the employer or superior persists in that
10 violation.

11 (32) The performance of naprapathic service in
12 conjunction with a scheme or plan with another person,
13 firm, or corporation known to be advertising in a manner
14 contrary to this Act or otherwise violating the laws of
15 the State of Illinois concerning the practice of
16 naprapathy.

17 (33) Failure to provide satisfactory proof of having
18 participated in approved continuing education programs as
19 determined by and approved by the Secretary. Exceptions
20 for extreme hardships are to be defined by the rules of the
21 Department.

22 (34) (Blank).

23 (35) Gross or willful overcharging for professional
24 services.

25 (36) (Blank).

26 (37) Failure to report actual or alleged reportable

1 conduct in accordance with Section 2105-390 of the
2 Department of Professional Regulation Law of the Civil
3 Administrative Code of Illinois.

4 All fines imposed under this Section shall be paid within
5 60 days after the effective date of the order imposing the
6 fine, unless an alternate payment schedule has been agreed
7 upon in writing.

8 (b) A person not licensed under this Act and engaged in the
9 business of offering naprapathy services through others, shall
10 not aid, abet, assist, procure, advise, employ, or contract
11 with any unlicensed person to practice naprapathy contrary to
12 any rules or provisions of this Act. A person violating this
13 subsection (b) shall be treated as a licensee for the purposes
14 of disciplinary action under this Section and shall be subject
15 to cease and desist orders as provided in Section 90 of this
16 Act.

17 (b-5) The Department may refuse to issue or may suspend
18 the license of any person who fails to file a tax return, to
19 pay the tax, penalty, or interest shown in a filed tax return,
20 or to pay any final assessment of tax, penalty, or interest, as
21 required by any tax Act administered by the Department of
22 Revenue, until the requirements of the tax Act are satisfied
23 in accordance with subsection (g) of Section 2105-15 of the
24 Civil Administrative Code of Illinois.

25 (c) (Blank).

26 (d) In cases where the Department of Healthcare and Family

1 Services has previously determined a licensee or a potential
2 licensee is more than 30 days delinquent in the payment of
3 child support and has subsequently certified the delinquency
4 to the Department, the Department may refuse to issue or renew
5 or may revoke or suspend that person's license or may take
6 other disciplinary action against that person based solely
7 upon the certification of delinquency made by the Department
8 of Healthcare and Family Services in accordance with item (5)
9 of subsection (a) of Section 2105-15 of the Department of
10 Professional Regulation Law of the Civil Administrative Code
11 of Illinois.

12 (e) The determination by a circuit court that a licensee
13 is subject to involuntary admission or judicial admission, as
14 provided in the Mental Health and Developmental Disabilities
15 Code, operates as an automatic suspension. The suspension
16 shall end only upon a finding by a court that the patient is no
17 longer subject to involuntary admission or judicial admission
18 and the issuance of an order so finding and discharging the
19 patient and upon the Board's recommendation to the Department
20 that the license be restored. Where the circumstances so
21 indicate, the Board may recommend to the Department that it
22 require an examination prior to restoring a suspended license.

23 (f) In enforcing this Act, the Department, upon a showing
24 of a possible violation, may compel an individual licensed to
25 practice under this Act, or who has applied for licensure
26 under this Act, to submit to a mental or physical examination,

1 or both, as required by and at the expense of the Department.
2 The Department or Board may order the examining physician to
3 present testimony concerning the mental or physical
4 examination of the licensee or applicant. No information shall
5 be excluded by reason of any common law or statutory privilege
6 relating to communications between the licensee or applicant
7 and the examining physician. The examining physicians shall be
8 specifically designated by the Board or Department. The
9 individual to be examined may have, at his or her own expense,
10 another physician of his or her choice present during all
11 aspects of this examination. The examination shall be
12 performed by a physician under the Medical Practice Act of
13 1987. Failure of an individual to submit to a mental or
14 physical examination, when directed, shall result in an
15 automatic suspension without hearing.

16 A person holding a license under this Act or who has
17 applied for a license under this Act who, because of a physical
18 or mental illness or disability, including, but not limited
19 to, deterioration through the aging process or loss of motor
20 skill, is unable to practice the profession with reasonable
21 judgment, skill, or safety, may be required by the Department
22 to submit to care, counseling, or treatment by physicians
23 approved or designated by the Department as a condition, term,
24 or restriction for continued, reinstated, or renewed licensure
25 to practice. Submission to care, counseling, or treatment as
26 required by the Department shall not be considered discipline

1 of a license. If the licensee refuses to enter into a care,
2 counseling, or treatment agreement or fails to abide by the
3 terms of the agreement, the Department may file a complaint to
4 revoke, suspend, or otherwise discipline the license of the
5 individual. The Secretary may order the license suspended
6 immediately, pending a hearing by the Department. Fines shall
7 not be assessed in disciplinary actions involving physical or
8 mental illness or impairment.

9 In instances in which the Secretary immediately suspends a
10 person's license under this Section, a hearing on that
11 person's license must be convened by the Department within 15
12 days after the suspension and completed without appreciable
13 delay. The Department and the Board shall have the authority
14 to review the subject individual's record of treatment and
15 counseling regarding the impairment to the extent permitted by
16 applicable federal statutes and regulations safeguarding the
17 confidentiality of medical records.

18 An individual licensed under this Act and affected under
19 this Section shall be afforded an opportunity to demonstrate
20 to the Department that he or she can resume practice in
21 compliance with acceptable and prevailing standards under the
22 provisions of his or her license.

23 (Source: P.A. 102-880, eff. 1-1-23.)

24 Section 75. The Licensed Certified Professional Midwife
25 Practice Act is amended by changing Section 100 as follows:

1 (225 ILCS 64/100)

2 (Section scheduled to be repealed on January 1, 2027)

3 Sec. 100. Grounds for disciplinary action.

4 (a) The Department may refuse to issue or to renew, or may
5 revoke, suspend, place on probation, reprimand, or take other
6 disciplinary or non-disciplinary action with regard to any
7 license issued under this Act as the Department may deem
8 proper, including the issuance of fines not to exceed \$10,000
9 for each violation, for any one or combination of the
10 following causes:

11 (1) Material misstatement in furnishing information to
12 the Department.

13 (2) Violations of this Act, or the rules adopted under
14 this Act.

15 (3) Conviction by plea of guilty or nolo contendere,
16 finding of guilt, jury verdict, or entry of judgment or
17 sentencing, including, but not limited to, convictions,
18 preceding sentences of supervision, conditional discharge,
19 or first offender probation, under the laws of any
20 jurisdiction of the United States that is: (i) a felony;
21 or (ii) a misdemeanor, an essential element of which is
22 dishonesty, or that is directly related to the practice of
23 the profession.

24 (4) Making any misrepresentation for the purpose of
25 obtaining licenses.

1 (5) Professional incompetence.

2 (6) Aiding or assisting another person in violating
3 any provision of this Act or its rules.

4 (7) Failing, within 60 days, to provide information in
5 response to a written request made by the Department.

6 (8) Engaging in dishonorable, unethical, or
7 unprofessional conduct, as defined by rule, of a character
8 likely to deceive, defraud, or harm the public.

9 (9) Habitual or excessive use or addiction to alcohol,
10 narcotics, stimulants, or any other chemical agent or drug
11 that results in a midwife's inability to practice with
12 reasonable judgment, skill, or safety.

13 (10) Discipline by another U.S. jurisdiction or
14 foreign nation, if at least one of the grounds for
15 discipline is the same or substantially equivalent to
16 those set forth in this Section.

17 (11) Directly or indirectly giving to or receiving
18 from any person, firm, corporation, partnership, or
19 association any fee, commission, rebate, or other form of
20 compensation for any professional services not actually or
21 personally rendered. Nothing in this paragraph affects any
22 bona fide independent contractor or employment
23 arrangements, including provisions for compensation,
24 health insurance, pension, or other employment benefits,
25 with persons or entities authorized under this Act for the
26 provision of services within the scope of the licensee's

1 practice under this Act.

2 (12) A finding by the Department that the licensee,
3 after having his or her license placed on probationary
4 status, has violated the terms of probation.

5 (13) Abandonment of a patient.

6 (14) Willfully making or filing false records or
7 reports in his or her practice, including, but not limited
8 to, false records filed with State agencies or
9 departments.

10 (15) Willfully failing to report an instance of
11 suspected child abuse or neglect as required by the Abused
12 and Neglected Child Reporting Act.

13 (16) Physical illness, or mental illness or impairment
14 that results in the inability to practice the profession
15 with reasonable judgment, skill, or safety, including, but
16 not limited to, deterioration through the aging process or
17 loss of motor skill.

18 (17) Being named as a perpetrator in an indicated
19 report by the Department of Children and Family Services
20 under the Abused and Neglected Child Reporting Act and
21 upon the indicated report becoming final after a hearing
22 or opportunity for a hearing. ~~and upon proof by clear and~~
23 ~~convincing evidence that the licensee has caused a child~~
24 ~~to be an abused child or neglected child as defined in the~~
25 ~~Abused and Neglected Child Reporting Act.~~

26 (18) Gross negligence resulting in permanent injury or

1 death of a patient.

2 (19) Employment of fraud, deception, or any unlawful
3 means in applying for or securing a license as a licensed
4 certified professional midwife.

5 (21) Immoral conduct in the commission of any act,
6 including sexual abuse, sexual misconduct, or sexual
7 exploitation related to the licensee's practice.

8 (22) Violation of the Health Care Worker Self-Referral
9 Act.

10 (23) Practicing under a false or assumed name, except
11 as provided by law.

12 (24) Making a false or misleading statement regarding
13 his or her skill or the efficacy or value of the medicine,
14 treatment, or remedy prescribed by him or her in the
15 course of treatment.

16 (25) Allowing another person to use his or her license
17 to practice.

18 (26) Prescribing, selling, administering,
19 distributing, giving, or self-administering a drug
20 classified as a controlled substance for purposes other
21 than medically accepted therapeutic purposes.

22 (27) Promotion of the sale of drugs, devices,
23 appliances, or goods provided for a patient in a manner to
24 exploit the patient for financial gain.

25 (28) A pattern of practice or other behavior that
26 demonstrates incapacity or incompetence to practice under

1 this Act.

2 (29) Violating State or federal laws, rules, or
3 regulations relating to controlled substances or other
4 legend drugs or ephedra as defined in the Ephedra
5 Prohibition Act.

6 (30) Failure to establish and maintain records of
7 patient care and treatment as required by law.

8 (31) Attempting to subvert or cheat on the examination
9 of the North American Registry of Midwives or its
10 successor agency.

11 (32) Willfully or negligently violating the
12 confidentiality between licensed certified professional
13 midwives and patient, except as required by law.

14 (33) Willfully failing to report an instance of
15 suspected abuse, neglect, financial exploitation, or
16 self-neglect of an eligible adult as defined in and
17 required by the Adult Protective Services Act.

18 (34) Being named as an abuser in a verified report by
19 the Department on Aging under the Adult Protective
20 Services Act and upon proof by clear and convincing
21 evidence that the licensee abused, neglected, or
22 financially exploited an eligible adult as defined in the
23 Adult Protective Services Act.

24 (35) Failure to report to the Department an adverse
25 final action taken against him or her by another licensing
26 jurisdiction of the United States or a foreign state or

1 country, a peer review body, a health care institution, a
2 professional society or association, a governmental
3 agency, a law enforcement agency, or a court.

4 (36) Failure to provide copies of records of patient
5 care or treatment, except as required by law.

6 (37) Failure of a licensee to report to the Department
7 surrender by the licensee of a license or authorization to
8 practice in another state or jurisdiction or current
9 surrender by the licensee of membership professional
10 association or society while under disciplinary
11 investigation by any of those authorities or bodies for
12 acts or conduct similar to acts or conduct that would
13 constitute grounds for action under this Section.

14 (38) Failing, within 90 days, to provide a response to
15 a request for information in response to a written request
16 made by the Department by certified or registered mail or
17 by email to the email address of record.

18 (39) Failure to supervise a midwife assistant or
19 student midwife, including, but not limited to, allowing a
20 midwife assistant or student midwife to exceed their
21 scope.

22 (40) Failure to adequately inform a patient about
23 their malpractice liability insurance coverage and the
24 policy limits of the coverage.

25 (41) Failure to submit an annual report to the
26 Department of Public Health.

1 (42) Failure to disclose active cardiopulmonary
2 resuscitation certification or neonatal resuscitation
3 provider status to clients.

4 (43) Engaging in one of the prohibited practices
5 provided for in Section 85 of this Act.

6 (44) Failure to report actual or alleged reportable
7 conduct in accordance with Section 2105-390 of the
8 Department of Professional Regulation Law of the Civil
9 Administrative Code of Illinois.

10 (45) Except in the context of emergency care, surgical
11 care, or care that requires more than one health care
12 professional, conducting a physical examination of the
13 breast or genitalia under one of the following conditions:
14 (i) conducting the examination alone with the patient
15 without first informing the patient that the patient may
16 request the presence of a third person during the
17 examination; or (ii) conducting the examination alone with
18 the patient if the patient has requested, and not
19 withdrawn the request, to have a third person present. If
20 the patient does not bring a third person, and if no
21 licensee-provided third person is available, the licensee
22 may inform the patient that the licensee cannot honor the
23 patient's request and invite the patient to either return
24 with a patient-provided third person or voluntarily elect
25 to withdraw the request and proceed with the examination.
26 For a patient whose care decisions are made by a parent or

1 guardian, the licensee's obligation is to inform and honor
2 requests from the parent or guardian. Notwithstanding any
3 provision of this paragraph (45) to the contrary, except
4 in the context of emergency care, surgical care, or care
5 that requires more than one health care professional,
6 licensees may, in their sole discretion, refuse to conduct
7 an examination of the breast or genitalia without a third
8 person present.

9 (b) The Department may, without a hearing, refuse to issue
10 or renew or may suspend the license of any person who fails to
11 file a return, or to pay the tax, penalty, or interest shown in
12 a filed return, or to pay any final assessment of the tax,
13 penalty, or interest as required by any tax Act administered
14 by the Department of Revenue, until the requirements of any
15 such tax Act are satisfied.

16 (c) The determination by a circuit court that a licensee
17 is subject to involuntary admission or judicial admission as
18 provided in the Mental Health and Developmental Disabilities
19 Code operates as an automatic suspension. The suspension will
20 end only upon a finding by a court that the patient is no
21 longer subject to involuntary admission or judicial admission
22 and issues an order so finding and discharging the patient,
23 and upon the recommendation of the Board to the Secretary that
24 the licensee be allowed to resume his or her practice.

25 (d) In enforcing this Section, the Department, upon a
26 showing of a possible violation, may compel an individual

1 licensed to practice under this Act, or who has applied for
2 licensure under this Act, to submit to a mental or physical
3 examination, or both, including a substance abuse or sexual
4 offender evaluation, as required by and at the expense of the
5 Department.

6 The Department shall specifically designate the examining
7 physician licensed to practice medicine in all of its branches
8 or, if applicable, the multidisciplinary team involved in
9 providing the mental or physical examination or both. The
10 multidisciplinary team shall be led by a physician licensed to
11 practice medicine in all of its branches and may consist of one
12 or more or a combination of physicians licensed to practice
13 medicine in all of its branches, licensed clinical
14 psychologists, licensed clinical social workers, licensed
15 clinical professional counselors, and other professional and
16 administrative staff. Any examining physician or member of the
17 multidisciplinary team may require any person ordered to
18 submit to an examination pursuant to this Section to submit to
19 any additional supplemental testing deemed necessary to
20 complete any examination or evaluation process, including, but
21 not limited to, blood testing, urinalysis, psychological
22 testing, or neuropsychological testing.

23 The Department may order the examining physician or any
24 member of the multidisciplinary team to provide to the
25 Department any and all records, including business records,
26 that relate to the examination and evaluation, including any

1 supplemental testing performed.

2 The Department may order the examining physician or any
3 member of the multidisciplinary team to present testimony
4 concerning the mental or physical examination of the licensee
5 or applicant. No information, report, record, or other
6 documents in any way related to the examination shall be
7 excluded by reason of any common law or statutory privilege
8 relating to communications between the licensee or applicant
9 and the examining physician or any member of the
10 multidisciplinary team. No authorization is necessary from the
11 licensee or applicant ordered to undergo an examination for
12 the examining physician or any member of the multidisciplinary
13 team to provide information, reports, records, or other
14 documents or to provide any testimony regarding the
15 examination and evaluation.

16 The individual to be examined may have, at his or her own
17 expense, another physician of his or her choice present during
18 all aspects of this examination. However, that physician shall
19 be present only to observe and may not interfere in any way
20 with the examination.

21 Failure of an individual to submit to a mental or physical
22 examination, when ordered, shall result in an automatic
23 suspension of his or her license until the individual submits
24 to the examination.

25 If the Department finds an individual unable to practice
26 because of the reasons set forth in this Section, the

1 Department may require that individual to submit to care,
2 counseling, or treatment by physicians approved or designated
3 by the Department, as a condition, term, or restriction for
4 continued, reinstated, or renewed licensure to practice; or,
5 in lieu of care, counseling, or treatment, the Department may
6 file a complaint to immediately suspend, revoke, or otherwise
7 discipline the license of the individual. An individual whose
8 license was granted, continued, reinstated, renewed,
9 disciplined, or supervised subject to such terms, conditions,
10 or restrictions, and who fails to comply with such terms,
11 conditions, or restrictions, shall be referred to the
12 Secretary for a determination as to whether the individual
13 shall have his or her license suspended immediately, pending a
14 hearing by the Department.

15 In instances in which the Secretary immediately suspends a
16 person's license under this Section, a hearing on that
17 person's license must be convened by the Department within 30
18 days after the suspension and completed without appreciable
19 delay. The Department shall have the authority to review the
20 subject individual's record of treatment and counseling
21 regarding the impairment to the extent permitted by applicable
22 federal statutes and regulations safeguarding the
23 confidentiality of medical records.

24 An individual licensed under this Act and affected under
25 this Section shall be afforded an opportunity to demonstrate
26 to the Department that he or she can resume practice in

1 compliance with acceptable and prevailing standards under the
2 provisions of his or her license.

3 (e) The Department shall not revoke, suspend, summarily
4 suspend, place on prohibition, reprimand, refuse to issue or
5 renew, or take any other disciplinary or non-disciplinary
6 action against a person's authorization to practice under this
7 Act based solely upon the person authorizing, recommending,
8 aiding, assisting, referring for, or otherwise participating
9 in any health care service, so long as the care was not
10 unlawful under the laws of this State, regardless of whether
11 the patient was a resident of this State or another state.

12 (f) The Department shall not revoke, suspend, summarily
13 suspend, place on prohibition, reprimand, refuse to issue or
14 renew, or take any other disciplinary or non-disciplinary
15 action against a person's authorization to practice under this
16 Act based upon the person's license, registration, or permit
17 being revoked or suspended, or the person being otherwise
18 disciplined, by any other state if that revocation,
19 suspension, or other form of discipline was based solely on
20 the person violating another state's laws prohibiting the
21 provision of, authorization of, recommendation of, aiding or
22 assisting in, referring for, or participation in any health
23 care service if that health care service as provided would not
24 have been unlawful under the laws of this State and is
25 consistent with the applicable standard of conduct for the
26 person practicing in Illinois under this Act.

(Source: P.A. 103-605, eff. 7-1-24; 104-432, eff. 1-1-26.)

Section 80. The Nurse Practice Act is amended by changing Sections 65-65 and 70-5 as follows:

(225 ILCS 65/65-65) (was 225 ILCS 65/15-55)

(Section scheduled to be repealed on January 1, 2028)

Sec. 65-65. Reports relating to APRN professional conduct and capacity.

(a) Entities Required to Report.

(1) Health Care Institutions. The chief administrator or executive officer of a health care institution licensed by the Department of Public Health, which provides the minimum due process set forth in Section 10.4 of the Hospital Licensing Act, shall report to the Board when an advanced practice registered nurse's organized professional staff clinical privileges are terminated or are restricted based on a final determination, in accordance with that institution's bylaws or rules and regulations, that (i) a person has either committed an act or acts that may directly threaten patient care and that are not of an administrative nature or (ii) that a person may have a mental or physical disability that may endanger patients under that person's care. The chief administrator or officer shall also report if an advanced practice registered nurse accepts voluntary termination or

1 restriction of clinical privileges in lieu of formal
2 action based upon conduct related directly to patient care
3 and not of an administrative nature, or in lieu of formal
4 action seeking to determine whether a person may have a
5 mental or physical disability that may endanger patients
6 under that person's care. The Department shall provide by
7 rule for the reporting to it of all instances in which a
8 person licensed under this Article, who is impaired by
9 reason of age, drug or alcohol abuse, or physical or
10 mental impairment, is under supervision and, where
11 appropriate, is in a program of rehabilitation. Reports
12 submitted under this subsection shall be strictly
13 confidential and may be reviewed and considered only by
14 the members of the Board or authorized staff as provided
15 by rule of the Department. Provisions shall be made for
16 the periodic report of the status of any such reported
17 person not less than twice annually in order that the
18 Board shall have current information upon which to
19 determine the status of that person. Initial and periodic
20 reports of impaired advanced practice registered nurses
21 shall not be considered records within the meaning of the
22 State Records Act and shall be disposed of, following a
23 determination by the Board that such reports are no longer
24 required, in a manner and at an appropriate time as the
25 Board shall determine by rule. The filing of reports
26 submitted under this subsection shall be construed as the

1 filing of a report for purposes of subsection (c) of this
2 Section. Such health care institution shall not take any
3 adverse action, including, but not limited to, restricting
4 or terminating any person's clinical privileges, as a
5 result of an adverse action against a person's license,
6 registration, permit, or clinical privileges or other
7 disciplinary action by another state or health care
8 institution that resulted from the person's provision of,
9 authorization of, recommendation of, aiding or assistance
10 with, referral for, or participation in any health care
11 service if the adverse action was based solely on a
12 violation of the other state's law prohibiting the
13 provision of such health care and related services in the
14 state or for a resident of the state if that health care
15 service would not have been unlawful under the laws of
16 this State and is consistent with the applicable standard
17 of conduct for a person practicing in Illinois under this
18 Act.

19 (2) Professional Associations. The President or chief
20 executive officer of an association or society of persons
21 licensed under this Article, operating within this State,
22 shall report to the Board when the association or society
23 renders a final determination that a person licensed under
24 this Article has committed unprofessional conduct related
25 directly to patient care or that a person may have a mental
26 or physical disability that may endanger patients under

1 the person's care.

2 (3) Professional Liability Insurers. Every insurance
3 company that offers policies of professional liability
4 insurance to persons licensed under this Article, or any
5 other entity that seeks to indemnify the professional
6 liability of a person licensed under this Article, shall
7 report to the Board the settlement of any claim or cause of
8 action, or final judgment rendered in any cause of action,
9 that alleged negligence in the furnishing of patient care
10 by the licensee when the settlement or final judgment is
11 in favor of the plaintiff. Such insurance company shall
12 not take any adverse action, including, but not limited
13 to, denial or revocation of coverage, or rate increases,
14 against a person licensed under this Act with respect to
15 coverage for services provided in Illinois if based solely
16 on the person providing, authorizing, recommending,
17 aiding, assisting, referring for, or otherwise
18 participating in health care services this State in
19 violation of another state's law, or a revocation or other
20 adverse action against the person's license in another
21 state for violation of such law if that health care
22 service as provided would have been lawful and consistent
23 with the standards of conduct for registered nurses and
24 advanced practice registered nurses if it occurred in
25 Illinois. Notwithstanding this provision, it is against
26 public policy to require coverage for an illegal action.

1 (4) State's Attorneys. The State's Attorney of each
2 county shall report to the Board all instances in which a
3 person licensed under this Article is convicted or
4 otherwise found guilty of the commission of a felony.

5 (5) State Agencies. All agencies, boards, commissions,
6 departments, or other instrumentalities of the government
7 of this State shall report to the Board any instance
8 arising in connection with the operations of the agency,
9 including the administration of any law by the agency, in
10 which a person licensed under this Article has either
11 committed an act or acts that may constitute a violation
12 of this Article, that may constitute unprofessional
13 conduct related directly to patient care, or that
14 indicates that a person licensed under this Article may
15 have a mental or physical disability that may endanger
16 patients under that person's care.

17 (b) Mandatory Reporting. All reports required under items
18 (16) and (17) of subsection (a) of Section 70-5 shall be
19 submitted to the Board in a timely fashion. The reports shall
20 be filed in writing within 30 ~~60~~ days after a determination
21 that a report is required under this Article. All reports
22 shall contain the following information:

23 (1) The name, address, and telephone number of the
24 person making the report.

25 (2) The name, address, and telephone number of the
26 person who is the subject of the report.

1 (3) The name or other means of identification of any
2 patient or patients whose treatment is a subject of the
3 report, except that no medical records may be revealed
4 without the written consent of the patient or patients.

5 (4) A brief description of the facts that gave rise to
6 the issuance of the report, including, but not limited to,
7 the dates of any occurrences deemed to necessitate the
8 filing of the report.

9 (5) If court action is involved, the identity of the
10 court in which the action is filed, the docket number, and
11 date of filing of the action.

12 (6) Any further pertinent information that the
13 reporting party deems to be an aid in the evaluation of the
14 report.

15 Nothing contained in this Section shall be construed to in
16 any way waive or modify the confidentiality of medical reports
17 and committee reports to the extent provided by law. Any
18 information reported or disclosed shall be kept for the
19 confidential use of the Board, the Board's attorneys, the
20 investigative staff, and authorized clerical staff and shall
21 be afforded the same status as is provided information
22 concerning medical studies in Part 21 of Article VIII of the
23 Code of Civil Procedure.

24 (c) Immunity from Prosecution. An individual or
25 organization acting in good faith, and not in a willful and
26 wanton manner, in complying with this Section by providing a

1 report or other information to the Board, by assisting in the
2 investigation or preparation of a report or information, by
3 participating in proceedings of the Board, or by serving as a
4 member of the Board shall not, as a result of such actions, be
5 subject to criminal prosecution or civil damages.

6 (d) Indemnification. Members of the Board, the Board's
7 attorneys, the investigative staff, advanced practice
8 registered nurses or physicians retained under contract to
9 assist and advise in the investigation, and authorized
10 clerical staff shall be indemnified by the State for any
11 actions (i) occurring within the scope of services on the
12 Board, (ii) performed in good faith, and (iii) not willful and
13 wanton in nature. The Attorney General shall defend all
14 actions taken against those persons unless he or she
15 determines either that there would be a conflict of interest
16 in the representation or that the actions complained of were
17 not performed in good faith or were willful and wanton in
18 nature. If the Attorney General declines representation, the
19 member shall have the right to employ counsel of his or her
20 choice, whose fees shall be provided by the State, after
21 approval by the Attorney General, unless there is a
22 determination by a court that the member's actions were not
23 performed in good faith or were willful and wanton in nature.
24 The member shall notify the Attorney General within 7 days of
25 receipt of notice of the initiation of an action involving
26 services of the Board. Failure to so notify the Attorney

1 General shall constitute an absolute waiver of the right to a
2 defense and indemnification. The Attorney General shall
3 determine within 7 days after receiving the notice whether he
4 or she will undertake to represent the member.

5 (e) Deliberations of Board. Upon the receipt of a report
6 called for by this Section, other than those reports of
7 impaired persons licensed under this Article required pursuant
8 to the rules of the Board, the Board shall notify in writing by
9 certified or registered mail or by email to the email address
10 of record the person who is the subject of the report. The
11 notification shall be made within 30 days of receipt by the
12 Board of the report. The notification shall include a written
13 notice setting forth the person's right to examine the report.
14 Included in the notification shall be the address at which the
15 file is maintained, the name of the custodian of the reports,
16 and the telephone number at which the custodian may be
17 reached. The person who is the subject of the report shall
18 submit a written statement responding to, clarifying, adding
19 to, or proposing to amend the report previously filed. The
20 statement shall become a permanent part of the file and shall
21 be received by the Board no more than 30 days after the date on
22 which the person was notified of the existence of the original
23 report. The Board shall review all reports received by it and
24 any supporting information and responding statements submitted
25 by persons who are the subject of reports. The review by the
26 Board shall be in a timely manner but in no event shall the

1 Board's initial review of the material contained in each
2 disciplinary file be less than 61 days nor more than 180 days
3 after the receipt of the initial report by the Board. When the
4 Board makes its initial review of the materials contained
5 within its disciplinary files, the Board shall, in writing,
6 make a determination as to whether there are sufficient facts
7 to warrant further investigation or action. Failure to make
8 that determination within the time provided shall be deemed to
9 be a determination that there are not sufficient facts to
10 warrant further investigation or action. Should the Board find
11 that there are not sufficient facts to warrant further
12 investigation or action, the report shall be accepted for
13 filing and the matter shall be deemed closed and so reported.
14 The individual or entity filing the original report or
15 complaint and the person who is the subject of the report or
16 complaint shall be notified in writing by the Board of any
17 final action on their report or complaint.

18 (f) (Blank).

19 (g) Any violation of this Section shall constitute a Class
20 A misdemeanor.

21 (h) If a person violates the provisions of this Section,
22 an action may be brought in the name of the People of the State
23 of Illinois, through the Attorney General of the State of
24 Illinois, for an order enjoining the violation or for an order
25 enforcing compliance with this Section. Upon filing of a
26 petition in court, the court may issue a temporary restraining

1 order without notice or bond and may preliminarily or
2 permanently enjoin the violation, and if it is established
3 that the person has violated or is violating the injunction,
4 the court may punish the offender for contempt of court.
5 Proceedings under this subsection shall be in addition to, and
6 not in lieu of, all other remedies and penalties provided for
7 by this Section.

8 (i) The Department may adopt rules to implement,
9 administer, and enforce this Section.

10 (Source: P.A. 104-432, eff. 1-1-26.)

11 (225 ILCS 65/70-5) (was 225 ILCS 65/10-45)

12 (Section scheduled to be repealed on January 1, 2028)

13 Sec. 70-5. Grounds for disciplinary action.

14 (a) The Department may refuse to issue or to renew, or may
15 revoke, suspend, place on probation, reprimand, or take other
16 disciplinary or non-disciplinary action as the Department may
17 deem appropriate, including fines not to exceed \$10,000 per
18 violation, with regard to a license for any one or combination
19 of the causes set forth in subsection (b) below. All fines
20 collected under this Section shall be deposited in the Nursing
21 Dedicated and Professional Fund.

22 (b) Grounds for disciplinary action include the following:

23 (1) Material deception in furnishing information to
24 the Department.

25 (2) Material violations of any provision of this Act

1 or violation of the rules of or final administrative
2 action of the Secretary, after consideration of the
3 recommendation of the Board.

4 (3) Conviction by plea of guilty or nolo contendere,
5 finding of guilt, jury verdict, or entry of judgment or by
6 sentencing of any crime, including, but not limited to,
7 convictions, preceding sentences of supervision,
8 conditional discharge, or first offender probation, under
9 the laws of any jurisdiction of the United States: (i)
10 that is a felony; or (ii) that is a misdemeanor, an
11 essential element of which is dishonesty, or that is
12 directly related to the practice of the profession.

13 (4) A pattern of practice or other behavior which
14 demonstrates incapacity or incompetency to practice under
15 this Act.

16 (5) Knowingly aiding or assisting another person in
17 violating any provision of this Act or rules.

18 (6) Failing, within 90 days, to provide a response to
19 a request for information in response to a written request
20 made by the Department by certified or registered mail or
21 by email to the email address of record.

22 (7) Engaging in dishonorable, unethical, or
23 unprofessional conduct of a character likely to deceive,
24 defraud, or harm the public, as defined by rule.

25 (8) Unlawful taking, theft, selling, distributing, or
26 manufacturing of any drug, narcotic, or prescription

1 device.

2 (9) Habitual or excessive use or addiction to alcohol,
3 narcotics, stimulants, or any other chemical agent or drug
4 that could result in a licensee's inability to practice
5 with reasonable judgment, skill, or safety.

6 (10) Discipline by another U.S. jurisdiction or
7 foreign nation, if at least one of the grounds for the
8 discipline is the same or substantially equivalent to
9 those set forth in this Section.

10 (11) A finding that the licensee, after having her or
11 his license placed on probationary status or subject to
12 conditions or restrictions, has violated the terms of
13 probation or failed to comply with such terms or
14 conditions.

15 (12) Being named as a perpetrator in an indicated
16 report by the Department of Children and Family Services
17 ~~and under the Abused and Neglected Child Reporting Act and~~
18 upon the indicated report becoming final after a hearing
19 or opportunity for a hearing., ~~and upon proof by clear and~~
20 ~~convincing evidence that the licensee has caused a child~~
21 ~~to be an abused child or neglected child as defined in the~~
22 ~~Abused and Neglected Child Reporting Act.~~

23 (13) Willful omission to file or record, or willfully
24 impeding the filing or recording or inducing another
25 person to omit to file or record medical reports as
26 required by law.

1 (13.5) Willfully failing to report an instance of
2 suspected child abuse or neglect as required by the Abused
3 and Neglected Child Reporting Act.

4 (14) Gross negligence in the practice of practical,
5 professional, or advanced practice registered nursing.

6 (15) Holding oneself out to be practicing nursing
7 under any name other than one's own.

8 (16) Failure of a licensee to report to the Department
9 any adverse final action taken against him or her by
10 another licensing jurisdiction of the United States or any
11 foreign state or country, any peer review body, any health
12 care institution, any professional or nursing society or
13 association, any governmental agency, any law enforcement
14 agency, or any court or a nursing liability claim related
15 to acts or conduct similar to acts or conduct that would
16 constitute grounds for action as defined in this Section.

17 (17) Failure of a licensee to report to the Department
18 surrender by the licensee of a license or authorization to
19 practice nursing or advanced practice registered nursing
20 in another state or jurisdiction or current surrender by
21 the licensee of membership on any nursing staff or in any
22 nursing or advanced practice registered nursing or
23 professional association or society while under
24 disciplinary investigation by any of those authorities or
25 bodies for acts or conduct similar to acts or conduct that
26 would constitute grounds for action as defined by this

1 Section.

2 (18) Failing, within 60 days, to provide information
3 in response to a written request made by the Department.

4 (19) Failure to establish and maintain records of
5 patient care and treatment as required by law.

6 (20) Fraud, deceit, or misrepresentation in applying
7 for or procuring a license under this Act or in connection
8 with applying for renewal of a license under this Act.

9 (21) Allowing another person or organization to use
10 the licensee's license to deceive the public.

11 (22) Willfully making or filing false records or
12 reports in the licensee's practice, including, but not
13 limited to, false records to support claims against the
14 medical assistance program of the Department of Healthcare
15 and Family Services (formerly Department of Public Aid)
16 under the Illinois Public Aid Code.

17 (23) Attempting to subvert or cheat on a licensing
18 examination administered under this Act.

19 (24) Immoral conduct in the commission of an act,
20 including, but not limited to, sexual abuse, sexual
21 misconduct, or sexual exploitation, related to the
22 licensee's practice.

23 (25) Willfully or negligently violating the
24 confidentiality between nurse and patient except as
25 required by law.

26 (26) Practicing under a false or assumed name, except

1 as provided by law.

2 (27) The use of any false, fraudulent, or deceptive
3 statement in any document connected with the licensee's
4 practice.

5 (28) Directly or indirectly giving to or receiving
6 from a person, firm, corporation, partnership, or
7 association a fee, commission, rebate, or other form of
8 compensation for professional services not actually or
9 personally rendered. Nothing in this paragraph (28)
10 affects any bona fide independent contractor or employment
11 arrangements among health care professionals, health
12 facilities, health care providers, or other entities,
13 except as otherwise prohibited by law. Any employment
14 arrangements may include provisions for compensation,
15 health insurance, pension, or other employment benefits
16 for the provision of services within the scope of the
17 licensee's practice under this Act. Nothing in this
18 paragraph (28) shall be construed to require an employment
19 arrangement to receive professional fees for services
20 rendered.

21 (29) A violation of the Health Care Worker
22 Self-Referral Act.

23 (30) Physical illness, mental illness, or disability
24 that results in the inability to practice the profession
25 with reasonable judgment, skill, or safety.

26 (31) Exceeding the terms of a collaborative agreement

1 or the prescriptive authority delegated to a licensee by
2 his or her collaborating physician or podiatric physician
3 in guidelines established under a written collaborative
4 agreement.

5 (32) Making a false or misleading statement regarding
6 a licensee's skill or the efficacy or value of the
7 medicine, treatment, or remedy prescribed by him or her in
8 the course of treatment.

9 (33) Prescribing, selling, administering,
10 distributing, giving, or self-administering a drug
11 classified as a controlled substance (designated product)
12 or narcotic for other than medically accepted therapeutic
13 purposes.

14 (34) Promotion of the sale of drugs, devices,
15 appliances, or goods provided for a patient in a manner to
16 exploit the patient for financial gain.

17 (35) Violating State or federal laws, rules, or
18 regulations relating to controlled substances.

19 (36) Willfully or negligently violating the
20 confidentiality between an advanced practice registered
21 nurse, collaborating physician, dentist, or podiatric
22 physician and a patient, except as required by law.

23 (37) Willfully failing to report an instance of
24 suspected abuse, neglect, financial exploitation, or
25 self-neglect of an eligible adult as defined in and
26 required by the Adult Protective Services Act.

1 (38) Being named as an abuser in a verified report by
2 the Department on Aging and under the Adult Protective
3 Services Act, and upon proof by clear and convincing
4 evidence that the licensee abused, neglected, or
5 financially exploited an eligible adult as defined in the
6 Adult Protective Services Act.

7 (39) A violation of any provision of this Act or any
8 rules adopted under this Act.

9 (40) Violating the Compassionate Use of Medical
10 Cannabis Program Act.

11 (41) Failure to report actual or alleged reportable
12 conduct in accordance with Section 2105-390 of the
13 Department of Professional Regulation Law of the Civil
14 Administrative Code of Illinois.

15 (42) Except in the context of emergency care, surgical
16 care, or care that requires more than one health care
17 professional, conducting a physical examination of the
18 breast or genitalia under one of the following conditions:
19 (i) conducting the examination alone with the patient
20 without first informing the patient that the patient may
21 request the presence of a third person during the
22 examination; or (ii) conducting the examination alone with
23 the patient if the patient has requested, and not
24 withdrawn the request, to have a third person present. If
25 the patient does not bring a third person, and if no
26 licensee-provided third person is available, the licensee

1 may inform the patient that the licensee cannot honor the
2 patient's request and invite the patient to either return
3 with a patient-provided third person or voluntarily elect
4 to withdraw the request and proceed with the examination.
5 For a patient whose care decisions are made by a parent or
6 guardian, the licensee's obligation is to inform and honor
7 requests from the parent or guardian. Notwithstanding any
8 provision of this paragraph (42) to the contrary, except
9 in the context of emergency care, surgical care, or care
10 that requires more than one health care professional,
11 licensees may, in their sole discretion, refuse to conduct
12 an examination of the breast or genitalia without a third
13 person present.

14 (b-5) The Department shall not revoke, suspend, summarily
15 suspend, place on probation, reprimand, refuse to issue or
16 renew, or take any other disciplinary or non-disciplinary
17 action against a person's authorization to practice under this
18 Act based solely upon the person providing, authorizing,
19 recommending, aiding, assisting, referring for, or otherwise
20 participating in any health care service, so long as the care
21 was not unlawful under the laws of this State, regardless of
22 whether the patient was a resident of this State or another
23 state.

24 (b-10) The Department shall not revoke, suspend, summarily
25 suspend, place on prohibition, reprimand, refuse to issue or
26 renew, or take any other disciplinary or non-disciplinary

1 action against a person's authorization to practice under this
2 Act based upon the person's license, registration, or permit
3 being revoked or suspended, or the person being otherwise
4 disciplined, by any other state if that revocation,
5 suspension, or other form of discipline was based solely on
6 the person violating another state's laws prohibiting the
7 provision of, authorization of, recommendation of, aiding or
8 assisting in, referring for, or participation in any health
9 care service if that health care service as provided would not
10 have been unlawful under the laws of this State and is
11 consistent with the applicable standard of conduct for the
12 person practicing in Illinois under this Act.

13 (b-15) The conduct specified in subsections (b-5) and
14 (b-10) shall not trigger reporting requirements under Section
15 65-65 or constitute grounds for suspension under Section
16 70-60.

17 (b-20) An applicant seeking licensure, certification, or
18 authorization under this Act who has been subject to
19 disciplinary action by a duly authorized professional
20 disciplinary agency of another jurisdiction solely on the
21 basis of having provided, authorized, recommended, aided,
22 assisted, referred for, or otherwise participated in health
23 care shall not be denied such licensure, certification, or
24 authorization, unless the Department determines that such
25 action would have constituted professional misconduct in this
26 State; however, nothing in this Section shall be construed as

1 prohibiting the Department from evaluating the conduct of such
2 applicant and making a determination regarding the licensure,
3 certification, or authorization to practice a profession under
4 this Act.

5 (c) The determination by a circuit court that a licensee
6 is subject to involuntary admission or judicial admission as
7 provided in the Mental Health and Developmental Disabilities
8 Code, as amended, operates as an automatic suspension. The
9 suspension will end only upon a finding by a court that the
10 patient is no longer subject to involuntary admission or
11 judicial admission and issues an order so finding and
12 discharging the patient; and upon the recommendation of the
13 Board to the Secretary that the licensee be allowed to resume
14 his or her practice.

15 (d) The Department may refuse to issue or may suspend or
16 otherwise discipline the license of any person who fails to
17 file a return, or to pay the tax, penalty, or interest shown in
18 a filed return, or to pay any final assessment of the tax,
19 penalty, or interest as required by any tax Act administered
20 by the Department of Revenue, until such time as the
21 requirements of any such tax Act are satisfied.

22 (e) In enforcing this Act, the Department, upon a showing
23 of a possible violation, may compel an individual licensed to
24 practice under this Act or who has applied for licensure under
25 this Act, to submit to a mental or physical examination, or
26 both, as required by and at the expense of the Department. The

1 Department may order the examining physician to present
2 testimony concerning the mental or physical examination of the
3 licensee or applicant. No information shall be excluded by
4 reason of any common law or statutory privilege relating to
5 communications between the licensee or applicant and the
6 examining physician. The examining physicians shall be
7 specifically designated by the Department. The individual to
8 be examined may have, at his or her own expense, another
9 physician of his or her choice present during all aspects of
10 this examination. Failure of an individual to submit to a
11 mental or physical examination, when directed, shall result in
12 an automatic suspension without hearing.

13 All substance-related violations shall mandate an
14 automatic substance abuse assessment. Failure to submit to an
15 assessment by a licensed physician who is certified as an
16 addictionist or an advanced practice registered nurse with
17 specialty certification in addictions may be grounds for an
18 automatic suspension, as defined by rule.

19 If the Department finds an individual unable to practice
20 or unfit for duty because of the reasons set forth in this
21 subsection (e), the Department may require that individual to
22 submit to a substance abuse evaluation or treatment by
23 individuals or programs approved or designated by the
24 Department, as a condition, term, or restriction for
25 continued, restored, or renewed licensure to practice; or, in
26 lieu of evaluation or treatment, the Department may file, or

1 the Board may recommend to the Department to file, a complaint
2 to immediately suspend, revoke, or otherwise discipline the
3 license of the individual. An individual whose license was
4 granted, continued, restored, renewed, disciplined, or
5 supervised subject to such terms, conditions, or restrictions,
6 and who fails to comply with such terms, conditions, or
7 restrictions, shall be referred to the Secretary for a
8 determination as to whether the individual shall have his or
9 her license suspended immediately, pending a hearing by the
10 Department.

11 In instances in which the Secretary immediately suspends a
12 person's license under this subsection (e), a hearing on that
13 person's license must be convened by the Department within 15
14 days after the suspension and completed without appreciable
15 delay. The Department and Board shall have the authority to
16 review the subject individual's record of treatment and
17 counseling regarding the impairment to the extent permitted by
18 applicable federal statutes and regulations safeguarding the
19 confidentiality of medical records.

20 An individual licensed under this Act and affected under
21 this subsection (e) shall be afforded an opportunity to
22 demonstrate to the Department that he or she can resume
23 practice in compliance with nursing standards under the
24 provisions of his or her license.

25 (f) The Department may adopt rules to implement,
26 administer, and enforce this Section.

1 (Source: P.A. 104-432, eff. 1-1-26.)

2 Section 85. The Nursing Home Administrators Licensing and
3 Disciplinary Act is amended by changing Section 17 as follows:

4 (225 ILCS 70/17) (from Ch. 111, par. 3667)

5 (Section scheduled to be repealed on January 1, 2028)

6 Sec. 17. Grounds for disciplinary action.

7 (a) The Department may refuse to issue or to renew a
8 license, or may revoke, suspend, place on probation,
9 reprimand, or take other disciplinary or non-disciplinary
10 action as the Department deems proper, including fines not to
11 exceed \$10,000 for each violation, with regard to any license
12 issued under the provisions of this Act, for any one or
13 combination of the following causes:

14 (1) Intentional material misstatement in furnishing
15 information to the Department or any other State agency or
16 in furnishing information to an insurance company with
17 respect to a claim on behalf of a licensee or patient.

18 (2) Conviction of or entry of a plea of guilty or nolo
19 contendere, finding of guilt, jury verdict, or entry of
20 judgment or sentencing, including, but not limited to,
21 convictions, preceding sentences of supervision,
22 conditional discharge, or first offender probation, under
23 the laws of any jurisdiction of the United States that is
24 (i) a felony or (ii) a misdemeanor, an essential element

1 of which is dishonesty or that is directly related to the
2 practice of the profession of nursing home administration.

3 (3) Fraud or misrepresentation in applying for or
4 procuring a license under this Act or in connection with
5 applying for renewal or restoration of a license under
6 this Act.

7 (4) Immoral conduct in the commission of any act, such
8 as sexual abuse or sexual misconduct, related to the
9 licensee's practice.

10 (5) Failing to respond within 60 days, to a written
11 request made by the Department for information.

12 (6) Engaging in dishonorable, unethical, or
13 unprofessional conduct of a character likely to deceive,
14 defraud, or harm the public.

15 (7) Habitual or excessive use or abuse of drugs
16 defined in law as controlled substances, of alcohol,
17 narcotics, stimulants, or any other substances that
18 results in the inability to practice with reasonable
19 judgment, skill, or safety.

20 (8) Adverse action taken by another U.S. jurisdiction
21 if at least one of the grounds for the discipline is the
22 same or substantially equivalent to those set forth
23 herein.

24 (9) A finding by the Department that the licensee,
25 after having his or her license placed on probationary
26 status, has violated the terms of probation or failed to

1 comply with those terms.

2 (10) Willfully making or filing false records or
3 reports related to the licensee's practice, including, but
4 not limited to, false records filed with federal or State
5 agencies or departments.

6 (11) Physical illness, mental illness, or other
7 impairment or disability, including, but not limited to,
8 deterioration through the aging process, or loss of motor
9 skill that results in the inability to practice the
10 profession with reasonable judgment, skill or safety.

11 (12) Disregard or violation of this Act or of any rule
12 issued pursuant to this Act.

13 (13) Aiding or abetting another in the violation of
14 this Act or any rule adopted pursuant to this Act.

15 (14) Allowing one's license to be used by an
16 unlicensed person.

17 (15) (Blank).

18 (16) Professional incompetence in the practice of
19 nursing home administration.

20 (17) Conviction of a violation of Section 12-19 or
21 subsection (a) of Section 12-4.4a of the Criminal Code of
22 1961 or the Criminal Code of 2012 for the abuse and
23 criminal neglect of a long term care facility resident.

24 (18) Violation of the Nursing Home Care Act, the
25 Specialized Mental Health Rehabilitation Act of 2013, the
26 ID/DD Community Care Act, or the MC/DD Act or of any rule

1 issued under the Nursing Home Care Act, the Specialized
2 Mental Health Rehabilitation Act of 2013, the ID/DD
3 Community Care Act, or the MC/DD Act. A final adjudication
4 of a Type "AA" violation of the Nursing Home Care Act made
5 by the Illinois Department of Public Health, as identified
6 by rule, relating to the hiring, training, planning,
7 organizing, directing, or supervising the operation of a
8 nursing home and a licensee's failure to comply with this
9 Act or the rules adopted under this Act, shall create a
10 rebuttable presumption of a violation of this subsection.

11 (19) Failure to report to the Department any adverse
12 final action taken against the licensee by a licensing
13 authority of another state, territory of the United
14 States, or foreign country; or by any governmental or law
15 enforcement agency; or by any court for acts or conduct
16 similar to acts or conduct that would constitute grounds
17 for disciplinary action under this Section.

18 (20) Failure to report to the Department the surrender
19 of a license or authorization to practice as a nursing
20 home administrator in another state or jurisdiction for
21 acts or conduct similar to acts or conduct that would
22 constitute grounds for disciplinary action under this
23 Section.

24 (21) Failure to report to the Department any adverse
25 judgment, settlement, or award arising from a liability
26 claim related to acts or conduct similar to acts or

1 conduct that would constitute grounds for disciplinary
2 action under this Section.

3 (22) Failure to submit any required report under
4 Section 80-10 of the Nurse Practice Act.

5 (23) Willfully failing to report an instance of
6 suspected abuse, neglect, financial exploitation, or
7 self-neglect of an eligible adult as defined in and
8 required by the Adult Protective Services Act.

9 (24) Being named as an abuser in a verified report by
10 the Department on Aging under the Adult Protective
11 Services Act and upon proof by clear and convincing
12 evidence that the licensee abused, neglected, or
13 financially exploited an eligible adult as defined in the
14 Adult Protective Services Act.

15 (25) Failure to report actual or alleged reportable
16 conduct in accordance with Section 2105-390 of the
17 Department of Professional Regulation Law of the Civil
18 Administrative Code of Illinois.

19 All proceedings to suspend, revoke, place on probationary
20 status, or take any other disciplinary action as the
21 Department may deem proper, with regard to a license on any of
22 the foregoing grounds, must be commenced within 5 years next
23 after receipt by the Department of (i) a complaint alleging
24 the commission of or notice of the conviction order for any of
25 the acts described herein or (ii) a referral for investigation
26 under Section 3-108 of the Nursing Home Care Act.

1 The entry of an order or judgment by any circuit court
2 establishing that any person holding a license under this Act
3 is a person in need of mental treatment operates as a
4 suspension of that license. That person may resume their
5 practice only upon the entry of a Department order based upon a
6 finding by the Board that they have been determined to be
7 recovered from mental illness by the court and upon the
8 Board's recommendation that they be permitted to resume their
9 practice.

10 The Department, upon the recommendation of the Board, may
11 adopt rules which set forth standards to be used in
12 determining what constitutes:

13 (i) when a person will be deemed sufficiently
14 rehabilitated to warrant the public trust;

15 (ii) dishonorable, unethical or unprofessional conduct
16 of a character likely to deceive, defraud, or harm the
17 public;

18 (iii) immoral conduct in the commission of any act
19 related to the licensee's practice; and

20 (iv) professional incompetence in the practice of
21 nursing home administration.

22 However, no such rule shall be admissible into evidence in
23 any civil action except for review of a licensing or other
24 disciplinary action under this Act.

25 In enforcing this Section, the Department or Board, upon a
26 showing of a possible violation, may compel any individual

1 licensed to practice under this Act, or who has applied for
2 licensure pursuant to this Act, to submit to a mental or
3 physical examination, or both, as required by and at the
4 expense of the Department. The examining physician or
5 physicians shall be those specifically designated by the
6 Department or Board. The Department or Board may order the
7 examining physician to present testimony concerning this
8 mental or physical examination of the licensee or applicant.
9 No information shall be excluded by reason of any common law or
10 statutory privilege relating to communications between the
11 licensee or applicant and the examining physician. The
12 individual to be examined may have, at his or her own expense,
13 another physician of his or her choice present during all
14 aspects of the examination. Failure of any individual to
15 submit to mental or physical examination, when directed, shall
16 be grounds for suspension of his or her license until such time
17 as the individual submits to the examination if the Department
18 finds, after notice and hearing, that the refusal to submit to
19 the examination was without reasonable cause.

20 If the Department or Board finds an individual unable to
21 practice because of the reasons set forth in this Section, the
22 Department or Board shall require such individual to submit to
23 care, counseling, or treatment by physicians approved or
24 designated by the Department or Board, as a condition, term,
25 or restriction for continued, reinstated, or renewed licensure
26 to practice; or in lieu of care, counseling, or treatment, the

1 Department may file, or the Board may recommend to the
2 Department to file, a complaint to immediately suspend,
3 revoke, or otherwise discipline the license of the individual.
4 Any individual whose license was granted pursuant to this Act
5 or continued, reinstated, renewed, disciplined or supervised,
6 subject to such terms, conditions or restrictions who shall
7 fail to comply with such terms, conditions or restrictions
8 shall be referred to the Secretary for a determination as to
9 whether the licensee shall have his or her license suspended
10 immediately, pending a hearing by the Department. In instances
11 in which the Secretary immediately suspends a license under
12 this Section, a hearing upon such person's license must be
13 convened by the Board within 30 days after such suspension and
14 completed without appreciable delay. The Department and Board
15 shall have the authority to review the subject administrator's
16 record of treatment and counseling regarding the impairment,
17 to the extent permitted by applicable federal statutes and
18 regulations safeguarding the confidentiality of medical
19 records.

20 An individual licensed under this Act, affected under this
21 Section, shall be afforded an opportunity to demonstrate to
22 the Department or Board that he or she can resume practice in
23 compliance with acceptable and prevailing standards under the
24 provisions of his or her license.

25 (b) Any individual or organization acting in good faith,
26 and not in a willful and wanton manner, in complying with this

1 Act by providing any report or other information to the
2 Department, or assisting in the investigation or preparation
3 of such information, or by participating in proceedings of the
4 Department, or by serving as a member of the Board, shall not,
5 as a result of such actions, be subject to criminal
6 prosecution or civil damages.

7 (c) Members of the Board, and persons retained under
8 contract to assist and advise in an investigation, shall be
9 indemnified by the State for any actions occurring within the
10 scope of services on or for the Board, done in good faith and
11 not willful and wanton in nature. The Attorney General shall
12 defend all such actions unless he or she determines either
13 that there would be a conflict of interest in such
14 representation or that the actions complained of were not in
15 good faith or were willful and wanton.

16 Should the Attorney General decline representation, a
17 person entitled to indemnification under this Section shall
18 have the right to employ counsel of his or her choice, whose
19 fees shall be provided by the State, after approval by the
20 Attorney General, unless there is a determination by a court
21 that the member's actions were not in good faith or were
22 willful and wanton.

23 A person entitled to indemnification under this Section
24 must notify the Attorney General within 7 days of receipt of
25 notice of the initiation of any action involving services of
26 the Board. Failure to so notify the Attorney General shall

1 constitute an absolute waiver of the right to a defense and
2 indemnification.

3 The Attorney General shall determine within 7 days after
4 receiving such notice, whether he or she will undertake to
5 represent a person entitled to indemnification under this
6 Section.

7 (d) The determination by a circuit court that a licensee
8 is subject to involuntary admission or judicial admission as
9 provided in the Mental Health and Developmental Disabilities
10 Code, as amended, operates as an automatic suspension. Such
11 suspension will end only upon a finding by a court that the
12 patient is no longer subject to involuntary admission or
13 judicial admission and issues an order so finding and
14 discharging the patient; and upon the recommendation of the
15 Board to the Secretary that the licensee be allowed to resume
16 his or her practice.

17 (e) The Department shall refuse to issue or suspend the
18 license of any person who fails to file a return, or to pay the
19 tax, penalty or interest shown in a filed return, or to pay any
20 final assessment of tax, penalty or interest, as required by
21 any tax Act administered by the Department of Revenue, until
22 such time as the requirements of any such tax Act are
23 satisfied.

24 (f) The Department of Public Health shall transmit to the
25 Department a list of those facilities which receive an "A"
26 violation as defined in Section 1-129 of the Nursing Home Care

1 Act.

2 (Source: P.A. 99-180, eff. 7-29-15; 100-675, eff. 8-3-18.)

3 Section 90. The Illinois Occupational Therapy Practice Act
4 is amended by changing Section 19 as follows:

5 (225 ILCS 75/19) (from Ch. 111, par. 3719)

6 (Section scheduled to be repealed on January 1, 2029)

7 Sec. 19. Grounds for discipline.

8 (a) The Department may refuse to issue or renew, or may
9 revoke, suspend, place on probation, reprimand, or take other
10 disciplinary or non-disciplinary action as the Department may
11 deem proper, including imposing fines not to exceed \$10,000
12 for each violation and the assessment of costs as provided
13 under Section 19.3 of this Act, with regard to any license for
14 any one or combination of the following:

15 (1) Material misstatement in furnishing information to
16 the Department;

17 (2) Violations of this Act, or of the rules
18 promulgated thereunder;

19 (3) Conviction by plea of guilty or nolo contendere,
20 finding of guilt, jury verdict, or entry of judgment or
21 sentencing of any crime, including, but not limited to,
22 convictions, preceding sentences of supervision,
23 conditional discharge, or first offender probation, under
24 the laws of any jurisdiction of the United States that is

1 (i) a felony or (ii) a misdemeanor, an essential element
2 of which is dishonesty, or that is directly related to the
3 practice of the profession;

4 (4) Fraud, misrepresentation, or concealment in
5 applying for or procuring a license under this Act, or in
6 connection with applying for renewal of a license under
7 this Act;

8 (5) Professional incompetence;

9 (6) Aiding or assisting another person, firm,
10 partnership or corporation in violating any provision of
11 this Act or rules;

12 (7) Failing, within 60 days, to provide information in
13 response to a written request made by the Department;

14 (8) Engaging in dishonorable, unethical or
15 unprofessional conduct of a character likely to deceive,
16 defraud or harm the public;

17 (9) Habitual or excessive use or abuse of drugs
18 defined in law as controlled substances, alcohol, or any
19 other substance that results in the inability to practice
20 with reasonable judgment, skill, or safety;

21 (10) Discipline by another state, unit of government,
22 government agency, the District of Columbia, a territory,
23 or foreign nation, if at least one of the grounds for the
24 discipline is the same or substantially equivalent to
25 those set forth herein;

26 (11) Directly or indirectly giving to or receiving

1 from any person, firm, corporation, partnership, or
2 association any fee, commission, rebate, or other form of
3 compensation for professional services not actually or
4 personally rendered. Nothing in this paragraph (11)
5 affects any bona fide independent contractor or employment
6 arrangements among health care professionals, health
7 facilities, health care providers, or other entities,
8 except as otherwise prohibited by law. Any employment
9 arrangements may include provisions for compensation,
10 health insurance, pension, or other employment benefits
11 for the provision of services within the scope of the
12 licensee's practice under this Act. Nothing in this
13 paragraph (11) shall be construed to require an employment
14 arrangement to receive professional fees for services
15 rendered;

16 (12) A finding by the Department that the license
17 holder, after having the license disciplined, has violated
18 the terms of the discipline;

19 (13) Willfully making or filing false records or
20 reports in the practice of occupational therapy,
21 including, but not limited to, false records filed with
22 the State agencies or departments;

23 (14) Physical illness, including, but not limited to,
24 deterioration through the aging process or loss of motor
25 skill which results in the inability to practice under
26 this Act with reasonable judgment, skill, or safety;

1 (15) Solicitation of professional services other than
2 by permitted advertising;

3 (16) Allowing one's license under this Act to be used
4 by an unlicensed person in violation of this Act;

5 (17) Practicing under a false or, except as provided
6 by law, assumed name;

7 (18) Professional incompetence or gross negligence;

8 (19) Malpractice;

9 (20) Promotion of the sale of drugs, devices,
10 appliances, or goods provided for a patient in any manner
11 to exploit the client for financial gain of the licensee;

12 (21) Gross, willful, or continued overcharging for
13 professional services;

14 (22) Mental illness or disability that results in the
15 inability to practice under this Act with reasonable
16 judgment, skill, or safety;

17 (23) Violating the Health Care Worker Self-Referral
18 Act;

19 (24) Failing to refer a patient or individual whose
20 medical condition should, at the time of evaluation or
21 treatment, be determined to be beyond the scope of
22 practice of the occupational therapist to an appropriate
23 health care professional;

24 (25) Cheating on or attempting to subvert the
25 licensing examination administered under this Act;

26 (26) Charging for professional services not rendered,

1 including filing false statements for the collection of
2 fees for which services are not rendered;

3 (27) Practicing beyond the scope of the practice of
4 occupational therapy;

5 (28) Providing substandard care as an occupational
6 therapist due to a deliberate or negligent act, negligent
7 supervision of an occupational therapy assistant, or
8 failure to act regardless of whether actual injury to the
9 recipient is established;

10 (29) Providing substandard care as an occupational
11 therapy assistant, including exceeding the authority to
12 perform components of intervention selected and delegated
13 by the supervising occupational therapist regardless of
14 whether actual injury to the recipient is established;

15 (30) Knowingly delegating responsibilities to an
16 individual who does not have the knowledge, skills, or
17 abilities to perform those responsibilities; ~~and~~

18 (31) Engaging in sexual misconduct. For the purposes
19 of this paragraph, sexual misconduct includes:

20 (A) engaging in or soliciting a sexual
21 relationship, whether consensual or non-consensual,
22 while an occupational therapist or occupational
23 therapy assistant with the recipient of occupational
24 therapy services; and

25 (B) making sexual advances, requesting sexual
26 favors, or engaging in physical contact of a sexual

1 nature with the recipient of occupational therapy
2 services; and.

3 (32) Failure to report actual or alleged reportable
4 conduct in accordance with Section 2105-390 of the
5 Department of Professional Regulation Law of the Civil
6 Administrative Code of Illinois.

7 All fines imposed under this Section shall be paid within
8 60 days after the effective date of the order imposing the fine
9 or in accordance with the terms set forth in the order imposing
10 the fine.

11 (b) The determination by a circuit court that a license
12 holder is subject to involuntary admission or judicial
13 admission as provided in the Mental Health and Developmental
14 Disabilities Code, as now or hereafter amended, operates as an
15 automatic suspension. Such suspension will end only upon a
16 finding by a court that the patient is no longer subject to
17 involuntary admission or judicial admission and an order by
18 the court so finding and discharging the patient. In any case
19 where a license is suspended under this provision, the
20 licensee shall file a petition for restoration and shall
21 include evidence acceptable to the Department that the
22 licensee can resume practice in compliance with acceptable and
23 prevailing standards of their profession.

24 (c) The Department may refuse to issue or may suspend
25 without hearing, as provided for in the Code of Civil
26 Procedure, the license of any person who fails to file a

1 return, to pay the tax, penalty, or interest shown in a filed
2 return, or to pay any final assessment of tax, penalty, or
3 interest as required by any tax Act administered by the
4 Illinois Department of Revenue, until such time as the
5 requirements of any such tax Act are satisfied in accordance
6 with subsection (a) of Section 2105-15 of the Department of
7 Professional Regulation Law of the Civil Administrative Code
8 of Illinois.

9 (d) In enforcing this Section, the Department, upon a
10 showing of a possible violation, may compel any individual who
11 is licensed under this Act or any individual who has applied
12 for licensure to submit to a mental or physical examination or
13 evaluation, or both, which may include a substance abuse or
14 sexual offender evaluation, at the expense of the Department.
15 The Department shall specifically designate the examining
16 physician licensed to practice medicine in all of its branches
17 or, if applicable, the multidisciplinary team involved in
18 providing the mental or physical examination and evaluation.
19 The multidisciplinary team shall be led by a physician
20 licensed to practice medicine in all of its branches and may
21 consist of one or more or a combination of physicians licensed
22 to practice medicine in all of its branches, licensed
23 chiropractic physicians, licensed clinical psychologists,
24 licensed clinical social workers, licensed clinical
25 professional counselors, and other professional and
26 administrative staff. Any examining physician or member of the

1 multidisciplinary team may require any person ordered to
2 submit to an examination and evaluation pursuant to this
3 Section to submit to any additional supplemental testing
4 deemed necessary to complete any examination or evaluation
5 process, including, but not limited to, blood testing,
6 urinalysis, psychological testing, or neuropsychological
7 testing.

8 The Department may order the examining physician or any
9 member of the multidisciplinary team to provide to the
10 Department any and all records, including business records,
11 that relate to the examination and evaluation, including any
12 supplemental testing performed. The Department may order the
13 examining physician or any member of the multidisciplinary
14 team to present testimony concerning this examination and
15 evaluation of the licensee or applicant, including testimony
16 concerning any supplemental testing or documents relating to
17 the examination and evaluation. No information, report,
18 record, or other documents in any way related to the
19 examination and evaluation shall be excluded by reason of any
20 common law or statutory privilege relating to communication
21 between the licensee or applicant and the examining physician
22 or any member of the multidisciplinary team. No authorization
23 is necessary from the licensee or applicant ordered to undergo
24 an evaluation and examination for the examining physician or
25 any member of the multidisciplinary team to provide
26 information, reports, records, or other documents or to

1 provide any testimony regarding the examination and
2 evaluation. The individual to be examined may have, at his or
3 her own expense, another physician of his or her choice
4 present during all aspects of the examination.

5 Failure of any individual to submit to mental or physical
6 examination or evaluation, or both, when directed, shall
7 result in an automatic suspension without hearing, until such
8 time as the individual submits to the examination. If the
9 Department finds a licensee unable to practice because of the
10 reasons set forth in this Section, the Department shall
11 require the licensee to submit to care, counseling, or
12 treatment by physicians approved or designated by the
13 Department as a condition for continued, reinstated, or
14 renewed licensure.

15 When the Secretary immediately suspends a license under
16 this Section, a hearing upon such person's license must be
17 convened by the Department within 15 days after the suspension
18 and completed without appreciable delay. The Department shall
19 have the authority to review the licensee's record of
20 treatment and counseling regarding the impairment to the
21 extent permitted by applicable federal statutes and
22 regulations safeguarding the confidentiality of medical
23 records.

24 Individuals licensed under this Act that are affected
25 under this Section, shall be afforded an opportunity to
26 demonstrate to the Department that they can resume practice in

1 compliance with acceptable and prevailing standards under the
2 provisions of their license.

3 (e) (Blank).

4 (f) In cases where the Department of Healthcare and Family
5 Services has previously determined a licensee or a potential
6 licensee is more than 30 days delinquent in the payment of
7 child support and has subsequently certified the delinquency
8 to the Department, the Department may refuse to issue or renew
9 or may revoke or suspend that person's license or may take
10 other disciplinary action against that person based solely
11 upon the certification of delinquency made by the Department
12 of Healthcare and Family Services in accordance with paragraph
13 (5) of subsection (a) of Section 2105-15 of the Department of
14 Professional Regulation Law of the Civil Administrative Code
15 of Illinois.

16 (Source: P.A. 103-251, eff. 1-1-24.)

17 Section 95. The Illinois Optometric Practice Act of 1987
18 is amended by changing Section 24 as follows:

19 (225 ILCS 80/24) (from Ch. 111, par. 3924)

20 (Section scheduled to be repealed on January 1, 2027)

21 Sec. 24. Grounds for disciplinary action.

22 (a) The Department may refuse to issue or to renew, or may
23 revoke, suspend, place on probation, reprimand or take other
24 disciplinary or non-disciplinary action as the Department may

1 deem appropriate, including fines not to exceed \$10,000 for
2 each violation, with regard to any license for any one or
3 combination of the causes set forth in subsection (a-3) of
4 this Section. All fines collected under this Section shall be
5 deposited in the Optometric Licensing and Disciplinary Board
6 Fund. Any fine imposed shall be payable within 60 days after
7 the effective date of the order imposing the fine.

8 (a-3) Grounds for disciplinary action include the
9 following:

10 (1) Violations of this Act, or of the rules
11 promulgated hereunder.

12 (2) Conviction of or entry of a plea of guilty to any
13 crime under the laws of any U.S. jurisdiction thereof that
14 is a felony or that is a misdemeanor of which an essential
15 element is dishonesty, or any crime that is directly
16 related to the practice of the profession.

17 (3) Making any misrepresentation for the purpose of
18 obtaining a license.

19 (4) Professional incompetence or gross negligence in
20 the practice of optometry.

21 (5) Gross malpractice, prima facie evidence of which
22 may be a conviction or judgment of malpractice in any
23 court of competent jurisdiction.

24 (6) Aiding or assisting another person in violating
25 any provision of this Act or rules.

26 (7) Failing, within 60 days, to provide information in

1 response to a written request made by the Department that
2 has been sent by certified or registered mail to the
3 licensee's last known address.

4 (8) Engaging in dishonorable, unethical, or
5 unprofessional conduct of a character likely to deceive,
6 defraud, or harm the public.

7 (9) Habitual or excessive use or addiction to alcohol,
8 narcotics, stimulants or any other chemical agent or drug
9 that results in the inability to practice with reasonable
10 judgment, skill, or safety.

11 (10) Discipline by another U.S. jurisdiction or
12 foreign nation, if at least one of the grounds for the
13 discipline is the same or substantially equivalent to
14 those set forth herein.

15 (11) Violation of the prohibition against fee
16 splitting in Section 24.2 of this Act.

17 (12) A finding by the Department that the licensee,
18 after having his or her license placed on probationary
19 status has violated the terms of probation.

20 (13) Abandonment of a patient.

21 (14) Willfully making or filing false records or
22 reports in his or her practice, including but not limited
23 to false records filed with State agencies or departments.

24 (15) Willfully failing to report an instance of
25 suspected abuse or neglect as required by law.

26 (16) Physical illness, including but not limited to,

1 deterioration through the aging process, or loss of motor
2 skill, mental illness, or disability that results in the
3 inability to practice the profession with reasonable
4 judgment, skill, or safety.

5 (17) Solicitation of professional services other than
6 permitted advertising.

7 (18) Failure to provide a patient with a copy of his or
8 her record or prescription in accordance with federal law.

9 (19) Conviction by any court of competent
10 jurisdiction, either within or without this State, of any
11 violation of any law governing the practice of optometry,
12 conviction in this or another State of any crime that is a
13 felony under the laws of this State or conviction of a
14 felony in a federal court, if the Department determines,
15 after investigation, that such person has not been
16 sufficiently rehabilitated to warrant the public trust.

17 (20) A finding that licensure has been applied for or
18 obtained by fraudulent means.

19 (21) Continued practice by a person knowingly having
20 an infectious or contagious disease.

21 (22) Being named as a perpetrator in an indicated
22 report by the Department of Children and Family Services
23 under the Abused and Neglected Child Reporting Act and
24 upon the indicated report becoming final after a hearing
25 or opportunity for a hearing. ~~and upon proof by clear and~~
26 ~~convincing evidence that the licensee has caused a child~~

~~to be an abused child or a neglected child as defined in
the Abused and Neglected Child Reporting Act.~~

(23) Practicing or attempting to practice under a name other than the full name as shown on his or her license.

(24) Immoral conduct in the commission of any act, such as sexual abuse, sexual misconduct or sexual exploitation, related to the licensee's practice.

(25) Maintaining a professional relationship with any person, firm, or corporation when the optometrist knows, or should know, that such person, firm, or corporation is violating this Act.

(26) Promotion of the sale of drugs, devices, appliances or goods provided for a client or patient in such manner as to exploit the patient or client for financial gain of the licensee.

(27) Using the title "Doctor" or its abbreviation without further qualifying that title or abbreviation with the word "optometry" or "optometrist".

(28) Use by a licensed optometrist of the word "infirmary", "hospital", "school", "university", in English or any other language, in connection with the place where optometry may be practiced or demonstrated unless the licensee is employed by and practicing at a location that is licensed as a hospital or accredited as a school or university.

(29) Continuance of an optometrist in the employ of

1 any person, firm or corporation, or as an assistant to any
2 optometrist or optometrists, directly or indirectly, after
3 his or her employer or superior has been found guilty of
4 violating or has been enjoined from violating the laws of
5 the State of Illinois relating to the practice of
6 optometry, when the employer or superior persists in that
7 violation.

8 (30) The performance of optometric service in
9 conjunction with a scheme or plan with another person,
10 firm or corporation known to be advertising in a manner
11 contrary to this Act or otherwise violating the laws of
12 the State of Illinois concerning the practice of
13 optometry.

14 (31) Failure to provide satisfactory proof of having
15 participated in approved continuing education programs as
16 determined by the Board and approved by the Secretary.
17 Exceptions for extreme hardships are to be defined by the
18 rules of the Department.

19 (32) Willfully making or filing false records or
20 reports in the practice of optometry, including, but not
21 limited to false records to support claims against the
22 medical assistance program of the Department of Healthcare
23 and Family Services (formerly Department of Public Aid)
24 under the Illinois Public Aid Code.

25 (33) Gross and willful overcharging for professional
26 services including filing false statements for collection

1 of fees for which services are not rendered, including,
2 but not limited to filing false statements for collection
3 of monies for services not rendered from the medical
4 assistance program of the Department of Healthcare and
5 Family Services (formerly Department of Public Aid) under
6 the Illinois Public Aid Code.

7 (34) In the absence of good reasons to the contrary,
8 failure to perform a minimum eye examination as required
9 by the rules of the Department.

10 (35) Violation of the Health Care Worker Self-Referral
11 Act.

12 (36) Failure to report actual or alleged reportable
13 conduct in accordance with Section 2105-390 of the
14 Department of Professional Regulation Law of the Civil
15 Administrative Code of Illinois.

16 The Department shall refuse to issue or shall suspend the
17 license of any person who fails to file a return, or to pay the
18 tax, penalty or interest shown in a filed return, or to pay any
19 final assessment of the tax, penalty or interest, as required
20 by any tax Act administered by the Illinois Department of
21 Revenue, until such time as the requirements of any such tax
22 Act are satisfied.

23 (a-5) In enforcing this Section, the Board or Department,
24 upon a showing of a possible violation, may compel any
25 individual licensed to practice under this Act, or who has
26 applied for licensure or certification pursuant to this Act,

1 to submit to a mental or physical examination, or both, as
2 required by and at the expense of the Department. The
3 examining physicians or clinical psychologists shall be those
4 specifically designated by the Department. The Board or the
5 Department may order the examining physician or clinical
6 psychologist to present testimony concerning this mental or
7 physical examination of the licensee or applicant. No
8 information shall be excluded by reason of any common law or
9 statutory privilege relating to communications between the
10 licensee or applicant and the examining physician or clinical
11 psychologist. Eye examinations may be provided by a licensed
12 optometrist. The individual to be examined may have, at his or
13 her own expense, another physician of his or her choice
14 present during all aspects of the examination. Failure of any
15 individual to submit to a mental or physical examination, when
16 directed, shall be grounds for suspension of a license until
17 such time as the individual submits to the examination if the
18 Board or Department finds, after notice and hearing, that the
19 refusal to submit to the examination was without reasonable
20 cause.

21 If the Board or Department finds an individual unable to
22 practice because of the reasons set forth in this Section, the
23 Board or Department shall require such individual to submit to
24 care, counseling, or treatment by physicians or clinical
25 psychologists approved or designated by the Department, as a
26 condition, term, or restriction for continued, reinstated, or

1 renewed licensure to practice, or in lieu of care, counseling,
2 or treatment, the Board may recommend to the Department to
3 file a complaint to immediately suspend, revoke, or otherwise
4 discipline the license of the individual, or the Board may
5 recommend to the Department to file a complaint to suspend,
6 revoke, or otherwise discipline the license of the individual.
7 Any individual whose license was granted pursuant to this Act,
8 or continued, reinstated, renewed, disciplined, or supervised,
9 subject to such conditions, terms, or restrictions, who shall
10 fail to comply with such conditions, terms, or restrictions,
11 shall be referred to the Secretary for a determination as to
12 whether the individual shall have his or her license suspended
13 immediately, pending a hearing by the Board.

14 (b) The determination by a circuit court that a licensee
15 is subject to involuntary admission or judicial admission as
16 provided in the Mental Health and Developmental Disabilities
17 Code operates as an automatic suspension. The suspension will
18 end only upon a finding by a court that the patient is no
19 longer subject to involuntary admission or judicial admission
20 and issues an order so finding and discharging the patient;
21 and upon the recommendation of the Board to the Secretary that
22 the licensee be allowed to resume his or her practice.

23 (Source: P.A. 99-43, eff. 1-1-16; 99-909, eff. 1-1-17.)

24 Section 100. The Orthotics, Prosthetics, and Pedorthics
25 Practice Act is amended by changing Section 90 as follows:

1 (225 ILCS 84/90)

2 (Section scheduled to be repealed on January 1, 2030)

3 Sec. 90. Grounds for discipline.

4 (a) The Department may refuse to issue or renew a license,
5 or may revoke or suspend a license, or may suspend, place on
6 probation, or reprimand a licensee or take other disciplinary
7 or non-disciplinary action as the Department may deem proper,
8 including, but not limited to, the imposition of fines not to
9 exceed \$10,000 for each violation for one or any combination
10 of the following:

11 (1) Making a material misstatement in furnishing
12 information to the Department or the Board.

13 (2) Violations of or negligent or intentional
14 disregard of this Act or its rules.

15 (3) Conviction of, or entry of a plea of guilty or nolo
16 contendere, finding of guilt, jury verdict, or entry of
17 judgment or sentencing, including, but not limited to,
18 convictions, preceding sentences of supervision,
19 conditional discharge, or first offender probation under
20 the laws of the United States or any state or that is (i) a
21 felony, or (ii) a misdemeanor, an essential element of
22 which is dishonesty, or any crime that is directly related
23 to the practice of the profession.

24 (4) Making a misrepresentation for the purpose of
25 obtaining a license under this Act or in connection with

1 applying for renewal or restoration of a license under
2 this Act.

3 (5) A pattern of practice or other behavior that
4 demonstrates incapacity or incompetence to practice under
5 this Act.

6 (6) Gross negligence under this Act.

7 (7) Aiding or assisting another person in violating a
8 provision of this Act or its rules.

9 (8) Failing to provide information within 60 days in
10 response to a written request made by the Department.

11 (9) Engaging in dishonorable, unethical, or
12 unprofessional conduct or conduct of a character likely to
13 deceive, defraud, or harm the public.

14 (10) Inability to practice with reasonable judgment,
15 skill, or safety as a result of habitual or excessive use
16 or addiction to alcohol, narcotics, stimulants, or any
17 other chemical agent or drug.

18 (11) Discipline by another state or territory of the
19 United States, the federal government, or foreign nation,
20 if at least one of the grounds for the discipline is the
21 same or substantially equivalent to one set forth in this
22 Section.

23 (12) Directly or indirectly giving to or receiving
24 from a person, firm, corporation, partnership, or
25 association a fee, commission, rebate, or other form of
26 compensation for professional services not actually or

1 personally rendered. Nothing in this paragraph (12)
2 affects any bona fide independent contractor or employment
3 arrangements among health care professionals, health
4 facilities, health care providers, or other entities,
5 except as otherwise prohibited by law. Any employment
6 arrangements may include provisions for compensation,
7 health insurance, pension, or other employment benefits
8 for the provision of services within the scope of the
9 licensee's practice under this Act. Nothing in this
10 paragraph (12) shall be construed to require an employment
11 arrangement to receive professional fees for services
12 rendered.

13 (13) A finding by the Board that the licensee or
14 registrant, after having his or her license placed on
15 probationary status, has violated the terms of probation
16 or failed to comply with such terms.

17 (14) Abandonment of a patient or client.

18 (15) Willfully making or filing false records or
19 reports related to the licensee's practice, including, but
20 not limited to, false records filed with federal or State
21 agencies or departments.

22 (16) Willfully failing to report an instance of
23 suspected abuse, neglect, financial exploitation, or
24 self-neglect of an eligible child or adult as required by
25 the Abused and Neglected Child Reporting Act and the Adult
26 Protective Services Act.

1 (17) Inability to practice the profession with
2 reasonable judgment, skill, or safety as a result of a
3 physical illness, including, but not limited to,
4 deterioration through the aging process or loss of motor
5 skill, or a mental illness or disability.

6 (18) Solicitation of professional services using false
7 or misleading advertising.

8 (19) Failure to report actual or alleged reportable
9 conduct in accordance with Section 2105-390 of the
10 Department of Professional Regulation Law of the Civil
11 Administrative Code of Illinois.

12 (b) In enforcing this Section, the Department or Board
13 upon a showing of a possible violation, may compel a licensee
14 or applicant to submit to a mental or physical examination, or
15 both, as required by and at the expense of the Department. The
16 Department or Board may order the examining physician to
17 present testimony concerning the mental or physical
18 examination of the licensee or applicant. No information shall
19 be excluded by reason of any common law or statutory privilege
20 relating to communications between the licensee or applicant
21 and the examining physician. The examining physicians shall be
22 specifically designated by the Board or Department. The
23 individual to be examined may have, at his or her own expense,
24 another physician of his or her choice present during all
25 aspects of this examination. Failure of an individual to
26 submit to a mental or physical examination, when directed,

1 shall be grounds for the immediate suspension of his or her
2 license until the individual submits to the examination if the
3 Department finds that the refusal to submit to the examination
4 was without reasonable cause as defined by rule.

5 If the Secretary immediately suspends a person's license
6 for his or her failure to submit to a mental or physical
7 examination, when directed, a hearing on that person's license
8 must be convened by the Department within 15 days after the
9 suspension and completed without appreciable delay.

10 If the Secretary otherwise suspends a person's license
11 pursuant to the results of a compelled mental or physical
12 examination, a hearing on that person's license must be
13 convened by the Department within 15 days after the suspension
14 and completed without appreciable delay. The Department and
15 Board shall have the authority to review the subject
16 individual's record of treatment and counseling regarding the
17 impairment to the extent permitted by applicable federal
18 statutes and regulations safeguarding the confidentiality of
19 medical records.

20 An individual licensed under this Act and affected under
21 this Section shall be afforded an opportunity to demonstrate
22 to the Department or Board that he or she can resume practice
23 in compliance with acceptable and prevailing standards under
24 his or her license.

25 (c) (Blank).

26 (d) If the Department of Healthcare and Family Services

1 (formerly Department of Public Aid) has previously determined
2 that a licensee or a potential licensee is more than 30 days
3 delinquent in the payment of child support and has
4 subsequently certified the delinquency to the Department, the
5 Department may refuse to issue or renew or may revoke or
6 suspend that person's license or may take other disciplinary
7 action against that person based solely upon the certification
8 of delinquency made by the Department of Healthcare and Family
9 Services in accordance with subsection (a)(5) of Section
10 2105-15 of the Department of Professional Regulation Law of
11 the Civil Administrative Code of Illinois.

12 (e) The Department shall refuse to issue or renew a
13 license, or may revoke or suspend a license, for failure to
14 file a return, to pay the tax, penalty, or interest shown in a
15 filed return, or to pay any final assessment of tax, penalty,
16 or interest as required by any tax Act administered by the
17 Department of Revenue, until the requirements of the tax Act
18 are satisfied in accordance with subsection (g) of Section
19 2105-15 of the Department of Professional Regulation Law of
20 the Civil Administrative Code of Illinois.

21 (Source: P.A. 100-872, eff. 8-14-18; 101-269, eff. 8-9-19.)

22 Section 105. The Pharmacy Practice Act is amended by
23 changing Section 30 as follows:

24 (225 ILCS 85/30) (from Ch. 111, par. 4150)

(Section scheduled to be repealed on January 1, 2028)

Sec. 30. Refusal, revocation, suspension, or other discipline.

(a) The Department may refuse to issue or renew, or may revoke a license, or may suspend, place on probation, fine, or take any disciplinary or non-disciplinary action as the Department may deem proper, including fines not to exceed \$10,000 for each violation, with regard to any licensee for any one or combination of the following causes:

1. Material misstatement in furnishing information to the Department.

2. Violations of this Act, or the rules promulgated hereunder.

3. Making any misrepresentation for the purpose of obtaining licenses.

4. A pattern of conduct which demonstrates incompetence or unfitness to practice.

5. Aiding or assisting another person in violating any provision of this Act or rules.

6. Failing, within 60 days, to respond to a written request made by the Department for information.

7. Engaging in unprofessional, dishonorable, or unethical conduct of a character likely to deceive, defraud, or harm the public as defined by rule.

8. Adverse action taken by another state or jurisdiction against a license or other authorization to

1 practice as a pharmacy, pharmacist, registered certified
2 pharmacy technician, or registered pharmacy technician
3 that is the same or substantially equivalent to those set
4 forth in this Section, a certified copy of the record of
5 the action taken by the other state or jurisdiction being
6 prima facie evidence thereof.

7 9. Directly or indirectly giving to or receiving from
8 any person, firm, corporation, partnership, or association
9 any fee, commission, rebate, or other form of compensation
10 for any professional services not actually or personally
11 rendered. Nothing in this item 9 affects any bona fide
12 independent contractor or employment arrangements among
13 health care professionals, health facilities, health care
14 providers, or other entities, except as otherwise
15 prohibited by law. Any employment arrangements may include
16 provisions for compensation, health insurance, pension, or
17 other employment benefits for the provision of services
18 within the scope of the licensee's practice under this
19 Act. Nothing in this item 9 shall be construed to require
20 an employment arrangement to receive professional fees for
21 services rendered.

22 10. A finding by the Department that the licensee,
23 after having his license placed on probationary status,
24 has violated the terms of probation.

25 11. Selling or engaging in the sale of drug samples
26 provided at no cost by drug manufacturers.

1 12. Physical illness, including, but not limited to,
2 deterioration through the aging process, or loss of motor
3 skill which results in the inability to practice the
4 profession with reasonable judgment, skill or safety.

5 13. A finding that licensure or registration has been
6 applied for or obtained by fraudulent means.

7 14. Conviction by plea of guilty or nolo contendere,
8 finding of guilt, jury verdict, or entry of judgment or
9 sentencing, including, but not limited to, convictions,
10 preceding sentences of supervision, conditional discharge,
11 or first offender probation, under the laws of any
12 jurisdiction of the United States that is (i) a felony or
13 (ii) a misdemeanor, an essential element of which is
14 dishonesty, or that is directly related to the practice of
15 pharmacy or involves controlled substances.

16 15. Habitual or excessive use or addiction to alcohol,
17 narcotics, stimulants, or any other chemical agent or drug
18 which results in the inability to practice with reasonable
19 judgment, skill, or safety.

20 16. Willfully making or filing false records or
21 reports in the practice of pharmacy, including, but not
22 limited to, false records to support claims against the
23 medical assistance program of the Department of Healthcare
24 and Family Services (formerly Department of Public Aid)
25 under the Public Aid Code.

26 17. Gross and willful overcharging for professional

1 services including filing false statements for collection
2 of fees for which services are not rendered, including,
3 but not limited to, filing false statements for collection
4 of monies for services not rendered from the medical
5 assistance program of the Department of Healthcare and
6 Family Services (formerly Department of Public Aid) under
7 the Public Aid Code.

8 18. Dispensing prescription drugs without receiving a
9 written or oral prescription in violation of law.

10 19. Upon a finding of a substantial discrepancy in a
11 Department audit of a prescription drug, including
12 controlled substances, as that term is defined in this Act
13 or in the Illinois Controlled Substances Act.

14 20. Physical or mental illness or any other impairment
15 or disability, including, without limitation: (A)
16 deterioration through the aging process or loss of motor
17 skills that results in the inability to practice with
18 reasonable judgment, skill, or safety; or (B) mental
19 incompetence, as declared by a court of competent
20 jurisdiction.

21 21. Violation of the Health Care Worker Self-Referral
22 Act.

23 22. Failing to sell or dispense any drug, medicine, or
24 poison in good faith. "Good faith", for the purposes of
25 this Section, has the meaning ascribed to it in subsection
26 (u) of Section 102 of the Illinois Controlled Substances

1 Act. "Good faith", as used in this item (22), shall not be
2 limited to the sale or dispensing of controlled
3 substances, but shall apply to all prescription drugs.

4 23. Interfering with the professional judgment of a
5 pharmacist by any licensee under this Act, or the
6 licensee's agents or employees.

7 24. Failing to report within 60 days to the Department
8 any adverse final action taken against a pharmacy,
9 pharmacist, registered pharmacy technician, or registered
10 certified pharmacy technician by another licensing
11 jurisdiction in any other state or any territory of the
12 United States or any foreign jurisdiction, any
13 governmental agency, any law enforcement agency, or any
14 court for acts or conduct similar to acts or conduct that
15 would constitute grounds for discipline as defined in this
16 Section.

17 25. Failing to comply with a subpoena issued in
18 accordance with Section 35.5 of this Act.

19 26. Disclosing protected health information in
20 violation of any State or federal law.

21 27. Willfully failing to report an instance of
22 suspected abuse, neglect, financial exploitation, or
23 self-neglect of an eligible adult as defined in and
24 required by the Adult Protective Services Act.

25 28. Being named as an abuser in a verified report by
26 the Department on Aging under the Adult Protective

1 Services Act, and upon proof by clear and convincing
2 evidence that the licensee abused, neglected, or
3 financially exploited an eligible adult as defined in the
4 Adult Protective Services Act.

5 29. Using advertisements or making solicitations that
6 may jeopardize the health, safety, or welfare of patients,
7 including, but not limited to, the use of advertisements
8 or solicitations that:

9 (A) are false, fraudulent, deceptive, or
10 misleading; or

11 (B) include any claim regarding a professional
12 service or product or the cost or price thereof that
13 cannot be substantiated by the licensee.

14 30. Requiring a pharmacist to participate in the use
15 or distribution of advertisements or in making
16 solicitations that may jeopardize the health, safety, or
17 welfare of patients.

18 31. Failing to provide a working environment for all
19 pharmacy personnel that protects the health, safety, and
20 welfare of a patient, which includes, but is not limited
21 to, failing to:

22 (A) employ sufficient personnel to prevent
23 fatigue, distraction, or other conditions that
24 interfere with a pharmacist's ability to practice with
25 competency and safety or creates an environment that
26 jeopardizes patient care;

1 (B) provide appropriate opportunities for
2 uninterrupted rest periods and meal breaks;

3 (C) provide adequate time for a pharmacist to
4 complete professional duties and responsibilities,
5 including, but not limited to:

6 (i) drug utilization review;

7 (ii) immunization;

8 (iii) counseling;

9 (iv) verification of the accuracy of a
10 prescription; and

11 (v) all other duties and responsibilities of a
12 pharmacist as listed in the rules of the
13 Department.

14 32. Introducing or enforcing external factors, such as
15 productivity or production quotas or other programs
16 against pharmacists, student pharmacists or pharmacy
17 technicians, to the extent that they interfere with the
18 ability of those individuals to provide appropriate
19 professional services to the public.

20 33. Providing an incentive for or inducing the
21 transfer of a prescription for a patient absent a
22 professional rationale.

23 34. Failure to report actual or alleged reportable
24 conduct in accordance with Section 2105-390 of the
25 Department of Professional Regulation Law of the Civil
26 Administrative Code of Illinois.

1 (b) The Department may refuse to issue or may suspend the
2 license of any person who fails to file a return, or to pay the
3 tax, penalty, or interest shown in a filed return, or to pay
4 any final assessment of tax, penalty, or interest, as required
5 by any tax Act administered by the Illinois Department of
6 Revenue, until such time as the requirements of any such tax
7 Act are satisfied.

8 (c) The Department shall revoke any license issued under
9 the provisions of this Act or any prior Act of this State of
10 any person who has been convicted a second time of committing
11 any felony under the Illinois Controlled Substances Act, or
12 who has been convicted a second time of committing a Class 1
13 felony under Sections 8A-3 and 8A-6 of the Illinois Public Aid
14 Code. A person whose license issued under the provisions of
15 this Act or any prior Act of this State is revoked under this
16 subsection (c) shall be prohibited from engaging in the
17 practice of pharmacy in this State.

18 (c-5) The Department shall not revoke, suspend, summarily
19 suspend, place on prohibition, reprimand, refuse to issue or
20 renew, or take any other disciplinary or non-disciplinary
21 action against a person's authorization to practice under this
22 Act based solely upon the person providing, authorizing,
23 recommending, aiding, assisting, referring for, or otherwise
24 participating in any health care service, so long as the care
25 was not unlawful under the laws of this State, regardless of
26 whether the patient was a resident of this State or another

1 state.

2 (c-10) The Department shall not revoke, suspend, summarily
3 suspend, place on prohibition, reprimand, refuse to issue or
4 renew, or take any other disciplinary or non-disciplinary
5 action against a person's authorization to practice under this
6 Act based upon the person's license, registration, or permit
7 being revoked or suspended, or the person being otherwise
8 disciplined, by any other state if that revocation,
9 suspension, or other form of discipline was based solely on
10 the person violating another state's laws prohibiting the
11 provision of, authorization of, recommendation of, aiding or
12 assisting in, referring for, or participation in any health
13 care service if that health care service as provided would not
14 have been unlawful under the laws of this State and is
15 consistent with the applicable standard of conduct for a
16 person practicing in Illinois under this Act.

17 (c-15) The conduct specified in subsections (c-5) and
18 (c-10) shall not constitute grounds for suspension under
19 Section 35.16.

20 (c-20) An applicant seeking licensure, certification, or
21 authorization pursuant to this Act who has been subject to
22 disciplinary action by a duly authorized professional
23 disciplinary agency of another jurisdiction solely on the
24 basis of having provided, authorized, recommended, aided,
25 assisted, referred for, or otherwise participated in health
26 care shall not be denied such licensure, certification, or

1 authorization, unless the Department determines that such
2 action would have constituted professional misconduct in this
3 State; however, nothing in this Section shall be construed as
4 prohibiting the Department from evaluating the conduct of such
5 applicant and making a determination regarding the licensure,
6 certification, or authorization to practice a profession under
7 this Act.

8 (d) Fines may be imposed in conjunction with other forms
9 of disciplinary action, but shall not be the exclusive
10 disposition of any disciplinary action arising out of conduct
11 resulting in death or injury to a patient. Fines shall be paid
12 within 60 days or as otherwise agreed to by the Department. Any
13 funds collected from such fines shall be deposited in the
14 Illinois State Pharmacy Disciplinary Fund.

15 (e) The entry of an order or judgment by any circuit court
16 establishing that any person holding a license or certificate
17 under this Act is a person in need of mental treatment operates
18 as a suspension of that license. A licensee may resume his or
19 her practice only upon the entry of an order of the Department
20 based upon a finding by the Board that he or she has been
21 determined to be recovered from mental illness by the court
22 and upon the Board's recommendation that the licensee be
23 permitted to resume his or her practice.

24 (f) The Department shall issue quarterly to the Board a
25 status of all complaints related to the profession received by
26 the Department.

1 (g) In enforcing this Section, the Board or the
2 Department, upon a showing of a possible violation, may compel
3 any licensee or applicant for licensure under this Act to
4 submit to a mental or physical examination or both, as
5 required by and at the expense of the Department. The
6 examining physician, or multidisciplinary team involved in
7 providing physical and mental examinations led by a physician
8 consisting of one or a combination of licensed physicians,
9 licensed clinical psychologists, licensed clinical social
10 workers, licensed clinical professional counselors, and other
11 professional and administrative staff, shall be those
12 specifically designated by the Department. The Board or the
13 Department may order the examining physician or any member of
14 the multidisciplinary team to present testimony concerning
15 this mental or physical examination of the licensee or
16 applicant. No information, report, or other documents in any
17 way related to the examination shall be excluded by reason of
18 any common law or statutory privilege relating to
19 communication between the licensee or applicant and the
20 examining physician or any member of the multidisciplinary
21 team. The individual to be examined may have, at his or her own
22 expense, another physician of his or her choice present during
23 all aspects of the examination. Failure of any individual to
24 submit to a mental or physical examination when directed shall
25 result in the automatic suspension of his or her license until
26 such time as the individual submits to the examination. If the

1 Board or Department finds a pharmacist, registered certified
2 pharmacy technician, or registered pharmacy technician unable
3 to practice because of the reasons set forth in this Section,
4 the Board or Department shall require such pharmacist,
5 registered certified pharmacy technician, or registered
6 pharmacy technician to submit to care, counseling, or
7 treatment by physicians or other appropriate health care
8 providers approved or designated by the Department as a
9 condition for continued, restored, or renewed licensure to
10 practice. Any pharmacist, registered certified pharmacy
11 technician, or registered pharmacy technician whose license
12 was granted, continued, restored, renewed, disciplined, or
13 supervised, subject to such terms, conditions, or
14 restrictions, and who fails to comply with such terms,
15 conditions, or restrictions or to complete a required program
16 of care, counseling, or treatment, as determined by the chief
17 pharmacy coordinator, shall be referred to the Secretary for a
18 determination as to whether the licensee shall have his or her
19 license suspended immediately, pending a hearing by the Board.
20 In instances in which the Secretary immediately suspends a
21 license under this subsection (g), a hearing upon such
22 person's license must be convened by the Board within 15 days
23 after such suspension and completed without appreciable delay.
24 The Department and Board shall have the authority to review
25 the subject pharmacist's, registered certified pharmacy
26 technician's, or registered pharmacy technician's record of

1 treatment and counseling regarding the impairment.

2 (h) An individual or organization acting in good faith,
3 and not in a willful and wanton manner, in complying with this
4 Section by providing a report or other information to the
5 Board, by assisting in the investigation or preparation of a
6 report or information, by participating in proceedings of the
7 Board, or by serving as a member of the Board shall not, as a
8 result of such actions, be subject to criminal prosecution or
9 civil damages. Any person who reports a violation of this
10 Section to the Department is protected under subsection (b) of
11 Section 15 of the Whistleblower Act.

12 (i) Members of the Board shall have no liability in any
13 action based upon any disciplinary proceedings or other
14 activity performed in good faith as a member of the Board. The
15 Attorney General shall defend all such actions unless he or
16 she determines either that there would be a conflict of
17 interest in such representation or that the actions complained
18 of were not in good faith or were willful and wanton.

19 If the Attorney General declines representation, the
20 member shall have the right to employ counsel of his or her
21 choice, whose fees shall be provided by the State, after
22 approval by the Attorney General, unless there is a
23 determination by a court that the member's actions were not in
24 good faith or were willful and wanton.

25 The member must notify the Attorney General within 7 days
26 of receipt of notice of the initiation of any action involving

1 services of the Board. Failure to so notify the Attorney
2 General shall constitute an absolute waiver of the right to a
3 defense and indemnification.

4 The Attorney General shall determine, within 7 days after
5 receiving such notice, whether he or she will undertake to
6 represent the member.

7 (j) The Department may adopt rules to implement,
8 administer, and enforce this Section.

9 (Source: P.A. 104-432, eff. 1-1-26.)

10 Section 110. The Illinois Physical Therapy Act is amended
11 by changing Section 17 as follows:

12 (225 ILCS 90/17) (from Ch. 111, par. 4267)

13 (Section scheduled to be repealed on January 1, 2031)

14 Sec. 17. (1) The Department may refuse to issue or to
15 renew, or may revoke, suspend, place on probation, reprimand,
16 or take other disciplinary action as the Department deems
17 appropriate, including the issuance of fines not to exceed
18 \$5000, with regard to a license for any one or a combination of
19 the following:

20 A. Material misstatement in furnishing information to
21 the Department or otherwise making misleading, deceptive,
22 untrue, or fraudulent representations in violation of this
23 Act or otherwise in the practice of the profession;

24 B. Violations of this Act, or of the rules or

1 regulations promulgated hereunder;

2 C. Conviction of any crime under the laws of the
3 United States or any state or territory thereof which is a
4 felony or which is a misdemeanor, an essential element of
5 which is dishonesty, or of any crime which is directly
6 related to the practice of the profession; conviction, as
7 used in this paragraph, shall include a finding or verdict
8 of guilty, an admission of guilt or a plea of nolo
9 contendere;

10 D. Making any misrepresentation for the purpose of
11 obtaining licenses, or violating any provision of this Act
12 or the rules promulgated thereunder pertaining to
13 advertising;

14 E. A pattern of practice or other behavior which
15 demonstrates incapacity or incompetency to practice under
16 this Act;

17 F. Aiding or assisting another person in violating any
18 provision of this Act or Rules;

19 G. Failing, within 60 days, to provide information in
20 response to a written request made by the Department;

21 H. Engaging in dishonorable, unethical or
22 unprofessional conduct of a character likely to deceive,
23 defraud or harm the public. Unprofessional conduct shall
24 include any departure from or the failure to conform to
25 the minimal standards of acceptable and prevailing
26 physical therapy practice, in which proceeding actual

1 injury to a patient need not be established;

2 I. Unlawful distribution of any drug or narcotic, or
3 unlawful conversion of any drug or narcotic not belonging
4 to the person for such person's own use or benefit or for
5 other than medically accepted therapeutic purposes;

6 J. Habitual or excessive use or addiction to alcohol,
7 narcotics, stimulants, or any other chemical agent or drug
8 which results in a physical therapist's or physical
9 therapist assistant's inability to practice with
10 reasonable judgment, skill or safety;

11 K. Revocation or suspension of a license to practice
12 physical therapy as a physical therapist or physical
13 therapist assistant or the taking of other disciplinary
14 action by the proper licensing authority of another state,
15 territory or country;

16 L. Directly or indirectly giving to or receiving from
17 any person, firm, corporation, partnership, or association
18 any fee, commission, rebate or other form of compensation
19 for any professional services not actually or personally
20 rendered. Nothing contained in this paragraph prohibits
21 persons holding valid and current licenses under this Act
22 from practicing physical therapy in partnership under a
23 partnership agreement, including a limited liability
24 partnership, a limited liability company, or a corporation
25 under the Professional Service Corporation Act or from
26 pooling, sharing, dividing, or apportioning the fees and

1 monies received by them or by the partnership, company, or
2 corporation in accordance with the partnership agreement
3 or the policies of the company or professional
4 corporation. Nothing in this paragraph (L) affects any
5 bona fide independent contractor or employment
6 arrangements among health care professionals, health
7 facilities, health care providers, or other entities,
8 except as otherwise prohibited by law. Any employment
9 arrangements may include provisions for compensation,
10 health insurance, pension, or other employment benefits
11 for the provision of services within the scope of the
12 licensee's practice under this Act. Nothing in this
13 paragraph (L) shall be construed to require an employment
14 arrangement to receive professional fees for services
15 rendered;

16 M. A finding by the Board that the licensee after
17 having the license placed on probationary status has
18 violated the terms of probation;

19 N. Abandonment of a patient;

20 O. Willfully failing to report an instance of
21 suspected child abuse or neglect as required by the Abused
22 and Neglected Child Reporting Act;

23 P. Willfully failing to report an instance of
24 suspected elder abuse or neglect as required by the Elder
25 Abuse Reporting Act;

26 Q. Physical illness, including but not limited to,

1 deterioration through the aging process, or loss of motor
2 skill which results in the inability to practice the
3 profession with reasonable judgment ~~judgement~~, skill, or
4 safety;

5 R. The use of any words (such as physical therapy,
6 physical therapist physiotherapy or physiotherapist),
7 abbreviations, figures or letters with the intention of
8 indicating practice as a licensed physical therapist
9 without a valid license as a physical therapist issued
10 under this Act;

11 S. The use of the term physical therapist assistant,
12 or abbreviations, figures, or letters with the intention
13 of indicating practice as a physical therapist assistant
14 without a valid license as a physical therapist assistant
15 issued under this Act;

16 T. Willfully violating or knowingly assisting in the
17 violation of any law of this State relating to the
18 practice of abortion;

19 U. Continued practice by a person knowingly having an
20 infectious, communicable or contagious disease;

21 V. Having treated ailments otherwise than by the
22 practice of physical therapy as defined in this Act, or
23 having treated ailments as a licensed physical therapist
24 in violation of Section 1.2;

25 W. Being named as a perpetrator in an indicated report
26 by the Department of Children and Family Services pursuant

1 to the Abused and Neglected Child Reporting Act and upon
2 the indicated report becoming final after a hearing or
3 opportunity for a hearing;~~7 and upon proof by clear and~~
4 ~~convincing evidence that the licensee has caused a child~~
5 ~~to be an abused child or neglected child as defined in the~~
6 ~~Abused and Neglected Child Reporting Act;~~

7 X. Interpretation of referrals, performance of
8 evaluation procedures, planning or making major
9 modifications of patient programs by a physical therapist
10 assistant;

11 Y. Failure by a physical therapist assistant and
12 supervising physical therapist to maintain continued
13 contact, including periodic personal supervision and
14 instruction, to ensure the safety and welfare of patients;

15 Z. Violation of the Health Care Worker Self-Referral
16 Act;~~7~~

17 AA. Failure to report actual or alleged reportable
18 conduct in accordance with Section 2105-390 of the
19 Department of Professional Regulation Law of the Civil
20 Administrative Code of Illinois;

21 BB. Except in the context of emergency care, surgical
22 care, or care that requires more than one health care
23 professional, conducting a physical examination of the
24 breast or genitalia under one of the following conditions:
25 (i) conducting the examination alone with the patient
26 without first informing the patient that the patient may

1 request the presence of a third person during the
2 examination; or (ii) conducting the examination alone with
3 the patient if the patient has requested, and not
4 withdrawn the request, to have a third person present. If
5 the patient does not bring a third person, and if no
6 licensee-provided third person is available, the licensee
7 may inform the patient that the licensee cannot honor the
8 patient's request and invite the patient to either return
9 with a patient-provided third person or voluntarily elect
10 to withdraw the request and proceed with the examination.
11 For a patient whose care decisions are made by a parent or
12 guardian, the licensee's obligation is to inform and honor
13 requests from the parent or guardian. Notwithstanding any
14 provision of this paragraph BB. to the contrary, except in
15 the context of emergency care, surgical care, or care that
16 requires more than one health care professional, licensees
17 may, in their sole discretion, refuse to conduct an
18 examination of the breast or genitalia without a third
19 person present.

20 (2) The determination by a circuit court that a licensee
21 is subject to involuntary admission or judicial admission as
22 provided in the Mental Health and Developmental Disabilities
23 Code operates as an automatic suspension. Such suspension will
24 end only upon a finding by a court that the patient is no
25 longer subject to involuntary admission or judicial admission
26 and the issuance of an order so finding and discharging the

1 patient; and upon the recommendation of the Board to the
2 Secretary that the licensee be allowed to resume practicing.

3 (3) The Department may refuse to issue or may suspend the
4 license of any person who fails to file a return, or to pay the
5 tax, penalty or interest shown in a filed return, or to pay any
6 final assessment of tax, penalty or interest, as required by
7 any tax Act administered by the Illinois Department of
8 Revenue, until such time as the requirements of any such tax
9 Act are satisfied.

10 (Source: P.A. 104-154, eff. 1-1-26.)

11 Section 115. The Physician Assistant Practice Act of 1987
12 is amended by changing Section 21 as follows:

13 (225 ILCS 95/21) (from Ch. 111, par. 4621)

14 (Section scheduled to be repealed on January 1, 2028)

15 Sec. 21. Grounds for disciplinary action.

16 (a) The Department may refuse to issue or to renew, or may
17 revoke, suspend, place on probation, reprimand, or take other
18 disciplinary or non-disciplinary action with regard to any
19 license issued under this Act as the Department may deem
20 proper, including the issuance of fines not to exceed \$10,000
21 for each violation, for any one or combination of the
22 following causes:

23 (1) Material misstatement in furnishing information to
24 the Department.

1 (2) Violations of this Act, or the rules adopted under
2 this Act.

3 (3) Conviction by plea of guilty or nolo contendere,
4 finding of guilt, jury verdict, or entry of judgment or
5 sentencing, including, but not limited to, convictions,
6 preceding sentences of supervision, conditional discharge,
7 or first offender probation, under the laws of any
8 jurisdiction of the United States that is: (i) a felony;
9 or (ii) a misdemeanor, an essential element of which is
10 dishonesty, or that is directly related to the practice of
11 the profession.

12 (4) Making any misrepresentation for the purpose of
13 obtaining licenses.

14 (5) Professional incompetence.

15 (6) Aiding or assisting another person in violating
16 any provision of this Act or its rules.

17 (7) Failing, within 60 days, to provide information in
18 response to a written request made by the Department.

19 (8) Engaging in dishonorable, unethical, or
20 unprofessional conduct, as defined by rule, of a character
21 likely to deceive, defraud, or harm the public.

22 (9) Habitual or excessive use or addiction to alcohol,
23 narcotics, stimulants, or any other chemical agent or drug
24 that results in a physician assistant's inability to
25 practice with reasonable judgment, skill, or safety.

26 (10) Discipline by another U.S. jurisdiction or

1 foreign nation, if at least one of the grounds for
2 discipline is the same or substantially equivalent to
3 those set forth in this Section.

4 (11) Directly or indirectly giving to or receiving
5 from any person, firm, corporation, partnership, or
6 association any fee, commission, rebate, or other form of
7 compensation for any professional services not actually or
8 personally rendered. Nothing in this paragraph (11)
9 affects any bona fide independent contractor or employment
10 arrangements, which may include provisions for
11 compensation, health insurance, pension, or other
12 employment benefits, with persons or entities authorized
13 under this Act for the provision of services within the
14 scope of the licensee's practice under this Act.

15 (12) A finding by the Board that the licensee, after
16 having his or her license placed on probationary status,
17 has violated the terms of probation.

18 (13) Abandonment of a patient.

19 (14) Willfully making or filing false records or
20 reports in his or her practice, including, but not limited
21 to, false records filed with State agencies or
22 departments.

23 (15) Willfully failing to report an instance of
24 suspected child abuse or neglect as required by the Abused
25 and Neglected Child Reporting Act.

26 (16) Physical illness, or mental illness or impairment

1 that results in the inability to practice the profession
2 with reasonable judgment, skill, or safety, including, but
3 not limited to, deterioration through the aging process or
4 loss of motor skill.

5 (17) Being named as a perpetrator in an indicated
6 report by the Department of Children and Family Services
7 under the Abused and Neglected Child Reporting Act and
8 upon the indicated report becoming final after a hearing
9 or opportunity for a hearing., ~~and upon proof by clear and~~
10 ~~convincing evidence that the licensee has caused a child~~
11 ~~to be an abused child or neglected child as defined in the~~
12 ~~Abused and Neglected Child Reporting Act.~~

13 (18) (Blank).

14 (19) Gross negligence resulting in permanent injury or
15 death of a patient.

16 (20) Employment of fraud, deception or any unlawful
17 means in applying for or securing a license as a physician
18 assistant.

19 (21) Exceeding the authority delegated to him or her
20 by his or her collaborating physician in a written
21 collaborative agreement.

22 (22) Immoral conduct in the commission of any act,
23 such as sexual abuse, sexual misconduct, or sexual
24 exploitation related to the licensee's practice.

25 (23) Violation of the Health Care Worker Self-Referral
26 Act.

1 (24) Practicing under a false or assumed name, except
2 as provided by law.

3 (25) Making a false or misleading statement regarding
4 his or her skill or the efficacy or value of the medicine,
5 treatment, or remedy prescribed by him or her in the
6 course of treatment.

7 (26) Allowing another person to use his or her license
8 to practice.

9 (27) Prescribing, selling, administering,
10 distributing, giving, or self-administering a drug
11 classified as a controlled substance for other than
12 medically accepted therapeutic purposes.

13 (28) Promotion of the sale of drugs, devices,
14 appliances, or goods provided for a patient in a manner to
15 exploit the patient for financial gain.

16 (29) A pattern of practice or other behavior that
17 demonstrates incapacity or incompetence to practice under
18 this Act.

19 (30) Violating State or federal laws or regulations
20 relating to controlled substances or other legend drugs or
21 ephedra as defined in the Ephedra Prohibition Act.

22 (31) Exceeding the prescriptive authority delegated by
23 the collaborating physician or violating the written
24 collaborative agreement delegating that authority.

25 (32) Practicing without providing to the Department a
26 notice of collaboration or delegation of prescriptive

1 authority.

2 (33) Failure to establish and maintain records of
3 patient care and treatment as required by law.

4 (34) Attempting to subvert or cheat on the examination
5 of the National Commission on Certification of Physician
6 Assistants or its successor agency.

7 (35) Willfully or negligently violating the
8 confidentiality between physician assistant and patient,
9 except as required by law.

10 (36) Willfully failing to report an instance of
11 suspected abuse, neglect, financial exploitation, or
12 self-neglect of an eligible adult as defined in and
13 required by the Adult Protective Services Act.

14 (37) Being named as an abuser in a verified report by
15 the Department on Aging under the Adult Protective
16 Services Act and upon proof by clear and convincing
17 evidence that the licensee abused, neglected, or
18 financially exploited an eligible adult as defined in the
19 Adult Protective Services Act.

20 (38) Failure to report to the Department an adverse
21 final action taken against him or her by another licensing
22 jurisdiction of the United States or a foreign state or
23 country, a peer review body, a health care institution, a
24 professional society or association, a governmental
25 agency, a law enforcement agency, or a court acts or
26 conduct similar to acts or conduct that would constitute

1 grounds for action under this Section.

2 (39) Failure to provide copies of records of patient
3 care or treatment, except as required by law.

4 (40) Entering into an excessive number of written
5 collaborative agreements with licensed physicians
6 resulting in an inability to adequately collaborate.

7 (41) Repeated failure to adequately collaborate with a
8 collaborating physician.

9 (42) Violating the Compassionate Use of Medical
10 Cannabis Program Act.

11 (43) Failure to report actual or alleged reportable
12 conduct in accordance with Section 2105-390 of the
13 Department of Professional Regulation Law of the Civil
14 Administrative Code of Illinois.

15 (44) Except in the context of emergency care, surgical
16 care, or care that requires more than one health care
17 professional, conducting a physical examination of the
18 breast or genitalia under one of the following conditions:
19 (i) conducting the examination alone with the patient
20 without first informing the patient that the patient may
21 request the presence of a third person during the
22 examination; or (ii) conducting the examination alone with
23 the patient if the patient has requested, and not
24 withdrawn the request, to have a third person present. If
25 the patient does not bring a third person, and if no
26 licensee-provided third person is available, the licensee

1 may inform the patient that the licensee cannot honor the
2 patient's request and invite the patient to either return
3 with a patient-provided third person or voluntarily elect
4 to withdraw the request and proceed with the examination.
5 For a patient whose care decisions are made by a parent or
6 guardian, the licensee's obligation is to inform and honor
7 requests from the parent or guardian. Notwithstanding any
8 provision of this paragraph (44) to the contrary, except
9 in the context of emergency care, surgical care, or care
10 that requires more than one health care professional,
11 licensees may, in their sole discretion, refuse to conduct
12 an examination of the breast or genitalia without a third
13 person present.

14 (b) The Department may, without a hearing, refuse to issue
15 or renew or may suspend the license of any person who fails to
16 file a return, or to pay the tax, penalty, or interest shown in
17 a filed return, or to pay any final assessment of the tax,
18 penalty, or interest as required by any tax Act administered
19 by the Illinois Department of Revenue, until such time as the
20 requirements of any such tax Act are satisfied.

21 (b-5) The Department shall not revoke, suspend, summarily
22 suspend, place on prohibition, reprimand, refuse to issue or
23 renew, or take any other disciplinary or non-disciplinary
24 action against a person's authorization to practice under this
25 Act based solely upon the person providing, authorizing,
26 recommending, aiding, assisting, referring for, or otherwise

1 participating in any health care service, so long as the care
2 was not unlawful under the laws of this State, regardless of
3 whether the patient was a resident of this State or another
4 state.

5 (b-10) The Department shall not revoke, suspend, summarily
6 suspend, place on prohibition, reprimand, refuse to issue or
7 renew, or take any other disciplinary or non-disciplinary
8 action against a person's authorization to practice under this
9 Act based upon the person's license, registration, or permit
10 being revoked or suspended, or the person being otherwise
11 disciplined, by any other state if that revocation,
12 suspension, or other form of discipline was based solely on
13 the person violating another state's laws prohibiting the
14 provision of, authorization of, recommendation of, aiding or
15 assisting in, referring for, or participation in any health
16 care service if that health care service as provided would not
17 have been unlawful under the laws of this State and is
18 consistent with the applicable standard of conduct for a
19 person practicing in Illinois under this Act.

20 (b-15) The conduct specified in subsections (b-5) and
21 (b-10) shall not constitute grounds for suspension under
22 Section 22.13.

23 (b-20) An applicant seeking licensure, certification, or
24 authorization pursuant to this Act who has been subject to
25 disciplinary action by a duly authorized professional
26 disciplinary agency of another jurisdiction solely on the

1 basis of having provided, authorized, recommended, aided,
2 assisted, referred for, or otherwise participated in health
3 care shall not be denied such licensure, certification, or
4 authorization, unless the Department determines that such
5 action would have constituted professional misconduct in this
6 State; however, nothing in this Section shall be construed as
7 prohibiting the Department from evaluating the conduct of such
8 applicant and making a determination regarding the licensure,
9 certification, or authorization to practice a profession under
10 this Act.

11 (c) The determination by a circuit court that a licensee
12 is subject to involuntary admission or judicial admission as
13 provided in the Mental Health and Developmental Disabilities
14 Code operates as an automatic suspension. The suspension will
15 end only upon a finding by a court that the patient is no
16 longer subject to involuntary admission or judicial admission
17 and issues an order so finding and discharging the patient,
18 and upon the recommendation of the Board to the Secretary that
19 the licensee be allowed to resume his or her practice.

20 (d) In enforcing this Section, the Department upon a
21 showing of a possible violation may compel an individual
22 licensed to practice under this Act, or who has applied for
23 licensure under this Act, to submit to a mental or physical
24 examination, or both, which may include a substance abuse or
25 sexual offender evaluation, as required by and at the expense
26 of the Department.

1 The Department shall specifically designate the examining
2 physician licensed to practice medicine in all of its branches
3 or, if applicable, the multidisciplinary team involved in
4 providing the mental or physical examination or both. The
5 multidisciplinary team shall be led by a physician licensed to
6 practice medicine in all of its branches and may consist of one
7 or more or a combination of physicians licensed to practice
8 medicine in all of its branches, licensed clinical
9 psychologists, licensed clinical social workers, licensed
10 clinical professional counselors, and other professional and
11 administrative staff. Any examining physician or member of the
12 multidisciplinary team may require any person ordered to
13 submit to an examination pursuant to this Section to submit to
14 any additional supplemental testing deemed necessary to
15 complete any examination or evaluation process, including, but
16 not limited to, blood testing, urinalysis, psychological
17 testing, or neuropsychological testing.

18 The Department may order the examining physician or any
19 member of the multidisciplinary team to provide to the
20 Department any and all records, including business records,
21 that relate to the examination and evaluation, including any
22 supplemental testing performed.

23 The Department may order the examining physician or any
24 member of the multidisciplinary team to present testimony
25 concerning the mental or physical examination of the licensee
26 or applicant. No information, report, record, or other

1 documents in any way related to the examination shall be
2 excluded by reason of any common law or statutory privilege
3 relating to communications between the licensee or applicant
4 and the examining physician or any member of the
5 multidisciplinary team. No authorization is necessary from the
6 licensee or applicant ordered to undergo an examination for
7 the examining physician or any member of the multidisciplinary
8 team to provide information, reports, records, or other
9 documents or to provide any testimony regarding the
10 examination and evaluation.

11 The individual to be examined may have, at his or her own
12 expense, another physician of his or her choice present during
13 all aspects of this examination. However, that physician shall
14 be present only to observe and may not interfere in any way
15 with the examination.

16 Failure of an individual to submit to a mental or physical
17 examination, when ordered, shall result in an automatic
18 suspension of his or her license until the individual submits
19 to the examination.

20 If the Department finds an individual unable to practice
21 because of the reasons set forth in this Section, the
22 Department may require that individual to submit to care,
23 counseling, or treatment by physicians approved or designated
24 by the Department, as a condition, term, or restriction for
25 continued, reinstated, or renewed licensure to practice; or,
26 in lieu of care, counseling, or treatment, the Department may

1 file a complaint to immediately suspend, revoke, or otherwise
2 discipline the license of the individual. An individual whose
3 license was granted, continued, reinstated, renewed,
4 disciplined, or supervised subject to such terms, conditions,
5 or restrictions, and who fails to comply with such terms,
6 conditions, or restrictions, shall be referred to the
7 Secretary for a determination as to whether the individual
8 shall have his or her license suspended immediately, pending a
9 hearing by the Department.

10 In instances in which the Secretary immediately suspends a
11 person's license under this Section, a hearing on that
12 person's license must be convened by the Department within 30
13 days after the suspension and completed without appreciable
14 delay. The Department shall have the authority to review the
15 subject individual's record of treatment and counseling
16 regarding the impairment to the extent permitted by applicable
17 federal statutes and regulations safeguarding the
18 confidentiality of medical records.

19 An individual licensed under this Act and affected under
20 this Section shall be afforded an opportunity to demonstrate
21 to the Department that he or she can resume practice in
22 compliance with acceptable and prevailing standards under the
23 provisions of his or her license.

24 (e) An individual or organization acting in good faith,
25 and not in a willful and wanton manner, in complying with this
26 Section by providing a report or other information to the

1 Board, by assisting in the investigation or preparation of a
2 report or information, by participating in proceedings of the
3 Board, or by serving as a member of the Board, shall not be
4 subject to criminal prosecution or civil damages as a result
5 of such actions.

6 (f) Members of the Board shall be indemnified by the State
7 for any actions occurring within the scope of services on the
8 Board, done in good faith and not willful and wanton in nature.
9 The Attorney General shall defend all such actions unless he
10 or she determines either that there would be a conflict of
11 interest in such representation or that the actions complained
12 of were not in good faith or were willful and wanton.

13 If the Attorney General declines representation, the
14 member has the right to employ counsel of his or her choice,
15 whose fees shall be provided by the State, after approval by
16 the Attorney General, unless there is a determination by a
17 court that the member's actions were not in good faith or were
18 willful and wanton.

19 The member must notify the Attorney General within 7 days
20 after receipt of notice of the initiation of any action
21 involving services of the Board. Failure to so notify the
22 Attorney General constitutes an absolute waiver of the right
23 to a defense and indemnification.

24 The Attorney General shall determine, within 7 days after
25 receiving such notice, whether he or she will undertake to
26 represent the member.

1 (g) The Department may adopt rules to implement,
2 administer, and enforce this Section.

3 (Source: P.A. 104-432, eff. 1-1-26.)

4 Section 120. The Podiatric Medical Practice Act of 1987 is
5 amended by changing Section 24 as follows:

6 (225 ILCS 100/24) (from Ch. 111, par. 4824)

7 (Section scheduled to be repealed on January 1, 2028)

8 Sec. 24. Grounds for disciplinary action. The Department
9 may refuse to issue, may refuse to renew, may refuse to
10 restore, may suspend, or may revoke any license, or may place
11 on probation, reprimand or take other disciplinary or
12 non-disciplinary action as the Department may deem proper,
13 including fines not to exceed \$10,000 for each violation upon
14 anyone licensed under this Act for any of the following
15 reasons:

16 (1) Making a material misstatement in furnishing
17 information to the Department.

18 (2) Violations of this Act, or of the rules adopted
19 under this Act.

20 (3) Conviction by plea of guilty or nolo contendere,
21 finding of guilt, jury verdict, or entry of judgment or
22 sentencing, including, but not limited to, convictions,
23 preceding sentences of supervision, conditional discharge,
24 or first offender probation, under the laws of any

1 jurisdiction of the United States that is (i) a felony or
2 (ii) a misdemeanor, an essential element of which is
3 dishonesty, or that is directly related to the practice of
4 the profession.

5 (4) Making any misrepresentation for the purpose of
6 obtaining licenses, or violating any provision of this Act
7 or the rules promulgated thereunder pertaining to
8 advertising.

9 (5) Professional incompetence.

10 (6) Gross or repeated malpractice or negligence.

11 (7) Aiding or assisting another person in violating
12 any provision of this Act or rules.

13 (8) Failing, within 30 days, to provide information in
14 response to a written request made by the Department.

15 (9) Engaging in dishonorable, unethical or
16 unprofessional conduct of a character likely to deceive,
17 defraud or harm the public.

18 (10) Habitual or excessive use of alcohol, narcotics,
19 stimulants, or other chemical agent or drug that results
20 in the inability to practice podiatric medicine with
21 reasonable judgment, skill or safety.

22 (11) Discipline by another United States jurisdiction
23 if at least one of the grounds for the discipline is the
24 same or substantially equivalent to those set forth in
25 this Section.

26 (12) Violation of the prohibition against fee

1 splitting in Section 24.2 of this Act.

2 (13) A finding by the Board that the licensee, after
3 having his or her license placed on probationary status,
4 has violated the terms of probation.

5 (14) Abandonment of a patient.

6 (15) Willfully making or filing false records or
7 reports in his or her practice, including, but not limited
8 to, false records filed with state agencies or
9 departments.

10 (16) Willfully failing to report an instance of
11 suspected child abuse or neglect as required by the Abused
12 and Neglected Child Reporting Act.

13 (17) Physical illness, mental illness, or other
14 impairment, including, but not limited to, deterioration
15 through the aging process, or loss of motor skill that
16 results in the inability to practice the profession with
17 reasonable judgment, skill or safety.

18 (18) Solicitation of professional services other than
19 permitted advertising.

20 (19) The determination by a circuit court that a
21 licensed podiatric physician is subject to involuntary
22 admission or judicial admission as provided in the Mental
23 Health and Developmental Disabilities Code operates as an
24 automatic suspension. Such suspension will end only upon a
25 finding by a court that the patient is no longer subject to
26 involuntary admission or judicial admission and issues an

1 order so finding and discharging the patient; and upon the
2 recommendation of the Board to the Secretary that the
3 licensee be allowed to resume his or her practice.

4 (20) Holding oneself out to treat human ailments under
5 any name other than his or her own, or the impersonation of
6 any other physician.

7 (21) Revocation or suspension or other action taken
8 with respect to a podiatric medical license in another
9 jurisdiction that would constitute disciplinary action
10 under this Act.

11 (22) Promotion of the sale of drugs, devices,
12 appliances, or goods provided for a patient in such manner
13 as to exploit the patient for financial gain of the
14 podiatric physician.

15 (23) Gross, willful, and continued overcharging for
16 professional services including filing false statements
17 for collection of fees for those services, including, but
18 not limited to, filing false statement for collection of
19 monies for services not rendered from the medical
20 assistance program of the Department of Healthcare and
21 Family Services (formerly Department of Public Aid) under
22 the Illinois Public Aid Code or other private or public
23 third party payor.

24 (24) Being named as a perpetrator in an indicated
25 report by the Department of Children and Family Services
26 under the Abused and Neglected Child Reporting Act and

1 upon the indicated report becoming final after a hearing
2 or opportunity for a hearing.~~and upon proof by clear and~~
3 ~~convincing evidence that the licensee has caused a child~~
4 ~~to be an abused child or neglected child as defined in the~~
5 ~~Abused and Neglected Child Reporting Act.~~

6 (25) Willfully making or filing false records or
7 reports in the practice of podiatric medicine, including,
8 but not limited to, false records to support claims
9 against the medical assistance program of the Department
10 of Healthcare and Family Services (formerly Department of
11 Public Aid) under the Illinois Public Aid Code.

12 (26) (Blank).

13 (27) Immoral conduct in the commission of any act
14 including, sexual abuse, sexual misconduct, or sexual
15 exploitation, related to the licensee's practice.

16 (28) Violation of the Health Care Worker Self-Referral
17 Act.

18 (29) Failure to report to the Department any adverse
19 final action taken against him or her by another licensing
20 jurisdiction of the United States or any foreign state or
21 country, any peer review body, any health care
22 institution, any professional society or association, any
23 governmental agency, any law enforcement agency, or any
24 court for acts or conduct similar to acts or conduct that
25 would constitute grounds for action as defined in this
26 Section.

1 (30) Willfully failing to report an instance of
2 suspected abuse, neglect, financial exploitation, or
3 self-neglect of an eligible adult as defined in and
4 required by the Adult Protective Services Act.

5 (31) Being named as a perpetrator in an indicated
6 report by the Department on Aging under the Adult
7 Protective Services Act, and upon proof by clear and
8 convincing evidence that the licensee has caused an
9 eligible adult to be abused, neglected, or financially
10 exploited as defined in the Adult Protective Services Act.

11 (32) Failure to report actual or alleged reportable
12 conduct in accordance with Section 2105-390 of the
13 Department of Professional Regulation Law of the Civil
14 Administrative Code of Illinois.

15 The Department may refuse to issue or may suspend the
16 license of any person who fails to file a return, or to pay the
17 tax, penalty, or interest shown in a filed return, or to pay
18 any final assessment of tax, penalty, or interest, as required
19 by any tax Act administered by the Illinois Department of
20 Revenue, until such time as the requirements of any such tax
21 Act are satisfied.

22 Upon receipt of a written communication from the Secretary
23 of Human Services, the Director of Healthcare and Family
24 Services (formerly Director of Public Aid), or the Director of
25 Public Health that continuation of practice of a person
26 licensed under this Act constitutes an immediate danger to the

1 public, the Secretary may immediately suspend the license of
2 such person without a hearing. In instances in which the
3 Secretary immediately suspends a license under this Section, a
4 hearing upon such person's license must be convened by the
5 Board within 15 days after such suspension and completed
6 without appreciable delay, such hearing held to determine
7 whether to recommend to the Secretary that the person's
8 license be revoked, suspended, placed on probationary status,
9 or restored, or such person be subject to other disciplinary
10 action. In such hearing, the written communication and any
11 other evidence submitted therewith may be introduced as
12 evidence against such person; provided, however, the person or
13 his counsel shall have the opportunity to discredit or impeach
14 such evidence and submit evidence rebutting the same.

15 Except for fraud in procuring a license, all proceedings
16 to suspend, revoke, place on probationary status, or take any
17 other disciplinary action as the Department may deem proper,
18 with regard to a license on any of the foregoing grounds, must
19 be commenced within 5 years after receipt by the Department of
20 a complaint alleging the commission of or notice of the
21 conviction order for any of the acts described in this
22 Section. Except for the grounds set forth in items (8), (9),
23 (26), and (29) of this Section, no action shall be commenced
24 more than 10 years after the date of the incident or act
25 alleged to have been a violation of this Section. In the event
26 of the settlement of any claim or cause of action in favor of

1 the claimant or the reduction to final judgment of any civil
2 action in favor of the plaintiff, such claim, cause of action,
3 or civil action being grounded on the allegation that a person
4 licensed under this Act was negligent in providing care, the
5 Department shall have an additional period of 2 years from the
6 date of notification to the Department under Section 26 of
7 this Act of such settlement or final judgment in which to
8 investigate and commence formal disciplinary proceedings under
9 Section 24 of this Act, except as otherwise provided by law.
10 The time during which the holder of the license was outside the
11 State of Illinois shall not be included within any period of
12 time limiting the commencement of disciplinary action by the
13 Department.

14 In enforcing this Section, the Department or Board upon a
15 showing of a possible violation may compel an individual
16 licensed to practice under this Act, or who has applied for
17 licensure under this Act, to submit to a mental or physical
18 examination, or both, as required by and at the expense of the
19 Department. The Department or Board may order the examining
20 physician to present testimony concerning the mental or
21 physical examination of the licensee or applicant. No
22 information shall be excluded by reason of any common law or
23 statutory privilege relating to communications between the
24 licensee or applicant and the examining physician. The
25 examining physicians shall be specifically designated by the
26 Board or Department. The individual to be examined may have,

1 at his or her own expense, another physician of his or her
2 choice present during all aspects of this examination. Failure
3 of an individual to submit to a mental or physical
4 examination, when directed, shall be grounds for suspension of
5 his or her license until the individual submits to the
6 examination if the Department finds, after notice and hearing,
7 that the refusal to submit to the examination was without
8 reasonable cause.

9 If the Department or Board finds an individual unable to
10 practice because of the reasons set forth in this Section, the
11 Department or Board may require that individual to submit to
12 care, counseling, or treatment by physicians approved or
13 designated by the Department or Board, as a condition, term,
14 or restriction for continued, restored, or renewed licensure
15 to practice; or, in lieu of care, counseling, or treatment,
16 the Department may file, or the Board may recommend to the
17 Department to file, a complaint to immediately suspend,
18 revoke, or otherwise discipline the license of the individual.
19 An individual whose license was granted, continued, restored,
20 renewed, disciplined, or supervised subject to such terms,
21 conditions, or restrictions, and who fails to comply with such
22 terms, conditions, or restrictions, shall be referred to the
23 Secretary for a determination as to whether the individual
24 shall have his or her license suspended immediately, pending a
25 hearing by the Department.

26 In instances in which the Secretary immediately suspends a

1 person's license under this Section, a hearing on that
2 person's license must be convened by the Department within 30
3 days after the suspension and completed without appreciable
4 delay. The Department and Board shall have the authority to
5 review the subject individual's record of treatment and
6 counseling regarding the impairment to the extent permitted by
7 applicable federal statutes and regulations safeguarding the
8 confidentiality of medical records.

9 An individual licensed under this Act and affected under
10 this Section shall be afforded an opportunity to demonstrate
11 to the Department or Board that he or she can resume practice
12 in compliance with acceptable and prevailing standards under
13 the provisions of his or her license.

14 (Source: P.A. 104-417, eff. 8-15-25.)

15 Section 125. The Respiratory Care Practice Act is amended
16 by changing Section 95 as follows:

17 (225 ILCS 106/95)

18 (Section scheduled to be repealed on January 1, 2031)

19 Sec. 95. Grounds for discipline.

20 (a) The Department may refuse to issue, renew, or may
21 revoke, suspend, place on probation, reprimand, or take other
22 disciplinary or non-disciplinary action as the Department
23 considers appropriate, including the issuance of fines not to
24 exceed \$10,000 for each violation, with regard to any license

1 for any one or combination of the following:

2 (1) Material misstatement in furnishing information to
3 the Department or to any other State or federal agency.

4 (2) Violations of this Act, or any of the rules
5 adopted under this Act.

6 (3) Conviction by plea of guilty or nolo contendere,
7 finding of guilt, jury verdict, or entry of judgment or by
8 sentencing of any crime, including, but not limited to,
9 convictions preceding sentences of supervision,
10 conditional discharge, or first offender probation, under
11 the laws of any jurisdiction of the United States or any
12 state or territory thereof: (i) that is a felony or (ii)
13 that is a misdemeanor, an essential element of which is
14 dishonesty, or that is directly related to the practice of
15 the profession.

16 (4) Making any misrepresentation for the purpose of
17 obtaining a license.

18 (5) Professional incompetence or negligence in the
19 rendering of respiratory care services.

20 (6) Malpractice.

21 (7) Aiding or assisting another person in violating
22 any rules or provisions of this Act.

23 (8) Failing to provide information within 60 days in
24 response to a written request made by the Department.

25 (9) Engaging in dishonorable, unethical, or
26 unprofessional conduct of a character likely to deceive,

1 defraud, or harm the public.

2 (10) Violating the rules of professional conduct
3 adopted by the Department.

4 (11) Discipline by another jurisdiction, if at least
5 one of the grounds for the discipline is the same or
6 substantially equivalent to those set forth in this Act.

7 (12) Directly or indirectly giving to or receiving
8 from any person, firm, corporation, partnership, or
9 association any fee, commission, rebate, or other form of
10 compensation for any professional services not actually
11 rendered. Nothing in this paragraph (12) affects any bona
12 fide independent contractor or employment arrangements
13 among health care professionals, health facilities, health
14 care providers, or other entities, except as otherwise
15 prohibited by law. Any employment arrangements may include
16 provisions for compensation, health insurance, pension, or
17 other employment benefits for the provision of services
18 within the scope of the licensee's practice under this
19 Act. Nothing in this paragraph (12) shall be construed to
20 require an employment arrangement to receive professional
21 fees for services rendered.

22 (13) A finding that the licensee, after having the
23 license placed on probationary status or subject to
24 conditions or restrictions, has violated the terms of
25 probation or failed to comply with such terms or
26 conditions.

1 (14) Abandonment of a patient.

2 (15) Willfully filing false records or reports
3 relating to a licensee's practice including, but not
4 limited to, false records filed with a federal or State
5 agency or department.

6 (16) Willfully failing to report an instance of
7 suspected child abuse or neglect as required by the Abused
8 and Neglected Child Reporting Act.

9 (17) Providing respiratory care, other than pursuant
10 to an order.

11 (18) Physical or mental disability including, but not
12 limited to, deterioration through the aging process or
13 loss of motor skills that results in the inability to
14 practice the profession with reasonable judgment, skill,
15 or safety.

16 (19) Solicitation of professional services by using
17 false or misleading advertising.

18 (20) Failure to file a tax return, or to pay the tax,
19 penalty, or interest shown in a filed return, or to pay any
20 final assessment of tax penalty, or interest, as required
21 by any tax Act administered by the Illinois Department of
22 Revenue or any successor agency or the Internal Revenue
23 Service or any successor agency.

24 (21) Irregularities in billing a third party for
25 services rendered or in reporting charges for services not
26 rendered.

1 (22) Being named as a perpetrator in an indicated
2 report by the Department of Children and Family Services
3 under the Abused and Neglected Child Reporting Act and
4 upon the indicated report becoming final after a hearing
5 or opportunity for a hearing. ~~, and upon proof by clear and~~
6 ~~convincing evidence that the licensee has caused a child~~
7 ~~to be an abused child or neglected child as defined in the~~
8 ~~Abused and Neglected Child Reporting Act.~~

9 (23) Habitual or excessive use or addiction to
10 alcohol, narcotics, stimulants, or any other chemical
11 agent or drug that results in an inability to practice
12 with reasonable skill, judgment, or safety.

13 (24) Being named as a perpetrator in an indicated
14 report by the Department on Aging under the Adult
15 Protective Services Act, and upon proof by clear and
16 convincing evidence that the licensee has caused an adult
17 with disabilities or an older adult to be abused or
18 neglected as defined in the Adult Protective Services Act.

19 (25) Willfully failing to report an instance of
20 suspected abuse, neglect, financial exploitation, or
21 self-neglect of an adult with disabilities or an older
22 adult as required by the Adult Protective Services Act.

23 (26) Willful omission to file or record, or willfully
24 impeding the filing or recording, or inducing another
25 person to omit to file or record medical reports as
26 required by law or willfully failing to report an instance

1 of suspected child abuse or neglect as required by the
2 Abused and Neglected Child Reporting Act.

3 (27) Practicing under a false or assumed name, except
4 as provided by law.

5 (28) Willfully or negligently violating the
6 confidentiality between licensee and patient, except as
7 required by law.

8 (29) The use of any false, fraudulent, or deceptive
9 statement in any document connected with the licensee's
10 practice.

11 (30) Failing to report actual or alleged reportable
12 conduct in accordance with Section 2105-390 of the
13 Department of Professional Regulation Law of the Civil
14 Administrative Code of Illinois.

15 (b) The determination by a court that a licensee is
16 subject to involuntary admission or judicial admission as
17 provided in the Mental Health and Developmental Disabilities
18 Code will result in an automatic suspension of the licensee's
19 license. The suspension will end upon a finding by a court that
20 the licensee is no longer subject to involuntary admission or
21 judicial admission, the issuance of an order so finding and
22 discharging the patient, and the recommendation of the Board
23 to the Secretary that the licensee be allowed to resume the
24 licensee's practice.

25 All fines imposed under this Section shall be paid within
26 60 days after the effective date of the order imposing the fine

1 or in accordance with the terms set forth in the order imposing
2 the fine.

3 (Source: P.A. 104-152, eff. 1-1-26.)

4 Section 130. The Professional Counselor and Clinical
5 Professional Counselor Licensing and Practice Act is amended
6 by changing Section 80 as follows:

7 (225 ILCS 107/80)

8 (Section scheduled to be repealed on January 1, 2028)

9 Sec. 80. Grounds for discipline.

10 (a) The Department may refuse to issue, renew, or may
11 revoke, suspend, place on probation, reprimand, or take other
12 disciplinary or non-disciplinary action as the Department
13 deems appropriate, including the issuance of fines not to
14 exceed \$10,000 for each violation, with regard to any license
15 for any one or more of the following:

16 (1) Material misstatement in furnishing information to
17 the Department or to any other State agency.

18 (2) Violations or negligent or intentional disregard
19 of this Act or rules adopted under this Act.

20 (3) Conviction by plea of guilty or nolo contendere,
21 finding of guilt, jury verdict, or entry of judgment or by
22 sentencing of any crime, including, but not limited to,
23 convictions, preceding sentences of supervision,
24 conditional discharge, or first offender probation, under

1 the laws of any jurisdiction of the United States: (i)
2 that is a felony or (ii) that is a misdemeanor, an
3 essential element of which is dishonesty, or that is
4 directly related to the practice of the profession.

5 (4) Fraud or any misrepresentation in applying for or
6 procuring a license under this Act or in connection with
7 applying for renewal of a license under this Act.

8 (5) Professional incompetence or gross negligence in
9 the rendering of professional counseling or clinical
10 professional counseling services.

11 (6) Malpractice.

12 (7) Aiding or assisting another person in violating
13 any provision of this Act or any rules.

14 (8) Failing to provide information within 60 days in
15 response to a written request made by the Department.

16 (9) Engaging in dishonorable, unethical, or
17 unprofessional conduct of a character likely to deceive,
18 defraud, or harm the public and violating the rules of
19 professional conduct adopted by the Department.

20 (10) Habitual or excessive use or abuse of drugs as
21 defined in law as controlled substances, alcohol, or any
22 other substance which results in inability to practice
23 with reasonable skill, judgment, or safety.

24 (11) Discipline by another jurisdiction, the District
25 of Columbia, territory, county, or governmental agency, if
26 at least one of the grounds for the discipline is the same

1 or substantially equivalent to those set forth in this
2 Section.

3 (12) Directly or indirectly giving to or receiving
4 from any person, firm, corporation, partnership, or
5 association any fee, commission, rebate, or other form of
6 compensation for any professional service not actually
7 rendered. Nothing in this paragraph (12) affects any bona
8 fide independent contractor or employment arrangements
9 among health care professionals, health facilities, health
10 care providers, or other entities, except as otherwise
11 prohibited by law. Any employment arrangements may include
12 provisions for compensation, health insurance, pension, or
13 other employment benefits for the provision of services
14 within the scope of the licensee's practice under this
15 Act. Nothing in this paragraph (12) shall be construed to
16 require an employment arrangement to receive professional
17 fees for services rendered.

18 (13) A finding by the Board that the licensee, after
19 having the license placed on probationary status, has
20 violated the terms of probation.

21 (14) Abandonment of a client.

22 (15) Willfully filing false reports relating to a
23 licensee's practice, including, but not limited to, false
24 records filed with federal or State agencies or
25 departments.

26 (16) Willfully failing to report an instance of

1 suspected child abuse or neglect as required by the Abused
2 and Neglected Child Reporting Act and in matters
3 pertaining to suspected abuse, neglect, financial
4 exploitation, or self-neglect of adults with disabilities
5 and older adults as set forth in the Adult Protective
6 Services Act.

7 (17) Being named as a perpetrator in an indicated
8 report by the Department of Children and Family Services
9 pursuant to the Abused and Neglected Child Reporting Act
10 and upon the indicated report becoming final after a
11 hearing or opportunity for a hearing. ~~and upon proof by~~
12 ~~clear and convincing evidence that the licensee has caused~~
13 ~~a child to be an abused child or neglected child as defined~~
14 ~~in the Abused and Neglected Child Reporting Act.~~

15 (18) Physical or mental illness or disability,
16 including, but not limited to, deterioration through the
17 aging process or loss of abilities and skills which
18 results in the inability to practice the profession with
19 reasonable judgment, skill, or safety.

20 (19) Solicitation of professional services by using
21 false or misleading advertising.

22 (20) Allowing one's license under this Act to be used
23 by an unlicensed person in violation of this Act.

24 (21) A finding that licensure has been applied for or
25 obtained by fraudulent means.

26 (22) Practicing under a false or, except as provided

1 by law, an assumed name.

2 (23) Gross and willful overcharging for professional
3 services including filing statements for collection of
4 fees or moneys for which services are not rendered.

5 (24) Rendering professional counseling or clinical
6 professional counseling services without a license or
7 practicing outside the scope of a license.

8 (25) Clinical supervisors failing to adequately and
9 responsibly monitor supervisees.

10 (26) Failing to report actual or alleged reportable
11 conduct in accordance with Section 2105-390 of the
12 Department of Professional Regulation Law of the Civil
13 Administrative Code of Illinois.

14 All fines imposed under this Section shall be paid within
15 60 days after the effective date of the order imposing the
16 fine.

17 (b) (Blank).

18 (b-5) The Department may refuse to issue or may suspend
19 without hearing, as provided for in the Code of Civil
20 Procedure, the license of any person who fails to file a
21 return, pay the tax, penalty, or interest shown in a filed
22 return, or pay any final assessment of the tax, penalty, or
23 interest as required by any tax Act administered by the
24 Illinois Department of Revenue, until such time as the
25 requirements of any such tax Act are satisfied in accordance
26 with subsection (g) of Section 2105-15 of the Department of

1 Professional Regulation Law of the Civil Administrative Code
2 of Illinois.

3 (b-10) In cases where the Department of Healthcare and
4 Family Services has previously determined a licensee or a
5 potential licensee is more than 30 days delinquent in the
6 payment of child support and has subsequently certified the
7 delinquency to the Department, the Department may refuse to
8 issue or renew or may revoke or suspend that person's license
9 or may take other disciplinary action against that person
10 based solely upon the certification of delinquency made by the
11 Department of Healthcare and Family Services in accordance
12 with item (5) of subsection (a) of Section 2105-15 of the
13 Department of Professional Regulation Law of the Civil
14 Administrative Code of Illinois.

15 (c) The determination by a court that a licensee is
16 subject to involuntary admission or judicial admission as
17 provided in the Mental Health and Developmental Disabilities
18 Code will result in an automatic suspension of his or her
19 license. The suspension will end upon a finding by a court that
20 the licensee is no longer subject to involuntary admission or
21 judicial admission, the issuance of an order so finding and
22 discharging the patient, and the recommendation of the Board
23 to the Secretary that the licensee be allowed to resume
24 professional practice.

25 (c-1) The Department shall not revoke, suspend, summarily
26 suspend, place on prohibition, reprimand, refuse to issue or

1 renew, or take any other disciplinary or non-disciplinary
2 action against a person's authorization to practice under this
3 Act based solely upon the person authorizing, recommending,
4 aiding, assisting, referring for, or otherwise participating
5 in any health care service, so long as the care was not
6 unlawful under the laws of this State, regardless of whether
7 the patient was a resident of this State or another state.

8 (c-2) The Department shall not revoke, suspend, summarily
9 suspend, place on prohibition, reprimand, refuse to issue or
10 renew, or take any other disciplinary or non-disciplinary
11 action against a person's authorization to practice under this
12 Act based upon the person's license, registration, or permit
13 being revoked or suspended, or the person being otherwise
14 disciplined, by any other state if that revocation,
15 suspension, or other form of discipline was based solely on
16 the person violating another state's laws prohibiting the
17 provision of, authorization of, recommendation of, aiding or
18 assisting in, referring for, or participation in any health
19 care service if that health care service as provided would not
20 have been unlawful under the laws of this State and is
21 consistent with the applicable standard of conduct for a
22 person practicing in Illinois under this Act.

23 (c-3) The conduct specified in subsection (c-1), (c-2),
24 (c-6), or (c-7) shall not constitute grounds for suspension
25 under Section 145.

26 (c-4) An applicant seeking licensure, certification, or

1 authorization pursuant to this Act who has been subject to
2 disciplinary action by a duly authorized professional
3 disciplinary agency of another jurisdiction solely on the
4 basis of having authorized, recommended, aided, assisted,
5 referred for, or otherwise participated in health care shall
6 not be denied such licensure, certification, or authorization,
7 unless the Department determines that such action would have
8 constituted professional misconduct in this State; however,
9 nothing in this Section shall be construed as prohibiting the
10 Department from evaluating the conduct of such applicant and
11 making a determination regarding the licensure, certification,
12 or authorization to practice a profession under this Act.

13 (c-5) In enforcing this Act, the Department, upon a
14 showing of a possible violation, may compel an individual
15 licensed to practice under this Act, or who has applied for
16 licensure under this Act, to submit to a mental or physical
17 examination, or both, as required by and at the expense of the
18 Department. The Department may order the examining physician
19 to present testimony concerning the mental or physical
20 examination of the licensee or applicant. No information shall
21 be excluded by reason of any common law or statutory privilege
22 relating to communications between the licensee or applicant
23 and the examining physician. The examining physicians shall be
24 specifically designated by the Department. The individual to
25 be examined may have, at his or her own expense, another
26 physician of his or her choice present during all aspects of

1 this examination. The examination shall be performed by a
2 physician licensed to practice medicine in all its branches.
3 Failure of an individual to submit to a mental or physical
4 examination, when directed, shall result in an automatic
5 suspension without hearing.

6 All substance-related violations shall mandate an
7 automatic substance abuse assessment. Failure to submit to an
8 assessment by a licensed physician who is certified as an
9 addictionist or an advanced practice registered nurse with
10 specialty certification in addictions may be grounds for an
11 automatic suspension.

12 If the Department finds an individual unable to practice
13 or unfit for duty because of the reasons set forth in this
14 subsection (c-5), the Department may require that individual
15 to submit to a substance abuse evaluation or treatment by
16 individuals or programs approved or designated by the
17 Department, as a condition, term, or restriction for
18 continued, restored, or renewed licensure to practice; or, in
19 lieu of evaluation or treatment, the Department may file, or
20 the Board may recommend to the Department to file, a complaint
21 to immediately suspend, revoke, or otherwise discipline the
22 license of the individual. An individual whose license was
23 granted, continued, restored, renewed, disciplined, or
24 supervised subject to such terms, conditions, or restrictions,
25 and who fails to comply with such terms, conditions, or
26 restrictions, shall be referred to the Secretary for a

1 determination as to whether the individual shall have his or
2 her license suspended immediately, pending a hearing by the
3 Department.

4 A person holding a license under this Act or who has
5 applied for a license under this Act who, because of a physical
6 or mental illness or disability, including, but not limited
7 to, deterioration through the aging process or loss of motor
8 skill, is unable to practice the profession with reasonable
9 judgment, skill, or safety, may be required by the Department
10 to submit to care, counseling, or treatment by physicians
11 approved or designated by the Department as a condition, term,
12 or restriction for continued, reinstated, or renewed licensure
13 to practice. Submission to care, counseling, or treatment as
14 required by the Department shall not be considered discipline
15 of a license. If the licensee refuses to enter into a care,
16 counseling, or treatment agreement or fails to abide by the
17 terms of the agreement, the Department may file a complaint to
18 revoke, suspend, or otherwise discipline the license of the
19 individual. The Secretary may order the license suspended
20 immediately, pending a hearing by the Department. Fines shall
21 not be assessed in disciplinary actions involving physical or
22 mental illness or impairment.

23 In instances in which the Secretary immediately suspends a
24 person's license under this Section, a hearing on that
25 person's license must be convened by the Department within 15
26 days after the suspension and completed without appreciable

1 delay. The Department shall have the authority to review the
2 subject individual's record of treatment and counseling
3 regarding the impairment to the extent permitted by applicable
4 federal statutes and regulations safeguarding the
5 confidentiality of medical records.

6 An individual licensed under this Act and affected under
7 this Section shall be afforded an opportunity to demonstrate
8 to the Department that he or she can resume practice in
9 compliance with acceptable and prevailing standards under the
10 provisions of his or her license.

11 (c-6) The Department may not revoke, suspend, summarily
12 suspend, place on prohibition, reprimand, refuse to issue or
13 renew, or take any other disciplinary or non-disciplinary
14 action against a person's authorization to practice under this
15 Act based solely upon an immigration violation by the person.

16 (c-7) The Department may not revoke, suspend, summarily
17 suspend, place on prohibition, reprimand, refuse to issue or
18 renew, or take any other disciplinary or non-disciplinary
19 action against a person's authorization to practice under this
20 Act based upon the person's license, registration, or permit
21 being revoked or suspended, or the person being otherwise
22 disciplined, by any other state if that revocation,
23 suspension, or other form of discipline was based solely upon
24 an immigration violation by the person.

25 (d) (Blank).

26 (e) The Department may adopt rules to implement,

1 administer, and enforce this Section.

2 (Source: P.A. 103-715, eff. 1-1-25; 104-432, eff. 1-1-26.)

3 Section 135. The Sex Offender Evaluation and Treatment
4 Provider Act is amended by changing Section 75 as follows:

5 (225 ILCS 109/75)

6 Sec. 75. Refusal, revocation, or suspension.

7 (a) The Department may refuse to issue or renew, or may
8 revoke, suspend, place on probation, reprimand, or take other
9 disciplinary or non-disciplinary action, as the Department
10 considers appropriate, including the imposition of fines not
11 to exceed \$10,000 for each violation, with regard to any
12 license or licensee for any one or more of the following:

13 (1) violations of this Act or of the rules adopted
14 under this Act;

15 (2) discipline by the Department under other state law
16 and rules which the licensee is subject to;

17 (3) conviction by plea of guilty or nolo contendere,
18 finding of guilt, jury verdict, or entry of judgment or by
19 sentencing for any crime, including, but not limited to,
20 convictions, preceding sentences of supervision,
21 conditional discharge, or first offender probation, under
22 the laws of any jurisdiction of the United States: (i)
23 that is a felony; or (ii) that is a misdemeanor, an
24 essential element of which is dishonesty, or that is

1 directly related to the practice of the profession;

2 (4) professional incompetence;

3 (5) advertising in a false, deceptive, or misleading
4 manner;

5 (6) aiding, abetting, assisting, procuring, advising,
6 employing, or contracting with any unlicensed person to
7 provide sex offender evaluation or treatment services
8 contrary to any rules or provisions of this Act;

9 (7) engaging in immoral conduct in the commission of
10 any act, such as sexual abuse, sexual misconduct, or
11 sexual exploitation, related to the licensee's practice;

12 (8) engaging in dishonorable, unethical, or
13 unprofessional conduct of a character likely to deceive,
14 defraud, or harm the public;

15 (9) practicing or offering to practice beyond the
16 scope permitted by law or accepting and performing
17 professional responsibilities which the licensee knows or
18 has reason to know that he or she is not competent to
19 perform;

20 (10) knowingly delegating professional
21 responsibilities to a person unqualified by training,
22 experience, or licensure to perform;

23 (11) failing to provide information in response to a
24 written request made by the Department within 60 days;

25 (12) having a habitual or excessive use of or
26 addiction to alcohol, narcotics, stimulants, or any other

1 chemical agent or drug which results in the inability to
2 practice with reasonable judgment, skill, or safety;

3 (13) having a pattern of practice or other behavior
4 that demonstrates incapacity or incompetence to practice
5 under this Act;

6 (14) discipline by another state, District of
7 Columbia, territory, or foreign nation, if at least one of
8 the grounds for the discipline is the same or
9 substantially equivalent to those set forth in this
10 Section;

11 (15) a finding by the Department that the licensee,
12 after having his or her license placed on probationary
13 status, has violated the terms of probation;

14 (16) willfully making or filing false records or
15 reports in his or her practice, including, but not limited
16 to, false records filed with State agencies or
17 departments;

18 (17) making a material misstatement in furnishing
19 information to the Department or otherwise making
20 misleading, deceptive, untrue, or fraudulent
21 representations in violation of this Act or otherwise in
22 the practice of the profession;

23 (18) fraud or misrepresentation in applying for or
24 procuring a license under this Act or in connection with
25 applying for renewal of a license under this Act;

26 (19) inability to practice the profession with

1 reasonable judgment, skill, or safety as a result of
2 physical illness, including, but not limited to,
3 deterioration through the aging process, loss of motor
4 skill, or a mental illness or disability;

5 (20) charging for professional services not rendered,
6 including filing false statements for the collection of
7 fees for which services are not rendered; ~~or~~

8 (21) practicing under a false or, except as provided
9 by law, an assumed name; or.

10 (22) failing to report actual or alleged reportable
11 conduct in accordance with Section 2105-390 of the
12 Department of Professional Regulation Law of the Civil
13 Administrative Code of Illinois.

14 All fines shall be paid within 60 days of the effective
15 date of the order imposing the fine.

16 (b) The Department may refuse to issue or may suspend the
17 license of any person who fails to file a tax return, to pay
18 the tax, penalty, or interest shown in a filed tax return, or
19 to pay any final assessment of tax, penalty, or interest, as
20 required by any tax Act administered by the Illinois
21 Department of Revenue, until such time as the requirements of
22 the tax Act are satisfied in accordance with subsection (g) of
23 Section 2105-15 of the Civil Administrative Code of Illinois.

24 (c) (Blank).

25 (d) In cases where the Department of Healthcare and Family
26 Services has previously determined that a licensee or a

1 potential licensee is more than 30 days delinquent in the
2 payment of child support and has subsequently certified the
3 delinquency to the Department, the Department may refuse to
4 issue or renew or may revoke or suspend that person's license
5 or may take other disciplinary action against that person
6 based solely upon the certification of delinquency made by the
7 Department of Healthcare and Family Services in accordance
8 with item (5) of subsection (a) of Section 2105-15 of the Civil
9 Administrative Code of Illinois.

10 (e) The determination by a circuit court that a licensee
11 is subject to involuntary admission or judicial admission, as
12 provided in the Mental Health and Developmental Disabilities
13 Code, operates as an automatic suspension. The suspension will
14 end only upon a finding by a court that the patient is no
15 longer subject to involuntary admission or judicial admission
16 and the issuance of a court order so finding and discharging
17 the patient.

18 (f) In enforcing this Act, the Department or Board, upon a
19 showing of a possible violation, may compel an individual
20 licensed to practice under this Act, or who has applied for
21 licensure under this Act, to submit to a mental or physical
22 examination, or both, as required by and at the expense of the
23 Department. The Department or Board may order the examining
24 physician to present testimony concerning the mental or
25 physical examination of the licensee or applicant. No
26 information shall be excluded by reason of any common law or

1 statutory privilege relating to communications between the
2 licensee or applicant and the examining physician. The
3 examining physician shall be specifically designated by the
4 Board or Department. The individual to be examined may have,
5 at his or her own expense, another physician of his or her
6 choice present during all aspects of this examination. The
7 examination shall be performed by a physician licensed to
8 practice medicine in all its branches. Failure of an
9 individual to submit to a mental or physical examination, when
10 directed, shall result in an automatic suspension without
11 hearing.

12 A person holding a license under this Act or who has
13 applied for a license under this Act who, because of a physical
14 or mental illness or disability, including, but not limited
15 to, deterioration through the aging process or loss of motor
16 skill, is unable to practice the profession with reasonable
17 judgment, skill, or safety, may be required by the Department
18 to submit to care, counseling, or treatment by physicians
19 approved or designated by the Department as a condition, term,
20 or restriction for continued, reinstated, or renewed licensure
21 to practice. Submission to care, counseling, or treatment as
22 required by the Department shall not be considered discipline
23 of a license. If the licensee refuses to enter into a care,
24 counseling, or treatment agreement or fails to abide by the
25 terms of the agreement, the Department may file a complaint to
26 revoke, suspend, or otherwise discipline the license of the

1 individual. The Secretary may order the license suspended
2 immediately, pending a hearing by the Department. Fines shall
3 not be assessed in disciplinary actions involving physical or
4 mental illness or impairment.

5 In instances in which the Secretary immediately suspends a
6 person's license under this Section, a hearing on that
7 person's license must be convened by the Department within 15
8 days after the suspension and completed without appreciable
9 delay. The Department and Board shall have the authority to
10 review the subject individual's record of treatment and
11 counseling regarding the impairment to the extent permitted by
12 applicable federal statutes and regulations safeguarding the
13 confidentiality of medical records.

14 An individual licensed under this Act and subject to
15 action under this Section shall be afforded an opportunity to
16 demonstrate to the Department or Board that he or she can
17 resume practice in compliance with acceptable and prevailing
18 standards under the provisions of his or her license.

19 (Source: P.A. 100-872, eff. 8-14-18; 101-81, eff. 7-12-19.)

20 Section 140. The Illinois Speech-Language Pathology and
21 Audiology Practice Act is amended by changing Section 16 as
22 follows:

23 (225 ILCS 110/16) (from Ch. 111, par. 7916)

24 (Section scheduled to be repealed on January 1, 2028)

1 Sec. 16. Refusal, revocation or suspension of licenses.

2 (1) The Department may refuse to issue or renew, or may
3 revoke, suspend, place on probation, censure, reprimand or
4 take other disciplinary or non-disciplinary action as the
5 Department may deem proper, including fines not to exceed
6 \$10,000 for each violation, with regard to any license for any
7 one or combination of the following causes:

8 (a) Fraud in procuring the license.

9 (b) (Blank).

10 (c) Willful or repeated violations of the rules of the
11 Department of Public Health.

12 (d) Division of fees or agreeing to split or divide
13 the fees received for speech-language pathology or
14 audiology services with any person for referring an
15 individual, or assisting in the care or treatment of an
16 individual, without the knowledge of the individual or his
17 or her legal representative. Nothing in this paragraph (d)
18 affects any bona fide independent contractor or employment
19 arrangements among health care professionals, health
20 facilities, health care providers, or other entities,
21 except as otherwise prohibited by law. Any employment
22 arrangements may include provisions for compensation,
23 health insurance, pension, or other employment benefits
24 for the provision of services within the scope of the
25 licensee's practice under this Act. Nothing in this
26 paragraph (d) shall be construed to require an employment

1 arrangement to receive professional fees for services
2 rendered.

3 (e) Employing, procuring, inducing, aiding or abetting
4 a person not licensed as a speech-language pathologist or
5 audiologist to engage in the unauthorized practice of
6 speech-language pathology or audiology.

7 (e-5) Employing, procuring, inducing, aiding, or
8 abetting a person not licensed as a speech-language
9 pathology assistant to perform the functions and duties of
10 a speech-language pathology assistant.

11 (f) Making any misrepresentations or false promises,
12 directly or indirectly, to influence, persuade or induce
13 patronage.

14 (g) Professional connection or association with, or
15 lending his or her name to another for the illegal
16 practice of speech-language pathology or audiology by
17 another, or professional connection or association with
18 any person, firm or corporation holding itself out in any
19 manner contrary to this Act.

20 (h) Obtaining or seeking to obtain checks, money, or
21 any other things of value by false or fraudulent
22 representations, including but not limited to, engaging in
23 such fraudulent practice to defraud the medical assistance
24 program of the Department of Healthcare and Family
25 Services (formerly Department of Public Aid).

26 (i) Practicing under a name other than his or her own.

1 (j) Improper, unprofessional or dishonorable conduct
2 of a character likely to deceive, defraud or harm the
3 public.

4 (k) Conviction by plea of guilty or nolo contendere,
5 finding of guilt, jury verdict, or entry of judgment or
6 sentencing, including, but not limited to, convictions,
7 preceding sentences of supervision, conditional discharge,
8 or first offender probation, under the laws of any
9 jurisdiction of the United States that is (i) a felony or
10 (ii) a misdemeanor, an essential element of which is
11 dishonesty, or that is directly related to the practice of
12 the profession.

13 (1) Permitting a person under his or her supervision
14 to perform any function not authorized by this Act.

15 (m) A violation of any provision of this Act or rules
16 promulgated thereunder.

17 (n) Discipline by another state, the District of
18 Columbia, territory, or foreign nation of a license to
19 practice speech-language pathology or audiology or a
20 license to practice as a speech-language pathology
21 assistant in its jurisdiction if at least one of the
22 grounds for that discipline is the same as or the
23 equivalent of one of the grounds for discipline set forth
24 herein.

25 (o) Willfully failing to report an instance of
26 suspected child abuse or neglect as required by the Abused

1 and Neglected Child Reporting Act.

2 (p) Gross or repeated malpractice.

3 (q) Willfully making or filing false records or
4 reports in his or her practice as a speech-language
5 pathologist, speech-language pathology assistant, or
6 audiologist, including, but not limited to, false records
7 to support claims against the public assistance program of
8 the Department of Healthcare and Family Services (formerly
9 Illinois Department of Public Aid).

10 (r) Professional incompetence as manifested by poor
11 standards of care or mental incompetence as declared by a
12 court of competent jurisdiction.

13 (s) Repeated irregularities in billing a third party
14 for services rendered to an individual. For purposes of
15 this Section, "irregularities in billing" shall include:

16 (i) reporting excessive charges for the purpose of
17 obtaining a total payment in excess of that usually
18 received by the speech-language pathologist,
19 speech-language pathology assistant, or audiologist
20 for the services rendered;

21 (ii) reporting charges for services not rendered;

22 or

23 (iii) incorrectly reporting services rendered for
24 the purpose of obtaining payment not earned.

25 (t) (Blank).

26 (u) Violation of the Health Care Worker Self-Referral

1 Act.

2 (v) Inability to practice with reasonable judgment,
3 skill, or safety as a result of habitual or excessive use
4 of or addiction to alcohol, narcotics, or stimulants or
5 any other chemical agent or drug or as a result of physical
6 illness, including, but not limited to, deterioration
7 through the aging process or loss of motor skill, mental
8 illness, or disability.

9 (w) Violation of the Hearing Instrument Consumer
10 Protection Act.

11 (x) Failure by a speech-language pathology assistant
12 and supervising speech-language pathologist to comply with
13 the supervision requirements set forth in Section 8.8.

14 (y) Willfully exceeding the scope of duties
15 customarily undertaken by speech-language pathology
16 assistants set forth in Section 8.7 that results in, or
17 may result in, harm to the public.

18 (z) Willfully failing to report an instance of
19 suspected abuse, neglect, financial exploitation, or
20 self-neglect of an eligible adult as defined in and
21 required by the Adult Protective Services Act.

22 (aa) Being named as a perpetrator in an indicated
23 report by the Department on Aging under the Adult
24 Protective Services Act and upon the indicated report
25 becoming final after a hearing or opportunity for a
26 hearing. ~~and upon proof by clear and convincing evidence~~

~~that the licensee has caused an eligible adult to be
abused, neglected, or financially exploited as defined in
the Adult Protective Services Act.~~

(bb) Violating Section 8.2 of this Act.

(cc) Violating Section 8.3 of this Act.

(dd) Failing to report actual or alleged reportable
conduct in accordance with Section 2105-390 of the
Department of Professional Regulation Law of the Civil
Administrative Code of Illinois.

(2) (Blank).

(3) The entry of an order by a circuit court establishing that any person holding a license under this Act is subject to involuntary admission or judicial admission as provided for in the Mental Health and Developmental Disabilities Code, operates as an automatic suspension of that license. That person may have his or her license restored only upon the determination by a circuit court that the patient is no longer subject to involuntary admission or judicial admission and the issuance of an order so finding and discharging the patient, and upon the Board's recommendation to the Department that the license be restored. Where the circumstances so indicate, the Board may recommend to the Department that it require an examination prior to restoring any license automatically suspended under this subsection.

(4) The Department may refuse to issue or may suspend the license of any person who fails to file a return, or to pay the

1 tax, penalty, or interest shown in a filed return, or to pay
2 any final assessment of the tax penalty or interest, as
3 required by any tax Act administered by the Department of
4 Revenue, until such time as the requirements of any such tax
5 Act are satisfied.

6 (5) In enforcing this Section, the Board upon a showing of
7 a possible violation may compel an individual licensed to
8 practice under this Act, or who has applied for licensure
9 pursuant to this Act, to submit to a mental or physical
10 examination, or both, as required by and at the expense of the
11 Department. The examining physicians or clinical psychologists
12 shall be those specifically designated by the Board. The
13 individual to be examined may have, at his or her own expense,
14 another physician or clinical psychologist of his or her
15 choice present during all aspects of this examination. Failure
16 of any individual to submit to a mental or physical
17 examination, when directed, shall be grounds for suspension of
18 his or her license until the individual submits to the
19 examination if the Board finds, after notice and hearing, that
20 the refusal to submit to the examination was without
21 reasonable cause.

22 If the Board finds an individual unable to practice
23 because of the reasons set forth in this Section, the Board may
24 require that individual to submit to care, counseling, or
25 treatment by physicians or clinical psychologists approved or
26 designated by the Board, as a condition, term, or restriction

1 for continued, restored, or renewed licensure to practice; or,
2 in lieu of care, counseling, or treatment, the Board may
3 recommend to the Department to file a complaint to immediately
4 suspend, revoke, or otherwise discipline the license of the
5 individual. Any individual whose license was granted,
6 continued, restored, renewed, disciplined or supervised
7 subject to such terms, conditions, or restrictions, and who
8 fails to comply with such terms, conditions, or restrictions,
9 shall be referred to the Secretary for a determination as to
10 whether the individual shall have his or her license suspended
11 immediately, pending a hearing by the Board.

12 In instances in which the Secretary immediately suspends a
13 person's license under this Section, a hearing on that
14 person's license must be convened by the Board within 15 days
15 after the suspension and completed without appreciable delay.
16 The Board shall have the authority to review the subject
17 individual's record of treatment and counseling regarding the
18 impairment to the extent permitted by applicable federal
19 statutes and regulations safeguarding the confidentiality of
20 medical records.

21 An individual licensed under this Act and affected under
22 this Section shall be afforded an opportunity to demonstrate
23 to the Board that he or she can resume practice in compliance
24 with acceptable and prevailing standards under the provisions
25 of his or her license.

26 (Source: P.A. 100-530, eff. 1-1-18; 100-872, eff. 8-14-18.)

1 Section 145. The Perfusionist Practice Act is amended by
2 changing Section 105 as follows:

3 (225 ILCS 125/105)

4 (Section scheduled to be repealed on January 1, 2030)

5 Sec. 105. Grounds for disciplinary action.

6 (a) The Department may refuse to issue, renew, or restore
7 a license, or may revoke, suspend, place on probation,
8 reprimand, or take any other disciplinary or non-disciplinary
9 action as the Department may deem proper, including fines not
10 to exceed \$10,000 per violation with regard to any license
11 issued under this Act, for any one or a combination of the
12 following reasons:

13 (1) Making a material misstatement in furnishing
14 information to the Department.

15 (2) Negligence, incompetence, or misconduct in the
16 practice of perfusion.

17 (3) Failure to comply with any provisions of this Act
18 or any of its rules.

19 (4) Fraud or any misrepresentation in applying for or
20 procuring a license under this Act or in connection with
21 applying for renewal or restoration of a license under
22 this Act.

23 (5) Purposefully making false statements or signing
24 false statements, certificates, or affidavits to induce

1 payment.

2 (6) Conviction of or entry of a plea of guilty or nolo
3 contendere, finding of guilt, jury verdict, or entry of
4 judgment or sentencing, including, but not limited to,
5 convictions, preceding sentences of supervision,
6 conditional discharge, or first offender probation under
7 the laws of any jurisdiction of the United States that is
8 (i) a felony or (ii) a misdemeanor, an essential element
9 of which is dishonesty, that is directly related to the
10 practice of the profession of perfusion.

11 (7) Aiding or assisting another in violating any
12 provision of this Act or its rules.

13 (8) Failing to provide information in response to a
14 written request made by the Department within 60 days
15 after receipt of such written request.

16 (9) Engaging in dishonorable, unethical, or
17 unprofessional conduct of a character likely to deceive,
18 defraud, or harm the public as defined by rule.

19 (10) Habitual or excessive use or abuse of drugs
20 defined in law as controlled substances, of alcohol,
21 narcotics, stimulants, or any other substances that
22 results in the inability to practice with reasonable
23 judgment, skill, or safety.

24 (11) A finding by the Department that an applicant or
25 licensee has failed to pay a fine imposed by the
26 Department.

1 (12) A finding by the Department that the licensee,
2 after having his or her license placed on probationary
3 status, has violated the terms of probation, or failed to
4 comply with such terms.

5 (13) Inability to practice the profession with
6 reasonable judgment, skill, or safety as a result of
7 physical illness, including, but not limited to,
8 deterioration through the aging process, loss of motor
9 skill, mental illness, or disability.

10 (14) Discipline by another state, territory, foreign
11 country, the District of Columbia, the United States
12 government, or any other government agency if at least one
13 of the grounds for discipline is the same or substantially
14 equivalent to those set forth in this Act.

15 (15) The making of any willfully false oath or
16 affirmation in any matter or proceeding where an oath or
17 affirmation is required by this Act.

18 (16) Using or attempting to use an expired, inactive,
19 suspended, or revoked license, or the certificate or seal
20 of another, or impersonating another licensee.

21 (17) Directly or indirectly giving to or receiving
22 from any person or entity any fee, commission, rebate, or
23 other form of compensation for any professional service
24 not actually or personally rendered.

25 (18) Willfully making or filing false records or
26 reports related to the licensee's practice, including, but

1 not limited to, false records filed with federal or State
2 agencies or departments.

3 (19) Willfully failing to report an instance of
4 suspected child abuse or neglect as required under the
5 Abused and Neglected Child Reporting Act.

6 (20) Being named as a perpetrator in an indicated
7 report by the Department of Children and Family Services
8 under the Abused and Neglected Child Reporting Act and
9 upon the indicated report becoming final after a hearing
10 or opportunity for a hearing.~~and upon proof, by clear and~~
11 ~~convincing evidence, that the licensee has caused a child~~
12 ~~to be an abused child or neglected child as defined in the~~
13 ~~Abused and Neglected Child Reporting Act.~~

14 (21) Immoral conduct in the commission of an act
15 related to the licensee's practice, including but not
16 limited to sexual abuse, sexual misconduct, or sexual
17 exploitation.

18 (22) Violation of the Health Care Worker Self-Referral
19 Act.

20 (23) Solicitation of business or professional
21 services, other than permitted advertising.

22 (24) Conviction of or cash compromise of a charge or
23 violation of the Illinois Controlled Substances Act.

24 (25) Gross, willful, or continued overcharging for
25 professional services, including filing false statements
26 for collection of fees for which services are not

1 rendered.

2 (26) Practicing under a false name or, except as
3 allowed by law, an assumed name.

4 (27) Failing to report actual or alleged reportable
5 conduct in accordance with Section 2105-390 of the
6 Department of Professional Regulation Law of the Civil
7 Administrative Code of Illinois.

8 (b) In enforcing this Section, the Department or Board,
9 upon a showing of a possible violation, may order a licensee or
10 applicant to submit to a mental or physical examination, or
11 both, at the expense of the Department. The Department or
12 Board may order the examining physician to present testimony
13 concerning his or her examination of the licensee or
14 applicant. No information shall be excluded by reason of any
15 common law or statutory privilege relating to communications
16 between the licensee or applicant and the examining physician.
17 The examining physicians shall be specifically designated by
18 the Board or Department. The licensee or applicant may have,
19 at his or her own expense, another physician of his or her
20 choice present during all aspects of the examination. Failure
21 of a licensee or applicant to submit to any such examination
22 when directed, without reasonable cause as defined by rule,
23 shall be grounds for either the immediate suspension of his or
24 her license or immediate denial of his or her application.

25 (1) If the Secretary immediately suspends the license
26 of a licensee for his or her failure to submit to a mental

1 or physical examination when directed, a hearing must be
2 convened by the Department within 15 days after the
3 suspension and completed without appreciable delay.

4 (2) If the Secretary otherwise suspends a license
5 pursuant to the results of the licensee's mental or
6 physical examination, a hearing must be convened by the
7 Department within 15 days after the suspension and
8 completed without appreciable delay. The Department and
9 Board shall have the authority to review the licensee's
10 record of treatment and counseling regarding the relevant
11 impairment or impairments to the extent permitted by
12 applicable federal statutes and regulations safeguarding
13 the confidentiality of medical records.

14 (3) Any licensee suspended or otherwise affected under
15 this subsection (b) shall be afforded an opportunity to
16 demonstrate to the Department or Board that he or she can
17 resume practice in compliance with the acceptable and
18 prevailing standards under the provisions of his or her
19 license.

20 (c) The determination by a circuit court that a licensee
21 is subject to involuntary admission or judicial admission as
22 provided in the Mental Health and Developmental Disabilities
23 Code operates as an automatic suspension. The suspension will
24 end only upon a finding by a court that the licensee is no
25 longer subject to involuntary admission or judicial admission
26 and issues an order so finding and discharging the licensee;

1 and upon the recommendation of the Board to the Secretary that
2 the licensee be allowed to resume his or her practice.

3 (d) In cases where the Department of Healthcare and Family
4 Services (formerly the Department of Public Aid) has
5 previously determined that a licensee or a potential licensee
6 is more than 30 days delinquent in the payment of child support
7 and has subsequently certified the delinquency to the
8 Department, the Department shall refuse to issue or renew or
9 shall revoke or suspend that person's license or shall take
10 other disciplinary action against that person based solely
11 upon the certification of delinquency made by the Department
12 of Healthcare and Family Services in accordance with
13 subdivision (a)(5) of Section 2105-15 of the Department of
14 Professional Regulation Law of the Civil Administrative Code
15 of Illinois.

16 (e) The Department shall deny a license or renewal
17 authorized by this Act to a person who has failed to file a
18 return, to pay the tax, penalty, or interest shown in a filed
19 return, or to pay any final assessment of tax, penalty, or
20 interest as required by any tax Act administered by the
21 Department of Revenue, until the requirements of the tax Act
22 are satisfied in accordance with subsection (g) of Section
23 2105-15 of the Department of Professional Regulation Law of
24 the Civil Administrative Code of Illinois.

25 (Source: P.A. 101-311, eff. 8-9-19; 102-558, eff. 8-20-21.)

1 Section 150. The Registered Surgical Assistant and
2 Registered Surgical Technologist Title Protection Act is
3 amended by changing Section 75 as follows:

4 (225 ILCS 130/75)

5 (Section scheduled to be repealed on January 1, 2029)

6 Sec. 75. Grounds for disciplinary action.

7 (a) The Department may refuse to issue, renew, or restore
8 a registration, may revoke or suspend a registration, or may
9 place on probation, reprimand, or take other disciplinary or
10 non-disciplinary action with regard to a person registered
11 under this Act, including, but not limited to, the imposition
12 of fines not to exceed \$10,000 for each violation and the
13 assessment of costs as provided for in Section 90, for any one
14 or combination of the following causes:

15 (1) Making a material misstatement in furnishing
16 information to the Department.

17 (2) Violating a provision of this Act or rules adopted
18 under this Act.

19 (3) Conviction by plea of guilty or nolo contendere,
20 finding of guilt, jury verdict, or entry of judgment or by
21 sentencing of any crime, including, but not limited to,
22 convictions, preceding sentences of supervision,
23 conditional discharge, or first offender probation, under
24 the laws of any jurisdiction of the United States that is
25 (i) a felony or (ii) a misdemeanor, an essential element

1 of which is dishonesty, or that is directly related to the
2 practice of the profession.

3 (4) Fraud or misrepresentation in applying for,
4 renewing, restoring, reinstating, or procuring a
5 registration under this Act.

6 (5) Aiding or assisting another person in violating a
7 provision of this Act or its rules.

8 (6) Failing to provide information within 60 days in
9 response to a written request made by the Department.

10 (7) Engaging in dishonorable, unethical, or
11 unprofessional conduct of a character likely to deceive,
12 defraud, or harm the public, as defined by rule of the
13 Department.

14 (8) Discipline by another United States jurisdiction,
15 governmental agency, unit of government, or foreign
16 nation, if at least one of the grounds for discipline is
17 the same or substantially equivalent to those set forth in
18 this Section.

19 (9) Directly or indirectly giving to or receiving from
20 a person, firm, corporation, partnership, or association a
21 fee, commission, rebate, or other form of compensation for
22 professional services not actually or personally rendered.
23 Nothing in this paragraph (9) affects any bona fide
24 independent contractor or employment arrangements among
25 health care professionals, health facilities, health care
26 providers, or other entities, except as otherwise

1 prohibited by law. Any employment arrangements may include
2 provisions for compensation, health insurance, pension, or
3 other employment benefits for the provision of services
4 within the scope of the registrant's practice under this
5 Act. Nothing in this paragraph (9) shall be construed to
6 require an employment arrangement to receive professional
7 fees for services rendered.

8 (10) A finding by the Department that the registrant,
9 after having the registration placed on probationary
10 status, has violated the terms of probation.

11 (11) Willfully making or filing false records or
12 reports in the practice, including, but not limited to,
13 false records or reports filed with State agencies.

14 (12) Willfully making or signing a false statement,
15 certificate, or affidavit to induce payment.

16 (13) Willfully failing to report an instance of
17 suspected child abuse or neglect as required under the
18 Abused and Neglected Child Reporting Act.

19 (14) Being named as a perpetrator in an indicated
20 report by the Department of Children and Family Services
21 under the Abused and Neglected Child Reporting Act and
22 upon the indicated report becoming final after a hearing
23 or opportunity for a hearing. ~~and upon proof by clear and~~
24 ~~convincing evidence that the registrant has caused a child~~
25 ~~to be an abused child or neglected child as defined in the~~
26 ~~Abused and Neglected Child Reporting Act.~~

1 (15) (Blank).

2 (16) Failure to report to the Department (A) any
3 adverse final action taken against the registrant by
4 another registering or licensing jurisdiction, government
5 agency, law enforcement agency, or any court or (B)
6 liability for conduct that would constitute grounds for
7 action as set forth in this Section.

8 (17) Habitual or excessive use or abuse of drugs
9 defined in law as controlled substances, alcohol, or any
10 other substance that results in the inability to practice
11 with reasonable judgment, skill, or safety.

12 (18) Physical or mental illness, including, but not
13 limited to, deterioration through the aging process or
14 loss of motor skills, which results in the inability to
15 practice the profession for which the person is registered
16 with reasonable judgment, skill, or safety.

17 (19) Gross malpractice.

18 (20) Immoral conduct in the commission of an act
19 related to the registrant's practice, including, but not
20 limited to, sexual abuse, sexual misconduct, or sexual
21 exploitation.

22 (21) Violation of the Health Care Worker Self-Referral
23 Act.

24 (22) Failure to report actual or alleged reportable
25 conduct in accordance with Section 2105-390 of the
26 Department of Professional Regulation Law of the Civil

1 Administrative Code of Illinois.

2 (b) The Department may refuse to issue or may suspend
3 without hearing the registration of a person who fails to file
4 a return, to pay the tax, penalty, or interest shown in a filed
5 return, or to pay a final assessment of the tax, penalty, or
6 interest as required by a tax Act administered by the
7 Department of Revenue, until the requirements of the tax Act
8 are satisfied in accordance with subsection (g) of Section
9 2105-15 of the Department of Professional Regulation Law of
10 the Civil Administrative Code of Illinois.

11 (b-1) The Department shall not revoke, suspend, summarily
12 suspend, place on probation, reprimand, refuse to issue or
13 renew, or take any other disciplinary or non-disciplinary
14 action against a person's authorization to practice under this
15 Act based solely upon the person providing, authorizing,
16 recommending, aiding, assisting, referring for, or otherwise
17 participating in any health care service, so long as the care
18 was not unlawful under the laws of this State, regardless of
19 whether the patient was a resident of this State or another
20 state.

21 (b-2) The Department shall not revoke, suspend, summarily
22 suspend, place on prohibition, reprimand, refuse to issue or
23 renew, or take any other disciplinary or non-disciplinary
24 action against a person's authorization to practice under this
25 Act based upon the person's license, registration, or permit
26 being revoked or suspended, or the person being otherwise

1 disciplined, by any other state if that revocation,
2 suspension, or other form of discipline was based solely on
3 the person violating another state's laws prohibiting the
4 provision of, authorization of, recommendation of, aiding or
5 assisting in, referring for, or participation in any health
6 care service if that health care service as provided would not
7 have been unlawful under the laws of this State and is
8 consistent with the applicable standard of conduct for the
9 person practicing in this State under this Act.

10 (b-3) The conduct specified in subsection (b-1) or (b-2)
11 shall not constitute grounds for suspension under Section 145.

12 (b-4) An applicant seeking licensure, certification, or
13 authorization pursuant to this Act who has been subject to
14 disciplinary action by a duly authorized professional
15 disciplinary agency of another jurisdiction solely on the
16 basis of having provided, authorized, recommended, aided,
17 assisted, referred for, or otherwise participated in health
18 care shall not be denied such licensure, certification, or
19 authorization, unless the Department determines that such
20 action would have constituted professional misconduct in this
21 State. Nothing in this Section shall be construed as
22 prohibiting the Department from evaluating the conduct of such
23 applicant and making a determination regarding the licensure,
24 certification, or authorization to practice a profession under
25 this Act.

26 (c) The determination by a circuit court that a registrant

1 is subject to involuntary admission or judicial admission as
2 provided in the Mental Health and Developmental Disabilities
3 Code operates as an automatic suspension. The suspension will
4 end only upon (1) a finding by a court that the patient is no
5 longer subject to involuntary admission or judicial admission,
6 (2) issuance of an order so finding and discharging the
7 patient, and (3) filing of a petition for restoration
8 demonstrating fitness to practice.

9 (d) (Blank).

10 (e) In cases where the Department of Healthcare and Family
11 Services has previously determined a registrant or a potential
12 registrant is more than 30 days delinquent in the payment of
13 child support and has subsequently certified the delinquency
14 to the Department, the Department may refuse to issue or renew
15 or may revoke or suspend that person's registration or may
16 take other disciplinary action against that person based
17 solely upon the certification of delinquency made by the
18 Department of Healthcare and Family Services in accordance
19 with paragraph (5) of subsection (a) of Section 2105-15 of the
20 Department of Professional Regulation Law of the Civil
21 Administrative Code of Illinois.

22 (f) In enforcing this Section, the Department, upon a
23 showing of a possible violation, may compel any individual
24 registered under this Act or any individual who has applied
25 for registration to submit to a mental or physical examination
26 and evaluation, or both, that may include a substance abuse or

1 sexual offender evaluation, at the expense of the Department.
2 The Department shall specifically designate the examining
3 physician licensed to practice medicine in all of its branches
4 or, if applicable, the multidisciplinary team involved in
5 providing the mental or physical examination and evaluation,
6 or both. The multidisciplinary team shall be led by a
7 physician licensed to practice medicine in all of its branches
8 and may consist of one or more or a combination of physicians
9 licensed to practice medicine in all of its branches, licensed
10 chiropractic physicians, licensed clinical psychologists,
11 licensed clinical social workers, licensed clinical
12 professional counselors, and other professional and
13 administrative staff. Any examining physician or member of the
14 multidisciplinary team may require any person ordered to
15 submit to an examination and evaluation pursuant to this
16 Section to submit to any additional supplemental testing
17 deemed necessary to complete any examination or evaluation
18 process, including, but not limited to, blood testing,
19 urinalysis, psychological testing, or neuropsychological
20 testing.

21 The Department may order the examining physician or any
22 member of the multidisciplinary team to provide to the
23 Department any and all records, including business records,
24 that relate to the examination and evaluation, including any
25 supplemental testing performed. The Department may order the
26 examining physician or any member of the multidisciplinary

1 team to present testimony concerning this examination and
2 evaluation of the registrant or applicant, including testimony
3 concerning any supplemental testing or documents relating to
4 the examination and evaluation. No information, report,
5 record, or other documents in any way related to the
6 examination and evaluation shall be excluded by reason of any
7 common law or statutory privilege relating to communication
8 between the registrant or applicant and the examining
9 physician or any member of the multidisciplinary team. No
10 authorization is necessary from the registrant or applicant
11 ordered to undergo an evaluation and examination for the
12 examining physician or any member of the multidisciplinary
13 team to provide information, reports, records, or other
14 documents or to provide any testimony regarding the
15 examination and evaluation. The individual to be examined may
16 have, at the individual's own expense, another physician of
17 the individual's choice present during all aspects of the
18 examination.

19 Failure of any individual to submit to mental or physical
20 examination and evaluation, or both, when directed, shall
21 result in an automatic suspension without a hearing until such
22 time as the individual submits to the examination. If the
23 Department finds a registrant unable to practice because of
24 the reasons set forth in this Section, the Department shall
25 require such registrant to submit to care, counseling, or
26 treatment by physicians approved or designated by the

1 Department as a condition for continued, reinstated, or
2 renewed registration.

3 When the Secretary immediately suspends a registration
4 under this Section, a hearing upon such person's registration
5 must be convened by the Department within 15 days after such
6 suspension and completed without appreciable delay. The
7 Department shall have the authority to review the registrant's
8 record of treatment and counseling regarding the impairment to
9 the extent permitted by applicable federal statutes and
10 regulations safeguarding the confidentiality of medical
11 records.

12 Individuals registered under this Act and affected under
13 this Section shall be afforded an opportunity to demonstrate
14 to the Department that they can resume practice in compliance
15 with acceptable and prevailing standards under the provisions
16 of their registration.

17 (g) All fines imposed under this Section shall be paid
18 within 60 days after the effective date of the order imposing
19 the fine or in accordance with the terms set forth in the order
20 imposing the fine.

21 (h) The Department may adopt rules to implement,
22 administer, and enforce this Section.

23 (Source: P.A. 103-387, eff. 1-1-24; 103-605, eff. 7-1-24;
24 104-417, eff. 8-15-25; 104-432, eff. 1-1-26.)

25 Section 155. The Genetic Counselor Licensing Act is

1 amended by changing Section 95 as follows:

2 (225 ILCS 135/95)

3 (Section scheduled to be repealed on January 1, 2030)

4 Sec. 95. Grounds for discipline.

5 (a) The Department may refuse to issue, renew, or may
6 revoke, suspend, place on probation, reprimand, or take other
7 disciplinary or non-disciplinary action as the Department
8 deems appropriate, including the issuance of fines not to
9 exceed \$10,000 for each violation, with regard to any license
10 for any one or more of the following:

11 (1) Material misstatement in furnishing information to
12 the Department or to any other State agency.

13 (2) Violations or negligent or intentional disregard
14 of this Act, or any of its rules.

15 (3) Conviction by plea of guilty or nolo contendere,
16 finding of guilt, jury verdict, or entry of judgment or
17 sentencing, including, but not limited to, convictions,
18 preceding sentences of supervision, conditional discharge,
19 or first offender probation, under the laws of any
20 jurisdiction of the United States: (i) that is a felony or
21 (ii) that is a misdemeanor, an essential element of which
22 is dishonesty, or that is directly related to the practice
23 of genetic counseling.

24 (4) Making any misrepresentation for the purpose of
25 obtaining a license, or violating any provision of this

1 Act or its rules.

2 (5) Negligence in the rendering of genetic counseling
3 services.

4 (6) Failure to provide genetic testing results and any
5 requested information to a referring physician licensed to
6 practice medicine in all its branches, advanced practice
7 registered nurse, or physician assistant.

8 (7) Aiding or assisting another person in violating
9 any provision of this Act or any rules.

10 (8) Failing to provide information within 60 days in
11 response to a written request made by the Department.

12 (9) Engaging in dishonorable, unethical, or
13 unprofessional conduct of a character likely to deceive,
14 defraud, or harm the public and violating the rules of
15 professional conduct adopted by the Department.

16 (10) Failing to maintain the confidentiality of any
17 information received from a client, unless otherwise
18 authorized or required by law.

19 (10.5) Failure to maintain client records of services
20 provided and provide copies to clients upon request.

21 (11) Exploiting a client for personal advantage,
22 profit, or interest.

23 (12) Habitual or excessive use or addiction to
24 alcohol, narcotics, stimulants, or any other chemical
25 agent or drug which results in inability to practice with
26 reasonable skill, judgment, or safety.

1 (13) Discipline by another governmental agency or unit
2 of government, by any jurisdiction of the United States,
3 or by a foreign nation, if at least one of the grounds for
4 the discipline is the same or substantially equivalent to
5 those set forth in this Section.

6 (14) Directly or indirectly giving to or receiving
7 from any person, firm, corporation, partnership, or
8 association any fee, commission, rebate, or other form of
9 compensation for any professional service not actually
10 rendered. Nothing in this paragraph (14) affects any bona
11 fide independent contractor or employment arrangements
12 among health care professionals, health facilities, health
13 care providers, or other entities, except as otherwise
14 prohibited by law. Any employment arrangements may include
15 provisions for compensation, health insurance, pension, or
16 other employment benefits for the provision of services
17 within the scope of the licensee's practice under this
18 Act. Nothing in this paragraph (14) shall be construed to
19 require an employment arrangement to receive professional
20 fees for services rendered.

21 (15) A finding by the Department that the licensee,
22 after having the license placed on probationary status,
23 has violated the terms of probation.

24 (16) Failing to refer a client to other health care
25 professionals when the licensee is unable or unwilling to
26 adequately support or serve the client.

1 (17) Willfully filing false reports relating to a
2 licensee's practice, including, but not limited to, false
3 records filed with federal or State agencies or
4 departments.

5 (18) Willfully failing to report an instance of
6 suspected child abuse or neglect as required by the Abused
7 and Neglected Child Reporting Act.

8 (19) Being named as a perpetrator in an indicated
9 report by the Department of Children and Family Services
10 pursuant to the Abused and Neglected Child Reporting Act
11 and upon the indicated report becoming final after a
12 hearing or opportunity for a hearing., and upon proof by
13 ~~clear and convincing evidence that the licensee has caused~~
14 ~~a child to be an abused child or neglected child as defined~~
15 ~~in the Abused and Neglected Child Reporting Act.~~

16 (20) Physical or mental disability, including
17 deterioration through the aging process or loss of
18 abilities and skills which results in the inability to
19 practice the profession with reasonable judgment, skill,
20 or safety.

21 (21) Solicitation of professional services by using
22 false or misleading advertising.

23 (22) Failure to file a return, or to pay the tax,
24 penalty, or interest shown in a filed return, or to pay any
25 final assessment of tax, penalty, or interest, as required
26 by any tax Act administered by the Illinois Department of

1 Revenue or any successor agency or the Internal Revenue
2 Service or any successor agency.

3 (23) Fraud or making any misrepresentation in applying
4 for or procuring a license under this Act or in connection
5 with applying for renewal of a license under this Act.

6 (24) Practicing or attempting to practice under a name
7 other than the full name as shown on the license or any
8 other legally authorized name.

9 (25) Gross overcharging for professional services,
10 including filing statements for collection of fees or
11 moneys for which services are not rendered.

12 (26) (Blank).

13 (27) Charging for professional services not rendered,
14 including filing false statements for the collection of
15 fees for which services are not rendered.

16 (28) Allowing one's license under this Act to be used
17 by an unlicensed person in violation of this Act.

18 (29) Failure to report actual or alleged reportable
19 conduct in accordance with Section 2105-390 of the
20 Department of Professional Regulation Law of the Civil
21 Administrative Code of Illinois.

22 (b) (Blank).

23 (b-5) The Department shall not revoke, suspend, summarily
24 suspend, place on prohibition, reprimand, refuse to issue or
25 renew, or take any other disciplinary or non-disciplinary
26 action against a person's authorization to practice under this

1 Act based solely upon the person authorizing, recommending,
2 aiding, assisting, referring for, or otherwise participating
3 in any health care service, so long as the care was not
4 unlawful under the laws of this State, regardless of whether
5 the patient was a resident of this State or another state.

6 (b-10) The Department shall not revoke, suspend, summarily
7 suspend, place on prohibition, reprimand, refuse to issue or
8 renew, or take any other disciplinary or non-disciplinary
9 action against a person's authorization to practice under this
10 Act based upon the person's license, registration, or permit
11 being revoked or suspended, or the person being otherwise
12 disciplined, by any other state if that revocation,
13 suspension, or other form of discipline was based solely on
14 the person violating another state's laws prohibiting the
15 provision of, authorization of, recommendation of, aiding or
16 assisting in, referring for, or participation in any health
17 care service if that health care service as provided would not
18 have been unlawful under the laws of this State and is
19 consistent with the applicable standard of conduct for the
20 person practicing in Illinois under this Act.

21 (b-15) The conduct specified in subsections (b-5) and
22 (b-10) shall not constitute grounds for suspension under
23 Section 160.

24 (b-20) An applicant seeking licensure, certification, or
25 authorization pursuant to this Act who has been subject to
26 disciplinary action by a duly authorized professional

1 disciplinary agency of another jurisdiction solely on the
2 basis of having authorized, recommended, aided, assisted,
3 referred for, or otherwise participated in health care shall
4 not be denied such licensure, certification, or authorization,
5 unless the Department determines that such action would have
6 constituted professional misconduct in this State; however,
7 nothing in this Section shall be construed as prohibiting the
8 Department from evaluating the conduct of such applicant and
9 making a determination regarding the licensure, certification,
10 or authorization to practice a profession under this Act.

11 (c) The determination by a court that a licensee is
12 subject to involuntary admission or judicial admission as
13 provided in the Mental Health and Developmental Disabilities
14 Code will result in an automatic suspension of the license.
15 The suspension will end upon a finding by a court that the
16 licensee is no longer subject to involuntary admission or
17 judicial admission, the issuance of an order so finding and
18 discharging the patient, and the determination of the
19 Secretary that the licensee be allowed to resume professional
20 practice.

21 (d) The Department may refuse to issue or renew or may
22 suspend without hearing the license of any person who fails to
23 file a return, to pay the tax penalty or interest shown in a
24 filed return, or to pay any final assessment of the tax,
25 penalty, or interest as required by any Act regarding the
26 payment of taxes administered by the Illinois Department of

1 Revenue until the requirements of the Act are satisfied in
2 accordance with subsection (g) of Section 2105-15 of the Civil
3 Administrative Code of Illinois.

4 (e) In cases where the Department of Healthcare and Family
5 Services has previously determined that a licensee or a
6 potential licensee is more than 30 days delinquent in the
7 payment of child support and has subsequently certified the
8 delinquency to the Department, the Department may refuse to
9 issue or renew or may revoke or suspend that person's license
10 or may take other disciplinary action against that person
11 based solely upon the certification of delinquency made by the
12 Department of Healthcare and Family Services in accordance
13 with item (5) of subsection (a) of Section 2105-15 of the
14 Department of Professional Regulation Law of the Civil
15 Administrative Code of Illinois.

16 (f) All fines or costs imposed under this Section shall be
17 paid within 60 days after the effective date of the order
18 imposing the fine or costs or in accordance with the terms set
19 forth in the order imposing the fine.

20 (g) The Department may adopt rules to implement,
21 administer, and enforce this Section.

22 (Source: P.A. 103-763, eff. 1-1-25; 104-432, eff. 1-1-26.)

23 Section 160. The Professional Service Corporation Act is
24 amended by changing Section 13 as follows:

1 (805 ILCS 10/13) (from Ch. 32, par. 415-13)

2 Sec. 13. The regulating authority which issued the
3 certificate of registration may suspend or revoke the
4 certificate or may otherwise discipline the certificate holder
5 for any of the following reasons:

6 (a) The revocation or suspension of the license to
7 practice the profession of any officer, director, shareholder
8 or employee not promptly removed or discharged by the
9 corporation; (b) unethical professional conduct on the part of
10 any officer, director, shareholder or employee not promptly
11 removed or discharged by the corporation; (c) the death of the
12 last remaining shareholder; (d) upon finding that the holder
13 of a certificate has failed to comply with the provisions of
14 this Act or the regulations prescribed by the regulating
15 authority that issued it; ~~or~~ (e) the failure to file a return,
16 or to pay the tax, penalty or interest shown in a filed return,
17 or to pay any final assessment of tax, penalty or interest, as
18 required by any tax Act administered by the Illinois
19 Department of Revenue, until such time as the requirements of
20 any such tax Act are satisfied; or (f) for a certificate of
21 registration issued by the Department of Financial and
22 Professional Regulation, a willful or reckless failure to
23 report in accordance with Section 2105-391 of the Department
24 of Professional Regulation Law of the Civil Administrative
25 Code of Illinois.

26 Before any certificate of registration is suspended or

1 revoked, the holder shall be given written notice of the
2 proposed action and the reasons therefor, and shall provide a
3 public hearing by the regulating authority, with the right to
4 produce testimony and other evidence concerning the charges
5 made. The notice shall also state the place and date of the
6 hearing which shall be at least 10 days after service of said
7 notice.

8 All orders of regulating authorities denying an
9 application for a certificate of registration, suspending or
10 revoking a certificate of registration, or imposing a civil
11 penalty shall be subject to judicial review pursuant to the
12 provisions of the Administrative Review Law, as now or
13 hereafter amended, and the rules adopted pursuant thereto then
14 in force.

15 The proceedings for judicial review shall be commenced in
16 the circuit court of the county in which the party applying for
17 review is located. If the party is not currently located in
18 Illinois, the venue shall be in Sangamon County. The
19 regulating authority shall not be required to certify any
20 record to the court or file any answer in court or otherwise
21 appear in any court in a judicial review proceeding, unless
22 and until the regulating authority has received from the
23 plaintiff payment of the costs of furnishing and certifying
24 the record, which costs shall be determined by the regulating
25 authority. Exhibits shall be certified without cost. Failure
26 on the part of the plaintiff to file a receipt in court is

1 grounds for dismissal of the action.

2 (Source: P.A. 99-227, eff. 8-3-15.)

3 Section 165. The Medical Corporation Act is amended by
4 changing Section 10 as follows:

5 (805 ILCS 15/10) (from Ch. 32, par. 640)

6 Sec. 10. The Department may suspend or revoke any
7 certificate of registration or may otherwise discipline the
8 certificate holder for any of the following reasons: (a) the
9 revocation or suspension of the license to practice medicine
10 of any officer, director, shareholder or employee not promptly
11 removed or discharged by the corporation; (b) unethical
12 professional conduct on the part of any officer, director,
13 shareholder or employee not promptly removed or discharged by
14 the corporation; (c) the death of the last remaining
15 shareholder; ~~or~~ (d) upon finding that the holder of a
16 certificate has failed to comply with the provisions of this
17 Act or the regulations prescribed by the Department; or (e) a
18 willful or reckless failure to report in accordance with
19 Section 2105-391 of the Department of Professional Regulation
20 Law of the Civil Administrative Code of Illinois.

21 The Department may refuse to issue or renew or may suspend
22 the certificate of any corporation which fails to file a
23 return, or to pay the tax, penalty or interest shown in a filed
24 return, or to pay any final assessment of tax, penalty or

1 interest, as required by any tax Act administered by the
2 Illinois Department of Revenue, until such time as the
3 requirements of any such tax Act are satisfied.

4 (Source: P.A. 99-227, eff. 8-3-15.)

5 Section 170. The Professional Limited Liability Company
6 Act is amended by changing Section 25 as follows:

7 (805 ILCS 185/25)

8 Sec. 25. Suspension, revocation or discipline of
9 certificate of registration.

10 (a) The Department may suspend, revoke, or otherwise
11 discipline the certificate of registration of a professional
12 limited liability company or limited liability company for any
13 of the following reasons:

14 (1) the revocation or suspension of the license to
15 practice the profession of any officer, manager, member,
16 agent, or employee not promptly removed or discharged by
17 the professional limited liability company;

18 (2) unethical professional conduct on the part of any
19 officer, manager, member, agent, or employee not promptly
20 removed or discharged by the professional limited
21 liability company;

22 (3) the death of the last remaining member;

23 (4) upon finding that the holder of the certificate
24 has failed to comply with the provisions of this Act or the

1 regulations prescribed by the Department; ~~or~~

2 (5) the failure to file a return, to pay the tax,
3 penalty, or interest shown in a filed return, or to pay any
4 final assessment of tax, penalty, or interest, as required
5 by a tax Act administered by the Illinois Department of
6 Revenue, until such time as the requirements of any such
7 tax Act are satisfied; or-

8 (6) a willful or reckless failure to report in
9 accordance with Section 2105-391 of the Department of
10 Professional Regulation Law of the Civil Administrative
11 Code of Illinois.

12 (b) Before any certificate of registration is suspended or
13 revoked, the holder shall be given written notice of the
14 proposed action and the reasons for the proposed action and
15 shall be provided a public hearing by the Department with the
16 right to produce testimony and other evidence concerning the
17 charges made. The notice shall also state the place and date of
18 the hearing, which shall be at least 10 days after service of
19 the notice.

20 (c) All orders of the Department denying an application
21 for a certificate of registration or suspending or revoking a
22 certificate of registration or imposing a civil penalty shall
23 be subject to judicial review pursuant to the Administrative
24 Review Law.

25 (d) The proceedings for judicial review shall be commenced
26 in the circuit court of the county in which the party applying

1 for review is located. If the party is not currently located in
2 Illinois, the venue shall be in Sangamon County. The
3 Department shall not be required to certify any record to the
4 court or file any answer in court or otherwise appear in any
5 court in a judicial review proceeding, unless and until the
6 Department has received from the plaintiff payment of the
7 costs of furnishing and certifying the record, which costs
8 shall be determined by the Department. Exhibits shall be
9 certified without cost. Failure on the part of the plaintiff
10 to file a receipt in court is grounds for dismissal of the
11 action.

12 (Source: P.A. 99-227, eff. 8-3-15.)

13 Section 995. No acceleration or delay. Where this Act
14 makes changes in a statute that is represented in this Act by
15 text that is not yet or no longer in effect (for example, a
16 Section represented by multiple versions), the use of that
17 text does not accelerate or delay the taking effect of (i) the
18 changes made by this Act or (ii) provisions derived from any
19 other Public Act.