



Sen. Celina Villanueva

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LRB104 09787 CCC 37877 a

1 AMENDMENT TO HOUSE BILL 3711

2 AMENDMENT NO. _____. Amend House Bill 3711 by replacing
3 everything after the enacting clause with the following:

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,

1 the Illinois Dental Practice Act, the Dietitian Nutritionist
2 Practice Act, the Marriage and Family Therapy Licensing Act,
3 the Music Therapy Licensing and Practice Act, the Massage
4 Therapy Practice Act, the Naprapathic Practice Act, the
5 Licensed Certified Professional Midwife Practice Act, the
6 Nursing Home Administrators Licensing and Disciplinary Act,
7 the Illinois Occupational Therapy Practice Act, the Illinois
8 Optometric Practice Act of 1987, the Orthotics, Prosthetics,
9 and Pedorthics Practice Act, the Pharmacy Practice Act, the
10 Illinois Physical Therapy Act, the Physician Assistant
11 Practice Act of 1987, the Podiatric Medical Practice Act of
12 1987, the Respiratory Care Practice Act, the Professional
13 Counselor and Clinical Professional Counselor Licensing and
14 Practice Act, the Sex Offender Evaluation and Treatment
15 Provider Act, the Illinois Speech-Language Pathology and
16 Audiology Practice Act, the Perfusionist Practice Act, the
17 Registered Surgical Assistant and Registered Surgical
18 Technologist Title Protection Act, or the Genetic Counselor
19 Licensing Act; or (2) a person in any profession that the
20 Department of Financial and Professional Regulation adds by
21 rule.

22 "Intimate conduct" means the following conduct by a health
23 professional:

24 (1) engaging in behavior, gestures, or expressions
25 that are seductive, sexually suggestive, or sexually
26 demeaning to a patient or client in the course of

1 professional service, including, but not limited to, the
2 following:

3 (A) neglecting to employ disrobing or draping
4 practices that respect the patient's or client's
5 privacy or deliberately watching a patient or client
6 dress or undress;

7 (B) subjecting a patient or client to an intimate
8 examination in the presence of students or other
9 persons not delivering professional services without
10 the patient's or client's informed consent or after
11 the withdrawal of informed consent by the patient or
12 client;

13 (C) performing an intimate examination or service;

14 (D) capturing an image of a patient's or client's
15 genitals, anus, breast, or sexualized body part, or
16 transmitting such an image to oneself or to another;
17 or

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

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

24 (A) engaging in an act or displaying an image of a
25 sexual or seductive nature, or attempting to engage in
26 an act or display an image of a sexual or seductive

1 nature, in view of an individual who does not consent
2 to view the act or image or who is incapable of
3 consenting to such viewing; or

4 (B) communicating an image of the genitals, anus,
5 breast, or sexualized body part of an individual when
6 the individual or the recipient of the communication
7 does not consent to the communication.

8 "Reportable conduct" means conduct that must be reported
9 pursuant to subsection (b).

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

12 "Sexual conduct" means the following conduct by a health
13 professional:

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

18 (A) genital to genital contact, oral to genital
19 contact, genital to anal contact, or oral to anal
20 contact;

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

22 (C) touching the genitals, anus, breast, or any
23 other sexualized body part for any purpose other than
24 appropriate clinical examination or professional
25 service;

26 (D) touching the genitals, anus, breast, or any

1 other sexualized body part after the patient or
2 client, who has the capacity to give consent, has
3 refused or has withdrawn consent for such touching,
4 or, in the case of a patient who does not have the
5 capacity to give consent, the patient's or client's
6 decision-maker has refused or has withdrawn consent
7 for such touching;

8 (E) encouraging the patient or client to
9 masturbate in the presence of the professional or
10 masturbation by the professional while the patient or
11 client is present;

12 (F) encouraging the patient or client to engage in
13 a sexual act with another person in the presence of the
14 professional;

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

17 (H) examination or touching of a patient's or
18 client's genital mucosal areas without the use of
19 gloves;

20 (I) making sexualized or sexually demeaning
21 comments to a patient or client, making inappropriate
22 comments about potential sexual performance,
23 criticizing the patient's or client's sexual
24 orientation, or making sexual or seductive comments
25 about a patient's or client's body or underclothing;

26 (J) using the professional-patient or

1 professional-client relationship to solicit a romantic
2 or sexual relationship; or

3 (K) initiating a conversation regarding the
4 professional's sexual problems, preferences, or
5 fantasies; or

6 (2) in the health professional's physical place of
7 work, making physical contact of a sexual or seductive
8 nature, or attempting to make such contact, with an
9 individual who does not consent to the contact or who is
10 incapable of consenting to such contact when the conduct
11 does not occur as part of a professional service.

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

15 (1) witnessing sexual conduct or intimate conduct at
16 the person's physical or virtual place of work or
17 otherwise witnessing such conduct in the person's
18 professional capacity;

19 (2) developing reasonable cause to believe that a
20 health professional at the person's physical or virtual
21 place of work or a health professional otherwise known to
22 the person in the person's professional capacity may have
23 committed sexual conduct or intimate conduct; or

24 (3) receiving a report, either written or oral, from a
25 patient, client, patient representative, or client
26 representative alleging sexual conduct or intimate conduct

1 involving a patient or client.

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

4 (1) conduct that the Department of Financial and
5 Professional Regulation has, by rule, excluded from the
6 duty to report or has informed the person in writing that
7 they need not report; and

8 (2) intimate conduct when:

9 (A) it is not sexual conduct; and

10 (B) the person: (i) knows that the health
11 professional committed the conduct accidentally, and
12 the person has no reason to believe that the health
13 professional engaged in, or was accused of engaging
14 in, similar conduct on a separate occasion, or (ii)
15 has a good faith belief that the health professional's
16 conduct was clinically or professionally justified.

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

22 (1) providing, within 24 hours, to the designated
23 hospital administrator responsible for providing reports
24 to the Department of Public Health in accordance with
25 Section 9.6 of the Hospital Licensing Act, an account of
26 the reportable conduct; and

1 (2) receiving confirmation from such administrator,
2 within 48 hours of providing the account, that the
3 hospital or hospital affiliate will investigate or has
4 investigated the account; if the person does not receive
5 such confirmation within that 48-hour time period, the
6 person shall make the report to the Department of
7 Financial and Professional Regulation in accordance with
8 subsection (e) within 24 hours after the expiration of
9 that 48-hour time period.

10 Nothing in this subsection prohibits the person from
11 filing the report specified in subsection (e) with the
12 Department of Financial and Professional Regulation.

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

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

17 (2) the name, address, telephone number, and email
18 address of the health professional who is the subject of
19 the report and the profession and professional license
20 number of such health professional, if known;

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

24 (4) a description of the acts that are alleged to have
25 occurred, including the name and age of the patient or
26 client involved, the location, date, and time of the

1 alleged acts, and a copy of any document or file
2 containing the allegations received by the hospital;

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

6 (6) any extenuating information or further pertinent
7 information that the reporting party deems to be an aid in
8 the evaluation of the report, including, without
9 limitation, information showing that the health
10 professional was acting in self-defense.

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

15 (g) A person participating in good faith in the creation
16 of a report under this Section or participating in or
17 assisting with an investigation related to such a report shall
18 have immunity from any civil, criminal, professional, or other
19 liability that might result by reason of those actions,
20 including, but not limited to, defamation actions or tortious
21 interference with contract actions.

22 (h) Individuals and entities licensed or otherwise
23 authorized to practice or operate by the Department of
24 Financial and Professional Regulation or the Department of
25 Public Health shall not take any retaliatory action against
26 any person who lawfully and in good faith made a report under

1 this Section because of the person making such a report.

2 (i) A report made under this Section does not create a
3 presumption that the health professional who is the subject of
4 the report has committed a violation or a criminal act. If the
5 Department of Financial and Professional Regulation seeks to
6 impose discipline on a health professional due to a report
7 received under this Section, nothing in this Section shall
8 modify the elements that the Department must establish to
9 justify such discipline under the health professional's
10 applicable licensing Act.

11 (j) A health professional shall report any instance where
12 another health professional willfully fails to report alleged
13 reportable conduct to the Department of Financial and
14 Professional Regulation as required under this Section.

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

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

20 (20 ILCS 2105/2105-391 new)

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

22 (a) As used in this Section:

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

25 "Intimate conduct" has the meaning given to that term in

1 Section 2105-390.

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

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

6 "Reporting organization" means:

7 (1) an entity that employs or contracts for the
8 services of health professionals and is (i) registered
9 with the Department of Financial and Professional
10 Regulation or the Division of Professional Regulation
11 under the Professional Service Corporation Act, the
12 Medical Corporation Act, the Professional Limited
13 Liability Company Act, or the Limited Liability Company
14 Act; (ii) organized under the Business Corporation Act of
15 1983; or (iii) licensed by the Department of Public
16 Health; or

17 (2) an entity that facilitates the placement of health
18 professionals into organizations that provide health care
19 services.

20 (b) A reporting organization shall submit a report to the
21 Department of Financial and Professional Regulation within 24
22 hours after:

23 (1) if the reporting organization is not a hospital or
24 hospital affiliate, initiating an investigation of an
25 allegation that a health professional engaged in conduct
26 that another health professional would have a duty to

1 report under subsection (b) of Section 2105-390;

2 (2) terminating its relationship with, suspending,
3 placing on leave, or materially changing the professional
4 privileges of a health professional following an
5 allegation that the health professional engaged in sexual
6 conduct or intimate conduct; except that a hospital or
7 hospital affiliate need not report a temporary suspension
8 or leave when they occur pending an internal review under
9 Section 9.6 of the Hospital Licensing Act until the
10 earlier of (i) the conclusion of the investigation and
11 such suspension or leave is made permanent, or (ii) such
12 temporary suspension or leave status lasts longer than 30
13 days; or

14 (3) a health professional resigning, ceasing his or
15 her services, or accepting a material change in
16 professional responsibilities following an allegation that
17 the health professional engaged in sexual conduct or
18 intimate conduct.

19 (c) The Department of Financial and Professional
20 Regulation may request from the Department of Public Health,
21 and the Department of Public Health shall provide, copies of
22 logs or reports received by the Department of Public Health
23 pursuant to Section 9.6 of the Hospital Licensing Act.

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

26 (1) the name of the reporting organization making the

1 report and the name, address, telephone number, and email
2 address of the person making the report on behalf of the
3 reporting organization;

4 (2) the name, address, telephone number, and email
5 address of the health professional who is the subject of
6 the report and the profession and professional license
7 number of such health professional, if known;

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

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

16 (5) any extenuating information or further pertinent
17 information that the reporting organization deems to be an
18 aid in the evaluation of the report, including, without
19 limitation, information showing that the health
20 professional was acting in self-defense.

21 (e) A reporting organization shall take reasonable steps
22 to deliver the following message, or one substantially similar
23 to it, at least annually to each person who is under an
24 obligation to report reportable conduct pursuant to Section
25 2105-390 and who the reporting organization employs, contracts
26 with, or has working in its physical or virtual facilities:

1 "You may report any incidents of actual or potential
2 misconduct by health professionals or other persons licensed
3 by the Illinois Department of Financial and Professional
4 Regulation (IDFPR), including incidents that you choose to
5 voluntarily report and incidents subject to mandatory
6 reporting under 20 ILCS 2105/2105-390, at IDFPR's website.".
7 Reasonable steps include, but are not limited to: (1)
8 providing such message during training sessions; or (2)
9 posting signage, either by physical or electronic means, in a
10 conspicuous location in the reporting organization's physical
11 location.

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

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

1 justify such discipline under the health professional's
2 applicable licensing Act.

3 (h) Nothing in this Section prevents a reporting
4 organization from initiating, conducting, or completing its
5 own investigation of the sexual conduct or intimate conduct at
6 issue in the report while an investigation, hearing, or other
7 action related to the report is, or may be, pending at the
8 Department of Financial and Professional Regulation.

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

13 (1) the reporting organization making the report under
14 this Section; or

15 (2) a hospital or hospital affiliate who has made the
16 report:

17 (A) to the Department of Public Health which has
18 been provided to the Department of Financial and
19 Professional Regulation pursuant to subsection (c); or

20 (B) directly to the Department of Financial and
21 Professional Regulation. In its response, the
22 Department of Financial and Professional Regulation
23 shall indicate that either the investigation of the
24 report is closed or is still ongoing. The Department
25 of Financial and Professional Regulation may require
26 documentation establishing that the individual making

1 the update request is doing so as an agent of such
2 reporting organization, hospital, or hospital
3 affiliate prior to accepting the request.

4 (j) A reporting organization may submit a written request
5 to the Department of Financial and Professional Regulation
6 that specifically identifies a health professional who is the
7 reporting organization's employee, contractor, or affiliated
8 provider and request a copy of any formal complaint filed
9 against the health professional by the Department of Financial
10 and Professional Regulation or any chaperone order or
11 disciplinary order issued by the Department of Financial and
12 Professional Regulation against such health professional. The
13 Department of Financial and Professional Regulation shall,
14 within 21 days of such request, provide the requested
15 documents in response.

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

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

21 (20 ILCS 2105/2105-392 new)

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

24 (a) As used in this Section:

25 "Health professional" has the meaning given to that term

1 in Section 2105-390.

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

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

6 (b) The State's Attorney of a county, or his or her
7 designee, shall report the arrest of, or the bringing of
8 charges against, a person for an offense based on sexual
9 conduct or intimate conduct to the Department of Financial and
10 Professional Regulation if the person is someone who the
11 State's Attorney's office knows or has reason to believe is a
12 health professional.

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

18 (d) The State's Attorney shall report to the Department of
19 Financial and Professional Regulation within 5 days after the
20 conviction for a felony or Class A misdemeanor of a person who
21 the State's Attorney's office knows or has reason to believe
22 is licensed or registered by the Department of Financial and
23 Professional Regulation as a health professional.

24 (e) The Department of Financial and Professional
25 Regulation may adopt any rules necessary to implement,
26 administer, and enforce this Section.

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

3 (210 ILCS 85/6.14c)

4 Sec. 6.14c. Posting of information.

5 (a) Every hospital shall conspicuously post, either by
6 physical or electronic means, for display in an area of its
7 offices accessible to patients, employees, and visitors the
8 following:

9 (1) its current license;

10 (2) signage, whether multiple signs or a combined
11 sign, that includes:

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

13 (i) complaint procedures established under this Act,
14 including procedures for allegations of abuse and
15 reportable conduct under Section 9.6; (ii) ~~and~~ the
16 name, address, and telephone number of a person
17 authorized by the Department to receive complaints;
18 and (iii) the contact number of the Department and
19 local law enforcement;

20 (B) a description of: (i) the hospital's process
21 for employees to report allegations of abuse to
22 hospital administration, including that hospital
23 administration is required to investigate, document,
24 and send reports and logs to the Department; and (ii)

1 the process by which employees may report allegations
2 of abuse to the Department, including
3 DPH.HospitalReports@illinois.gov, the Department's
4 email address for such reports; and

5 (C) the following message, or one substantially
6 similar to it: "You may report any incidents of actual
7 or potential misconduct by health professionals or
8 other persons licensed by the Illinois Department of
9 Financial and Professional Regulation (IDFPR),
10 including incidents that you choose to voluntarily
11 report and incidents subject to mandatory reporting
12 under 20 ILCS 2105/2105-390, at IDFPR's website.";

13 (3) a list of any orders pertaining to the hospital
14 issued by the Department during the past year and any
15 court orders reviewing such Department orders issued
16 during the past year; and

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

19 (b) Each hospital shall post, either by physical or
20 electronic means, in each facility that has an emergency room,
21 a notice in a conspicuous location in the emergency room with
22 information about how to enroll in health insurance through
23 the Illinois health insurance marketplace in accordance with
24 Sections 1311 and 1321 of the federal Patient Protection and
25 Affordable Care Act.

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

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

Sec. 7. (a) The Director after notice and opportunity for hearing to the applicant or licensee may deny, suspend, or revoke a permit to establish a hospital or deny, suspend, or revoke a license to open, conduct, operate, and maintain a hospital in any case in which he finds that there has been a substantial failure to comply with the provisions of this Act, the Hospital Report Card Act, or the Illinois Adverse Health Care Events Reporting Law of 2005 or the standards, rules, and regulations established by virtue of any of those Acts. The Department may impose fines on hospitals, not to exceed \$500 per occurrence, for failing to (1) initiate a criminal background check on a patient that meets the criteria for hospital-initiated background checks; ~~or~~ (2) report the death of a person known to be a resident of a facility licensed under the ID/DD Community Care Act or the MC/DD Act to the coroner or medical examiner within 24 hours as required by Section 6.09a of this Act; or (3) comply with Section 3.2 of the Criminal Identification Act. In assessing whether to impose such a fine for failure to initiate a criminal background check, the Department shall consider various factors, including, but not limited to, whether the hospital has engaged in a pattern or practice of failing to initiate criminal background checks. Money from fines shall be deposited into the Long-Term ~~Long-Term~~ Care Provider Fund.

1 (a-5) If a hospital demonstrates a pattern or practice of
2 failing to substantially comply with the requirements of
3 Section 10.10 or the hospital's written staffing plan, the
4 hospital shall provide a plan of correction to the Department
5 within 60 days. The Department may impose fines as follows:

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

22 (a-10) Failure to comply with subsection (a), (a-1), (b),
23 (c), (d), (d-1), (e), (f), (g), (g-1), or (j) of Section 9.6
24 may result in the following fines: (1) \$10,000 for the first
25 violation; (2) \$15,000 for a second violation within 5 years
26 of the first violation if there has been no change in ownership

1 since the first violation; and (3) \$25,000 for a third
2 violation and every subsequent violation within 7 years of the
3 first violation if there has been no change in ownership since
4 the first violation. Money from fines imposed under this
5 subsection (a-10) relating to incidents involving sexual abuse
6 or assault shall be deposited into the Sexual Assault Services
7 and Prevention Fund. All other fines recovered relating to
8 this subsection (a-10) shall be deposited into the Hospital
9 Licensure Fund. The Department may adopt rules to further
10 implement these provisions, including the process and time
11 frame for submission and approval of a plan of correction. The
12 Department may conduct an investigation or inspection as
13 deemed necessary. The failure to submit an approved plan of
14 correction may result in the Department imposing a plan of
15 correction on the facility. The Department may conduct a visit
16 or request additional information to determine whether the
17 hospital is following the approved or imposed plan of
18 correction.

19 (b) Such notice shall be effected by certified ~~registered~~
20 mail or by personal service setting forth the particular
21 reasons for the proposed action and fixing a date, not less
22 than 15 days from the date of such mailing or service, at which
23 time the applicant or licensee shall be given an opportunity
24 for a hearing. Such hearing shall be conducted by the Director
25 or by an employee of the Department designated in writing by
26 the Director as Hearing Officer to conduct the hearing. On the

1 basis of any such hearing, or upon default of the applicant or
2 licensee, the Director shall make a determination specifying
3 his findings and conclusions. In case of a denial to an
4 applicant of a permit to establish a hospital, such
5 determination shall specify the subsection of Section 6 under
6 which the permit was denied and shall contain findings of fact
7 forming the basis of such denial. A copy of such determination
8 shall be sent by certified ~~registered~~ mail or served
9 personally upon the applicant or licensee. The decision
10 denying, suspending, or revoking a permit or a license shall
11 become final 35 days after it is so mailed or served, unless
12 the applicant or licensee, within such 35-day ~~35-day~~ period,
13 petitions for review pursuant to Section 13.

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

26 (d) The Director or Hearing Officer shall, upon his own

1 motion, or on the written request of any party to the
2 proceeding, issue subpoenas requiring the attendance and the
3 giving of testimony by witnesses, and subpoenas duces tecum
4 requiring the production of books, papers, records, or
5 memoranda. All subpoenas and subpoenas duces tecum issued
6 under the terms of this Act may be served by any person of full
7 age. The fees of witnesses for attendance and travel shall be
8 the same as the fees of witnesses before the Circuit Court of
9 this State, such fees to be paid when the witness is excused
10 from further attendance. When the witness is subpoenaed at the
11 instance of the Director, or Hearing Officer, such fees shall
12 be paid in the same manner as other expenses of the Department,
13 and when the witness is subpoenaed at the instance of any other
14 party to any such proceeding, the Department may require that
15 the cost of service of the subpoena or subpoena duces tecum and
16 the fee of the witness be borne by the party at whose instance
17 the witness is summoned. In such case, the Department, in its
18 discretion, may require a deposit to cover the cost of such
19 service and witness fees. A subpoena or subpoena duces tecum
20 issued as aforesaid shall be served in the same manner as a
21 subpoena issued out of a court.

22 (e) Any Circuit Court of this State upon the application
23 of the Director, or upon the application of any other party to
24 the proceeding, may, in its discretion, compel the attendance
25 of witnesses, the production of books, papers, records, or
26 memoranda and the giving of testimony before the Director or

1 Hearing Officer conducting an investigation or holding a
2 hearing authorized by this Act, by an attachment for contempt,
3 or otherwise, in the same manner as production of evidence may
4 be compelled before the court.

5 (f) The Director or Hearing Officer, or any party in an
6 investigation or hearing before the Department, may cause the
7 depositions of witnesses within the State to be taken in the
8 manner prescribed by law for like depositions in civil actions
9 in courts of this State, and to that end compel the attendance
10 of witnesses and the production of books, papers, records, or
11 memoranda.

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

13 (210 ILCS 85/9.6)

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

16 (a) No administrator, agent, or employee of a hospital or
17 a hospital affiliate, or a member of a hospital's medical
18 staff, or any other staff providing contracted services in the
19 hospital or hospital-affiliated clinic, may abuse a patient in
20 the hospital or in a facility operated by a hospital
21 affiliate.

22 (a-1) A hospital or hospital affiliate shall adopt a
23 written policy regarding patient protection from abuse and the
24 logging and reporting of obligations under this Section. The
25 Department may periodically conduct on-site reviews of such

1 policies.

2 (b) Any hospital administrator, agent, employee, or
3 medical staff member, any hospital-affiliated clinic's
4 professional staff under the hospital's or hospital's health
5 system's ownership, or an administrator, employee, or
6 physician employed by a hospital affiliate, who is made aware
7 of allegations of abuse or reportable conduct or has
8 reasonable cause to believe that any patient with whom he or
9 she has direct contact has been subjected to abuse or
10 reportable conduct in the hospital or hospital affiliate shall
11 promptly provide an account of the allegation or belief or
12 cause an account of the allegation or belief to be provided
13 ~~report or cause a report to be made~~ to a designated hospital
14 administrator responsible for providing such reports to the
15 Department as required by this Section.

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

20 (d) Upon receiving an account ~~a report~~ under subsection
21 (b) of this Section, the hospital or hospital affiliate shall
22 immediately initiate an internal review as set forth in
23 subsection (f) of this Section. The hospital or hospital
24 affiliate shall, within 48 hours after receiving the account,
25 assess the information gathered in the internal review and
26 determine whether reasonable cause to support the account

1 exists, reasonable cause to support the account does not
2 exist, or further investigation is needed. If it determines
3 that reasonable cause to support the account exists or that
4 further investigation is needed, the hospital or hospital
5 affiliate shall submit a report of the account to the
6 Department in accordance with subsection (g) within 24 hours
7 after such determination. If it determines that reasonable
8 cause to support the account does not exist, the hospital or
9 hospital affiliate shall document and log the account, in
10 accordance with subsection (g-1), within 24 hours after such
11 determination ~~submit the report to the Department within 24~~
12 ~~hours of obtaining such report.~~ In the event that the hospital
13 or hospital affiliate receives multiple accounts ~~reports~~
14 involving a single alleged instance of abuse or reportable
15 conduct, the hospital or hospital affiliate shall submit one
16 report to the Department.

17 (d-1) If, at any time, additional evidence becomes
18 available that changes the determination of whether there was
19 reasonable cause to support the account or not, the hospital
20 or hospital affiliate shall adjust its records accordingly.
21 Specifically, (i) if the account was originally determined to
22 be supported by reasonable cause, but subsequent evidence
23 reveals that there is no reasonable cause, then the hospital
24 or hospital affiliate shall file an amendment to its report to
25 the Department so indicating, or (ii) if the account was
26 originally determined not to be supported by reasonable cause,

1 but subsequent evidence reveals that there is reasonable
2 cause, then the hospital or hospital affiliate shall, within
3 24 hours, file a report with the Department in accordance with
4 subsection (g) and update its log so indicating.

5 (d-2) If the hospital or hospital affiliate requires
6 additional time to make a determination whether there is
7 reasonable cause to support an account or not in accordance
8 with subsection (d) due to staff who need to be interviewed as
9 part of the internal review not being available due to time off
10 or not being scheduled to work, then the hospital or hospital
11 affiliate shall have an additional 24 hours within which to
12 report or log the account as required in subsection (d). In
13 such an event, the hospital or hospital affiliate shall
14 clearly note the fact in the report or log, as applicable, that
15 the additional time was due to the unavailability of staff as
16 specified in this subsection (d-2).

17 (e) Upon receiving an account under subsection (b) a
18 ~~report under this Section,~~ the hospital or hospital affiliate
19 shall promptly take necessary action ~~conduct an internal~~
20 ~~review~~ to ensure the alleged victim's safety. Measures to
21 protect the alleged victim shall be taken as deemed necessary
22 by the hospital's administrator and may include, but are not
23 limited to: (i) removing suspected violators from further
24 patient contact during the hospital's or hospital affiliate's
25 internal review; (ii) requiring a third party to accompany the
26 suspected violator while such person is engaged in patient

1 care activities; or (iii) such other measures as deemed
2 appropriate by the hospital administrator to ensure patient
3 safety. If the alleged victim lacks decision-making capacity
4 under the Health Care Surrogate Act and no health care
5 surrogate is available, the hospital or hospital affiliate may
6 contact the Illinois Guardianship and Advocacy Commission to
7 determine the need for a temporary guardian of that person.

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

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

1 (1) the name of the hospital or hospital affiliate
2 making the report and the name, address, telephone number,
3 and email address of the administrator making the report
4 on its behalf;

5 (2) the name, address, telephone number, and email
6 address of the person who is accused and, if the person is
7 professionally licensed, the profession and professional
8 license number of the person, if known;

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

12 (4) the name and age of the patient involved and the
13 nature of their condition, including any evidence of
14 previous injuries or disabilities;

15 (5) a description of the acts that are alleged to have
16 occurred, including the location, date, and time of the
17 alleged acts, and a copy of any document or file
18 containing the allegations received by the hospital or
19 hospital affiliate;

20 (6) any extenuating information or further pertinent
21 information that the reporting party deems to be an aid in
22 the evaluation of the report, including, without
23 limitation, information showing that the accused person
24 was acting in self-defense;

25 (7) a statement as to whether, at the time of the
26 filing of the report, the hospital's or hospital

1 affiliate's internal review is (i) complete or (ii)
2 ongoing and, if still ongoing, an estimated date for
3 completion; and

4 (8) if the report concerns abuse of unknown cause, any
5 other information that the reporter believes might be
6 helpful in establishing the cause of the reported abuse
7 and the identity of the person believed to have caused the
8 abuse. ~~Any other person may make a report of patient abuse~~
9 ~~to the Department if that person has reasonable cause to~~
10 ~~believe that a patient has been abused in the hospital or~~
11 ~~hospital affiliate.~~

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

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

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

25 (3) the name and age of the patient involved and the
26 nature of the patient's condition, including any evidence

1 of previous injuries or disabilities;

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

7 (5) any extenuating information or further pertinent
8 information that the reporting party deems to be an aid in
9 the evaluation of the report, including, without
10 limitation, information showing that the accused person
11 was acting in self-defense;

12 (6) if the account concerns abuse of unknown cause,
13 any other information that the reporter believes might be
14 helpful in establishing the cause of the reported abuse
15 and the identity of the person believed to have caused the
16 abuse;

17 (7) a summary of the investigation, including the
18 steps taken during the investigation;

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

22 (9) any other information that may be helpful in
23 explaining the investigation or reason for the
24 investigation's findings.

25 Commencing on December 31, 2027, hospitals shall submit
26 their logs to the Department twice per year. Additionally, the

1 Department or the Department of Financial and Professional
2 Regulation may request to review a hospital's log at any time
3 and from time to time, and the hospital shall provide such
4 logs.

5 (h) Any other person may make a report of patient abuse or
6 reportable conduct to the Department if that person has
7 reasonable cause to believe that a patient has been abused or
8 otherwise harmed in the hospital or hospital affiliate. The
9 ~~report required under this Section shall include: the name of~~
10 ~~the patient; the name and address of the hospital or hospital~~
11 ~~affiliate treating the patient; the age of the patient; the~~
12 ~~nature of the patient's condition, including any evidence of~~
13 ~~previous injuries or disabilities; and any other information~~
14 ~~that the reporter believes might be helpful in establishing~~
15 ~~the cause of the reported abuse and the identity of the person~~
16 ~~believed to have caused the abuse.~~

17 (i) A report made under this Section does not create a
18 presumption that the hospital or hospital affiliate that has
19 submitted the report, or the persons against whom the
20 allegations in the report are made, has committed a violation
21 or a criminal act. Except for willful or wanton misconduct,
22 any individual, person, institution, hospital, hospital
23 affiliate, or agency participating in good faith in the making
24 of a report under this Section, or in the investigation of such
25 a report or in making a disclosure of information concerning
26 reports of abuse or reportable conduct under this Section,

1 shall have immunity from any liability, whether civil,
2 professional, or criminal, that otherwise might result by
3 reason of such actions, including, but not limited to, any
4 defamation actions or tortious interference with contract
5 action. For the purpose of any proceedings, whether civil,
6 professional, or criminal, the good faith of any persons
7 required to report cases of suspected abuse or reportable
8 conduct under this Section or who disclose information
9 concerning reports of abuse or reportable conduct in
10 compliance with this Section, shall be presumed.

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

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

19 (l) The Department shall investigate each report ~~of~~
20 ~~patient abuse~~ made under this Section according to the
21 procedures of the Department and review all logs submitted by
22 hospitals twice per year, except that a report ~~of abuse~~ which
23 indicates that a patient's life or safety is in imminent
24 danger shall be investigated within 24 hours of such report.
25 Under no circumstances may a hospital's or hospital
26 affiliate's internal review of an allegation of abuse replace

1 an investigation of the allegation by the Department. Within
2 30 days after receiving such a report, the Department shall
3 provide the reporting organization with an update as to the
4 status of the report indicating that the Department has
5 completed the investigation or that the investigation is still
6 ongoing. Thereafter, reporting organizations may contact the
7 Department for updates as to status of reports and anticipated
8 time frames for final disposition. The Department shall
9 respond to all requests for a status update within 10 days.

10 (m) The Department shall keep a continuing record of all
11 reports made pursuant to this Section, including indications
12 of the final determination of any investigation and the final
13 disposition of all reports. The Department shall inform the
14 investigated hospital or hospital affiliate and any other
15 person making a report under subsection (h) ~~(g)~~ of its final
16 determination or disposition in writing.

17 (n) The Department shall not disclose to the public any
18 information regarding any reports and investigations under
19 this Section unless and until the report ~~of abuse~~ is
20 substantiated following a full and proper investigation and a
21 final Department decision has been made.

22 (o) All patient identifiable information in any report or
23 investigation under this Section shall be confidential and
24 shall not be disclosed except as authorized by this Act or
25 other applicable law.

26 (p) Nothing in this Section relieves a hospital or

1 hospital affiliate administrator, or an employee, agent, or
2 medical staff member of the hospital or hospital affiliate
3 administrator from contacting appropriate law enforcement
4 authorities as required by law.

5 (q) Nothing in this Section shall be construed to mean
6 that a patient is a victim of abuse because of health care
7 services provided or not provided by health care
8 professionals.

9 (r) Nothing in this Section shall require a hospital or
10 hospital affiliate, including its employees, agents, and
11 medical staff members, to provide any services to a patient in
12 contravention of his or her stated or implied objection
13 thereto upon grounds that such services conflict with his or
14 her religious beliefs or practices, nor shall such a patient
15 be considered abused under this Section for the exercise of
16 such beliefs or practices.

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

19 (t) As used in this Section, the following terms have the
20 following meanings:

21 "Abuse" means any physical or mental injury or sexual
22 abuse intentionally inflicted by a hospital or hospital
23 affiliate employee, agent, or medical staff member on a
24 patient of the hospital or hospital affiliate and does not
25 include any hospital or hospital affiliate, medical, health
26 care, or other personal care services done in good faith in the

1 interest of the patient according to established medical and
2 clinical standards of care.

3 "Hospital affiliate" has the meaning given to that term in
4 Section 10.8.

5 "Mental injury" means intentionally caused emotional
6 distress in a patient from words or gestures that would be
7 considered by a reasonable person to be humiliating,
8 harassing, or threatening and which causes observable and
9 substantial impairment.

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

14 "Reportable conduct" means conduct that a person who is
15 working for or at the hospital or hospital affiliate has a duty
16 to report under Section 2105-390 of the Department of
17 Professional Regulation Law of the Civil Administrative Code
18 of Illinois.

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

21 "Sexual abuse" means any intentional act of sexual contact
22 or sexual penetration of a patient in the hospital or any
23 instance of sexual conduct.

24 "Substantiated", with respect to a report of abuse, means
25 that a preponderance of the evidence indicates that abuse
26 occurred.

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

2 Section 15. The Acupuncture Practice Act is amended by
3 changing Section 110 as follows:

4 (225 ILCS 2/110)

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

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

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

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

23 (3) Making any misrepresentation for the purpose of
24 obtaining a license.

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

3 (5) Failing to provide information within 60 days in
4 response to a written request made by the Department which
5 has been sent by certified or registered mail to the
6 licensee's address of record or by email to the licensee's
7 email address of record.

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

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

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

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

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

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

23 (12) A pattern of practice or other behavior that
24 demonstrates incapacity or incompetence to practice under
25 this Act.

26 (13) Being named as a perpetrator in an indicated

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

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

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

24 When the name of the licensed acupuncturist is used
25 professionally in oral, written, or printed announcements,
26 professional cards, or publications for the information of

1 the public, the degree title or degree abbreviation shall
2 be added immediately following title and name. When the
3 announcement, professional card, or publication is in
4 writing or in print, the explanatory addition shall be in
5 writing, type, or print not less than 1/2 the size of that
6 used in the name and title. No person other than the holder
7 of a valid existing license under this Act shall use the
8 title and designation of "acupuncturist", either directly
9 or indirectly, in connection with his or her profession or
10 business.

11 (16) Using claims of superior quality of care to
12 entice the public or advertising fee comparisons of
13 available services with those of other persons providing
14 acupuncture services.

15 (17) Advertising of professional services that the
16 offeror of the services is not licensed to render.
17 Advertising of professional services that contains false,
18 fraudulent, deceptive, or misleading material or
19 guarantees of success, statements that play upon the
20 vanity or fears of the public, or statements that promote
21 or produce unfair competition.

22 (18) Having treated ailments other than by the
23 practice of acupuncture as defined in this Act, or having
24 treated ailments ~~of~~ as a licensed acupuncturist pursuant
25 to a referral by written order that provides for
26 management of the patient by a physician or dentist

1 without having notified the physician or dentist who
2 established the diagnosis that the patient is receiving
3 acupuncture treatments.

4 (19) Unethical, unauthorized, or unprofessional
5 conduct as defined by rule.

6 (20) Physical illness, mental illness, or other
7 impairment that results in the inability to practice the
8 profession with reasonable judgment, skill, and safety,
9 including, without limitation, deterioration through the
10 aging process, mental illness, or disability.

11 (21) Violation of the Health Care Worker Self-Referral
12 Act.

13 (22) Failure to refer a patient whose condition
14 should, at the time of evaluation or treatment, be
15 determined to be beyond the scope of practice of the
16 acupuncturist to a licensed physician or dentist.

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

1 Department.

2 (24) Failure 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 The entry of an order by a circuit court establishing that
7 any person holding a license under this Act is subject to
8 involuntary admission or judicial admission as provided for in
9 the Mental Health and Developmental Disabilities Code operates
10 as an automatic suspension of that license. That person may
11 have his or her license restored only upon the determination
12 by a circuit court that the patient is no longer subject to
13 involuntary admission or judicial admission and the issuance
14 of an order so finding and discharging the patient and upon the
15 Board's recommendation to the Department that the license be
16 restored. Where the circumstances so indicate, the Board may
17 recommend to the Department that it require an examination
18 prior to restoring a suspended license.

19 The Department may refuse to issue or renew the license of
20 any person who fails to (i) file a return or to pay the tax,
21 penalty, or interest shown in a filed return or (ii) pay any
22 final assessment of the tax, penalty, or interest as required
23 by any tax Act administered by the Illinois Department of
24 Revenue, until the time that the requirements of that tax Act
25 are satisfied.

26 In enforcing this Section, the Department upon a showing

1 of a possible violation may compel an individual licensed to
2 practice under this Act, or who has applied for licensure
3 under this Act, to submit to a mental or physical examination,
4 or both, as required by and at the expense of the Department.
5 The Department may order the examining physician to present
6 testimony concerning the mental or physical examination of the
7 licensee or applicant. No information shall be excluded by
8 reason of any common law or statutory privilege relating to
9 communications between the licensee or applicant and the
10 examining physician. The examining physicians shall be
11 specifically designated by the Department. The individual to
12 be examined may have, at his or her own expense, another
13 physician of his or her choice present during all aspects of
14 this examination. Failure of an individual to submit to a
15 mental or physical examination, when directed, shall be
16 grounds for suspension of his or her license until the
17 individual submits to the examination if the Department finds,
18 after notice and hearing, that the refusal to submit to the
19 examination was without reasonable cause.

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, restored, or renewed licensure to practice; or, in
26 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, restored, 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 and Board shall have the authority to
15 review the subject individual's record of treatment and
16 counseling regarding the impairment to the extent permitted by
17 applicable 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 (Source: P.A. 100-375, eff. 8-25-17; 101-201, eff. 1-1-20;
25 revised 6-24-25.)

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

3 (225 ILCS 5/16) (from Ch. 111, par. 7616)

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

5 Sec. 16. Grounds for discipline.

6 (1) The Department may refuse to issue or renew, or may
7 revoke, suspend, place on probation, reprimand, or take other
8 disciplinary or non-disciplinary action as the Department may
9 deem proper, including fines not to exceed \$10,000 for each
10 violation, with regard to any licensee for any one or
11 combination of the following:

12 (A) Material misstatement in furnishing information to
13 the Department;

14 (B) Violations of this Act, or of the rules or
15 regulations promulgated hereunder;

16 (C) Conviction of or plea of guilty to any crime under
17 the Criminal Code of 2012 or the laws of any jurisdiction
18 of the United States that is (i) a felony, (ii) a
19 misdemeanor, an essential element of which is dishonesty,
20 or (iii) of any crime that is directly related to the
21 practice of the profession;

22 (D) Fraud or any misrepresentation in applying for or
23 procuring a license under this Act, or in connection with
24 applying for renewal of a license under this Act;

25 (E) Professional incompetence or gross negligence;

1 (F) Malpractice;

2 (G) Aiding or assisting another person, firm,
3 partnership, or corporation in violating any provision of
4 this Act or rules;

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

7 (I) Engaging in dishonorable, unethical, or
8 unprofessional conduct of a character likely to deceive,
9 defraud or harm the public;

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

14 (K) Discipline by another state, unit of government,
15 government agency, the District of Columbia, territory, or
16 foreign nation, if at least one of the grounds for the
17 discipline is the same or substantially equivalent to
18 those set forth herein;

19 (L) Directly or indirectly giving to or receiving from
20 any person, firm, corporation, partnership, or association
21 any fee, commission, rebate, or other form of compensation
22 for any professional services not actually or personally
23 rendered. Nothing in this subparagraph (L) affects any
24 bona fide independent contractor or employment
25 arrangements among health care professionals, health
26 facilities, health care providers, or other entities,

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

9 (M) A finding by the Department that the licensee
10 after having the licensee's license disciplined has
11 violated the terms of probation;

12 (N) Abandonment of an athlete;

13 (O) Willfully making or filing false records or
14 reports in the person's practice, including but not
15 limited to false records filed with State agencies or
16 departments;

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

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

24 (R) Solicitation of professional services other than
25 by permitted institutional policy;

26 (S) The use of any words, abbreviations, figures or

1 letters with the intention of indicating practice as an
2 athletic trainer without a valid license as an athletic
3 trainer under this Act;

4 (T) The evaluation or treatment of ailments of human
5 beings other than by the practice of athletic training as
6 defined in this Act or the treatment of injuries of
7 athletes by a licensed athletic trainer except by the
8 referral of a physician, physician assistant, advanced
9 practice registered nurse, podiatric physician, or
10 dentist;

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

14 (V) Willfully violating or knowingly assisting in the
15 violation of any law of this State relating to the
16 practice of abortion;

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

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

1 (X-5) Failure to provide a monthly report on the
2 patient's progress to the referring physician, physician
3 assistant, advanced practice registered nurse, podiatric
4 physician, or dentist;

5 (Y) (Blank);

6 (Z) Failure to fulfill continuing education
7 requirements;

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

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

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

15 (DD) Gross, willful, or continued overcharging for
16 professional services;

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

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

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

24 (HH) Failure by a supervising athletic trainer of an
25 aide to maintain contact, including personal supervision
26 and instruction, to ensure the safety and welfare of an

1 athlete; or.

2 (II) Failure 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 All fines imposed under this Section shall be paid within
7 60 days after the effective date of the order imposing the fine
8 or in accordance with the terms set forth in the order imposing
9 the fine.

10 (2) 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. Such suspension will
14 end only upon a finding by a court that the licensee is no
15 longer subject to involuntary admission or judicial admission
16 and issuance of an order so finding and discharging the
17 licensee.

18 (3) 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, to pay the tax, penalty, or interest shown in a filed
22 return, or to pay any final assessment of 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 (a) of Section 2105-15 of the Department of

1 Professional Regulation Law of the Civil Administrative Code
2 of Illinois.

3 (4) In enforcing this Section, the Department, upon a
4 showing of a possible violation, may compel any individual who
5 is licensed under this Act or any individual who has applied
6 for licensure to submit to a mental or physical examination or
7 evaluation, or both, which may include a substance abuse or
8 sexual offender evaluation, at the expense of the Department.
9 The Department shall specifically designate the examining
10 physician licensed to practice medicine in all of its branches
11 or, if applicable, the multidisciplinary team involved in
12 providing the mental or physical examination and evaluation.
13 The multidisciplinary team shall be led by a physician
14 licensed to practice medicine in all of its branches and may
15 consist of one or more or a combination of physicians licensed
16 to practice medicine in all of its branches, licensed
17 chiropractic physicians, licensed clinical psychologists,
18 licensed clinical social workers, licensed clinical
19 professional counselors, and other professional and
20 administrative staff. Any examining physician or member of the
21 multidisciplinary team may require any person ordered to
22 submit to an examination and evaluation pursuant to this
23 Section to submit to any additional supplemental testing
24 deemed necessary to complete any examination or evaluation
25 process, including, but not limited to, blood testing,
26 urinalysis, psychological testing, or neuropsychological

1 testing.

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

25 Failure of any individual to submit to a mental or
26 physical examination or evaluation, or both, when directed,

1 shall result in an automatic suspension without hearing, until
2 such time as the individual submits to the examination. If the
3 Department finds a licensee unable to practice because of the
4 reasons set forth in this Section, the Department shall
5 require the licensee to submit to care, counseling, or
6 treatment by physicians approved or designated by the
7 Department as a condition for continued, reinstated, or
8 renewed licensure.

9 All substance-related violations shall mandate an
10 automatic substance abuse assessment. Failure to submit to an
11 assessment by a licensed physician who is certified as an
12 addictionist or an advanced practice registered nurse with a
13 specialty certification in addictions may be grounds for an
14 automatic suspension.

15 If the Department finds an individual unable to practice
16 or unfit for duty because of the reasons set forth in this
17 Section, the Department may require the individual to submit
18 to a substance abuse evaluation or treatment by individuals or
19 programs approved or designated by the Department, as a
20 condition, term, or restriction for continued, restored, or
21 renewed licensure to practice; or, in lieu of evaluation or
22 treatment, the Department may file a complaint to immediately
23 suspend, revoke, or otherwise discipline the license of the
24 individual. An individual whose license was granted,
25 continued, restored, renewed, disciplined, or supervised
26 subject to such terms, conditions, or restrictions, and who

1 fails to comply with such terms, conditions, or restrictions,
2 shall be referred to the Secretary for a determination as to
3 whether the individual shall have the registration suspended
4 immediately, pending a hearing by the Department.

5 When the Secretary immediately suspends a license under
6 this Section, a hearing upon such person's license must be
7 convened by the Department within 15 days after the suspension
8 and completed without appreciable delay. The Department shall
9 have the authority to review the licensee's record of
10 treatment and counseling regarding the impairment to the
11 extent permitted by applicable federal statutes and
12 regulations safeguarding the confidentiality of medical
13 records.

14 Individuals licensed under this Act who are affected under
15 this Section shall be afforded an opportunity to demonstrate
16 to the Department that they can resume practice in compliance
17 with acceptable and prevailing standards under the provisions
18 of their license.

19 (5) (Blank).

20 (6) In cases where the Department of Healthcare and Family
21 Services has previously determined a licensee or a potential
22 licensee is more than 30 days delinquent in the payment of
23 child support and has subsequently certified the delinquency
24 to the Department, the Department may refuse to issue or renew
25 or may revoke or suspend that person's license or may take
26 other disciplinary action against that person based solely

1 upon the certification of delinquency made by the Department
2 of Healthcare and Family Services in accordance with paragraph
3 (5) of subsection (a) of Section 2105-15 of the Department of
4 Professional Regulation Law of the Civil Administrative Code
5 of Illinois.

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

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

9 (225 ILCS 6/60)

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

11 Sec. 60. Grounds for disciplinary action.

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

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

23 (2) violations or negligent or intentional disregard
24 of this Act or its rules;

1 (3) conviction of or entry of a plea of guilty or nolo
2 contendere, finding of guilt, jury verdict, or entry of
3 judgment or sentencing, 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 that is
7 (i) a felony or (ii) a misdemeanor, an essential element
8 of which is dishonesty, or that is directly related to the
9 practice of behavior analysis;

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

14 (5) professional incompetence;

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

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

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

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

25 (10) habitual or excessive use or abuse of drugs
26 defined in law as controlled substances, of alcohol, or of

1 any other substances that results in the inability to
2 practice with reasonable judgment, skill, or safety;

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

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 service not actually
11 rendered; nothing in this paragraph 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 paragraph shall be construed to
20 require an employment arrangement to receive professional
21 fees for services rendered;

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

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

1 (15) willfully making or filing false records or
2 reports relating to a licensee's practice, including, but
3 not limited to, false records filed with federal or State
4 agencies or departments;

5 (16) 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 (17) being named as a perpetrator in an indicated
9 report by the Department of Children and Family Services
10 under the Abused and Neglected Child Reporting Act and
11 upon the indicated report becoming final after a hearing
12 or opportunity for a hearing; ~~and upon proof by clear and~~
13 ~~convincing evidence that the licensee has caused a child~~
14 ~~to be an abused child or neglected child as defined in the~~
15 ~~Abused and Neglected Child Reporting Act;~~

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

21 (19) solicitation of professional services by using
22 false or misleading advertising;

23 (20) violation of the Health Care Worker Self-Referral
24 Act;

25 (21) willfully failing to report an instance of
26 suspected abuse, neglect, financial exploitation, or

1 self-neglect of an eligible adult as defined in and
2 required by the Adult Protective Services Act; ~~or~~

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

9 (23) failing 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 (b) 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 shall result in an automatic suspension of the licensee's
17 license. The suspension shall end upon a finding by a court
18 that the licensee is no longer subject to involuntary
19 admission or judicial admission and issues an order so finding
20 and discharging the patient, and upon the recommendation of
21 the Board to the Secretary that the licensee be allowed to
22 resume professional practice.

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

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

6 (c-1) The Department shall not revoke, suspend, place on
7 probation, reprimand, refuse to issue or renew, or take any
8 other disciplinary or non-disciplinary action against a
9 person's authorization to practice under this Act based solely
10 upon the person recommending, aiding, assisting, referring
11 for, or participating in any health care service, so long as
12 the care was not unlawful under the laws of this State,
13 regardless of whether the client was a resident of this State
14 or another state.

15 (c-2) The Department shall not revoke, suspend, place on
16 prohibition, 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 upon
19 the person's license, registration, or permit being revoked or
20 suspended, or the person being otherwise disciplined, by any
21 other state if that revocation, suspension, or other form of
22 discipline was based solely on the person violating another
23 state's laws prohibiting the provision of, authorization of,
24 recommendation of, aiding or assisting in, referring for, or
25 participation in any health care service if that health care
26 service as provided would not have been unlawful under the

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

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

6 (c-4) 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's license, registration, or
11 permit being revoked or suspended, or the person being
12 otherwise disciplined, by any other state or territory other
13 than Illinois for the referral for or having otherwise
14 participated in any health care service, if the revocation,
15 suspension, or disciplinary action was based solely on a
16 violation of the other state's law prohibiting such health
17 care services in the state, for a resident of the state, or in
18 any other state.

19 (d) In enforcing this Section, the Department, upon a
20 showing of a possible violation, may compel a person licensed
21 to 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, which may include a substance abuse or sexual
24 offender evaluation, as required by and at the expense of the
25 Department.

26 (1) The Department shall specifically designate the

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

18 (2) The Department may order the examining physician
19 or any member of the multidisciplinary team to present
20 testimony concerning this mental or physical examination
21 of the licensee or applicant. No information, report,
22 record, or other documents in any way related to the
23 examination shall be excluded by reason of any common law
24 or statutory privilege relating to communications between
25 the licensee or applicant and the examining physician or
26 any member of the multidisciplinary team. No authorization

1 is necessary from the licensee or applicant ordered to
2 undergo an examination for the examining physician or any
3 member of the multidisciplinary team to provide
4 information, reports, records, or other documents or to
5 provide any testimony regarding the examination and
6 evaluation.

7 (3) The person to be examined may have, at the
8 person's own expense, another physician of the person's
9 choice present during all aspects of the examination.
10 However, that physician shall be present only to observe
11 and may not interfere in any way with the examination.

12 (4) The failure of any person to submit to a mental or
13 physical examination without reasonable cause, when
14 ordered, shall result in an automatic suspension of the
15 person's license until the person submits to the
16 examination.

17 (e) If the Department finds a person unable to practice
18 because of the reasons set forth in this Section, the
19 Department or Board may require that person to submit to care,
20 counseling, or treatment by physicians approved or designated
21 by the Department or Board, as a condition, term, or
22 restriction for continued, reinstated, or renewed licensure to
23 practice; or, in lieu of care, counseling, or treatment, the
24 Department may file, or the Board may recommend to the
25 Department to file, a complaint to immediately suspend,
26 revoke, or otherwise discipline the license of the person. Any

1 person whose license was granted, continued, reinstated,
2 renewed, disciplined, or supervised subject to the terms,
3 conditions, or restrictions, and who fails to comply with the
4 terms, conditions, or restrictions, shall be referred to the
5 Secretary for a determination as to whether the person shall
6 have the person's license suspended immediately, pending a
7 hearing by the Department.

8 (f) All fines imposed shall be paid within 60 days after
9 the effective date of the order imposing the fine or in
10 accordance with the terms set forth in the order imposing the
11 fine.

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

21 A person licensed under this Act and affected under this
22 Section shall be afforded an opportunity to demonstrate to the
23 Department or Board that the person can resume practice in
24 compliance with acceptable and prevailing standards under the
25 provisions of the person's license.

26 (g) The Department may adopt rules to implement,

1 administer, and enforce this Section.

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

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

5 (225 ILCS 15/15) (from Ch. 111, par. 5365)

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

7 Sec. 15. Disciplinary action; grounds.

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

15 (1) Conviction of, or entry of a plea of guilty or nolo
16 contendere to, any crime that is a felony under the laws of
17 the United States or any state or territory thereof or
18 that is a misdemeanor of which an essential element is
19 dishonesty, or any crime that is directly related to the
20 practice of the profession.

21 (2) Gross negligence in the rendering of clinical
22 psychological services.

23 (3) Using fraud or making any misrepresentation in
24 applying for a license or in passing the examination

1 provided for in this Act.

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

6 (5) Violation of any provision of this Act or the
7 rules promulgated thereunder.

8 (6) Professional connection or association with any
9 person, firm, association, partnership or corporation
10 holding himself, herself, themselves, or itself out in any
11 manner contrary to this Act.

12 (7) Unethical, unauthorized, or unprofessional conduct
13 as defined by rule. In establishing those rules, the
14 Department shall consider, though is not bound by, the
15 ethical standards for psychologists promulgated by
16 recognized national psychology associations.

17 (8) Aiding or assisting another person in violating
18 any provisions of this Act or the rules promulgated
19 thereunder.

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

22 (10) Habitual or excessive use or addiction to
23 alcohol, narcotics, stimulants, or any other chemical
24 agent or drug that results in a clinical psychologist's
25 inability to practice with reasonable judgment, skill, or
26 safety.

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

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

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

23 (14) Willfully making or filing false records or
24 reports, including, but not limited to, false records or
25 reports filed with State agencies or departments.

26 (15) Physical illness, including, but not limited to,

1 deterioration through the aging process, mental illness,
2 or disability that results in the inability to practice
3 the profession with reasonable judgment, skill, and
4 safety.

5 (16) 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 (17) 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 (18) Violation of the Health Care Worker Self-Referral
17 Act.

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

21 (20) Failing to report to the Department any adverse
22 judgment, settlement, or award arising from a liability
23 claim related to an act or conduct similar to an act or
24 conduct that would constitute grounds for action as set
25 forth in this Section.

26 (21) Failing to report to the Department any adverse

1 final action taken against a licensee or applicant by
2 another licensing jurisdiction, including any other state
3 or territory of the United States or any foreign state or
4 country, or any peer review body, health care institution,
5 professional society or association related to the
6 profession, governmental agency, law enforcement agency,
7 or court for an act or conduct similar to an act or conduct
8 that would constitute grounds for disciplinary action as
9 set forth in this Section.

10 (22) Prescribing, selling, administering,
11 distributing, giving, or self-administering (A) any drug
12 classified as a controlled substance (designated product)
13 for other than medically accepted therapeutic purposes or
14 (B) any narcotic drug.

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

18 (24) Exceeding the terms of a collaborative agreement
19 or the prescriptive authority delegated to a licensee by
20 his or her collaborating physician or established under a
21 written collaborative agreement.

22 (25) 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 The entry of an order by any circuit court establishing

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

14 The Department shall refuse to issue or suspend the
15 license of any person who fails to file a return, or to pay the
16 tax, penalty, or interest shown in a filed return, or to pay
17 any final assessment of the 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.

21 In enforcing this Section, the Department or Board upon a
22 showing of a possible violation may compel any person licensed
23 to practice under this Act, or who has applied for licensure or
24 certification pursuant to this Act, to submit to a mental or
25 physical examination, or both, as required by and at the
26 expense of the Department. The examining physicians or

1 clinical psychologists shall be those specifically designated
2 by the Department. The Board or the Department may order the
3 examining physician or clinical psychologist to present
4 testimony concerning this mental or physical examination of
5 the licensee or applicant. No information shall be excluded by
6 reason of any common law or statutory privilege relating to
7 communications between the licensee or applicant and the
8 examining physician or clinical psychologist. The person to be
9 examined may have, at his or her own expense, another
10 physician or clinical psychologist of his or her choice
11 present during all aspects of the examination. Failure of any
12 person to submit to a mental or physical examination, when
13 directed, shall be grounds for suspension of a license until
14 the person submits to the examination if the Department or
15 Board finds, after notice and hearing, that the refusal to
16 submit to the examination was without reasonable cause.

17 If the Department or Board finds a person unable to
18 practice because of the reasons set forth in this Section, the
19 Department or Board may require that person to submit to care,
20 counseling, or treatment by physicians or clinical
21 psychologists approved or designated by the Department, as a
22 condition, term, or restriction for continued, reinstated, or
23 renewed licensure to practice; or, in lieu of care,
24 counseling, or treatment, the Board may recommend to the
25 Department to file or the Department may file a complaint to
26 immediately suspend, revoke, or otherwise discipline the

1 license of the person. Any person whose license was granted,
2 continued, reinstated, renewed, disciplined, or supervised
3 subject to such terms, conditions, or restrictions, and who
4 fails to comply with such terms, conditions, or restrictions,
5 shall be referred to the Secretary for a determination as to
6 whether the person shall have his or her license suspended
7 immediately, pending a hearing by the Board.

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

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

22 (b) The Department shall not revoke, suspend, place on
23 probation, reprimand, refuse to issue or renew, or take any
24 other disciplinary or non-disciplinary action against a
25 person's authorization to practice under this Act based solely
26 upon the person recommending, aiding, assisting, referring

1 for, or participating in any health care service, so long as
2 the care was not unlawful under the laws of this State,
3 regardless of whether the patient was a resident of this State
4 or another state.

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

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

22 (e) The Department shall not revoke, suspend, summarily
23 suspend, place on prohibition, reprimand, refuse to issue or
24 renew, or take any other disciplinary or non-disciplinary
25 action against a person's authorization to practice under this
26 Act based solely upon the license, registration, or permit of

1 the person being suspended or revoked, or the person being
2 otherwise disciplined, by any other state or territory other
3 than Illinois for the referral for or having otherwise
4 participated in any health care service, if the revocation,
5 suspension, or other disciplinary action was based solely on a
6 violation of the other state's law prohibiting such health
7 care services in the state, for a resident of the state, or in
8 any other state.

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

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

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

14 (225 ILCS 20/19)

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

16 Sec. 19. Grounds for disciplinary action.

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

24 (a) material misstatements in furnishing information

1 to the Department or to any other State agency or in
2 furnishing information to any insurance company with
3 respect to a claim on behalf of a licensee or a patient;

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

6 (c) conviction of or entry of a plea of guilty or nolo
7 contendere, finding of guilt, jury verdict, or entry of
8 judgment or sentencing, 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 that is
12 (i) a felony or (ii) a misdemeanor, an essential element
13 of which is dishonesty, or that is directly related to the
14 practice of the clinical social work or social work
15 professions;

16 (d) fraud or misrepresentation in applying for or
17 procuring a license under this Act or in connection with
18 applying for renewal or restoration of a license under
19 this Act;

20 (e) professional incompetence;

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

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

24 (h) failing to provide information within 60 days 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 as defined by the rules of the
3 Department, or violating the rules of professional conduct
4 adopted by the Department;

5 (j) habitual or excessive use or abuse of drugs
6 defined in law as controlled substances, of alcohol, or of
7 any other substances that results in the inability to
8 practice with reasonable judgment, skill, or safety;

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

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

1 fees for services rendered;

2 (m) a finding by the Department that the licensee,
3 after having the license placed on probationary status,
4 has violated the terms of probation or failed to comply
5 with such terms;

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

7 (o) willfully making or filing false records or
8 reports relating to a licensee's practice, including, but
9 not limited to, false records filed with federal or State
10 agencies or departments;

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

22 (r) physical illness, mental illness, or any other
23 impairment or disability, including, but not limited to,
24 deterioration through the aging process, or loss of motor
25 skills that results in the inability to practice the
26 profession with reasonable judgment, skill, or safety;

1 (s) solicitation of professional services by using
2 false or misleading advertising;

3 (t) violation of the Health Care Worker Self-Referral
4 Act;

5 (u) 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; ~~or~~

9 (v) 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; or ~~or~~

15 (w) 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 (2) (Blank).

20 (3) 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, will result in an automatic suspension of the licensee's
24 license. Such suspension will end upon a finding by a court
25 that the licensee is no longer subject to involuntary
26 admission or judicial admission and the issuance of ~~issues~~ an

1 order so finding and discharging the patient, and upon the
2 recommendation of the Board to the Secretary that the licensee
3 be allowed to resume professional practice.

4 (4) The Department shall refuse to issue or renew or may
5 suspend the license of a person who (i) fails to file a return,
6 pay the tax, penalty, or interest shown in a filed return, or
7 pay any final assessment of tax, penalty, or interest, as
8 required by any tax Act administered by the Department of
9 Revenue, until the requirements of the tax Act are satisfied
10 or (ii) has failed to pay any court-ordered child support as
11 determined by a court order or by referral from the Department
12 of Healthcare and Family Services.

13 (4.5) The Department shall 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 solely upon the person authorizing, recommending,
18 aiding, assisting, referring for, or otherwise participating
19 in any health care service, so long as the care was not
20 unlawful under the laws of this State, regardless of whether
21 the patient was a resident of this State or another state.

22 (4.10) The Department shall not revoke, suspend, summarily
23 suspend, place on prohibition, reprimand, refuse to issue or
24 renew, or take any other disciplinary or non-disciplinary
25 action against a person's authorization to practice under this
26 Act based upon the person's license, registration, or permit

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

11 (4.15) The conduct specified in subsection (4.5), (4.10),
12 (4.25), or (4.30) shall not constitute grounds for suspension
13 under Section 32.

14 (4.20) An applicant seeking licensure, certification, or
15 authorization pursuant to this Act 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 authorized, recommended, aided, assisted,
19 referred for, or otherwise participated in health care shall
20 not be denied such licensure, certification, or authorization,
21 unless the Department determines that such action would have
22 constituted professional misconduct in this State; however,
23 nothing in this Section shall be construed as prohibiting the
24 Department from evaluating the conduct of such applicant and
25 making a determination regarding the licensure, certification,
26 or authorization to practice a profession under this Act.

1 (4.25) The Department may not revoke, suspend, summarily
2 suspend, place on prohibition, reprimand, refuse to issue or
3 renew, or take any other disciplinary or non-disciplinary
4 action against a person's authorization to practice under this
5 Act based solely upon an immigration violation by the person.

6 (4.30) The Department may 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 upon
14 an immigration violation by the person.

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

22 (b) The Department shall specifically designate the
23 examining physician licensed to practice medicine in all of
24 its branches or, if applicable, the multidisciplinary team
25 involved in providing the mental or physical examination or
26 both. The multidisciplinary team shall be led by a physician

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

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

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

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

10 (f) 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 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 such terms,
22 conditions, or restrictions, and who fails to comply with such
23 terms, conditions, or restrictions, shall be referred to the
24 Secretary for a determination as to whether the person's
25 license shall be suspended immediately, pending a hearing by
26 the Department.

1 (g) 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 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 30
8 days after the suspension and completed without appreciable
9 delay. The Department and Board shall have the authority to
10 review the subject person's record of treatment and counseling
11 regarding the impairment, to the extent permitted by
12 applicable federal statutes and regulations safeguarding the
13 confidentiality of 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 (h) The Department may adopt rules to implement,
20 administer, and enforce this Section ~~Public Act 102-1117~~.

21 (Source: P.A. 103-715, eff. 1-1-25; 103-1048, eff. 1-1-25;
22 104-417, eff. 8-15-25; 104-432, eff. 1-1-26; revised 9-15-25.)

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

1 (225 ILCS 25/23) (from Ch. 111, par. 2323)

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

3 Sec. 23. Refusal, revocation or suspension of dental
4 licenses. The Department may refuse to issue or renew, or may
5 revoke, suspend, place on probation, reprimand or take other
6 disciplinary or non-disciplinary action as the Department may
7 deem proper, including imposing fines not to exceed \$10,000
8 per violation, with regard to any license for any one or any
9 combination of the following causes:

10 1. Fraud, misrepresentation, or concealment in
11 applying for or procuring a license under this Act, or in
12 connection with applying for renewal of a license under
13 this Act.

14 2. 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 3. Willful or repeated violations of the rules of the
19 Department of Public Health or Department of Nuclear
20 Safety.

21 4. Acceptance of a fee for service as a witness,
22 without the knowledge of the court, in addition to the fee
23 allowed by the court.

24 5. Division of fees or agreeing to split or divide the
25 fees received for dental services with any person for
26 bringing or referring a patient, except in regard to

1 referral services as provided for under Section 45, or
2 assisting in the care or treatment of a patient, without
3 the knowledge of the patient or the patient's legal
4 representative. Nothing in this item 5 affects any bona
5 fide independent contractor or employment arrangements
6 among health care professionals, health facilities, health
7 care 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 item 5 shall be construed to require
13 an employment arrangement to receive professional fees for
14 services rendered.

15 6. Employing, procuring, inducing, aiding or abetting
16 a person not licensed or registered as a dentist or dental
17 hygienist to engage in the practice of dentistry or dental
18 hygiene. The person practiced upon is not an accomplice,
19 employer, procurer, inducer, aider, or abetter within the
20 meaning of this Act.

21 7. Making any misrepresentations or false promises,
22 directly or indirectly, to influence, persuade or induce
23 dental patronage.

24 8. Professional connection or association with or
25 lending the licensee's name to another for the illegal
26 practice of dentistry by another, or professional

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

4 9. Obtaining or seeking to obtain practice, money, or
5 any other things of value by false or fraudulent
6 representations, but not limited to, engaging in such
7 fraudulent practice to defraud the medical assistance
8 program of the Department of Healthcare and Family
9 Services (formerly Department of Public Aid) under the
10 Illinois Public Aid Code.

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

13 11. Engaging in dishonorable, unethical, or
14 unprofessional conduct of a character likely to deceive,
15 defraud, or harm the public.

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

25 13. Permitting a dental hygienist, dental assistant or
26 other person under the licensee's supervision to perform

1 any operation not authorized by this Act.

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

4 15. A violation of any provision of this Act or any
5 rules promulgated under this Act.

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

8 17. Violating any provision of Section 45 relating to
9 advertising.

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

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

17 20. Gross negligence in practice under this Act.

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

22 22. Willfully making or filing false records or
23 reports in the licensee's practice as a dentist,
24 including, but not limited to, false records to support
25 claims against the dental assistance program of the
26 Department of Healthcare and Family Services (formerly

1 Illinois Department of Public Aid).

2 23. Professional incompetence as manifested by poor
3 standards of care.

4 24. Physical or mental illness, including, but not
5 limited to, deterioration through the aging process, or
6 loss of motor skills which results in a dentist's
7 inability to practice dentistry with reasonable judgment,
8 skill or safety. In enforcing this paragraph, the
9 Department may compel a person licensed to practice under
10 this Act to submit to a mental or physical examination
11 pursuant to the terms and conditions of Section 23b.

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

15 (a) Reporting excessive charges for the purpose of
16 obtaining a total payment in excess of that usually
17 received by the dentist for the services rendered.

18 (b) Reporting charges for services not rendered.

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

21 26. Continuing the active practice of dentistry while
22 knowingly having any infectious, communicable, or
23 contagious disease proscribed by rule or regulation of the
24 Department.

25 27. Being named as a perpetrator in an indicated
26 report by the Department of Children and Family Services

1 pursuant to the Abused and Neglected Child Reporting Act
2 and upon the indicated report becoming final after a
3 hearing or opportunity for a hearing., ~~and upon proof by~~
4 ~~clear and convincing evidence that the licensee has caused~~
5 ~~a child to be an abused child or neglected child as defined~~
6 ~~in the Abused and Neglected Child Reporting Act.~~

7 28. Violating the Health Care Worker Self-Referral
8 Act.

9 29. Abandonment of a patient.

10 30. Mental incompetency as declared by a court of
11 competent jurisdiction.

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

15 32. Material misstatement in furnishing information to
16 the Department.

17 33. Failing, within 60 days, to provide information in
18 response to a written request by the Department in the
19 course of an investigation.

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

23 35. Cheating on or attempting to subvert the licensing
24 examination administered under this Act.

25 36. A pattern of practice or other behavior that
26 demonstrates incapacity or incompetence to practice under

1 this Act.

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

4 38. Failure to provide copies of dental records as
5 required by law.

6 39. Failure of a licensed dentist who owns or is
7 employed at a dental office to give notice of an office
8 closure to the dentist's patients at least 30 days prior
9 to the office closure pursuant to Section 50.1.

10 40. Failure to maintain a sanitary work environment.

11 41. Failure to comply with the provisions of Section
12 17.2 of this Act.

13 42. Failure to report actual or alleged reportable
14 conduct in accordance with Section 2105-390 of the
15 Department of Professional Regulation Law of the Civil
16 Administrative Code of Illinois.

17 All proceedings to suspend, revoke, place on probationary
18 status, or take any other disciplinary action as the
19 Department may deem proper, with regard to a license on any of
20 the foregoing grounds, must be commenced within 5 years after
21 receipt by the Department of a complaint alleging the
22 commission of or notice of the conviction order for any of the
23 acts described herein. Except for fraud in procuring a
24 license, no action shall be commenced more than 7 years after
25 the date of the incident or act alleged to have violated this
26 Section. The time during which the holder of the license was

1 outside the State of Illinois shall not be included within any
2 period of time limiting the commencement of disciplinary
3 action by the Department.

4 All fines imposed under this Section shall be paid within
5 60 days after the effective date of the order imposing the fine
6 or in accordance with the terms set forth in the order imposing
7 the fine.

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

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

19 (Source: P.A. 103-425, eff. 1-1-24; 103-902, eff. 8-9-24;
20 104-151, eff. 1-1-26.)

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

23 (225 ILCS 30/95) (from Ch. 111, par. 8401-95)

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

1 Sec. 95. Grounds for discipline.

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

9 (a) Material misstatement in furnishing information to
10 the Department.

11 (b) Violations of this Act or of rules adopted under
12 this Act.

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

22 (d) Fraud or any misrepresentation in applying for or
23 procuring a license under this Act or in connection with
24 applying for renewal of a license under this Act.

25 (e) Professional incompetence or gross negligence.

26 (f) Malpractice.

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

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

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

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

16 (l) Charging for professional services not rendered,
17 including filing false statements for the collection of
18 fees for which services are not rendered. Nothing in this
19 paragraph (1) affects any bona fide independent contractor
20 or employment arrangements among health care
21 professionals, health facilities, health care providers,
22 or other entities, except as otherwise prohibited by law.
23 Any employment arrangements may include provisions for
24 compensation, health insurance, pension, or other
25 employment benefits for the provision of services within
26 the scope of the licensee's practice under this Act.

1 Nothing in this paragraph (1) shall be construed to
2 require an employment arrangement to receive professional
3 fees for services rendered.

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

7 (n) Willfully making or filing false records or
8 reports in his or her practice, including, but not limited
9 to, false records filed with State agencies or
10 departments.

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

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

15 (q) Gross and willful overcharging for professional
16 services.

17 (r) (Blank).

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

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

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

26 (v) Physical illness, including, but not limited to,

1 deterioration through the aging process or loss of motor
2 skill that results in a licensee's inability to practice
3 under this Act with reasonable judgment, skill, or safety.

4 (w) Advising an individual to discontinue, reduce,
5 increase, or otherwise alter the intake of a drug
6 prescribed by a physician licensed to practice medicine in
7 all its branches or by a prescriber as defined in Section
8 102 of the Illinois Controlled Substances Act.

9 (x) Failing 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 (2) The Department may refuse to issue or may suspend
14 without hearing, as provided for in the Code of Civil
15 Procedure, the license of any person who fails to file a
16 return, or pay the tax, penalty, or interest shown in a filed
17 return, or pay any final assessment of the tax, penalty, or
18 interest as required by any tax Act administered by the
19 Illinois Department of Revenue, until such time as the
20 requirements of any such tax Act are satisfied in accordance
21 with subsection (g) of Section 2105-15 of the Civil
22 Administrative Code of Illinois.

23 (3) (Blank).

24 (4) In cases where the Department of Healthcare and Family
25 Services has previously determined a licensee or a potential
26 licensee is more than 30 days delinquent in the payment of

1 child support and has subsequently certified the delinquency
2 to the Department, the Department may refuse to issue or renew
3 or may revoke or suspend that person's license or may take
4 other disciplinary action against that person based solely
5 upon the certification of delinquency made by the Department
6 of Healthcare and Family Services in accordance with item (5)
7 of subsection (a) of Section 2105-15 of the Civil
8 Administrative Code of Illinois.

9 (5) The determination by a circuit court that a licensee
10 is subject to involuntary admission or judicial admission, as
11 provided in the Mental Health and Developmental Disabilities
12 Code, operates as an automatic suspension. The suspension
13 shall end only upon a finding by a court that the patient is no
14 longer subject to involuntary admission or judicial admission
15 and the issuance of an order so finding and discharging the
16 patient.

17 (6) In enforcing this Act, the Department, upon a showing
18 of a possible violation, may compel an individual licensed to
19 practice under this Act, or who has applied for licensure
20 under this Act, to submit to a mental or physical examination,
21 or both, as required by and at the expense of the Department.
22 The Department may order the examining physician to present
23 testimony concerning the mental or physical examination of the
24 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. The examining physicians shall be
2 specifically designated by the Department. The individual to
3 be examined may have, at his or her own expense, another
4 physician of his or her choice present during all aspects of
5 this examination. The examination shall be performed by a
6 physician licensed to practice medicine in all its branches.
7 Failure of an individual to submit to a mental or physical
8 examination, when directed, shall result in an automatic
9 suspension without hearing.

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

1 Fines shall not be assessed in disciplinary actions involving
2 physical or mental illness or impairment.

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 15
6 days after the suspension and completed without appreciable
7 delay. The Department shall have the authority to review the
8 subject individual's record of treatment and counseling
9 regarding the impairment to the extent permitted by applicable
10 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. 100-872, eff. 8-14-18.)

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

20 (225 ILCS 55/85) (from Ch. 111, par. 8351-85)

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

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

23 (a) The Department may refuse to issue or renew a license,
24 or may revoke, suspend, reprimand, place on probation, or take

1 any other disciplinary or non-disciplinary action as the
2 Department may deem proper, including the imposition of fines
3 not to exceed \$10,000 for each violation, with regard to any
4 license issued under the provisions of this Act for any one or
5 combination of the following grounds:

6 (1) Material misstatement in furnishing information to
7 the Department.

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

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

19 (4) Fraud or 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 or its rules.

23 (5) Professional incompetence.

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

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

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

3 (9) Engaging in dishonorable, unethical, or
4 unprofessional conduct of a character likely to deceive,
5 defraud or harm the public as defined by the rules of the
6 Department, or violating the rules of professional conduct
7 adopted by the Department.

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

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

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

1 licensee's practice under this Act. Nothing in this
2 paragraph (12) shall be construed to require an employment
3 arrangement to receive professional fees for services
4 rendered.

5 (13) A finding by the Department that the licensee,
6 after having his or her license placed on probationary
7 status, has violated the terms of probation or failed to
8 comply with the terms.

9 (14) Abandonment of a patient without cause.

10 (15) Willfully making or filing false records or
11 reports relating to a licensee's practice, including, but
12 not limited to, false records filed with State agencies or
13 departments.

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

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

25 (18) Physical illness or mental illness or impairment,
26 including, but not limited to, deterioration through the

1 aging process or loss of motor skill that results in the
2 inability to practice the profession with reasonable
3 judgment, skill, or safety.

4 (19) Solicitation of professional services by using
5 false or misleading advertising.

6 (20) A pattern of practice or other behavior that
7 demonstrates incapacity or incompetence to practice under
8 this Act.

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

11 (22) Gross, willful, and continued overcharging for
12 professional services, including filing false statements
13 for collection of fees or moneys for which services are
14 not rendered.

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

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

19 (25) 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 (26) Being named as an abuser in a verified report by
24 the Department on Aging and 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 (27) Failing 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 (b) (Blank).

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

19 (d) The Department shall refuse to issue or may suspend
20 the license of any person who fails to file a return, pay the
21 tax, penalty, or interest shown in a filed return or pay any
22 final assessment of tax, penalty, or interest, as required by
23 any tax Act administered by the Illinois Department of
24 Revenue, until the time the requirements of the tax Act are
25 satisfied.

26 (d-5) The Department shall not revoke, suspend, summarily

1 suspend, place on prohibition, reprimand, refuse to issue or
2 renew, or take any other disciplinary or non-disciplinary
3 action against a person's authorization to practice under this
4 Act based solely upon the person authorizing, recommending,
5 aiding, assisting, referring for, or otherwise participating
6 in any health care service, so long as the care was not
7 unlawful under the laws of this State, regardless of whether
8 the patient was a resident of this State or another state.

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

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

1 (d-20) An applicant seeking licensure, certification, or
2 authorization pursuant to this Act who has been subject to
3 disciplinary action by a duly authorized professional
4 disciplinary agency of another jurisdiction solely on the
5 basis of having authorized, recommended, aided, assisted,
6 referred for, or otherwise participated in health care shall
7 not be denied such licensure, certification, or authorization,
8 unless the Department determines that such action would have
9 constituted professional misconduct in this State; however,
10 nothing in this Section shall be construed as prohibiting the
11 Department from evaluating the conduct of such applicant and
12 making a determination regarding the licensure, certification,
13 or authorization to practice a profession under this Act.

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

20 (d-30) 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 upon the person's license, registration, or permit
25 being revoked or suspended, or the person being otherwise
26 disciplined, by any other state if that revocation,

1 suspension, or other form of discipline was based solely upon
2 an immigration violation by the person.

3 (e) In enforcing this Section, the Department or Board
4 upon a showing of a possible violation may compel an
5 individual licensed to practice under this Act, or who has
6 applied for licensure under this Act, to submit to a mental or
7 physical examination, or both, which may include a substance
8 abuse or sexual offender evaluation, as required by and at the
9 expense of the Department.

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

1 testing, or neuropsychological testing.

2 The Department may order the examining physician or any
3 member of the multidisciplinary team to provide to the
4 Department any and all records, including business records,
5 that relate to the examination and evaluation, including any
6 supplemental testing performed.

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

21 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 this examination. However, that physician shall
24 be present only to observe and may not interfere in any way
25 with the examination.

26 Failure of an individual to submit to a mental or physical

1 examination, when ordered, shall result in an automatic
2 suspension of his or her license until the individual submits
3 to the examination.

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

21 In instances in which the Secretary immediately suspends a
22 person's license under this Section, a hearing on that
23 person's license must be convened by the Department within 30
24 days after the suspension and completed without appreciable
25 delay. The Department and Board shall have the authority to
26 review the subject individual's record of treatment and

1 counseling regarding the impairment to the extent permitted by
2 applicable federal statutes and regulations safeguarding the
3 confidentiality of medical records.

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

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

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

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

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

17 (225 ILCS 56/95)

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

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 nondisciplinary action as the Department deems
23 appropriate, including the issuance of fines not to exceed
24 \$10,000 for each violation, with regard to any license for any

1 one or more of the following:

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

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

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

15 (4) Making any misrepresentation for the purpose of
16 obtaining a license, or violating any provision of this
17 Act or its rules.

18 (5) Negligence in the rendering of music therapy
19 services.

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

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

24 (8) Engaging in dishonorable, unethical, or
25 unprofessional conduct of a character likely to deceive,
26 defraud, or harm the public and violating the rules of

1 professional conduct adopted by the Department.

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

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

7 (11) Exploiting a client for personal advantage,
8 profit, or interest.

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

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

18 (14) Directly or indirectly giving to or receiving
19 from any person, firm, corporation, partnership, or
20 association any fee, commission, rebate, or other form of
21 compensation for any professional service not actually
22 rendered. Nothing in this paragraph affects any bona fide
23 independent contractor or employment arrangements among
24 health care professionals, health facilities, health care
25 providers, or other entities, except as otherwise
26 prohibited by law. Any employment arrangements may include

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

7 (15) A finding by the Department that the licensee,
8 after having the license placed on probationary status,
9 has violated the terms of probation.

10 (16) Failing to refer a client to other health care
11 professionals when the licensee is unable or unwilling to
12 adequately support or serve the client.

13 (17) Willfully filing false reports relating to a
14 licensee's practice, including, but not limited to, false
15 records filed with federal or State agencies or
16 departments.

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

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

1 ~~in the Abused and Neglected Child Reporting Act.~~

2 (20) Physical or mental disability, including
3 deterioration through the aging process or loss of
4 abilities and skills which results in the inability to
5 practice the profession with reasonable judgment, skill,
6 or safety.

7 (21) Solicitation of professional services by using
8 false or misleading advertising.

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

12 (23) Practicing or attempting to practice under a name
13 other than the full name as shown on the license or any
14 other legally authorized name.

15 (24) Gross overcharging for professional services,
16 including filing statements for collection of fees or
17 moneys for which services are not rendered.

18 (25) Charging for professional services not rendered,
19 including filing false statements for the collection of
20 fees for which services are not rendered.

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

23 (27) Failing 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 determination by a court that a licensee is
2 subject to involuntary admission or judicial admission as
3 provided in the Mental Health and Developmental Disabilities
4 Code shall result in an automatic suspension of the licensee's
5 license. The suspension will end upon a finding by a court that
6 the licensee is no longer subject to involuntary admission or
7 judicial admission, the issuance of an order so finding and
8 discharging the patient, and the determination of the
9 Secretary that the licensee be allowed to resume professional
10 practice.

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

21 (d) In cases where the Department of Healthcare and Family
22 Services has previously determined that a licensee or a
23 potential licensee is more than 30 days delinquent in the
24 payment of child support and has subsequently certified the
25 delinquency to the Department, the Department may refuse to
26 issue or renew or may revoke or suspend that person's license

1 or may take other disciplinary action against that person
2 based solely upon the certification of delinquency made by the
3 Department of Healthcare and Family Services in accordance
4 with paragraph (5) of subsection (a) of Section 2105-15 of the
5 Department of Professional Regulation Law of the Civil
6 Administrative Code of Illinois.

7 (e) All fines or costs imposed under this Section shall be
8 paid within 60 days after the effective date of the order
9 imposing the fine or costs or in accordance with the terms set
10 forth in the order imposing the fine.

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

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

14 (225 ILCS 57/45)

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

16 Sec. 45. Grounds for discipline.

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

23 (1) violations of this Act or of the rules adopted
24 under this Act;

1 (2) conviction by plea of guilty or nolo contendere,
2 finding of guilt, jury verdict, or entry of judgment or by
3 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 (3) professional incompetence;

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

14 (5) aiding, abetting, assisting, procuring, advising,
15 employing, or contracting with any unlicensed person to
16 practice massage contrary to any rules or provisions of
17 this Act;

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

21 (7) engaging in dishonorable, unethical, or
22 unprofessional conduct of a character likely to deceive,
23 defraud, or harm the public;

24 (8) practicing or offering to practice beyond the
25 scope permitted by law or accepting and performing
26 professional responsibilities which the licensee knows or

1 has reason to know that he or she is not competent to
2 perform;

3 (9) knowingly delegating professional
4 responsibilities to a person unqualified by training,
5 experience, or licensure to perform;

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

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

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

15 (13) discipline by another state, District of
16 Columbia, territory, or foreign nation, if at least one of
17 the grounds for the discipline is the same or
18 substantially equivalent to those set forth in this
19 Section;

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

23 (15) willfully making or filing false records or
24 reports in his or her practice, including, but not limited
25 to, false records filed with State agencies or
26 departments;

1 (16) making a material misstatement in furnishing
2 information to the Department or otherwise making
3 misleading, deceptive, untrue, or fraudulent
4 representations in violation of this Act or otherwise in
5 the practice of the profession;

6 (17) fraud or misrepresentation in applying for or
7 procuring a license under this Act or in connection with
8 applying for renewal of a license under this Act;

9 (18) inability to practice the profession with
10 reasonable judgment, skill, or safety as a result of
11 physical illness, including, but not limited to,
12 deterioration through the aging process, loss of motor
13 skill, or a mental illness or disability;

14 (19) charging for professional services not rendered,
15 including filing false statements for the collection of
16 fees for which services are not rendered;

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

19 (21) cheating on or attempting to subvert the
20 licensing examination administered under this Act; or ~~or~~

21 (22) failing 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 shall be paid within 60 days of the effective
26 date of the order imposing the fine.

1 (b) A person not licensed under this Act and engaged in the
2 business of offering massage therapy services through others,
3 shall not aid, abet, assist, procure, advise, employ, or
4 contract with any unlicensed person to practice massage
5 therapy contrary to any rules or provisions of this Act. A
6 person violating this subsection (b) shall be treated as a
7 licensee for the purposes of disciplinary action under this
8 Section and shall be subject to cease and desist orders as
9 provided in Section 90 of this Act.

10 (c) The Department shall revoke any license issued under
11 this Act of any person who is convicted of prostitution, rape,
12 sexual misconduct, or any crime that subjects the licensee to
13 compliance with the requirements of the Sex Offender
14 Registration Act and any such conviction shall operate as a
15 permanent bar in the State of Illinois to practice as a massage
16 therapist.

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

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

24 (2) involuntary sexual servitude of a minor;

25 (3) the crime of battery against a patient, including
26 any offense based on sexual conduct or sexual penetration,

1 in the course of patient care or treatment; or

2 (4) a forcible felony.

3 If the victim of the crime the licensee has been charged
4 with is a patient of the licensee, the prosecuting attorney
5 shall also provide notice to the Department of the patient's
6 name.

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

24 The licensed massage therapist shall provide a written
25 plan of compliance with the administrative order that is
26 acceptable to the Department within 5 business days after

1 receipt of the administrative order. Failure to comply with
2 the administrative order, failure to file a compliance plan,
3 or failure to follow the compliance plan shall subject the
4 licensed massage therapist to temporary suspension of his or
5 her license until the completion of the criminal proceedings.

6 If the licensee is not convicted of the charge or if any
7 conviction is later overturned by a reviewing court, the
8 administrative order shall be vacated and removed from the
9 licensee's record.

10 The Department may adopt rules to implement this
11 subsection.

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

20 (e) (Blank).

21 (f) In cases where the Department of Healthcare and Family
22 Services has previously determined that a licensee or a
23 potential licensee is more than 30 days delinquent in the
24 payment of child support and has subsequently certified the
25 delinquency to the Department, the Department may refuse to
26 issue or renew or may revoke or suspend that person's license

1 or may take other disciplinary action against that person
2 based solely upon the certification of delinquency made by the
3 Department of Healthcare and Family Services in accordance
4 with item (5) of subsection (a) of Section 2105-15 of the Civil
5 Administrative Code of Illinois.

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

14 (h) In enforcing this Act, 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. The
3 examination shall be performed by a physician licensed to
4 practice medicine in all its branches. Failure of an
5 individual to submit to a mental or physical examination, when
6 directed, shall result in an automatic suspension without
7 hearing.

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

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 Department within 15
4 days after the suspension and completed without appreciable
5 delay. The Department and Board shall have the authority to
6 review the subject individual's record of treatment and
7 counseling regarding the impairment to the extent permitted by
8 applicable federal statutes and regulations safeguarding the
9 confidentiality of medical records.

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

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

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

18 (225 ILCS 60/22)

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

20 Sec. 22. Disciplinary action.

21 (A) The Department may revoke, suspend, place on
22 probation, reprimand, refuse to issue or renew, or take any
23 other disciplinary or non-disciplinary action as the
24 Department may deem proper with regard to the license or

1 permit of any person issued under this Act, including imposing
2 fines not to exceed \$10,000 for each violation, upon any of the
3 following grounds:

4 (1) (Blank).

5 (2) (Blank).

6 (3) A plea of guilty or nolo contendere, finding of
7 guilt, jury verdict, or entry of judgment or sentencing,
8 including, but not limited to, convictions, preceding
9 sentences of supervision, conditional discharge, or first
10 offender probation, under the laws of any jurisdiction of
11 the United States of any crime that is a felony.

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

13 (5) Engaging in dishonorable, unethical, or
14 unprofessional conduct of a character likely to deceive,
15 defraud, or harm the public.

16 (6) Obtaining any fee by fraud, deceit, or
17 misrepresentation.

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

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

24 (9) Fraud or misrepresentation in applying for, or
25 procuring, a license under this Act or in connection with
26 applying for renewal of a license under this Act.

1 (10) Making a false or misleading statement regarding
2 their skill or the efficacy or value of the medicine,
3 treatment, or remedy prescribed by them at their direction
4 in the treatment of any disease or other condition of the
5 body or mind.

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

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

19 (13) Violation of any provision of this Act or of the
20 Medical Practice Act prior to the repeal of that Act, or
21 violation of the rules, or a final administrative action
22 of the Secretary, after consideration of the
23 recommendation of the Medical Board.

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

26 (15) A finding by the Medical Board that the

1 registrant after having his or her license placed on
2 probationary status or subjected to conditions or
3 restrictions violated the terms of the probation or failed
4 to comply with such terms or conditions.

5 (16) Abandonment of a patient.

6 (17) Prescribing, selling, administering,
7 distributing, giving, or self-administering any drug
8 classified as a controlled substance (designated product)
9 or narcotic for other than medically accepted therapeutic
10 purposes.

11 (18) 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 physician.

15 (19) Offering, undertaking, or agreeing to cure or
16 treat disease by a secret method, procedure, treatment, or
17 medicine, or the treating, operating, or prescribing for
18 any human condition by a method, means, or procedure which
19 the licensee refuses to divulge upon demand of the
20 Department.

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

24 (21) Willfully making or filing false records or
25 reports in his or her practice as a physician, including,
26 but not limited to, false records to support claims

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

4 (22) Willful omission to file or record, or willfully
5 impeding the filing or recording, or inducing another
6 person to omit to file or record, medical reports as
7 required by law, or willfully failing to report an
8 instance of suspected abuse or neglect as required by law.

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

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

20 (25) Gross, ~~and~~ willful, and continued overcharging
21 for professional services, including filing false
22 statements for collection of fees for which services are
23 not rendered, including, but not limited to, filing such
24 false statements for collection of monies for services not
25 rendered from the medical assistance program of the
26 Department of Healthcare and Family Services (formerly

1 Department of Public Aid) under the Illinois Public Aid
2 Code.

3 (26) A pattern of practice or other behavior which
4 demonstrates incapacity or incompetence to practice under
5 this Act.

6 (27) Mental illness or disability which results in the
7 inability to practice under this Act with reasonable
8 judgment, skill, or safety.

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

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

15 (30) Willfully or negligently violating the
16 confidentiality between physician and patient except as
17 required by law.

18 (31) The use of any false, fraudulent, or deceptive
19 statement in any document connected with practice under
20 this Act.

21 (32) Aiding and abetting an individual not licensed
22 under this Act in the practice of a profession licensed
23 under this Act.

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

1 (34) Failure to report to the Department any adverse
2 final action taken against them by another licensing
3 jurisdiction (any other state or any territory of the
4 United States or any foreign state or country), by any
5 peer review body, by any health care institution, by any
6 professional society or association related to practice
7 under this Act, by any governmental agency, by any law
8 enforcement agency, or by any court for acts or conduct
9 similar to acts or conduct which would constitute grounds
10 for action as defined in this Section.

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

21 (36) Failure to report to the Department any adverse
22 judgment, settlement, or award arising from a liability
23 claim related to acts or conduct similar to acts or
24 conduct which would constitute grounds for action as
25 defined in this Section.

26 (37) Failure to provide copies of medical records as

1 required by law.

2 (38) Failure to furnish the Department, or its
3 investigators or representatives, relevant information,
4 legally requested by the Department after consultation
5 with the Chief Medical Coordinator or the Deputy Medical
6 Coordinator.

7 (39) Violating the Health Care Worker Self-Referral
8 Act.

9 (40) (Blank).

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

12 (42) Entering into an excessive number of written
13 collaborative agreements with licensed advanced practice
14 registered nurses resulting in an inability to adequately
15 collaborate.

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

18 (44) Violating the Compassionate Use of Medical
19 Cannabis Program Act.

20 (45) Entering into an excessive number of written
21 collaborative agreements with licensed prescribing
22 psychologists resulting in an inability to adequately
23 collaborate.

24 (46) Repeated failure to adequately collaborate with a
25 licensed prescribing psychologist.

26 (47) Willfully failing to report an instance of

1 suspected abuse, neglect, financial exploitation, or
2 self-neglect of an eligible adult as defined in and
3 required by the Adult Protective Services Act.

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

10 (49) Entering into an excessive number of written
11 collaborative agreements with licensed physician
12 assistants resulting in an inability to adequately
13 collaborate.

14 (50) Repeated failure to adequately collaborate with a
15 physician assistant.

16 (51) Failure 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 (52) Except in the context of emergency care, surgical
21 care, or care that requires more than one health care
22 professional, conducting a physical examination of the
23 breast or genitalia under one of the following conditions:
24 (i) conducting the examination alone with the patient
25 without first informing the patient that the patient may
26 request the presence of a third person during the

1 examination; or (ii) conducting the examination alone with
2 the patient if the patient has requested, and not
3 withdrawn the request, to have a third person present. If
4 the patient does not bring a third person, and if no
5 licensee-provided third person is available, the licensee
6 may inform the patient that the licensee cannot honor the
7 patient's request and invite the patient to either return
8 with a patient-provided third person or voluntarily elect
9 to withdraw the request and proceed with the examination.
10 For a patient whose care decisions are made by a parent or
11 guardian, the licensee's obligation is to inform and honor
12 requests from the parent or guardian. Notwithstanding any
13 provision of this paragraph (52) to the contrary, except
14 in the context of emergency care, surgical care, or care
15 that requires more than one health care professional,
16 licensees may, in their sole discretion, refuse to conduct
17 an examination of the breast or genitalia without a third
18 person present.

19 Except for actions involving the ground numbered (26), all
20 proceedings to suspend, revoke, place on probationary status,
21 or take any other disciplinary action as the Department may
22 deem proper, with regard to a license on any of the foregoing
23 grounds, must be commenced within 5 years next after receipt
24 by the Department of a complaint alleging the commission of or
25 notice of the conviction order for any of the acts described
26 herein. Except for the grounds numbered (8), (9), (26), and

1 (29), no action shall be commenced more than 10 years after the
2 date of the incident or act alleged to have violated this
3 Section. For actions involving the ground numbered (26), a
4 pattern of practice or other behavior includes all incidents
5 alleged to be part of the pattern of practice or other behavior
6 that occurred, or a report pursuant to Section 23 of this Act
7 received, within the 10-year period preceding the filing of
8 the complaint. In the event of the settlement of any claim or
9 cause of action in favor of the claimant or the reduction to
10 final judgment of any civil action in favor of the plaintiff,
11 such claim, cause of action, or civil action being grounded on
12 the allegation that a person licensed under this Act was
13 negligent in providing care, the Department shall have an
14 additional period of 2 years from the date of notification to
15 the Department under Section 23 of this Act of such settlement
16 or final judgment in which to investigate and commence formal
17 disciplinary proceedings under Section 36 of this Act, except
18 as otherwise provided by law. The time during which the holder
19 of the license was outside the State of Illinois shall not be
20 included within any period of time limiting the commencement
21 of disciplinary action by the Department.

22 The entry of an order or judgment by any circuit court
23 establishing that any person holding a license under this Act
24 is a person in need of mental treatment operates as a
25 suspension of that license. That person may resume his or her
26 practice only upon the entry of a Departmental order based

1 upon a finding by the Medical Board that the person has been
2 determined to be recovered from mental illness by the court
3 and upon the Medical Board's recommendation that the person be
4 permitted to resume his or her practice.

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

13 The Department, upon the recommendation of the Medical
14 Board, shall adopt rules which set forth standards to be used
15 in determining:

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

18 (b) what constitutes dishonorable, unethical, or
19 unprofessional conduct of a character likely to deceive,
20 defraud, or harm the public;

21 (c) what constitutes immoral conduct in the commission
22 of any act, including, but not limited to, commission of
23 an act of sexual misconduct related to the licensee's
24 practice; and

25 (d) what constitutes gross negligence in the practice
26 of medicine.

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

4 In enforcing this Section, the Medical Board, upon a
5 showing of a possible violation, may compel any individual who
6 is licensed to practice under this Act or holds a permit to
7 practice under this Act, or any individual who has applied for
8 licensure or a permit pursuant to this Act, to submit to a
9 mental or physical examination and evaluation, or both, which
10 may include a substance abuse or sexual offender evaluation,
11 as required by the Medical Board and at the expense of the
12 Department. The Medical Board shall specifically designate the
13 examining physician licensed to practice medicine in all of
14 its branches or, if applicable, the multidisciplinary team
15 involved in providing the mental or physical examination and
16 evaluation, or both. The multidisciplinary team shall be led
17 by a physician licensed to practice medicine in all of its
18 branches and may consist of one or more or a combination of
19 physicians licensed to practice medicine in all of its
20 branches, licensed chiropractic physicians, licensed clinical
21 psychologists, licensed clinical social workers, licensed
22 clinical professional counselors, and other professional and
23 administrative staff. Any examining physician or member of the
24 multidisciplinary team may require any person ordered to
25 submit to an examination and evaluation pursuant to this
26 Section to submit to any additional supplemental testing

1 deemed necessary to complete any examination or evaluation
2 process, including, but not limited to, blood testing,
3 urinalysis, psychological testing, or neuropsychological
4 testing. The Medical Board or the Department may order the
5 examining physician or any member of the multidisciplinary
6 team to provide to the Department or the Medical Board any and
7 all records, including business records, that relate to the
8 examination and evaluation, including any supplemental testing
9 performed. The Medical Board or the Department may order the
10 examining physician or any member of the multidisciplinary
11 team to present testimony concerning this examination and
12 evaluation of the licensee, permit holder, or applicant,
13 including testimony concerning any supplemental testing or
14 documents relating to the examination and evaluation. No
15 information, report, record, or other documents in any way
16 related to the examination and evaluation shall be excluded by
17 reason of any common law or statutory privilege relating to
18 communication between the licensee, permit holder, or
19 applicant and the examining physician or any member of the
20 multidisciplinary team. No authorization is necessary from the
21 licensee, permit holder, or applicant ordered to undergo an
22 evaluation and examination for the examining physician or any
23 member of the multidisciplinary team to provide information,
24 reports, records, or other documents or to provide any
25 testimony regarding the examination and evaluation. The
26 individual to be examined may have, at his or her own expense,

1 another physician of his or her choice present during all
2 aspects of the examination. Failure of any individual to
3 submit to mental or physical examination and evaluation, or
4 both, when directed, shall result in an automatic suspension,
5 without hearing, until such time as the individual submits to
6 the examination. If the Medical Board finds a physician unable
7 to practice following an examination and evaluation because of
8 the reasons set forth in this Section, the Medical Board shall
9 require such physician to submit to care, counseling, or
10 treatment by physicians, or other health care professionals,
11 approved or designated by the Medical Board, as a condition
12 for issued, continued, reinstated, or renewed licensure to
13 practice. Any physician, whose license was granted pursuant to
14 Section 9, 17, or 19 of this Act, or, continued, reinstated,
15 renewed, disciplined, or supervised, subject to such terms,
16 conditions, or restrictions who shall fail to comply with such
17 terms, conditions, or restrictions, or to complete a required
18 program of care, counseling, or treatment, as determined by
19 the Chief Medical Coordinator or Deputy Medical Coordinators,
20 shall be referred to the Secretary for a determination as to
21 whether the licensee shall have his or her license suspended
22 immediately, pending a hearing by the Medical Board. In
23 instances in which the Secretary immediately suspends a
24 license under this Section, a hearing upon such person's
25 license must be convened by the Medical Board within 15 days
26 after such suspension and completed without appreciable delay.

1 The Medical Board shall have the authority to review the
2 subject physician's record of treatment and counseling
3 regarding the impairment, to the extent permitted by
4 applicable federal statutes and regulations safeguarding the
5 confidentiality of medical records.

6 An individual licensed under this Act, affected under this
7 Section, shall be afforded an opportunity to demonstrate to
8 the Medical Board 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 The Medical Board, in determining mental capacity of an
12 individual licensed under this Act, shall consider the latest
13 recommendations of the Federation of State Medical Boards.

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

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

26 (B) The Department shall revoke the license or permit

1 issued under this Act to practice medicine of a chiropractic
2 physician who has been convicted a second time of committing
3 any felony under the Illinois Controlled Substances Act or the
4 Methamphetamine Control and Community Protection Act, or who
5 has been convicted a second time of committing a Class 1 felony
6 under Sections 8A-3 and 8A-6 of the Illinois Public Aid Code. A
7 person whose license or permit is revoked under this
8 subsection (B) shall be prohibited from practicing medicine or
9 treating human ailments without the use of drugs and without
10 operative surgery.

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

15 (1) based solely upon the recommendation of the person
16 to an eligible patient regarding, or prescription for, or
17 treatment with, an investigational drug, biological
18 product, or device;

19 (2) for experimental treatment for Lyme disease or
20 other tick-borne diseases, including, but not limited to,
21 the prescription of or treatment with long-term
22 antibiotics;

23 (3) based solely upon the person providing,
24 authorizing, recommending, aiding, assisting, referring
25 for, or otherwise participating in any health care
26 service, so long as the care was not unlawful under the

1 laws of this State, regardless of whether the patient was
2 a resident of this State or another state; or

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

15 (D) (Blank).

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

21 (F) An applicant seeking licensure, certification, or
22 authorization pursuant to this Act and who has been subject to
23 disciplinary action by a duly authorized professional
24 disciplinary agency of another jurisdiction solely on the
25 basis of having provided, authorized, recommended, aided,
26 assisted, referred for, or otherwise participated in health

1 care shall not be denied such licensure, certification, or
2 authorization, unless the Department determines that the
3 action would have constituted professional misconduct in this
4 State; however, nothing in this Section shall be construed as
5 prohibiting the Department from evaluating the conduct of the
6 applicant and making a determination regarding the licensure,
7 certification, or authorization to practice a profession under
8 this Act.

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

11 (Source: P.A. 103-442, eff. 1-1-24; 104-417, eff. 8-15-25;
12 104-432, eff. 1-1-26; revised 9-15-25.)

13 Section 70. The Naprapathic Practice Act is amended by
14 changing Section 110 as follows:

15 (225 ILCS 63/110)

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

17 Sec. 110. Grounds for disciplinary action; refusal,
18 revocation, suspension.

19 (a) The Department may refuse to issue or to 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 licensee or
24 license for any one or combination of the following causes:

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

3 (2) Making a material misstatement in furnishing
4 information to the Department or otherwise making
5 misleading, deceptive, untrue, or fraudulent
6 representations in violation of this Act or otherwise in
7 the practice of the profession.

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

17 (4) Fraud or any 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 (5) Professional incompetence or gross negligence.

21 (6) Malpractice.

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

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

26 (9) Engaging in dishonorable, unethical, or

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

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

7 (11) Discipline by another U.S. jurisdiction or
8 foreign nation if at least one of the grounds for the
9 discipline is the same or substantially equivalent to
10 those set forth in this Act.

11 (12) 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 services not actually or
15 personally rendered. This shall not be deemed to include
16 rent or other remunerations paid to an individual,
17 partnership, or corporation by a naprapath for the lease,
18 rental, or use of space, owned or controlled by the
19 individual, partnership, corporation, or association.
20 Nothing in this paragraph (12) affects any bona fide
21 independent contractor or employment arrangements among
22 health care professionals, health facilities, health care
23 providers, or other entities, except as otherwise
24 prohibited by law. Any employment arrangements may include
25 provisions for compensation, health insurance, pension, or
26 other employment benefits for the provision of services

1 within the scope of the licensee's practice under this
2 Act. Nothing in this paragraph (12) shall be construed to
3 require an employment arrangement to receive professional
4 fees for services rendered.

5 (13) Using the title "Doctor" or its abbreviation
6 without further clarifying that title or abbreviation with
7 the word "naprapath" or "naprapathy" or the designation
8 "D.N.".

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

12 (15) Abandonment of a patient without cause.

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

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

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

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

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

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

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

7 (23) (Blank).

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

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

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

21 (27) Maintaining a professional relationship with any
22 person, firm, or corporation when the naprapath knows, or
23 should know, that the person, firm, or corporation is
24 violating this Act.

25 (28) Promotion of the sale of food supplements,
26 devices, appliances, or goods provided for a client or

1 patient in such manner as to exploit the patient or client
2 for financial gain of the licensee.

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

6 (30) Use by a registered naprapath of the word
7 "infirmary", "hospital", "school", "university", in
8 English or any other language, in connection with the
9 place where naprapathy may be practiced or demonstrated.

10 (31) Continuance of a naprapath in the employ of any
11 person, firm, or corporation, or as an assistant to any
12 naprapath or naprapaths, directly or indirectly, after his
13 or her employer or superior has been found guilty of
14 violating or has been enjoined from violating the laws of
15 the State of Illinois relating to the practice of
16 naprapathy when the employer or superior persists in that
17 violation.

18 (32) The performance of naprapathic service in
19 conjunction with a scheme or plan with another person,
20 firm, or corporation known to be advertising in a manner
21 contrary to this Act or otherwise violating the laws of
22 the State of Illinois concerning the practice of
23 naprapathy.

24 (33) Failure to provide satisfactory proof of having
25 participated in approved continuing education programs as
26 determined by and approved by the Secretary. Exceptions

1 for extreme hardships are to be defined by the rules of the
2 Department.

3 (34) (Blank).

4 (35) Gross or willful overcharging for professional
5 services.

6 (36) (Blank).

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

11 All fines imposed under this Section shall be paid within
12 60 days after the effective date of the order imposing the
13 fine, unless an alternate payment schedule has been agreed
14 upon in writing.

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

24 (b-5) The Department may refuse to issue or may suspend
25 the license of any person who fails to file a tax return, to
26 pay the tax, penalty, or interest shown in a filed tax return,

1 or to pay any final assessment of tax, penalty, or interest, as
2 required by any tax Act administered by the Department of
3 Revenue, until the requirements of the tax Act are satisfied
4 in accordance with subsection (g) of Section 2105-15 of the
5 Civil Administrative Code of Illinois.

6 (c) (Blank).

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

19 (e) The determination by a circuit court that a licensee
20 is subject to involuntary admission or judicial admission, as
21 provided in the Mental Health and Developmental Disabilities
22 Code, operates as an automatic suspension. The suspension
23 shall end only upon a finding by a court that the patient is no
24 longer subject to involuntary admission or judicial admission
25 and the issuance of an order so finding and discharging the
26 patient and upon the Board's recommendation to the Department

1 that the license be restored. Where the circumstances so
2 indicate, the Board may recommend to the Department that it
3 require an examination prior to restoring a suspended license.

4 (f) In enforcing this Act, the Department, upon a showing
5 of a possible violation, may compel an individual licensed to
6 practice under this Act, or who has applied for licensure
7 under this Act, to submit to a mental or physical examination,
8 or both, as required by and at the expense of the Department.
9 The Department or Board may order the examining physician to
10 present testimony concerning the mental or physical
11 examination of the licensee or applicant. No information shall
12 be excluded by reason of any common law or statutory privilege
13 relating to communications between the licensee or applicant
14 and the examining physician. The examining physicians shall be
15 specifically designated by the Board or Department. The
16 individual to be examined may have, at his or her own expense,
17 another physician of his or her choice present during all
18 aspects of this examination. The examination shall be
19 performed by a physician under the Medical Practice Act of
20 1987. Failure of an individual to submit to a mental or
21 physical examination, when directed, shall result in an
22 automatic suspension without hearing.

23 A person holding a license under this Act or who has
24 applied for a license under this Act who, because of a physical
25 or mental illness or disability, including, but not limited
26 to, deterioration through the aging process or loss of motor

1 skill, is unable to practice the profession with reasonable
2 judgment, skill, or safety, may be required by the Department
3 to submit to care, counseling, or treatment by physicians
4 approved or designated by the Department as a condition, term,
5 or restriction for continued, reinstated, or renewed licensure
6 to practice. Submission to care, counseling, or treatment as
7 required by the Department shall not be considered discipline
8 of a license. If the licensee refuses to enter into a care,
9 counseling, or treatment agreement or fails to abide by the
10 terms of the agreement, the Department may file a complaint to
11 revoke, suspend, or otherwise discipline the license of the
12 individual. The Secretary may order the license suspended
13 immediately, pending a hearing by the Department. Fines shall
14 not be assessed in disciplinary actions involving physical or
15 mental illness or impairment.

16 In instances in which the Secretary immediately suspends a
17 person's license under this Section, a hearing on that
18 person's license must be convened by the Department within 15
19 days after the suspension and completed without appreciable
20 delay. The Department and the Board shall have the authority
21 to review the subject individual's record of treatment and
22 counseling 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 and affected under
26 this Section shall be afforded an opportunity to demonstrate

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

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

7 (225 ILCS 64/100)

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

9 Sec. 100. Grounds for disciplinary action.

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

17 (1) Material misstatement in furnishing information to
18 the Department.

19 (2) Violations of this Act, or the rules adopted under
20 this Act.

21 (3) Conviction by plea of guilty or nolo contendere,
22 finding of guilt, jury verdict, or entry of judgment or
23 sentencing, including, but not limited to, convictions,
24 preceding sentences of supervision, conditional discharge,

1 or first offender probation, under the laws of any
2 jurisdiction of the United States that is: (i) a felony;
3 or (ii) a misdemeanor, an essential element of which is
4 dishonesty, or that is directly related to the practice of
5 the profession.

6 (4) Making any misrepresentation for the purpose of
7 obtaining licenses.

8 (5) Professional incompetence.

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

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

13 (8) Engaging in dishonorable, unethical, or
14 unprofessional conduct, as defined by rule, of a character
15 likely to deceive, defraud, or harm the public.

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

20 (10) Discipline by another U.S. jurisdiction or
21 foreign nation, if at least one of the grounds for
22 discipline is the same or substantially equivalent to
23 those set forth in this Section.

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

1 compensation for any professional services not actually or
2 personally rendered. Nothing in this paragraph affects any
3 bona fide independent contractor or employment
4 arrangements, including provisions for compensation,
5 health insurance, pension, or other employment benefits,
6 with persons or entities authorized under this Act for the
7 provision of services within the scope of the licensee's
8 practice under this Act.

9 (12) A finding by the Department that the licensee,
10 after having his or her license placed on probationary
11 status, has violated the terms of probation.

12 (13) Abandonment of a patient.

13 (14) Willfully making or filing false records or
14 reports in his or her practice, including, but not limited
15 to, false records filed with State agencies or
16 departments.

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

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

25 (17) Being named as a perpetrator in an indicated
26 report by the Department of Children and Family Services

1 under the Abused and Neglected Child Reporting Act and
2 upon the indicated report becoming final after a hearing
3 or opportunity for a hearing., ~~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 (18) Gross negligence resulting in permanent injury or
8 death of a patient.

9 (19) Employment of fraud, deception, or any unlawful
10 means in applying for or securing a license as a licensed
11 certified professional midwife.

12 (21) Immoral conduct in the commission of any act,
13 including sexual abuse, sexual misconduct, or sexual
14 exploitation related to the licensee's practice.

15 (22) Violation of the Health Care Worker Self-Referral
16 Act.

17 (23) Practicing under a false or assumed name, except
18 as provided by law.

19 (24) Making a false or misleading statement regarding
20 his or her skill or the efficacy or value of the medicine,
21 treatment, or remedy prescribed by him or her in the
22 course of treatment.

23 (25) Allowing another person to use his or her license
24 to practice.

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

1 classified as a controlled substance for purposes other
2 than medically accepted therapeutic purposes.

3 (27) Promotion of the sale of drugs, devices,
4 appliances, or goods provided for a patient in a manner to
5 exploit the patient for financial gain.

6 (28) A pattern of practice or other behavior that
7 demonstrates incapacity or incompetence to practice under
8 this Act.

9 (29) Violating State or federal laws, rules, or
10 regulations relating to controlled substances or other
11 legend drugs or ephedra as defined in the Ephedra
12 Prohibition Act.

13 (30) Failure to establish and maintain records of
14 patient care and treatment as required by law.

15 (31) Attempting to subvert or cheat on the examination
16 of the North American Registry of Midwives or its
17 successor agency.

18 (32) Willfully or negligently violating the
19 confidentiality between licensed certified professional
20 midwives and patient, except as required by law.

21 (33) 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 (34) 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 (35) Failure to report to the Department an adverse
6 final action taken against him or her by another licensing
7 jurisdiction of the United States or a foreign state or
8 country, a peer review body, a health care institution, a
9 professional society or association, a governmental
10 agency, a law enforcement agency, or a court.

11 (36) Failure to provide copies of records of patient
12 care or treatment, except as required by law.

13 (37) Failure of a licensee to report to the Department
14 surrender by the licensee of a license or authorization to
15 practice in another state or jurisdiction or current
16 surrender by the licensee of membership professional
17 association or society while under disciplinary
18 investigation by any of those authorities or bodies for
19 acts or conduct similar to acts or conduct that would
20 constitute grounds for action under this Section.

21 (38) Failing, within 90 days, to provide a response to
22 a request for information in response to a written request
23 made by the Department by certified or registered mail or
24 by email to the email address of record.

25 (39) Failure to supervise a midwife assistant or
26 student midwife, including, but not limited to, allowing a

1 midwife assistant or student midwife to exceed their
2 scope.

3 (40) Failure to adequately inform a patient about
4 their malpractice liability insurance coverage and the
5 policy limits of the coverage.

6 (41) Failure to submit an annual report to the
7 Department of Public Health.

8 (42) Failure to disclose active cardiopulmonary
9 resuscitation certification or neonatal resuscitation
10 provider status to clients.

11 (43) Engaging in one of the prohibited practices
12 provided for in Section 85 of this Act.

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

17 (45) Except in the context of emergency care, surgical
18 care, or care that requires more than one health care
19 professional, conducting a physical examination of the
20 breast or genitalia under one of the following conditions:
21 (i) conducting the examination alone with the patient
22 without first informing the patient that the patient may
23 request the presence of a third person during the
24 examination; or (ii) conducting the examination alone with
25 the patient if the patient has requested, and not
26 withdrawn the request, to have a third person present. If

1 the patient does not bring a third person, and if no
2 licensee-provided third person is available, the licensee
3 may inform the patient that the licensee cannot honor the
4 patient's request and invite the patient to either return
5 with a patient-provided third person or voluntarily elect
6 to withdraw the request and proceed with the examination.
7 For a patient whose care decisions are made by a parent or
8 guardian, the licensee's obligation is to inform and honor
9 requests from the parent or guardian. Notwithstanding any
10 provision of this paragraph (45) to the contrary, except
11 in the context of emergency care, surgical care, or care
12 that requires more than one health care professional,
13 licensees may, in their sole discretion, refuse to conduct
14 an examination of the breast or genitalia without a third
15 person present.

16 (b) The Department may, without a hearing, refuse to issue
17 or renew or may suspend the license of any person who fails to
18 file a return, or to pay the tax, penalty, or interest shown in
19 a filed return, or to pay any final assessment of the tax,
20 penalty, or interest as required by any tax Act administered
21 by the Department of Revenue, until the requirements of any
22 such tax Act are satisfied.

23 (c) The determination by a circuit court that a licensee
24 is subject to involuntary admission or judicial admission as
25 provided in the Mental Health and Developmental Disabilities
26 Code operates as an automatic suspension. The suspension will

1 end only upon a finding by a court that the patient is no
2 longer subject to involuntary admission or judicial admission
3 and issues an order so finding and discharging the patient,
4 and upon the recommendation of the Board to the Secretary that
5 the licensee be allowed to resume his or her practice.

6 (d) In enforcing this Section, the Department, upon a
7 showing of a possible violation, may compel an individual
8 licensed to practice under this Act, or who has applied for
9 licensure under this Act, to submit to a mental or physical
10 examination, or both, including a substance abuse or sexual
11 offender evaluation, as required by and at the expense of the
12 Department.

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

1 complete any examination or evaluation process, including, but
2 not limited to, blood testing, urinalysis, psychological
3 testing, or neuropsychological testing.

4 The Department may order the examining physician or any
5 member of the multidisciplinary team to provide to the
6 Department any and all records, including business records,
7 that relate to the examination and evaluation, including any
8 supplemental testing performed.

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

23 The individual to be examined may have, at his or her own
24 expense, another physician of his or her choice present during
25 all aspects of this examination. However, that physician shall
26 be present only to observe and may not interfere in any way

1 with the examination.

2 Failure of an individual to submit to a mental or physical
3 examination, when ordered, shall result in an automatic
4 suspension of his or her license until the individual submits
5 to the examination.

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

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 30
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 (e) The Department shall not revoke, suspend, summarily
11 suspend, place on prohibition, reprimand, refuse to issue or
12 renew, or take any other disciplinary or non-disciplinary
13 action against a person's authorization to practice under this
14 Act based solely upon the person authorizing, recommending,
15 aiding, assisting, referring for, or otherwise participating
16 in any health care service, so long as the care was not
17 unlawful under the laws of this State, regardless of whether
18 the patient was a resident of this State or another state.

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

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

8 (Source: P.A. 103-605, eff. 7-1-24; 104-432, eff. 1-1-26.)

9 Section 80. The Nurse Practice Act is amended by changing
10 Sections 65-65 and 70-5 as follows:

11 (225 ILCS 65/65-65) (was 225 ILCS 65/15-55)

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

13 Sec. 65-65. Reports relating to APRN professional conduct
14 and capacity.

15 (a) Entities Required to Report.

16 (1) Health Care Institutions. The chief administrator
17 or executive officer of a health care institution licensed
18 by the Department of Public Health, which provides the
19 minimum due process set forth in Section 10.4 of the
20 Hospital Licensing Act, shall report to the Board when an
21 advanced practice registered nurse's organized
22 professional staff clinical privileges are terminated or
23 are restricted based on a final determination, in
24 accordance with that institution's bylaws or rules and

1 regulations, that (i) a person has either committed an act
2 or acts that may directly threaten patient care and that
3 are not of an administrative nature or (ii) that a person
4 may have a mental or physical disability that may endanger
5 patients under that person's care. The chief administrator
6 or officer shall also report if an advanced practice
7 registered nurse accepts voluntary termination or
8 restriction of clinical privileges in lieu of formal
9 action based upon conduct related directly to patient care
10 and not of an administrative nature, or in lieu of formal
11 action seeking to determine whether a person may have a
12 mental or physical disability that may endanger patients
13 under that person's care. The Department shall provide by
14 rule for the reporting to it of all instances in which a
15 person licensed under this Article, who is impaired by
16 reason of age, drug or alcohol abuse, or physical or
17 mental impairment, is under supervision and, where
18 appropriate, is in a program of rehabilitation. Reports
19 submitted under this subsection shall be strictly
20 confidential and may be reviewed and considered only by
21 the members of the Board or authorized staff as provided
22 by rule of the Department. Provisions shall be made for
23 the periodic report of the status of any such reported
24 person not less than twice annually in order that the
25 Board shall have current information upon which to
26 determine the status of that person. Initial and periodic

1 reports of impaired advanced practice registered nurses
2 shall not be considered records within the meaning of the
3 State Records Act and shall be disposed of, following a
4 determination by the Board that such reports are no longer
5 required, in a manner and at an appropriate time as the
6 Board shall determine by rule. The filing of reports
7 submitted under this subsection shall be construed as the
8 filing of a report for purposes of subsection (c) of this
9 Section. Such health care institution shall not take any
10 adverse action, including, but not limited to, restricting
11 or terminating any person's clinical privileges, as a
12 result of an adverse action against a person's license,
13 registration, permit, or clinical privileges or other
14 disciplinary action by another state or health care
15 institution that resulted from the person's provision of,
16 authorization of, recommendation of, aiding or assistance
17 with, referral for, or participation in any health care
18 service if the adverse action was based solely on a
19 violation of the other state's law prohibiting the
20 provision of such health care and related services in the
21 state or for a resident of the state if that health care
22 service would not have been unlawful under the laws of
23 this State and is consistent with the applicable standard
24 of conduct for a person practicing in Illinois under this
25 Act.

26 (2) Professional Associations. The President or chief

1 executive officer of an association or society of persons
2 licensed under this Article, operating within this State,
3 shall report to the Board when the association or society
4 renders a final determination that a person licensed under
5 this Article has committed unprofessional conduct related
6 directly to patient care or that a person may have a mental
7 or physical disability that may endanger patients under
8 the person's care.

9 (3) Professional Liability Insurers. Every insurance
10 company that offers policies of professional liability
11 insurance to persons licensed under this Article, or any
12 other entity that seeks to indemnify the professional
13 liability of a person licensed under this Article, shall
14 report to the Board the settlement of any claim or cause of
15 action, or final judgment rendered in any cause of action,
16 that alleged negligence in the furnishing of patient care
17 by the licensee when the settlement or final judgment is
18 in favor of the plaintiff. Such insurance company shall
19 not take any adverse action, including, but not limited
20 to, denial or revocation of coverage, or rate increases,
21 against a person licensed under this Act with respect to
22 coverage for services provided in Illinois if based solely
23 on the person providing, authorizing, recommending,
24 aiding, assisting, referring for, or otherwise
25 participating in health care services this State in
26 violation of another state's law, or a revocation or other

1 adverse action against the person's license in another
2 state for violation of such law if that health care
3 service as provided would have been lawful and consistent
4 with the standards of conduct for registered nurses and
5 advanced practice registered nurses if it occurred in
6 Illinois. Notwithstanding this provision, it is against
7 public policy to require coverage for an illegal action.

8 (4) State's Attorneys. The State's Attorney of each
9 county shall report to the Board all instances in which a
10 person licensed under this Article is convicted or
11 otherwise found guilty of the commission of a felony.

12 (5) State Agencies. All agencies, boards, commissions,
13 departments, or other instrumentalities of the government
14 of this State shall report to the Board any instance
15 arising in connection with the operations of the agency,
16 including the administration of any law by the agency, in
17 which a person licensed under this Article has either
18 committed an act or acts that may constitute a violation
19 of this Article, that may constitute unprofessional
20 conduct related directly to patient care, or that
21 indicates that a person licensed under this Article may
22 have a mental or physical disability that may endanger
23 patients under that person's care.

24 (b) Mandatory Reporting. All reports required under items
25 (16) and (17) of subsection (a) of Section 70-5 shall be
26 submitted to the Board in a timely fashion. The reports shall

1 be filed in writing within 30 ~~60~~ days after a determination
2 that a report is required under this Article. All reports
3 shall contain the following information:

4 (1) The name, address, and telephone number of the
5 person making the report.

6 (2) The name, address, and telephone number of the
7 person who is the subject of the report.

8 (3) The name or other means of identification of any
9 patient or patients whose treatment is a subject of the
10 report, except that no medical records may be revealed
11 without the written consent of the patient or patients.

12 (4) A brief description of the facts that gave rise to
13 the issuance of the report, including, but not limited to,
14 the dates of any occurrences deemed to necessitate the
15 filing of the report.

16 (5) If court action is involved, the identity of the
17 court in which the action is filed, the docket number, and
18 date of filing of the action.

19 (6) Any further pertinent information that the
20 reporting party deems to be an aid in the evaluation of the
21 report.

22 Nothing contained in this Section shall be construed to in
23 any way waive or modify the confidentiality of medical reports
24 and committee reports to the extent provided by law. Any
25 information reported or disclosed shall be kept for the
26 confidential use of the Board, the Board's attorneys, the

1 investigative staff, and authorized clerical staff and shall
2 be afforded the same status as is provided information
3 concerning medical studies in Part 21 of Article VIII of the
4 Code of Civil Procedure.

5 (c) Immunity from Prosecution. An individual or
6 organization acting in good faith, and not in a willful and
7 wanton manner, in complying with this Section by providing a
8 report or other information to the Board, by assisting in the
9 investigation or preparation of a report or information, by
10 participating in proceedings of the Board, or by serving as a
11 member of the Board shall not, as a result of such actions, be
12 subject to criminal prosecution or civil damages.

13 (d) Indemnification. Members of the Board, the Board's
14 attorneys, the investigative staff, advanced practice
15 registered nurses or physicians retained under contract to
16 assist and advise in the investigation, and authorized
17 clerical staff shall be indemnified by the State for any
18 actions (i) occurring within the scope of services on the
19 Board, (ii) performed in good faith, and (iii) not willful and
20 wanton in nature. The Attorney General shall defend all
21 actions taken against those persons unless he or she
22 determines either that there would be a conflict of interest
23 in the representation or that the actions complained of were
24 not performed in good faith or were willful and wanton in
25 nature. If the Attorney General declines representation, the
26 member shall have the right to employ counsel of his or her

1 choice, whose fees shall be provided by the State, after
2 approval by the Attorney General, unless there is a
3 determination by a court that the member's actions were not
4 performed in good faith or were willful and wanton in nature.
5 The member shall notify the Attorney General within 7 days of
6 receipt of notice of the initiation of an action involving
7 services of the Board. Failure to so notify the Attorney
8 General shall constitute an absolute waiver of the right to a
9 defense and indemnification. The Attorney General shall
10 determine within 7 days after receiving the notice whether he
11 or she will undertake to represent the member.

12 (e) Deliberations of Board. Upon the receipt of a report
13 called for by this Section, other than those reports of
14 impaired persons licensed under this Article required pursuant
15 to the rules of the Board, the Board shall notify in writing by
16 certified or registered mail or by email to the email address
17 of record the person who is the subject of the report. The
18 notification shall be made within 30 days of receipt by the
19 Board of the report. The notification shall include a written
20 notice setting forth the person's right to examine the report.
21 Included in the notification shall be the address at which the
22 file is maintained, the name of the custodian of the reports,
23 and the telephone number at which the custodian may be
24 reached. The person who is the subject of the report shall
25 submit a written statement responding to, clarifying, adding
26 to, or proposing to amend the report previously filed. The

1 statement shall become a permanent part of the file and shall
2 be received by the Board no more than 30 days after the date on
3 which the person was notified of the existence of the original
4 report. The Board shall review all reports received by it and
5 any supporting information and responding statements submitted
6 by persons who are the subject of reports. The review by the
7 Board shall be in a timely manner but in no event shall the
8 Board's initial review of the material contained in each
9 disciplinary file be less than 61 days nor more than 180 days
10 after the receipt of the initial report by the Board. When the
11 Board makes its initial review of the materials contained
12 within its disciplinary files, the Board shall, in writing,
13 make a determination as to whether there are sufficient facts
14 to warrant further investigation or action. Failure to make
15 that determination within the time provided shall be deemed to
16 be a determination that there are not sufficient facts to
17 warrant further investigation or action. Should the Board find
18 that there are not sufficient facts to warrant further
19 investigation or action, the report shall be accepted for
20 filing and the matter shall be deemed closed and so reported.
21 The individual or entity filing the original report or
22 complaint and the person who is the subject of the report or
23 complaint shall be notified in writing by the Board of any
24 final action on their report or complaint.

25 (f) (Blank).

26 (g) Any violation of this Section shall constitute a Class

1 A misdemeanor.

2 (h) If a person violates the provisions of this Section,
3 an action may be brought in the name of the People of the State
4 of Illinois, through the Attorney General of the State of
5 Illinois, for an order enjoining the violation or for an order
6 enforcing compliance with this Section. Upon filing of a
7 petition in court, the court may issue a temporary restraining
8 order without notice or bond and may preliminarily or
9 permanently enjoin the violation, and if it is established
10 that the person has violated or is violating the injunction,
11 the court may punish the offender for contempt of court.
12 Proceedings under this subsection shall be in addition to, and
13 not in lieu of, all other remedies and penalties provided for
14 by this Section.

15 (i) The Department may adopt rules to implement,
16 administer, and enforce this Section.

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

18 (225 ILCS 65/70-5) (was 225 ILCS 65/10-45)

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

20 Sec. 70-5. Grounds for disciplinary action.

21 (a) The Department may refuse to issue or to 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 appropriate, including fines not to exceed \$10,000 per
25 violation, with regard to a license for any one or combination

1 of the causes set forth in subsection (b) below. All fines
2 collected under this Section shall be deposited in the Nursing
3 Dedicated and Professional Fund.

4 (b) Grounds for disciplinary action include the following:

5 (1) Material deception in furnishing information to
6 the Department.

7 (2) Material violations of any provision of this Act
8 or violation of the rules of or final administrative
9 action of the Secretary, after consideration of the
10 recommendation of the Board.

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

20 (4) A pattern of practice or other behavior which
21 demonstrates incapacity or incompetency to practice under
22 this Act.

23 (5) Knowingly aiding or assisting another person in
24 violating any provision of this Act or rules.

25 (6) Failing, within 90 days, to provide a response to
26 a request for information in response to a written request

1 made by the Department by certified or registered mail or
2 by email to the email address of record.

3 (7) Engaging in dishonorable, unethical, or
4 unprofessional conduct of a character likely to deceive,
5 defraud, or harm the public, as defined by rule.

6 (8) Unlawful taking, theft, selling, distributing, or
7 manufacturing of any drug, narcotic, or prescription
8 device.

9 (9) Habitual or excessive use or addiction to alcohol,
10 narcotics, stimulants, or any other chemical agent or drug
11 that could result in a licensee's inability to practice
12 with 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 the
15 discipline is the same or substantially equivalent to
16 those set forth in this Section.

17 (11) A finding that the licensee, after having her or
18 his license placed on probationary status or subject to
19 conditions or restrictions, has violated the terms of
20 probation or failed to comply with such terms or
21 conditions.

22 (12) Being named as a perpetrator in an indicated
23 report by the Department of Children and Family Services
24 ~~and~~ under the Abused and Neglected Child Reporting Act and
25 upon the indicated report becoming final after a hearing
26 or opportunity for a hearing. ~~, and upon proof by clear and~~

1 ~~convincing evidence that the licensee has caused a child~~
2 ~~to be an abused child or neglected child as defined in the~~
3 ~~Abused and Neglected Child Reporting Act.~~

4 (13) Willful omission to file or record, or willfully
5 impeding the filing or recording or inducing another
6 person to omit to file or record medical reports as
7 required by law.

8 (13.5) Willfully failing to report an instance of
9 suspected child abuse or neglect as required by the Abused
10 and Neglected Child Reporting Act.

11 (14) Gross negligence in the practice of practical,
12 professional, or advanced practice registered nursing.

13 (15) Holding oneself out to be practicing nursing
14 under any name other than one's own.

15 (16) Failure of a licensee to report to the Department
16 any adverse final action taken against him or her by
17 another licensing jurisdiction of the United States or any
18 foreign state or country, any peer review body, any health
19 care institution, any professional or nursing society or
20 association, any governmental agency, any law enforcement
21 agency, or any court or a nursing liability claim related
22 to acts or conduct similar to acts or conduct that would
23 constitute grounds for action as defined in this Section.

24 (17) Failure of a licensee to report to the Department
25 surrender by the licensee of a license or authorization to
26 practice nursing or advanced practice registered nursing

1 in another state or jurisdiction or current surrender by
2 the licensee of membership on any nursing staff or in any
3 nursing or advanced practice registered nursing or
4 professional association or society while under
5 disciplinary investigation by any of those authorities or
6 bodies for acts or conduct similar to acts or conduct that
7 would constitute grounds for action as defined by this
8 Section.

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

11 (19) Failure to establish and maintain records of
12 patient care and treatment as required by law.

13 (20) Fraud, deceit, or misrepresentation in applying
14 for or procuring a license under this Act or in connection
15 with applying for renewal of a license under this Act.

16 (21) Allowing another person or organization to use
17 the licensee's license to deceive the public.

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

24 (23) Attempting to subvert or cheat on a licensing
25 examination administered under this Act.

26 (24) Immoral conduct in the commission of an act,

1 including, but not limited to, sexual abuse, sexual
2 misconduct, or sexual exploitation, related to the
3 licensee's practice.

4 (25) Willfully or negligently violating the
5 confidentiality between nurse and patient except as
6 required by law.

7 (26) Practicing under a false or assumed name, except
8 as provided by law.

9 (27) The use of any false, fraudulent, or deceptive
10 statement in any document connected with the licensee's
11 practice.

12 (28) Directly or indirectly giving to or receiving
13 from a person, firm, corporation, partnership, or
14 association a fee, commission, rebate, or other form of
15 compensation for professional services not actually or
16 personally rendered. Nothing in this paragraph (28)
17 affects any 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 paragraph (28) shall be construed to require an employment
26 arrangement to receive professional fees for services

1 rendered.

2 (29) A violation of the Health Care Worker
3 Self-Referral Act.

4 (30) Physical illness, mental illness, or disability
5 that results in the inability to practice the profession
6 with reasonable judgment, skill, or safety.

7 (31) Exceeding the terms of a collaborative agreement
8 or the prescriptive authority delegated to a licensee by
9 his or her collaborating physician or podiatric physician
10 in guidelines established under a written collaborative
11 agreement.

12 (32) Making a false or misleading statement regarding
13 a licensee's skill or the efficacy or value of the
14 medicine, treatment, or remedy prescribed by him or her in
15 the course of treatment.

16 (33) Prescribing, selling, administering,
17 distributing, giving, or self-administering a drug
18 classified as a controlled substance (designated product)
19 or narcotic for other than medically accepted therapeutic
20 purposes.

21 (34) Promotion of the sale of drugs, devices,
22 appliances, or goods provided for a patient in a manner to
23 exploit the patient for financial gain.

24 (35) Violating State or federal laws, rules, or
25 regulations relating to controlled substances.

26 (36) Willfully or negligently violating the

1 confidentiality between an advanced practice registered
2 nurse, collaborating physician, dentist, or podiatric
3 physician and a patient, except as required by law.

4 (37) Willfully failing to report an instance of
5 suspected abuse, neglect, financial exploitation, or
6 self-neglect of an eligible adult as defined in and
7 required by the Adult Protective Services Act.

8 (38) Being named as an abuser in a verified report by
9 the Department on Aging and under the Adult Protective
10 Services Act, and upon proof by clear and convincing
11 evidence that the licensee abused, neglected, or
12 financially exploited an eligible adult as defined in the
13 Adult Protective Services Act.

14 (39) A violation of any provision of this Act or any
15 rules adopted under this Act.

16 (40) Violating the Compassionate Use of Medical
17 Cannabis Program Act.

18 (41) 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 (42) Except in the context of emergency care, surgical
23 care, or care that requires more than one health care
24 professional, conducting a physical examination of the
25 breast or genitalia under one of the following conditions:
26 (i) conducting the examination alone with the patient

1 without first informing the patient that the patient may
2 request the presence of a third person during the
3 examination; or (ii) conducting the examination alone with
4 the patient if the patient has requested, and not
5 withdrawn the request, to have a third person present. If
6 the patient does not bring a third person, and if no
7 licensee-provided third person is available, the licensee
8 may inform the patient that the licensee cannot honor the
9 patient's request and invite the patient to either return
10 with a patient-provided third person or voluntarily elect
11 to withdraw the request and proceed with the examination.
12 For a patient whose care decisions are made by a parent or
13 guardian, the licensee's obligation is to inform and honor
14 requests from the parent or guardian. Notwithstanding any
15 provision of this paragraph (42) to the contrary, except
16 in the context of emergency care, surgical care, or care
17 that requires more than one health care professional,
18 licensees may, in their sole discretion, refuse to conduct
19 an examination of the breast or genitalia without a third
20 person present.

21 (b-5) The Department shall not revoke, suspend, summarily
22 suspend, place on probation, 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 the
19 person practicing in Illinois under this Act.

20 (b-15) The conduct specified in subsections (b-5) and
21 (b-10) shall not trigger reporting requirements under Section
22 65-65 or constitute grounds for suspension under Section
23 70-60.

24 (b-20) An applicant seeking licensure, certification, or
25 authorization under 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 provided, authorized, recommended, aided,
3 assisted, referred for, or otherwise participated in health
4 care shall not be denied such licensure, certification, or
5 authorization, unless the Department determines that such
6 action would have constituted professional misconduct in this
7 State; however, nothing in this Section shall be construed as
8 prohibiting the Department from evaluating the conduct of such
9 applicant and making a determination regarding the licensure,
10 certification, or authorization to practice a profession under
11 this Act.

12 (c) 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, as amended, operates as an automatic suspension. The
16 suspension will end only upon a finding by a court that the
17 patient is no longer subject to involuntary admission or
18 judicial admission and issues an order so finding and
19 discharging the patient; and upon the recommendation of the
20 Board to the Secretary that the licensee be allowed to resume
21 his or her practice.

22 (d) The Department may refuse to issue or may suspend or
23 otherwise discipline the license of any person who fails to
24 file a return, or to pay the tax, penalty, or interest shown in
25 a filed return, or to pay any final assessment of the tax,
26 penalty, or interest as required by any tax Act administered

1 by the Department of Revenue, until such time as the
2 requirements of any such tax Act are satisfied.

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

20 All substance-related violations shall mandate an
21 automatic substance abuse assessment. Failure to submit to an
22 assessment by a licensed physician who is certified as an
23 addictionist or an advanced practice registered nurse with
24 specialty certification in addictions may be grounds for an
25 automatic suspension, as defined by rule.

26 If the Department finds an individual unable to practice

1 or unfit for duty because of the reasons set forth in this
2 subsection (e), the Department may require that individual to
3 submit to a substance abuse evaluation or treatment by
4 individuals or programs approved or designated by the
5 Department, as a condition, term, or restriction for
6 continued, restored, or renewed licensure to practice; or, in
7 lieu of evaluation or treatment, the Department may file, or
8 the Board may recommend to the Department to file, a complaint
9 to immediately suspend, revoke, or otherwise discipline the
10 license of the individual. An individual whose license was
11 granted, continued, restored, renewed, disciplined, or
12 supervised subject to such terms, conditions, or restrictions,
13 and who fails to comply with such terms, conditions, or
14 restrictions, shall be referred to the Secretary for a
15 determination as to whether the individual shall have his or
16 her license suspended immediately, pending a hearing by the
17 Department.

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

1 An individual licensed under this Act and affected under
2 this subsection (e) shall be afforded an opportunity to
3 demonstrate to the Department that he or she can resume
4 practice in compliance with nursing standards under the
5 provisions of his or her license.

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

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

9 Section 85. The Nursing Home Administrators Licensing and
10 Disciplinary Act is amended by changing Section 17 as follows:

11 (225 ILCS 70/17) (from Ch. 111, par. 3667)

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

13 Sec. 17. Grounds for disciplinary action.

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

21 (1) Intentional material misstatement in furnishing
22 information to the Department or any other State agency or
23 in furnishing information to an insurance company with
24 respect to a claim on behalf of a licensee or patient.

1 (2) Conviction of or entry of a plea of guilty or nolo
2 contendere, finding of guilt, jury verdict, or entry of
3 judgment or sentencing, 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 that is
7 (i) a felony or (ii) a misdemeanor, an essential element
8 of which is dishonesty or that is directly related to the
9 practice of the profession of nursing home administration.

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

14 (4) Immoral conduct in the commission of any act, such
15 as sexual abuse or sexual misconduct, related to the
16 licensee's practice.

17 (5) Failing to respond within 60 days, to a written
18 request made by the Department for information.

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

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

1 (8) Adverse action taken by another U.S. jurisdiction
2 if at least one of the grounds for the discipline is the
3 same or substantially equivalent to those set forth
4 herein.

5 (9) A finding by the Department that the licensee,
6 after having his or her license placed on probationary
7 status, has violated the terms of probation or failed to
8 comply with those terms.

9 (10) Willfully making or filing false records or
10 reports related to the licensee's practice, including, but
11 not limited to, false records filed with federal or State
12 agencies or departments.

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

18 (12) Disregard or violation of this Act or of any rule
19 issued pursuant to this Act.

20 (13) Aiding or abetting another in the violation of
21 this Act or any rule adopted pursuant to this Act.

22 (14) Allowing one's license to be used by an
23 unlicensed person.

24 (15) (Blank).

25 (16) Professional incompetence in the practice of
26 nursing home administration.

1 (17) Conviction of a violation of Section 12-19 or
2 subsection (a) of Section 12-4.4a of the Criminal Code of
3 1961 or the Criminal Code of 2012 for the abuse and
4 criminal neglect of a long term care facility resident.

5 (18) Violation of the Nursing Home Care Act, the
6 Specialized Mental Health Rehabilitation Act of 2013, the
7 ID/DD Community Care Act, or the MC/DD Act or of any rule
8 issued under the Nursing Home Care Act, the Specialized
9 Mental Health Rehabilitation Act of 2013, the ID/DD
10 Community Care Act, or the MC/DD Act. A final adjudication
11 of a Type "AA" violation of the Nursing Home Care Act made
12 by the Illinois Department of Public Health, as identified
13 by rule, relating to the hiring, training, planning,
14 organizing, directing, or supervising the operation of a
15 nursing home and a licensee's failure to comply with this
16 Act or the rules adopted under this Act, shall create a
17 rebuttable presumption of a violation of this subsection.

18 (19) Failure to report to the Department any adverse
19 final action taken against the licensee by a licensing
20 authority of another state, territory of the United
21 States, or foreign country; or by any governmental or law
22 enforcement agency; or by any court for acts or conduct
23 similar to acts or conduct that would constitute grounds
24 for disciplinary action under this Section.

25 (20) Failure to report to the Department the surrender
26 of a license or authorization to practice as a nursing

1 home administrator in another state or jurisdiction for
2 acts or conduct similar to acts or conduct that would
3 constitute grounds for disciplinary action under this
4 Section.

5 (21) Failure to report to the Department any adverse
6 judgment, settlement, or award arising from a liability
7 claim related to acts or conduct similar to acts or
8 conduct that would constitute grounds for disciplinary
9 action under this Section.

10 (22) Failure to submit any required report under
11 Section 80-10 of the Nurse Practice Act.

12 (23) 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 (24) Being named as an abuser in a verified report by
17 the Department on Aging 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 (25) Failure 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 All proceedings to suspend, revoke, place on probationary

1 status, or take any other disciplinary action as the
2 Department may deem proper, with regard to a license on any of
3 the foregoing grounds, must be commenced within 5 years next
4 after receipt by the Department of (i) a complaint alleging
5 the commission of or notice of the conviction order for any of
6 the acts described herein or (ii) a referral for investigation
7 under Section 3-108 of the Nursing Home Care Act.

8 The entry of an order or judgment by any circuit court
9 establishing that any person holding a license under this Act
10 is a person in need of mental treatment operates as a
11 suspension of that license. That person may resume their
12 practice only upon the entry of a Department order based upon a
13 finding by the Board that they have been determined to be
14 recovered from mental illness by the court and upon the
15 Board's recommendation that they be permitted to resume their
16 practice.

17 The Department, upon the recommendation of the Board, may
18 adopt rules which set forth standards to be used in
19 determining what constitutes:

20 (i) when a person will be deemed sufficiently
21 rehabilitated to warrant the public trust;

22 (ii) dishonorable, unethical or unprofessional conduct
23 of a character likely to deceive, defraud, or harm the
24 public;

25 (iii) immoral conduct in the commission of any act
26 related to the licensee's practice; and

1 (iv) professional incompetence in the practice of
2 nursing home administration.

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

6 In enforcing this Section, the Department or Board, upon a
7 showing of a possible violation, may compel any individual
8 licensed to practice under this Act, or who has applied for
9 licensure pursuant to this Act, to submit to a mental or
10 physical examination, or both, as required by and at the
11 expense of the Department. The examining physician or
12 physicians shall be those specifically designated by the
13 Department or Board. The Department or Board may order the
14 examining physician to present testimony concerning this
15 mental or physical examination of the licensee or applicant.
16 No information shall be excluded by reason of any common law or
17 statutory privilege relating to communications between the
18 licensee or applicant and the examining physician. 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, when directed, shall
23 be grounds for suspension of his or her license until such time
24 as the individual submits to the examination if the Department
25 finds, after notice and hearing, that the refusal to submit to
26 the examination was without reasonable cause.

1 If the Department or Board finds an individual unable to
2 practice because of the reasons set forth in this Section, the
3 Department or Board shall require such individual to submit to
4 care, counseling, or treatment by physicians approved or
5 designated by the Department or Board, as a condition, term,
6 or restriction for continued, reinstated, or renewed licensure
7 to practice; or in lieu of care, counseling, or treatment, the
8 Department may file, or the Board may recommend to the
9 Department to file, a complaint to immediately suspend,
10 revoke, or otherwise discipline the license of the individual.
11 Any individual whose license was granted pursuant to this Act
12 or continued, reinstated, renewed, disciplined or supervised,
13 subject to such terms, conditions or restrictions who shall
14 fail to comply with such terms, conditions or restrictions
15 shall be referred to the Secretary for a determination as to
16 whether the licensee shall have his or her license suspended
17 immediately, pending a hearing by the Department. In instances
18 in which the Secretary immediately suspends a license under
19 this Section, a hearing upon such person's license must be
20 convened by the Board within 30 days after such suspension and
21 completed without appreciable delay. The Department and Board
22 shall have the authority to review the subject administrator's
23 record of treatment and counseling regarding the impairment,
24 to the extent permitted by applicable federal statutes and
25 regulations safeguarding the confidentiality of medical
26 records.

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

6 (b) Any individual or organization acting in good faith,
7 and not in a willful and wanton manner, in complying with this
8 Act by providing any report or other information to the
9 Department, or assisting in the investigation or preparation
10 of such information, or by participating in proceedings of the
11 Department, or by serving as a member of the Board, shall not,
12 as a result of such actions, be subject to criminal
13 prosecution or civil damages.

14 (c) Members of the Board, and persons retained under
15 contract to assist and advise in an investigation, shall be
16 indemnified by the State for any actions occurring within the
17 scope of services on or for the Board, done in good faith and
18 not willful and wanton in nature. The Attorney General shall
19 defend all such actions unless he or she determines either
20 that there would be a conflict of interest in such
21 representation or that the actions complained of were not in
22 good faith or were willful and wanton.

23 Should the Attorney General decline representation, a
24 person entitled to indemnification under this Section shall
25 have the right to employ counsel of his or her choice, whose
26 fees shall be provided by the State, after approval by the

1 Attorney General, unless there is a determination by a court
2 that the member's actions were not in good faith or were
3 willful and wanton.

4 A person entitled to indemnification under this Section
5 must notify the Attorney General within 7 days of receipt of
6 notice of the initiation of any action involving services of
7 the Board. Failure to so notify the Attorney General shall
8 constitute an absolute waiver of the right to a defense and
9 indemnification.

10 The Attorney General shall determine within 7 days after
11 receiving such notice, whether he or she will undertake to
12 represent a person entitled to indemnification under this
13 Section.

14 (d) 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, as amended, operates as an automatic suspension. Such
18 suspension will end only upon a finding by a court that the
19 patient is no longer subject to involuntary admission or
20 judicial admission and issues an order so finding and
21 discharging the patient; and upon the recommendation of the
22 Board to the Secretary that the licensee be allowed to resume
23 his or her practice.

24 (e) The Department shall refuse to issue or suspend the
25 license of any person who fails to file a return, or to pay the
26 tax, penalty or interest shown in a filed return, or to pay any

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

5 (f) The Department of Public Health shall transmit to the
6 Department a list of those facilities which receive an "A"
7 violation as defined in Section 1-129 of the Nursing Home Care
8 Act.

9 (Source: P.A. 99-180, eff. 7-29-15; 100-675, eff. 8-3-18.)

10 Section 90. The Illinois Occupational Therapy Practice Act
11 is amended by changing Section 19 as follows:

12 (225 ILCS 75/19) (from Ch. 111, par. 3719)

13 (Section scheduled to be repealed on January 1, 2029)

14 Sec. 19. Grounds for discipline.

15 (a) The Department may refuse to issue or renew, or may
16 revoke, suspend, place on probation, reprimand, or take other
17 disciplinary or non-disciplinary action as the Department may
18 deem proper, including imposing fines not to exceed \$10,000
19 for each violation and the assessment of costs as provided
20 under Section 19.3 of this Act, with regard to any license for
21 any one or combination of the following:

22 (1) Material misstatement in furnishing information to
23 the Department;

24 (2) Violations of this Act, or of the rules

1 promulgated thereunder;

2 (3) Conviction by plea of guilty or nolo contendere,
3 finding of guilt, jury verdict, or entry of judgment or
4 sentencing of any crime, 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, or that is directly related to the
10 practice of the profession;

11 (4) Fraud, misrepresentation, or concealment in
12 applying for or procuring a license under this Act, or in
13 connection with applying for renewal of a license under
14 this Act;

15 (5) Professional incompetence;

16 (6) Aiding or assisting another person, firm,
17 partnership or corporation in violating any provision of
18 this Act or rules;

19 (7) Failing, within 60 days, to provide information in
20 response to a written request made by the Department;

21 (8) Engaging in dishonorable, unethical or
22 unprofessional conduct of a character likely to deceive,
23 defraud or harm the public;

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

1 with reasonable judgment, skill, or safety;

2 (10) Discipline by another state, unit of government,
3 government agency, the District of Columbia, a territory,
4 or foreign nation, if at least one of the grounds for the
5 discipline is the same or substantially equivalent to
6 those set forth herein;

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

23 (12) A finding by the Department that the license
24 holder, after having the license disciplined, has violated
25 the terms of the discipline;

26 (13) Willfully making or filing false records or

1 reports in the practice of occupational therapy,
2 including, but not limited to, false records filed with
3 the State agencies or departments;

4 (14) Physical illness, including, but not limited to,
5 deterioration through the aging process or loss of motor
6 skill which results in the inability to practice under
7 this Act with reasonable judgment, skill, or safety;

8 (15) Solicitation of professional services other than
9 by permitted advertising;

10 (16) Allowing one's license under this Act to be used
11 by an unlicensed person in violation of this Act;

12 (17) Practicing under a false or, except as provided
13 by law, assumed name;

14 (18) Professional incompetence or gross negligence;

15 (19) Malpractice;

16 (20) Promotion of the sale of drugs, devices,
17 appliances, or goods provided for a patient in any manner
18 to exploit the client for financial gain of the licensee;

19 (21) Gross, willful, or continued overcharging for
20 professional services;

21 (22) Mental illness or disability that results in the
22 inability to practice under this Act with reasonable
23 judgment, skill, or safety;

24 (23) Violating the Health Care Worker Self-Referral
25 Act;

26 (24) Failing to refer a patient or individual whose

1 medical condition should, at the time of evaluation or
2 treatment, be determined to be beyond the scope of
3 practice of the occupational therapist to an appropriate
4 health care professional;

5 (25) Cheating on or attempting to subvert the
6 licensing examination administered under this Act;

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

10 (27) Practicing beyond the scope of the practice of
11 occupational therapy;

12 (28) Providing substandard care as an occupational
13 therapist due to a deliberate or negligent act, negligent
14 supervision of an occupational therapy assistant, or
15 failure to act regardless of whether actual injury to the
16 recipient is established;

17 (29) Providing substandard care as an occupational
18 therapy assistant, including exceeding the authority to
19 perform components of intervention selected and delegated
20 by the supervising occupational therapist regardless of
21 whether actual injury to the recipient is established;

22 (30) Knowingly delegating responsibilities to an
23 individual who does not have the knowledge, skills, or
24 abilities to perform those responsibilities; ~~and~~

25 (31) Engaging in sexual misconduct. For the purposes
26 of this paragraph, sexual misconduct includes:

1 (A) engaging in or soliciting a sexual
2 relationship, whether consensual or non-consensual,
3 while an occupational therapist or occupational
4 therapy assistant with the recipient of occupational
5 therapy services; and

6 (B) making sexual advances, requesting sexual
7 favors, or engaging in physical contact of a sexual
8 nature with the recipient of occupational therapy
9 services; and-

10 (32) Failure 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 fine
16 or in accordance with the terms set forth in the order imposing
17 the fine.

18 (b) The determination by a circuit court that a license
19 holder is subject to involuntary admission or judicial
20 admission as provided in the Mental Health and Developmental
21 Disabilities Code, as now or hereafter amended, operates as an
22 automatic suspension. Such suspension will end only upon a
23 finding by a court that the patient is no longer subject to
24 involuntary admission or judicial admission and an order by
25 the court so finding and discharging the patient. In any case
26 where a license is suspended under this provision, the

1 licensee shall file a petition for restoration and shall
2 include evidence acceptable to the Department that the
3 licensee can resume practice in compliance with acceptable and
4 prevailing standards of their profession.

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

16 (d) In enforcing this Section, the Department, upon a
17 showing of a possible violation, may compel any individual who
18 is licensed under this Act or any individual who has applied
19 for licensure to submit to a mental or physical examination or
20 evaluation, or both, which may include a substance abuse or
21 sexual offender evaluation, at the expense of the Department.
22 The Department shall specifically designate the examining
23 physician licensed to practice medicine in all of its branches
24 or, if applicable, the multidisciplinary team involved in
25 providing the mental or physical examination and evaluation.
26 The multidisciplinary team shall be led by a physician

1 licensed to practice medicine in all of its branches and may
2 consist of one or more or a combination of physicians licensed
3 to practice medicine in all of its branches, licensed
4 chiropractic physicians, licensed clinical psychologists,
5 licensed clinical social workers, licensed clinical
6 professional counselors, and other professional and
7 administrative staff. Any examining physician or member of the
8 multidisciplinary team may require any person ordered to
9 submit to an examination and evaluation pursuant to this
10 Section to submit to any additional supplemental testing
11 deemed necessary to complete any examination or evaluation
12 process, including, but not limited to, blood testing,
13 urinalysis, psychological testing, or neuropsychological
14 testing.

15 The Department may order the examining physician or any
16 member of the multidisciplinary team to provide to the
17 Department any and all records, including business records,
18 that relate to the examination and evaluation, including any
19 supplemental testing performed. The Department may order the
20 examining physician or any member of the multidisciplinary
21 team to present testimony concerning this examination and
22 evaluation of the licensee or applicant, including testimony
23 concerning any supplemental testing or documents relating to
24 the examination and evaluation. No information, report,
25 record, or other documents in any way related to the
26 examination and evaluation shall be excluded by reason of any

1 common law or statutory privilege relating to communication
2 between the licensee or applicant and the examining physician
3 or any member of the multidisciplinary team. No authorization
4 is necessary from the licensee or applicant ordered to undergo
5 an evaluation and examination for the examining physician or
6 any member of the multidisciplinary team to provide
7 information, reports, records, or other documents or to
8 provide any testimony regarding the examination and
9 evaluation. The individual to be examined may have, at his or
10 her own expense, another physician of his or her choice
11 present during all aspects of the examination.

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

22 When the Secretary immediately suspends a license under
23 this Section, a hearing upon such person's license must be
24 convened by the Department within 15 days after the suspension
25 and completed without appreciable delay. The Department shall
26 have the authority to review the licensee's record of

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

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

10 (e) (Blank).

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

23 (Source: P.A. 103-251, eff. 1-1-24.)

24 Section 95. The Illinois Optometric Practice Act of 1987
25 is amended by changing Section 24 as follows:

1 (225 ILCS 80/24) (from Ch. 111, par. 3924)

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

3 Sec. 24. 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 as the Department may
7 deem appropriate, including fines not to exceed \$10,000 for
8 each violation, with regard to any license for any one or
9 combination of the causes set forth in subsection (a-3) of
10 this Section. All fines collected under this Section shall be
11 deposited in the Optometric Licensing and Disciplinary Board
12 Fund. Any fine imposed shall be payable within 60 days after
13 the effective date of the order imposing the fine.

14 (a-3) Grounds for disciplinary action include the
15 following:

16 (1) Violations of this Act, or of the rules
17 promulgated hereunder.

18 (2) Conviction of or entry of a plea of guilty to any
19 crime under the laws of any U.S. jurisdiction thereof that
20 is a felony or that is a misdemeanor of which an essential
21 element is dishonesty, or any crime that is directly
22 related to the practice of the profession.

23 (3) Making any misrepresentation for the purpose of
24 obtaining a license.

25 (4) Professional incompetence or gross negligence in

1 the practice of optometry.

2 (5) Gross malpractice, prima facie evidence of which
3 may be a conviction or judgment of malpractice in any
4 court of competent jurisdiction.

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

7 (7) Failing, within 60 days, to provide information in
8 response to a written request made by the Department that
9 has been sent by certified or registered mail to the
10 licensee's last known address.

11 (8) Engaging in dishonorable, unethical, or
12 unprofessional conduct of a character likely to deceive,
13 defraud, or harm the public.

14 (9) Habitual or excessive use or addiction to alcohol,
15 narcotics, stimulants or any other chemical agent or drug
16 that results in the inability to practice with reasonable
17 judgment, skill, or safety.

18 (10) Discipline by another U.S. jurisdiction or
19 foreign nation, if at least one of the grounds for the
20 discipline is the same or substantially equivalent to
21 those set forth herein.

22 (11) Violation of the prohibition against fee
23 splitting in Section 24.2 of this Act.

24 (12) 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.

1 (13) Abandonment of a patient.

2 (14) Willfully making or filing false records or
3 reports in his or her practice, including but not limited
4 to false records filed with State agencies or departments.

5 (15) Willfully failing to report an instance of
6 suspected abuse or neglect as required by law.

7 (16) Physical illness, including but not limited to,
8 deterioration through the aging process, or loss of motor
9 skill, mental illness, or disability that results in the
10 inability to practice the profession with reasonable
11 judgment, skill, or safety.

12 (17) Solicitation of professional services other than
13 permitted advertising.

14 (18) Failure to provide a patient with a copy of his or
15 her record or prescription in accordance with federal law.

16 (19) Conviction by any court of competent
17 jurisdiction, either within or without this State, of any
18 violation of any law governing the practice of optometry,
19 conviction in this or another State of any crime that is a
20 felony under the laws of this State or conviction of a
21 felony in a federal court, if the Department determines,
22 after investigation, that such person has not been
23 sufficiently rehabilitated to warrant the public trust.

24 (20) A finding that licensure has been applied for or
25 obtained by fraudulent means.

26 (21) Continued practice by a person knowingly having

1 an infectious or contagious disease.

2 (22) 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 a neglected child as defined in~~
9 ~~the Abused and Neglected Child Reporting Act.~~

10 (23) Practicing or attempting to practice under a name
11 other than the full name as shown on his or her license.

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

15 (25) Maintaining a professional relationship with any
16 person, firm, or corporation when the optometrist knows,
17 or should know, that such person, firm, or corporation is
18 violating this Act.

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

23 (27) Using the title "Doctor" or its abbreviation
24 without further qualifying that title or abbreviation with
25 the word "optometry" or "optometrist".

26 (28) Use by a licensed optometrist of the word

1 "infirmity", "hospital", "school", "university", in
2 English or any other language, in connection with the
3 place where optometry may be practiced or demonstrated
4 unless the licensee is employed by and practicing at a
5 location that is licensed as a hospital or accredited as a
6 school or university.

7 (29) Continuance of an optometrist in the employ of
8 any person, firm or corporation, or as an assistant to any
9 optometrist or optometrists, directly or indirectly, after
10 his or her employer or superior has been found guilty of
11 violating or has been enjoined from violating the laws of
12 the State of Illinois relating to the practice of
13 optometry, when the employer or superior persists in that
14 violation.

15 (30) The performance of optometric service in
16 conjunction with a scheme or plan with another person,
17 firm or corporation known to be advertising in a manner
18 contrary to this Act or otherwise violating the laws of
19 the State of Illinois concerning the practice of
20 optometry.

21 (31) Failure to provide satisfactory proof of having
22 participated in approved continuing education programs as
23 determined by the Board and approved by the Secretary.
24 Exceptions for extreme hardships are to be defined by the
25 rules of the Department.

26 (32) Willfully making or filing false records or

1 reports in the practice of optometry, including, but not
2 limited to false records to support claims against the
3 medical assistance program of the Department of Healthcare
4 and Family Services (formerly Department of Public Aid)
5 under the Illinois Public Aid Code.

6 (33) Gross and willful overcharging for professional
7 services including filing false statements for collection
8 of fees for which services are not rendered, including,
9 but not limited to filing false statements for collection
10 of monies for services not rendered from the medical
11 assistance program of the Department of Healthcare and
12 Family Services (formerly Department of Public Aid) under
13 the Illinois Public Aid Code.

14 (34) In the absence of good reasons to the contrary,
15 failure to perform a minimum eye examination as required
16 by the rules of the Department.

17 (35) Violation of the Health Care Worker Self-Referral
18 Act.

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

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

1 by any tax Act administered by the Illinois Department of
2 Revenue, until such time as the requirements of any such tax
3 Act are satisfied.

4 (a-5) In enforcing this Section, the Board or Department,
5 upon a showing of a possible violation, may compel any
6 individual licensed to practice under this Act, or who has
7 applied for licensure or certification pursuant to this Act,
8 to submit to a mental or physical examination, or both, as
9 required by and at the expense of the Department. The
10 examining physicians or clinical psychologists shall be those
11 specifically designated by the Department. The Board or the
12 Department may order the examining physician or clinical
13 psychologist to present testimony concerning this 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 or clinical
18 psychologist. Eye examinations may be provided by a licensed
19 optometrist. The individual to be examined may have, at his or
20 her own expense, another physician of his or her choice
21 present during all aspects of the examination. Failure of any
22 individual to submit to a mental or physical examination, when
23 directed, shall be grounds for suspension of a license until
24 such time as the individual submits to the examination if the
25 Board or Department finds, after notice and hearing, that the
26 refusal to submit to the examination was without reasonable

1 cause.

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

21 (b) The determination by a circuit court that a licensee
22 is subject to involuntary admission or judicial admission as
23 provided in the Mental Health and Developmental Disabilities
24 Code operates as an automatic suspension. The suspension will
25 end only upon a finding by a court that the patient is no
26 longer subject to involuntary admission or judicial admission

1 and issues an order so finding and discharging the patient;
2 and upon the recommendation of the Board to the Secretary that
3 the licensee be allowed to resume his or her practice.

4 (Source: P.A. 99-43, eff. 1-1-16; 99-909, eff. 1-1-17.)

5 Section 100. The Orthotics, Prosthetics, and Pedorthics
6 Practice Act is amended by changing Section 90 as follows:

7 (225 ILCS 84/90)

8 (Section scheduled to be repealed on January 1, 2030)

9 Sec. 90. Grounds for discipline.

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

17 (1) Making a material misstatement in furnishing
18 information to the Department or the Board.

19 (2) Violations of or negligent or intentional
20 disregard of this Act or its rules.

21 (3) Conviction of, or entry of a plea of guilty or nolo
22 contendere, finding of guilt, jury verdict, or entry of
23 judgment or sentencing, including, but not limited to,
24 convictions, preceding sentences of supervision,

1 conditional discharge, or first offender probation under
2 the laws of the United States or any state or that is (i) a
3 felony, or (ii) a misdemeanor, an essential element of
4 which is dishonesty, or any crime that is directly related
5 to the practice of the profession.

6 (4) Making a misrepresentation for the purpose of
7 obtaining a license under this Act or in connection with
8 applying for renewal or restoration of a license under
9 this Act.

10 (5) A pattern of practice or other behavior that
11 demonstrates incapacity or incompetence to practice under
12 this Act.

13 (6) Gross negligence under this Act.

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

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

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

21 (10) Inability to practice with reasonable judgment,
22 skill, or safety as a result of habitual or excessive use
23 or addiction to alcohol, narcotics, stimulants, or any
24 other chemical agent or drug.

25 (11) Discipline by another state or territory of the
26 United States, the federal government, or foreign nation,

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

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

20 (13) A finding by the Board that the licensee or
21 registrant, after having his or her license placed on
22 probationary status, has violated the terms of probation
23 or failed to comply with such terms.

24 (14) Abandonment of a patient or client.

25 (15) 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 (16) Willfully failing to report an instance of
4 suspected abuse, neglect, financial exploitation, or
5 self-neglect of an eligible child or adult as required by
6 the Abused and Neglected Child Reporting Act and the Adult
7 Protective Services Act.

8 (17) Inability to practice the profession with
9 reasonable judgment, skill, or safety as a result of a
10 physical illness, including, but not limited to,
11 deterioration through the aging process or loss of motor
12 skill, or a mental illness or disability.

13 (18) Solicitation of professional services using false
14 or misleading advertising.

15 (19) 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 (b) In enforcing this Section, the Department or Board
20 upon a showing of a possible violation, may compel a licensee
21 or applicant to submit to a mental or physical examination, or
22 both, as required by and at the expense of the Department. The
23 Department or Board may order the examining physician to
24 present testimony concerning the mental or physical
25 examination of the licensee or applicant. No information shall
26 be excluded by reason of any common law or statutory privilege

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

12 If the Secretary immediately suspends a person's license
13 for his or her failure to submit to a mental or physical
14 examination, when directed, a hearing on that person's license
15 must be convened by the Department within 15 days after the
16 suspension and completed without appreciable delay.

17 If the Secretary otherwise suspends a person's license
18 pursuant to the results of a compelled mental or physical
19 examination, a hearing on that person's license must be
20 convened by the Department within 15 days after the suspension
21 and completed without appreciable delay. The Department and
22 Board shall have the authority to review the subject
23 individual's record of treatment and counseling regarding the
24 impairment to the extent permitted by applicable federal
25 statutes and regulations safeguarding the confidentiality of
26 medical records.

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

6 (c) (Blank).

7 (d) If the Department of Healthcare and Family Services
8 (formerly Department of Public Aid) has previously determined
9 that a licensee or a potential licensee is more than 30 days
10 delinquent in the payment of child support and has
11 subsequently certified the delinquency to the Department, the
12 Department may refuse to issue or renew or may revoke or
13 suspend that person's license or may take other disciplinary
14 action against that person based solely upon the certification
15 of delinquency made by the Department of Healthcare and Family
16 Services in accordance with subsection (a)(5) of Section
17 2105-15 of the Department of Professional Regulation Law of
18 the Civil Administrative Code of Illinois.

19 (e) The Department shall refuse to issue or renew a
20 license, or may revoke or suspend a license, for failure to
21 file a return, to pay the tax, penalty, or interest shown in a
22 filed return, or to pay any final assessment of tax, penalty,
23 or interest as required by any tax Act administered by the
24 Department of Revenue, until the requirements of the tax Act
25 are satisfied in accordance with subsection (g) of Section
26 2105-15 of the Department of Professional Regulation Law of

1 the Civil Administrative Code of Illinois.

2 (Source: P.A. 100-872, eff. 8-14-18; 101-269, eff. 8-9-19.)

3 Section 105. The Pharmacy Practice Act is amended by
4 changing Section 30 as follows:

5 (225 ILCS 85/30) (from Ch. 111, par. 4150)

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

7 Sec. 30. Refusal, revocation, suspension, or other
8 discipline.

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

15 1. Material misstatement in furnishing information to
16 the Department.

17 2. Violations of this Act, or the rules promulgated
18 hereunder.

19 3. Making any misrepresentation for the purpose of
20 obtaining licenses.

21 4. A pattern of conduct which demonstrates
22 incompetence or unfitness to practice.

23 5. Aiding or assisting another person in violating any
24 provision of this Act or rules.

1 6. Failing, within 60 days, to respond to a written
2 request made by the Department for information.

3 7. Engaging in unprofessional, dishonorable, or
4 unethical conduct of a character likely to deceive,
5 defraud, or harm the public as defined by rule.

6 8. Adverse action taken by another state or
7 jurisdiction against a license or other authorization to
8 practice as a pharmacy, pharmacist, registered certified
9 pharmacy technician, or registered pharmacy technician
10 that is the same or substantially equivalent to those set
11 forth in this Section, a certified copy of the record of
12 the action taken by the other state or jurisdiction being
13 prima facie evidence thereof.

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

1 an employment arrangement to receive professional fees for
2 services rendered.

3 10. A finding by the Department that the licensee,
4 after having his license placed on probationary status,
5 has violated the terms of probation.

6 11. Selling or engaging in the sale of drug samples
7 provided at no cost by drug manufacturers.

8 12. Physical illness, including, but not limited to,
9 deterioration through the aging process, or loss of motor
10 skill which results in the inability to practice the
11 profession with reasonable judgment, skill or safety.

12 13. A finding that licensure or registration has been
13 applied for or obtained by fraudulent means.

14 14. Conviction by plea of guilty or nolo contendere,
15 finding of guilt, jury verdict, or entry of judgment or
16 sentencing, including, but not limited to, convictions,
17 preceding sentences of supervision, conditional discharge,
18 or first offender probation, under the laws of any
19 jurisdiction of the United States that is (i) a felony or
20 (ii) a misdemeanor, an essential element of which is
21 dishonesty, or that is directly related to the practice of
22 pharmacy or involves controlled substances.

23 15. Habitual or excessive use or addiction to alcohol,
24 narcotics, stimulants, or any other chemical agent or drug
25 which results in the inability to practice with reasonable
26 judgment, skill, or safety.

1 16. Willfully making or filing false records or
2 reports in the practice of pharmacy, including, but not
3 limited to, false records to support claims against the
4 medical assistance program of the Department of Healthcare
5 and Family Services (formerly Department of Public Aid)
6 under the Public Aid Code.

7 17. Gross and willful overcharging for professional
8 services including filing false statements for collection
9 of fees for which services are not rendered, including,
10 but not limited to, filing false statements for collection
11 of monies for services not rendered from the medical
12 assistance program of the Department of Healthcare and
13 Family Services (formerly Department of Public Aid) under
14 the Public Aid Code.

15 18. Dispensing prescription drugs without receiving a
16 written or oral prescription in violation of law.

17 19. Upon a finding of a substantial discrepancy in a
18 Department audit of a prescription drug, including
19 controlled substances, as that term is defined in this Act
20 or in the Illinois Controlled Substances Act.

21 20. Physical or mental illness or any other impairment
22 or disability, including, without limitation: (A)
23 deterioration through the aging process or loss of motor
24 skills that results in the inability to practice with
25 reasonable judgment, skill, or safety; or (B) mental
26 incompetence, as declared by a court of competent

1 jurisdiction.

2 21. Violation of the Health Care Worker Self-Referral
3 Act.

4 22. Failing to sell or dispense any drug, medicine, or
5 poison in good faith. "Good faith", for the purposes of
6 this Section, has the meaning ascribed to it in subsection
7 (u) of Section 102 of the Illinois Controlled Substances
8 Act. "Good faith", as used in this item (22), shall not be
9 limited to the sale or dispensing of controlled
10 substances, but shall apply to all prescription drugs.

11 23. Interfering with the professional judgment of a
12 pharmacist by any licensee under this Act, or the
13 licensee's agents or employees.

14 24. Failing to report within 60 days to the Department
15 any adverse final action taken against a pharmacy,
16 pharmacist, registered pharmacy technician, or registered
17 certified pharmacy technician by another licensing
18 jurisdiction in any other state or any territory of the
19 United States or any foreign jurisdiction, any
20 governmental agency, any law enforcement agency, or any
21 court for acts or conduct similar to acts or conduct that
22 would constitute grounds for discipline as defined in this
23 Section.

24 25. Failing to comply with a subpoena issued in
25 accordance with Section 35.5 of this Act.

26 26. Disclosing protected health information in

1 violation of any State or federal law.

2 27. Willfully failing to report an instance of
3 suspected abuse, neglect, financial exploitation, or
4 self-neglect of an eligible adult as defined in and
5 required by the Adult Protective Services Act.

6 28. Being named as an abuser in a verified report by
7 the Department on Aging under the Adult Protective
8 Services Act, and upon proof by clear and convincing
9 evidence that the licensee abused, neglected, or
10 financially exploited an eligible adult as defined in the
11 Adult Protective Services Act.

12 29. Using advertisements or making solicitations that
13 may jeopardize the health, safety, or welfare of patients,
14 including, but not limited to, the use of advertisements
15 or solicitations that:

16 (A) are false, fraudulent, deceptive, or
17 misleading; or

18 (B) include any claim regarding a professional
19 service or product or the cost or price thereof that
20 cannot be substantiated by the licensee.

21 30. Requiring a pharmacist to participate in the use
22 or distribution of advertisements or in making
23 solicitations that may jeopardize the health, safety, or
24 welfare of patients.

25 31. Failing to provide a working environment for all
26 pharmacy personnel that protects the health, safety, and

1 welfare of a patient, which includes, but is not limited
2 to, failing to:

3 (A) employ sufficient personnel to prevent
4 fatigue, distraction, or other conditions that
5 interfere with a pharmacist's ability to practice with
6 competency and safety or creates an environment that
7 jeopardizes patient care;

8 (B) provide appropriate opportunities for
9 uninterrupted rest periods and meal breaks;

10 (C) provide adequate time for a pharmacist to
11 complete professional duties and responsibilities,
12 including, but not limited to:

13 (i) drug utilization review;

14 (ii) immunization;

15 (iii) counseling;

16 (iv) verification of the accuracy of a
17 prescription; and

18 (v) all other duties and responsibilities of a
19 pharmacist as listed in the rules of the
20 Department.

21 32. Introducing or enforcing external factors, such as
22 productivity or production quotas or other programs
23 against pharmacists, student pharmacists or pharmacy
24 technicians, to the extent that they interfere with the
25 ability of those individuals to provide appropriate
26 professional services to the public.

1 33. Providing an incentive for or inducing the
2 transfer of a prescription for a patient absent a
3 professional rationale.

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

15 (c) The Department shall revoke any license issued under
16 the provisions of this Act or any prior Act of this State of
17 any person who has been convicted a second time of committing
18 any felony under the Illinois Controlled Substances Act, or
19 who has been convicted a second time of committing a Class 1
20 felony under Sections 8A-3 and 8A-6 of the Illinois Public Aid
21 Code. A person whose license issued under the provisions of
22 this Act or any prior Act of this State is revoked under this
23 subsection (c) shall be prohibited from engaging in the
24 practice of pharmacy in this State.

25 (c-5) 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 providing, authorizing,
4 recommending, aiding, assisting, referring for, or otherwise
5 participating in any health care service, so long as the care
6 was not unlawful under the laws of this State, regardless of
7 whether the patient was a resident of this State or another
8 state.

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

24 (c-15) The conduct specified in subsections (c-5) and
25 (c-10) shall not constitute grounds for suspension under
26 Section 35.16.

1 (c-20) An applicant seeking licensure, certification, or
2 authorization pursuant to this Act who has been subject to
3 disciplinary action by a duly authorized professional
4 disciplinary agency of another jurisdiction solely on the
5 basis of having provided, authorized, recommended, aided,
6 assisted, referred for, or otherwise participated in health
7 care shall not be denied such licensure, certification, or
8 authorization, unless the Department determines that such
9 action would have constituted professional misconduct in this
10 State; however, nothing in this Section shall be construed as
11 prohibiting the Department from evaluating the conduct of such
12 applicant and making a determination regarding the licensure,
13 certification, or authorization to practice a profession under
14 this Act.

15 (d) Fines may be imposed in conjunction with other forms
16 of disciplinary action, but shall not be the exclusive
17 disposition of any disciplinary action arising out of conduct
18 resulting in death or injury to a patient. Fines shall be paid
19 within 60 days or as otherwise agreed to by the Department. Any
20 funds collected from such fines shall be deposited in the
21 Illinois State Pharmacy Disciplinary Fund.

22 (e) The entry of an order or judgment by any circuit court
23 establishing that any person holding a license or certificate
24 under this Act is a person in need of mental treatment operates
25 as a suspension of that license. A licensee may resume his or
26 her practice only upon the entry of an order of the Department

1 based upon a finding by the Board that he or she has been
2 determined to be recovered from mental illness by the court
3 and upon the Board's recommendation that the licensee be
4 permitted to resume his or her practice.

5 (f) The Department shall issue quarterly to the Board a
6 status of all complaints related to the profession received by
7 the Department.

8 (g) In enforcing this Section, the Board or the
9 Department, upon a showing of a possible violation, may compel
10 any licensee or applicant for licensure under this Act to
11 submit to a mental or physical examination or both, as
12 required by and at the expense of the Department. The
13 examining physician, or multidisciplinary team involved in
14 providing physical and mental examinations led by a physician
15 consisting of one or a combination of licensed physicians,
16 licensed clinical psychologists, licensed clinical social
17 workers, licensed clinical professional counselors, and other
18 professional and administrative staff, shall be those
19 specifically designated by the Department. The Board or the
20 Department may order the examining physician or any member of
21 the multidisciplinary team to present testimony concerning
22 this mental or physical examination of the licensee or
23 applicant. No information, report, or other documents in any
24 way related to the examination shall be excluded by reason of
25 any common law or statutory privilege relating to
26 communication between the licensee or applicant and the

1 examining physician or any member of the multidisciplinary
2 team. The individual to be examined may have, at his or her own
3 expense, another physician of his or her choice present during
4 all aspects of the examination. Failure of any individual to
5 submit to a mental or physical examination when directed shall
6 result in the automatic suspension of his or her license until
7 such time as the individual submits to the examination. If the
8 Board or Department finds a pharmacist, registered certified
9 pharmacy technician, or registered pharmacy technician unable
10 to practice because of the reasons set forth in this Section,
11 the Board or Department shall require such pharmacist,
12 registered certified pharmacy technician, or registered
13 pharmacy technician to submit to care, counseling, or
14 treatment by physicians or other appropriate health care
15 providers approved or designated by the Department as a
16 condition for continued, restored, or renewed licensure to
17 practice. Any pharmacist, registered certified pharmacy
18 technician, or registered pharmacy technician whose license
19 was granted, continued, restored, renewed, disciplined, or
20 supervised, subject to such terms, conditions, or
21 restrictions, and who fails to comply with such terms,
22 conditions, or restrictions or to complete a required program
23 of care, counseling, or treatment, as determined by the chief
24 pharmacy coordinator, shall be referred to the Secretary for a
25 determination as to whether the licensee shall have his or her
26 license suspended immediately, pending a hearing by the Board.

1 In instances in which the Secretary immediately suspends a
2 license under this subsection (g), a hearing upon such
3 person's license must be convened by the Board within 15 days
4 after such suspension and completed without appreciable delay.
5 The Department and Board shall have the authority to review
6 the subject pharmacist's, registered certified pharmacy
7 technician's, or registered pharmacy technician's record of
8 treatment and counseling regarding the impairment.

9 (h) An individual or organization acting in good faith,
10 and not in a willful and wanton manner, in complying with this
11 Section by providing a report or other information to the
12 Board, by assisting in the investigation or preparation of a
13 report or information, by participating in proceedings of the
14 Board, or by serving as a member of the Board shall not, as a
15 result of such actions, be subject to criminal prosecution or
16 civil damages. Any person who reports a violation of this
17 Section to the Department is protected under subsection (b) of
18 Section 15 of the Whistleblower Act.

19 (i) Members of the Board shall have no liability in any
20 action based upon any disciplinary proceedings or other
21 activity performed in good faith as a member of the Board. The
22 Attorney General shall defend all such actions unless he or
23 she determines either that there would be a conflict of
24 interest in such representation or that the actions complained
25 of were not in good faith or were willful and wanton.

26 If the Attorney General declines representation, the

1 member shall have the right to employ counsel of his or her
2 choice, whose fees shall be provided by the State, after
3 approval by the Attorney General, unless there is a
4 determination by a court that the member's actions were not in
5 good faith or were willful and wanton.

6 The member must notify the Attorney General within 7 days
7 of receipt of notice of the initiation of any action involving
8 services of the Board. Failure to so notify the Attorney
9 General shall constitute an absolute waiver of the right to a
10 defense and indemnification.

11 The Attorney General shall determine, within 7 days after
12 receiving such notice, whether he or she will undertake to
13 represent the member.

14 (j) The Department may adopt rules to implement,
15 administer, and enforce this Section.

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

17 Section 110. The Illinois Physical Therapy Act is amended
18 by changing Section 17 as follows:

19 (225 ILCS 90/17) (from Ch. 111, par. 4267)

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

21 Sec. 17. (1) The Department may refuse to issue or to
22 renew, or may revoke, suspend, place on probation, reprimand,
23 or take other disciplinary action as the Department deems
24 appropriate, including the issuance of fines not to exceed

1 \$5000, with regard to a license for any one or a combination of
2 the following:

3 A. Material misstatement in furnishing information to
4 the Department or otherwise making misleading, deceptive,
5 untrue, or fraudulent representations in violation of this
6 Act or otherwise in the practice of the profession;

7 B. Violations of this Act, or of the rules or
8 regulations promulgated hereunder;

9 C. Conviction of any crime under the laws of the
10 United States or any state or territory thereof which is a
11 felony or which is a misdemeanor, an essential element of
12 which is dishonesty, or of any crime which is directly
13 related to the practice of the profession; conviction, as
14 used in this paragraph, shall include a finding or verdict
15 of guilty, an admission of guilt or a plea of nolo
16 contendere;

17 D. Making any misrepresentation for the purpose of
18 obtaining licenses, or violating any provision of this Act
19 or the rules promulgated thereunder pertaining to
20 advertising;

21 E. A pattern of practice or other behavior which
22 demonstrates incapacity or incompetency to practice under
23 this Act;

24 F. Aiding or assisting another person in violating any
25 provision of this Act or Rules;

26 G. Failing, within 60 days, to provide information in

1 response to a written request made by the Department;

2 H. Engaging in dishonorable, unethical or
3 unprofessional conduct of a character likely to deceive,
4 defraud or harm the public. Unprofessional conduct shall
5 include any departure from or the failure to conform to
6 the minimal standards of acceptable and prevailing
7 physical therapy practice, in which proceeding actual
8 injury to a patient need not be established;

9 I. Unlawful distribution of any drug or narcotic, or
10 unlawful conversion of any drug or narcotic not belonging
11 to the person for such person's own use or benefit or for
12 other than medically accepted therapeutic purposes;

13 J. Habitual or excessive use or addiction to alcohol,
14 narcotics, stimulants, or any other chemical agent or drug
15 which results in a physical therapist's or physical
16 therapist assistant's inability to practice with
17 reasonable judgment, skill or safety;

18 K. Revocation or suspension of a license to practice
19 physical therapy as a physical therapist or physical
20 therapist assistant or the taking of other disciplinary
21 action by the proper licensing authority of another state,
22 territory or country;

23 L. Directly or indirectly giving to or receiving from
24 any person, firm, corporation, partnership, or association
25 any fee, commission, rebate or other form of compensation
26 for any professional services not actually or personally

1 rendered. Nothing contained in this paragraph prohibits
2 persons holding valid and current licenses under this Act
3 from practicing physical therapy in partnership under a
4 partnership agreement, including a limited liability
5 partnership, a limited liability company, or a corporation
6 under the Professional Service Corporation Act or from
7 pooling, sharing, dividing, or apportioning the fees and
8 monies received by them or by the partnership, company, or
9 corporation in accordance with the partnership agreement
10 or the policies of the company or professional
11 corporation. Nothing in this paragraph (L) affects any
12 bona fide independent contractor or employment
13 arrangements among health care professionals, health
14 facilities, health care providers, or other entities,
15 except as otherwise prohibited by law. Any employment
16 arrangements may include provisions for compensation,
17 health insurance, pension, or other employment benefits
18 for the provision of services within the scope of the
19 licensee's practice under this Act. Nothing in this
20 paragraph (L) shall be construed to require an employment
21 arrangement to receive professional fees for services
22 rendered;

23 M. A finding by the Board that the licensee after
24 having the license placed on probationary status has
25 violated the terms of probation;

26 N. Abandonment of a patient;

1 O. 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 P. Willfully failing to report an instance of
5 suspected elder abuse or neglect as required by the Elder
6 Abuse Reporting Act;

7 Q. Physical illness, including but not limited to,
8 deterioration through the aging process, or loss of motor
9 skill which results in the inability to practice the
10 profession with reasonable judgment ~~judgement~~, skill, or
11 safety;

12 R. The use of any words (such as physical therapy,
13 physical therapist physiotherapy or physiotherapist),
14 abbreviations, figures or letters with the intention of
15 indicating practice as a licensed physical therapist
16 without a valid license as a physical therapist issued
17 under this Act;

18 S. The use of the term physical therapist assistant,
19 or abbreviations, figures, or letters with the intention
20 of indicating practice as a physical therapist assistant
21 without a valid license as a physical therapist assistant
22 issued under this Act;

23 T. Willfully violating or knowingly assisting in the
24 violation of any law of this State relating to the
25 practice of abortion;

26 U. Continued practice by a person knowingly having an

1 infectious, communicable or contagious disease;

2 V. Having treated ailments otherwise than by the
3 practice of physical therapy as defined in this Act, or
4 having treated ailments as a licensed physical therapist
5 in violation of Section 1.2;

6 W. Being named as a perpetrator in an indicated report
7 by the Department of Children and Family Services pursuant
8 to the Abused and Neglected Child Reporting Act and upon
9 the indicated report becoming final after a hearing or
10 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 X. Interpretation of referrals, performance of
15 evaluation procedures, planning or making major
16 modifications of patient programs by a physical therapist
17 assistant;

18 Y. Failure by a physical therapist assistant and
19 supervising physical therapist to maintain continued
20 contact, including periodic personal supervision and
21 instruction, to ensure the safety and welfare of patients;

22 Z. Violation of the Health Care Worker Self-Referral
23 Act;~~;~~

24 AA. 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 BB. Except in the context of emergency care, surgical
3 care, or care that requires more than one health care
4 professional, conducting a physical examination of the
5 breast or genitalia under one of the following conditions:
6 (i) conducting the examination alone with the patient
7 without first informing the patient that the patient may
8 request the presence of a third person during the
9 examination; or (ii) conducting the examination alone with
10 the patient if the patient has requested, and not
11 withdrawn the request, to have a third person present. If
12 the patient does not bring a third person, and if no
13 licensee-provided third person is available, the licensee
14 may inform the patient that the licensee cannot honor the
15 patient's request and invite the patient to either return
16 with a patient-provided third person or voluntarily elect
17 to withdraw the request and proceed with the examination.
18 For a patient whose care decisions are made by a parent or
19 guardian, the licensee's obligation is to inform and honor
20 requests from the parent or guardian. Notwithstanding any
21 provision of this paragraph BB. to the contrary, except in
22 the context of emergency care, surgical care, or care that
23 requires more than one health care professional, licensees
24 may, in their sole discretion, refuse to conduct an
25 examination of the breast or genitalia without a third
26 person present.

1 (2) 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. Such suspension will
5 end 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 practicing.

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

17 (Source: P.A. 104-154, eff. 1-1-26.)

18 Section 115. The Physician Assistant Practice Act of 1987
19 is amended by changing Section 21 as follows:

20 (225 ILCS 95/21) (from Ch. 111, par. 4621)

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

22 Sec. 21. Grounds for disciplinary action.

23 (a) The Department may refuse to issue or to renew, or may
24 revoke, suspend, place on probation, reprimand, or take other

1 disciplinary or non-disciplinary action with regard to any
2 license issued under this Act as the Department may deem
3 proper, including the issuance of fines not to exceed \$10,000
4 for each violation, for any one or combination of the
5 following causes:

6 (1) Material misstatement in furnishing information to
7 the Department.

8 (2) Violations of this Act, or the rules adopted under
9 this Act.

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

19 (4) Making any misrepresentation for the purpose of
20 obtaining licenses.

21 (5) Professional incompetence.

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

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

26 (8) Engaging in dishonorable, unethical, or

1 unprofessional conduct, as defined by rule, of a character
2 likely to deceive, defraud, or harm the public.

3 (9) Habitual or excessive use or addiction to alcohol,
4 narcotics, stimulants, or any other chemical agent or drug
5 that results in a physician assistant's inability to
6 practice with reasonable judgment, skill, or safety.

7 (10) Discipline by another U.S. jurisdiction or
8 foreign nation, if at least one of the grounds for
9 discipline is the same or substantially equivalent to
10 those set forth in this Section.

11 (11) 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 services not actually or
15 personally rendered. Nothing in this paragraph (11)
16 affects any bona fide independent contractor or employment
17 arrangements, which may include provisions for
18 compensation, health insurance, pension, or other
19 employment benefits, with persons or entities authorized
20 under this Act for the provision of services within the
21 scope of the licensee's practice under this Act.

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

25 (13) Abandonment of a patient.

26 (14) 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 (15) 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 (16) Physical illness, or mental illness or impairment
8 that results in the inability to practice the profession
9 with reasonable judgment, skill, or safety, including, but
10 not limited to, deterioration through the aging process or
11 loss of motor skill.

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

20 (18) (Blank).

21 (19) Gross negligence resulting in permanent injury or
22 death of a patient.

23 (20) Employment of fraud, deception or any unlawful
24 means in applying for or securing a license as a physician
25 assistant.

26 (21) Exceeding the authority delegated to him or her

1 by his or her collaborating physician in a written
2 collaborative agreement.

3 (22) Immoral conduct in the commission of any act,
4 such as sexual abuse, sexual misconduct, or sexual
5 exploitation related to the licensee's practice.

6 (23) Violation of the Health Care Worker Self-Referral
7 Act.

8 (24) Practicing under a false or assumed name, except
9 as provided by law.

10 (25) Making a false or misleading statement regarding
11 his or her skill or the efficacy or value of the medicine,
12 treatment, or remedy prescribed by him or her in the
13 course of treatment.

14 (26) Allowing another person to use his or her license
15 to practice.

16 (27) Prescribing, selling, administering,
17 distributing, giving, or self-administering a drug
18 classified as a controlled substance for other than
19 medically accepted therapeutic purposes.

20 (28) Promotion of the sale of drugs, devices,
21 appliances, or goods provided for a patient in a manner to
22 exploit the patient for financial gain.

23 (29) A pattern of practice or other behavior that
24 demonstrates incapacity or incompetence to practice under
25 this Act.

26 (30) Violating State or federal laws or regulations

1 relating to controlled substances or other legend drugs or
2 ephedra as defined in the Ephedra Prohibition Act.

3 (31) Exceeding the prescriptive authority delegated by
4 the collaborating physician or violating the written
5 collaborative agreement delegating that authority.

6 (32) Practicing without providing to the Department a
7 notice of collaboration or delegation of prescriptive
8 authority.

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

11 (34) Attempting to subvert or cheat on the examination
12 of the National Commission on Certification of Physician
13 Assistants or its successor agency.

14 (35) Willfully or negligently violating the
15 confidentiality between physician assistant and patient,
16 except as required by law.

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

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

1 (38) Failure to report to the Department an adverse
2 final action taken against him or her by another licensing
3 jurisdiction of the United States or a foreign state or
4 country, a peer review body, a health care institution, a
5 professional society or association, a governmental
6 agency, a law enforcement agency, or a court acts or
7 conduct similar to acts or conduct that would constitute
8 grounds for action under this Section.

9 (39) Failure to provide copies of records of patient
10 care or treatment, except as required by law.

11 (40) Entering into an excessive number of written
12 collaborative agreements with licensed physicians
13 resulting in an inability to adequately collaborate.

14 (41) Repeated failure to adequately collaborate with a
15 collaborating physician.

16 (42) Violating the Compassionate Use of Medical
17 Cannabis Program Act.

18 (43) 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 (44) Except in the context of emergency care, surgical
23 care, or care that requires more than one health care
24 professional, conducting a physical examination of the
25 breast or genitalia under one of the following conditions:
26 (i) conducting the examination alone with the patient

1 without first informing the patient that the patient may
2 request the presence of a third person during the
3 examination; or (ii) conducting the examination alone with
4 the patient if the patient has requested, and not
5 withdrawn the request, to have a third person present. If
6 the patient does not bring a third person, and if no
7 licensee-provided third person is available, the licensee
8 may inform the patient that the licensee cannot honor the
9 patient's request and invite the patient to either return
10 with a patient-provided third person or voluntarily elect
11 to withdraw the request and proceed with the examination.
12 For a patient whose care decisions are made by a parent or
13 guardian, the licensee's obligation is to inform and honor
14 requests from the parent or guardian. Notwithstanding any
15 provision of this paragraph (44) to the contrary, except
16 in the context of emergency care, surgical care, or care
17 that requires more than one health care professional,
18 licensees may, in their sole discretion, refuse to conduct
19 an examination of the breast or genitalia without a third
20 person present.

21 (b) The Department may, without a hearing, refuse to issue
22 or renew or may suspend the license of any person who fails to
23 file a return, or to pay the tax, penalty, or interest shown in
24 a filed return, or to pay any final assessment of the tax,
25 penalty, or interest as required by any tax Act administered
26 by the Illinois Department of Revenue, until such time as the

1 requirements of any such tax Act are satisfied.

2 (b-5) 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 solely upon the person providing, authorizing,
7 recommending, aiding, assisting, referring for, or otherwise
8 participating in any health care service, so long as the care
9 was not unlawful under the laws of this State, regardless of
10 whether the patient was a resident of this State or another
11 state.

12 (b-10) 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 a
26 person practicing in Illinois under this Act.

1 (b-15) The conduct specified in subsections (b-5) and
2 (b-10) shall not constitute grounds for suspension under
3 Section 22.13.

4 (b-20) An applicant seeking licensure, certification, or
5 authorization pursuant to this Act who has been subject to
6 disciplinary action by a duly authorized professional
7 disciplinary agency of another jurisdiction solely on the
8 basis of having provided, authorized, recommended, aided,
9 assisted, referred for, or otherwise participated in health
10 care shall not be denied such licensure, certification, or
11 authorization, unless the Department determines that such
12 action would have constituted professional misconduct in this
13 State; however, nothing in this Section shall be construed as
14 prohibiting the Department from evaluating the conduct of such
15 applicant and making a determination regarding the licensure,
16 certification, or authorization to practice a profession under
17 this Act.

18 (c) The determination by a circuit court that a licensee
19 is subject to involuntary admission or judicial admission as
20 provided in the Mental Health and Developmental Disabilities
21 Code operates as an automatic suspension. The suspension will
22 end only upon a finding by a court that the patient is no
23 longer subject to involuntary admission or judicial admission
24 and issues an order so finding and discharging the patient,
25 and upon the recommendation of the Board to the Secretary that
26 the licensee be allowed to resume his or her practice.

1 (d) In enforcing this Section, the Department upon a
2 showing of a possible violation may compel an individual
3 licensed to practice under this Act, or who has applied for
4 licensure under this Act, to submit to a mental or physical
5 examination, or both, which may include a substance abuse or
6 sexual offender evaluation, as required by and at the expense
7 of the Department.

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

25 The Department may order the examining physician or any
26 member of the multidisciplinary team to provide to the

1 Department any and all records, including business records,
2 that relate to the examination and evaluation, including any
3 supplemental testing performed.

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

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

23 Failure of an individual to submit to a mental or physical
24 examination, when ordered, shall result in an automatic
25 suspension of his or her license until the individual submits
26 to the examination.

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

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

26 An individual licensed under this Act and affected under

1 this Section shall be afforded an opportunity to demonstrate
2 to the Department that he or she can resume practice in
3 compliance with acceptable and prevailing standards under the
4 provisions of his or her license.

5 (e) An individual or organization acting in good faith,
6 and not in a willful and wanton manner, in complying with this
7 Section by providing a report or other information to the
8 Board, by assisting in the investigation or preparation of a
9 report or information, by participating in proceedings of the
10 Board, or by serving as a member of the Board, shall not be
11 subject to criminal prosecution or civil damages as a result
12 of such actions.

13 (f) Members of the Board shall be indemnified by the State
14 for any actions occurring within the scope of services on the
15 Board, done in good faith and not willful and wanton in nature.
16 The Attorney General shall defend all such actions unless he
17 or she determines either that there would be a conflict of
18 interest in such representation or that the actions complained
19 of were not in good faith or were willful and wanton.

20 If the Attorney General declines representation, the
21 member has the right to employ counsel of his or her choice,
22 whose fees shall be provided by the State, after approval by
23 the Attorney General, unless there is a determination by a
24 court that the member's actions were not in good faith or were
25 willful and wanton.

26 The member must notify the Attorney General within 7 days

1 after receipt of notice of the initiation of any action
2 involving services of the Board. Failure to so notify the
3 Attorney General constitutes an absolute waiver of the right
4 to a defense and indemnification.

5 The Attorney General shall determine, within 7 days after
6 receiving such notice, whether he or she will undertake to
7 represent the member.

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

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

11 Section 120. The Podiatric Medical Practice Act of 1987 is
12 amended by changing Section 24 as follows:

13 (225 ILCS 100/24) (from Ch. 111, par. 4824)

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

15 Sec. 24. Grounds for disciplinary action. The Department
16 may refuse to issue, may refuse to renew, may refuse to
17 restore, may suspend, or may revoke any license, or may place
18 on probation, reprimand or take other disciplinary or
19 non-disciplinary action as the Department may deem proper,
20 including fines not to exceed \$10,000 for each violation upon
21 anyone licensed under this Act for any of the following
22 reasons:

23 (1) Making a material misstatement in furnishing
24 information to the Department.

1 (2) Violations of this Act, or of the rules adopted
2 under 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 or
9 (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, or violating any provision of this Act
14 or the rules promulgated thereunder pertaining to
15 advertising.

16 (5) Professional incompetence.

17 (6) Gross or repeated malpractice or negligence.

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

20 (8) Failing, within 30 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.

25 (10) Habitual or excessive use of alcohol, narcotics,
26 stimulants, or other chemical agent or drug that results

1 in the inability to practice podiatric medicine with
2 reasonable judgment, skill or safety.

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

7 (12) Violation of the prohibition against fee
8 splitting in Section 24.2 of this Act.

9 (13) A finding by the Board that the licensee, after
10 having his or her license placed on probationary status,
11 has violated the terms of probation.

12 (14) Abandonment of a patient.

13 (15) Willfully making or filing false records or
14 reports in his or her practice, including, but not limited
15 to, false records filed with state agencies or
16 departments.

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

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

25 (18) Solicitation of professional services other than
26 permitted advertising.

1 (19) The determination by a circuit court that a
2 licensed podiatric physician is subject to involuntary
3 admission or judicial admission as provided in the Mental
4 Health and Developmental Disabilities Code operates as an
5 automatic suspension. Such suspension will end only upon a
6 finding by a court that the patient is no longer subject to
7 involuntary admission or judicial admission and issues an
8 order so finding and discharging the patient; and upon the
9 recommendation of the Board to the Secretary that the
10 licensee be allowed to resume his or her practice.

11 (20) Holding oneself out to treat human ailments under
12 any name other than his or her own, or the impersonation of
13 any other physician.

14 (21) Revocation or suspension or other action taken
15 with respect to a podiatric medical license in another
16 jurisdiction that would constitute disciplinary action
17 under this Act.

18 (22) Promotion of the sale of drugs, devices,
19 appliances, or goods provided for a patient in such manner
20 as to exploit the patient for financial gain of the
21 podiatric physician.

22 (23) Gross, willful, and continued overcharging for
23 professional services including filing false statements
24 for collection of fees for those services, including, but
25 not limited to, filing false statement for collection of
26 monies for services not rendered from the medical

1 assistance program of the Department of Healthcare and
2 Family Services (formerly Department of Public Aid) under
3 the Illinois Public Aid Code or other private or public
4 third party payor.

5 (24) 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 (25) Willfully making or filing false records or
14 reports in the practice of podiatric medicine, including,
15 but not limited to, false records to support claims
16 against the medical assistance program of the Department
17 of Healthcare and Family Services (formerly Department of
18 Public Aid) under the Illinois Public Aid Code.

19 (26) (Blank).

20 (27) Immoral conduct in the commission of any act
21 including, sexual abuse, sexual misconduct, or sexual
22 exploitation, related to the licensee's practice.

23 (28) Violation of the Health Care Worker Self-Referral
24 Act.

25 (29) Failure to report to the Department any adverse
26 final action taken against him or her by another licensing

1 jurisdiction of the United States or any foreign state or
2 country, any peer review body, any health care
3 institution, any professional society or association, any
4 governmental agency, any law enforcement agency, or any
5 court for acts or conduct similar to acts or conduct that
6 would constitute grounds for action as defined in this
7 Section.

8 (30) Willfully failing to report an instance of
9 suspected abuse, neglect, financial exploitation, or
10 self-neglect of an eligible adult as defined in and
11 required by the Adult Protective Services Act.

12 (31) Being named as a perpetrator in an indicated
13 report by the Department on Aging under the Adult
14 Protective Services Act, and upon proof by clear and
15 convincing evidence that the licensee has caused an
16 eligible adult to be abused, neglected, or financially
17 exploited as defined in the Adult Protective Services Act.

18 (32) 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 The Department may refuse to issue or may suspend the
23 license of any person who fails to file a return, or to pay the
24 tax, penalty, or interest shown in a filed return, or to pay
25 any final assessment of tax, penalty, or interest, as required
26 by any tax Act administered by the Illinois Department of

1 Revenue, until such time as the requirements of any such tax
2 Act are satisfied.

3 Upon receipt of a written communication from the Secretary
4 of Human Services, the Director of Healthcare and Family
5 Services (formerly Director of Public Aid), or the Director of
6 Public Health that continuation of practice of a person
7 licensed under this Act constitutes an immediate danger to the
8 public, the Secretary may immediately suspend the license of
9 such person without a hearing. In instances in which the
10 Secretary immediately suspends a license under this Section, a
11 hearing upon such person's license must be convened by the
12 Board within 15 days after such suspension and completed
13 without appreciable delay, such hearing held to determine
14 whether to recommend to the Secretary that the person's
15 license be revoked, suspended, placed on probationary status,
16 or restored, or such person be subject to other disciplinary
17 action. In such hearing, the written communication and any
18 other evidence submitted therewith may be introduced as
19 evidence against such person; provided, however, the person or
20 his counsel shall have the opportunity to discredit or impeach
21 such evidence and submit evidence rebutting the same.

22 Except for fraud in procuring a license, all proceedings
23 to suspend, revoke, place on probationary status, or take any
24 other disciplinary action as the Department may deem proper,
25 with regard to a license on any of the foregoing grounds, must
26 be commenced within 5 years after receipt by the Department of

1 a complaint alleging the commission of or notice of the
2 conviction order for any of the acts described in this
3 Section. Except for the grounds set forth in items (8), (9),
4 (26), and (29) of this Section, no action shall be commenced
5 more than 10 years after the date of the incident or act
6 alleged to have been a violation of this Section. In the event
7 of the settlement of any claim or cause of action in favor of
8 the claimant or the reduction to final judgment of any civil
9 action in favor of the plaintiff, such claim, cause of action,
10 or civil action being grounded on the allegation that a person
11 licensed under this Act was negligent in providing care, the
12 Department shall have an additional period of 2 years from the
13 date of notification to the Department under Section 26 of
14 this Act of such settlement or final judgment in which to
15 investigate and commence formal disciplinary proceedings under
16 Section 24 of this Act, except as otherwise provided by law.
17 The time during which the holder of the license was outside the
18 State of Illinois shall not be included within any period of
19 time limiting the commencement of disciplinary action by the
20 Department.

21 In enforcing this Section, the Department or Board upon a
22 showing of a possible violation may compel an individual
23 licensed to practice under this Act, or who has applied for
24 licensure under this Act, to submit to a mental or physical
25 examination, or both, as required by and at the expense of the
26 Department. The Department or Board may order the examining

1 physician to present testimony concerning the mental or
2 physical examination of the licensee or applicant. No
3 information shall be excluded by reason of any common law or
4 statutory privilege relating to communications between the
5 licensee or applicant and the examining physician. The
6 examining physicians shall be specifically designated by the
7 Board or Department. The individual to be examined may have,
8 at his or her own expense, another physician of his or her
9 choice present during all aspects of this examination. Failure
10 of an individual to submit to a mental or physical
11 examination, when directed, shall be grounds for suspension of
12 his or her license until the individual submits to the
13 examination if the Department finds, after notice and hearing,
14 that the refusal to submit to the examination was without
15 reasonable cause.

16 If the Department or Board finds an individual unable to
17 practice because of the reasons set forth in this Section, the
18 Department or Board may require that individual to submit to
19 care, counseling, or treatment by physicians approved or
20 designated by the Department or Board, as a condition, term,
21 or restriction for continued, restored, or renewed licensure
22 to practice; or, in lieu of care, counseling, or treatment,
23 the Department may file, or the Board may recommend to the
24 Department to file, a complaint to immediately suspend,
25 revoke, or otherwise discipline the license of the individual.
26 An individual whose license was granted, continued, restored,

1 renewed, disciplined, or supervised subject to such terms,
2 conditions, or restrictions, and who fails to comply with such
3 terms, conditions, or restrictions, shall be referred to the
4 Secretary for a determination as to whether the individual
5 shall have his or her license suspended immediately, pending a
6 hearing by the Department.

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

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

21 (Source: P.A. 104-417, eff. 8-15-25.)

22 Section 125. The Respiratory Care Practice Act is amended
23 by changing Section 95 as follows:

24 (225 ILCS 106/95)

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

2 Sec. 95. Grounds for discipline.

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

9 (1) Material misstatement in furnishing information to
10 the Department or to any other State or federal agency.

11 (2) Violations of this Act, or any of the rules
12 adopted under this Act.

13 (3) Conviction by plea of guilty or nolo contendere,
14 finding of guilt, jury verdict, or entry of judgment or by
15 sentencing of any crime, including, but not limited to,
16 convictions preceding sentences of supervision,
17 conditional discharge, or first offender probation, under
18 the laws of any jurisdiction of the United States or any
19 state or territory thereof: (i) that is a felony or (ii)
20 that is a misdemeanor, an essential element of which is
21 dishonesty, or that is directly related to the practice of
22 the profession.

23 (4) Making any misrepresentation for the purpose of
24 obtaining a license.

25 (5) Professional incompetence or negligence in the
26 rendering of respiratory care services.

1 (6) Malpractice.

2 (7) Aiding or assisting another person in violating
3 any rules or provisions of this Act.

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

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

9 (10) Violating the rules of professional conduct
10 adopted by the Department.

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

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

1 require an employment arrangement to receive professional
2 fees for services rendered.

3 (13) A finding that the licensee, after having the
4 license placed on probationary status or subject to
5 conditions or restrictions, has violated the terms of
6 probation or failed to comply with such terms or
7 conditions.

8 (14) Abandonment of a patient.

9 (15) Willfully filing false records or reports
10 relating to a licensee's practice including, but not
11 limited to, false records filed with a federal or State
12 agency or department.

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

16 (17) Providing respiratory care, other than pursuant
17 to an order.

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

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

25 (20) Failure to file a tax return, or to pay the tax,
26 penalty, or interest shown in a filed return, or to pay any

1 final assessment of tax penalty, or interest, as required
2 by any tax Act administered by the Illinois Department of
3 Revenue or any successor agency or the Internal Revenue
4 Service or any successor agency.

5 (21) Irregularities in billing a third party for
6 services rendered or in reporting charges for services not
7 rendered.

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

16 (23) Habitual or excessive use or addiction to
17 alcohol, narcotics, stimulants, or any other chemical
18 agent or drug that results in an inability to practice
19 with reasonable skill, judgment, or safety.

20 (24) Being named as a perpetrator in an indicated
21 report by the Department on Aging under the Adult
22 Protective Services Act, and upon proof by clear and
23 convincing evidence that the licensee has caused an adult
24 with disabilities or an older adult to be abused or
25 neglected as defined in the Adult Protective Services Act.

26 (25) Willfully failing to report an instance of

1 suspected abuse, neglect, financial exploitation, or
2 self-neglect of an adult with disabilities or an older
3 adult as required by the Adult Protective Services Act.

4 (26) Willful omission to file or record, or willfully
5 impeding the filing or recording, or inducing another
6 person to omit to file or record medical reports as
7 required by law or willfully failing to report an instance
8 of suspected child abuse or neglect as required by the
9 Abused and Neglected Child Reporting Act.

10 (27) Practicing under a false or assumed name, except
11 as provided by law.

12 (28) Willfully or negligently violating the
13 confidentiality between licensee and patient, except as
14 required by law.

15 (29) The use of any false, fraudulent, or deceptive
16 statement in any document connected with the licensee's
17 practice.

18 (30) Failing 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) The determination by a court that a licensee is
23 subject to involuntary admission or judicial admission as
24 provided in the Mental Health and Developmental Disabilities
25 Code will result in an automatic suspension of the licensee's
26 license. The suspension will end upon a finding by a court that

1 the licensee is no longer subject to involuntary admission or
2 judicial admission, the issuance of an order so finding and
3 discharging the patient, and the recommendation of the Board
4 to the Secretary that the licensee be allowed to resume the
5 licensee's practice.

6 All fines imposed under this Section shall be paid within
7 60 days after the effective date of the order imposing the fine
8 or in accordance with the terms set forth in the order imposing
9 the fine.

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

11 Section 130. The Professional Counselor and Clinical
12 Professional Counselor Licensing and Practice Act is amended
13 by changing Section 80 as follows:

14 (225 ILCS 107/80)

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

16 Sec. 80. Grounds for discipline.

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

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

1 (2) Violations or negligent or intentional disregard
2 of this Act or rules adopted under this Act.

3 (3) Conviction by plea of guilty or nolo contendere,
4 finding of guilt, jury verdict, or entry of judgment or by
5 sentencing of any crime, 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: (i)
9 that is a felony or (ii) that is a misdemeanor, an
10 essential element of which is dishonesty, or that is
11 directly related to the practice of the profession.

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

15 (5) Professional incompetence or gross negligence in
16 the rendering of professional counseling or clinical
17 professional counseling services.

18 (6) Malpractice.

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

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

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

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

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

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

25 (13) A finding by the Board that the licensee, after
26 having the license placed on probationary status, has

1 violated the terms of probation.

2 (14) Abandonment of a client.

3 (15) Willfully filing false reports relating to a
4 licensee's practice, including, but not limited to, false
5 records filed with federal or 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 and in matters
10 pertaining to suspected abuse, neglect, financial
11 exploitation, or self-neglect of adults with disabilities
12 and older adults as set forth in the Adult Protective
13 Services Act.

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

22 (18) Physical or mental illness or disability,
23 including, but not limited to, deterioration through the
24 aging process or loss of abilities and skills which
25 results in the inability to practice the profession with
26 reasonable judgment, skill, or safety.

1 (19) Solicitation of professional services by using
2 false or misleading advertising.

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

5 (21) A finding that licensure has been applied for or
6 obtained by fraudulent means.

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

9 (23) Gross and willful overcharging for professional
10 services including filing statements for collection of
11 fees or moneys for which services are not rendered.

12 (24) Rendering professional counseling or clinical
13 professional counseling services without a license or
14 practicing outside the scope of a license.

15 (25) Clinical supervisors failing to adequately and
16 responsibly monitor supervisees.

17 (26) Failing 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 All fines imposed under this Section shall be paid within
22 60 days after the effective date of the order imposing the
23 fine.

24 (b) (Blank).

25 (b-5) The Department may refuse to issue or may suspend
26 without hearing, as provided for in the Code of Civil

1 Procedure, the license of any person who fails to file a
2 return, pay the tax, penalty, or interest shown in a filed
3 return, or pay any final assessment of the tax, penalty, or
4 interest as required by any tax Act administered by the
5 Illinois Department of Revenue, until such time as the
6 requirements of any such tax Act are satisfied in accordance
7 with subsection (g) of Section 2105-15 of the Department of
8 Professional Regulation Law of the Civil Administrative Code
9 of Illinois.

10 (b-10) In cases where the Department of Healthcare and
11 Family Services has previously determined a licensee or a
12 potential licensee is more than 30 days delinquent in the
13 payment of child support and has subsequently certified the
14 delinquency to the Department, the Department may refuse to
15 issue or renew or may revoke or suspend that person's license
16 or may take other disciplinary action against that person
17 based solely upon the certification of delinquency made by the
18 Department of Healthcare and Family Services in accordance
19 with item (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 (c) The determination by a court that a licensee is
23 subject to involuntary admission or judicial admission as
24 provided in the Mental Health and Developmental Disabilities
25 Code will result in an automatic suspension of his or her
26 license. The suspension will end upon a finding by a court that

1 the licensee is no longer subject to involuntary admission or
2 judicial admission, the issuance of an order so finding and
3 discharging the patient, and the recommendation of the Board
4 to the Secretary that the licensee be allowed to resume
5 professional practice.

6 (c-1) 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 (c-2) 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 (c-3) The conduct specified in subsection (c-1), (c-2),
5 (c-6), or (c-7) shall not constitute grounds for suspension
6 under Section 145.

7 (c-4) 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 (c-5) In enforcing this Act, 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, as required by and at the expense of the
25 Department. The Department may order the examining physician
26 to present testimony concerning the mental or physical

1 examination of the licensee or applicant. No information shall
2 be excluded by reason of any common law or statutory privilege
3 relating to communications between the licensee or applicant
4 and the examining physician. The examining physicians shall be
5 specifically designated by the Department. The individual to
6 be examined may have, at his or her own expense, another
7 physician of his or her choice present during all aspects of
8 this examination. The examination shall be performed by a
9 physician licensed to practice medicine in all its branches.
10 Failure of an individual to submit to a mental or physical
11 examination, when directed, shall result in an automatic
12 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.

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 (c-5), the Department may require that individual
22 to 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 A person holding a license under this Act or who has
12 applied for a license under this Act who, because of a physical
13 or mental illness or disability, including, but not limited
14 to, deterioration through the aging process or loss of motor
15 skill, is unable to practice the profession with reasonable
16 judgment, skill, or safety, may be required by the Department
17 to submit to care, counseling, or treatment by physicians
18 approved or designated by the Department as a condition, term,
19 or restriction for continued, reinstated, or renewed licensure
20 to practice. Submission to care, counseling, or treatment as
21 required by the Department shall not be considered discipline
22 of a license. If the licensee refuses to enter into a care,
23 counseling, or treatment agreement or fails to abide by the
24 terms of the agreement, the Department may file a complaint to
25 revoke, suspend, or otherwise discipline the license of the
26 individual. The Secretary may order the license suspended

1 immediately, pending a hearing by the Department. Fines shall
2 not be assessed in disciplinary actions involving physical or
3 mental illness or impairment.

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

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

18 (c-6) The Department may 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 an immigration violation by the person.

23 (c-7) The Department may 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 upon the person's license, registration, or permit
2 being revoked or suspended, or the person being otherwise
3 disciplined, by any other state if that revocation,
4 suspension, or other form of discipline was based solely upon
5 an immigration violation by the person.

6 (d) (Blank).

7 (e) The Department may adopt rules to implement,
8 administer, and enforce this Section.

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

10 Section 135. The Sex Offender Evaluation and Treatment
11 Provider Act is amended by changing Section 75 as follows:

12 (225 ILCS 109/75)

13 Sec. 75. Refusal, revocation, or suspension.

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

20 (1) violations of this Act or of the rules adopted
21 under this Act;

22 (2) discipline by the Department under other state law
23 and rules which the licensee is subject to;

24 (3) conviction by plea of guilty or nolo contendere,

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

9 (4) professional incompetence;

10 (5) advertising in a false, deceptive, or misleading
11 manner;

12 (6) aiding, abetting, assisting, procuring, advising,
13 employing, or contracting with any unlicensed person to
14 provide sex offender evaluation or treatment services
15 contrary to any rules or provisions of this Act;

16 (7) engaging in immoral conduct in the commission of
17 any act, such as sexual abuse, sexual misconduct, or
18 sexual exploitation, related to the licensee's practice;

19 (8) engaging in dishonorable, unethical, or
20 unprofessional conduct of a character likely to deceive,
21 defraud, or harm the public;

22 (9) practicing or offering to practice beyond the
23 scope permitted by law or accepting and performing
24 professional responsibilities which the licensee knows or
25 has reason to know that he or she is not competent to
26 perform;

1 (10) knowingly delegating professional
2 responsibilities to a person unqualified by training,
3 experience, or licensure to perform;

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

6 (12) having a habitual or excessive use of or
7 addiction to alcohol, narcotics, stimulants, or any other
8 chemical agent or drug which results in the inability to
9 practice with reasonable judgment, skill, or safety;

10 (13) having a pattern of practice or other behavior
11 that demonstrates incapacity or incompetence to practice
12 under this Act;

13 (14) discipline by another state, District of
14 Columbia, territory, or foreign nation, if at least one of
15 the grounds for the discipline is the same or
16 substantially equivalent to those set forth in this
17 Section;

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

21 (16) 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
24 departments;

25 (17) making a material misstatement in furnishing
26 information to the Department or otherwise making

1 misleading, deceptive, untrue, or fraudulent
2 representations in violation of this Act or otherwise in
3 the practice of the profession;

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

7 (19) inability to practice the profession with
8 reasonable judgment, skill, or safety as a result of
9 physical illness, including, but not limited to,
10 deterioration through the aging process, loss of motor
11 skill, or a mental illness or disability;

12 (20) charging for professional services not rendered,
13 including filing false statements for the collection of
14 fees for which services are not rendered; ~~or~~

15 (21) practicing under a false or, except as provided
16 by law, an assumed name; or ~~-~~

17 (22) failing 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 All fines shall be paid within 60 days of the effective
22 date of the order imposing the fine.

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

1 required by any tax Act administered by the Illinois
2 Department of Revenue, until such time as the requirements of
3 the tax Act are satisfied in accordance with subsection (g) of
4 Section 2105-15 of the Civil Administrative Code of Illinois.

5 (c) (Blank).

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

17 (e) The determination by a circuit court that a licensee
18 is subject to involuntary admission or judicial admission, as
19 provided in the Mental Health and Developmental Disabilities
20 Code, operates as an automatic suspension. The suspension will
21 end only upon a finding by a court that the patient is no
22 longer subject to involuntary admission or judicial admission
23 and the issuance of a court order so finding and discharging
24 the patient.

25 (f) In enforcing this Act, the Department or Board, 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, as required by and at the expense of the
4 Department. The Department or Board may order the examining
5 physician to present testimony concerning the mental or
6 physical examination of the licensee or applicant. No
7 information shall be excluded by reason of any common law or
8 statutory privilege relating to communications between the
9 licensee or applicant and the examining physician. The
10 examining physician shall be specifically designated by the
11 Board or Department. The individual to be examined may have,
12 at his or her own expense, another physician of his or her
13 choice present during all aspects of this examination. The
14 examination shall be performed by a physician licensed to
15 practice medicine in all its branches. Failure of an
16 individual to submit to a mental or physical examination, when
17 directed, shall result in an automatic suspension without
18 hearing.

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

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

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 Department within 15
15 days after the suspension and completed without appreciable
16 delay. The Department and Board shall have the authority to
17 review the subject individual's record of treatment and
18 counseling regarding the impairment to the extent permitted by
19 applicable federal statutes and regulations safeguarding the
20 confidentiality of medical records.

21 An individual licensed under this Act and subject to
22 action under this Section shall be afforded an opportunity to
23 demonstrate to the Department or Board that he or she can
24 resume practice in compliance with acceptable and prevailing
25 standards under the provisions of his or her license.

26 (Source: P.A. 100-872, eff. 8-14-18; 101-81, eff. 7-12-19.)

1 Section 140. The Illinois Speech-Language Pathology and
2 Audiology Practice Act is amended by changing Section 16 as
3 follows:

4 (225 ILCS 110/16) (from Ch. 111, par. 7916)

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

6 Sec. 16. Refusal, revocation or suspension of licenses.

7 (1) The Department may refuse to issue or renew, or may
8 revoke, suspend, place on probation, censure, reprimand or
9 take other disciplinary or non-disciplinary action as the
10 Department may deem proper, including fines not to exceed
11 \$10,000 for each violation, with regard to any license for any
12 one or combination of the following causes:

13 (a) Fraud in procuring the license.

14 (b) (Blank).

15 (c) Willful or repeated violations of the rules of the
16 Department of Public Health.

17 (d) Division of fees or agreeing to split or divide
18 the fees received for speech-language pathology or
19 audiology services with any person for referring an
20 individual, or assisting in the care or treatment of an
21 individual, without the knowledge of the individual or his
22 or her legal representative. Nothing in this paragraph (d)
23 affects any bona fide independent contractor or employment
24 arrangements among health care professionals, health

1 facilities, health care providers, or other entities,
2 except as otherwise prohibited by law. Any employment
3 arrangements may include provisions for compensation,
4 health insurance, pension, or other employment benefits
5 for the provision of services within the scope of the
6 licensee's practice under this Act. Nothing in this
7 paragraph (d) shall be construed to require an employment
8 arrangement to receive professional fees for services
9 rendered.

10 (e) Employing, procuring, inducing, aiding or abetting
11 a person not licensed as a speech-language pathologist or
12 audiologist to engage in the unauthorized practice of
13 speech-language pathology or audiology.

14 (e-5) Employing, procuring, inducing, aiding, or
15 abetting a person not licensed as a speech-language
16 pathology assistant to perform the functions and duties of
17 a speech-language pathology assistant.

18 (f) Making any misrepresentations or false promises,
19 directly or indirectly, to influence, persuade or induce
20 patronage.

21 (g) Professional connection or association with, or
22 lending his or her name to another for the illegal
23 practice of speech-language pathology or audiology by
24 another, or professional connection or association with
25 any person, firm or corporation holding itself out in any
26 manner contrary to this Act.

1 (h) Obtaining or seeking to obtain checks, money, or
2 any other things of value by false or fraudulent
3 representations, including but not limited to, engaging in
4 such fraudulent practice to defraud the medical assistance
5 program of the Department of Healthcare and Family
6 Services (formerly Department of Public Aid).

7 (i) Practicing under a name other than his or her own.

8 (j) Improper, unprofessional or dishonorable conduct
9 of a character likely to deceive, defraud or harm the
10 public.

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

20 (l) Permitting a person under his or her supervision
21 to perform any function not authorized by this Act.

22 (m) A violation of any provision of this Act or rules
23 promulgated thereunder.

24 (n) Discipline by another state, the District of
25 Columbia, territory, or foreign nation of a license to
26 practice speech-language pathology or audiology or a

1 license to practice as a speech-language pathology
2 assistant in its jurisdiction if at least one of the
3 grounds for that discipline is the same as or the
4 equivalent of one of the grounds for discipline set forth
5 herein.

6 (o) 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 (p) Gross or repeated malpractice.

10 (q) Willfully making or filing false records or
11 reports in his or her practice as a speech-language
12 pathologist, speech-language pathology assistant, or
13 audiologist, including, but not limited to, false records
14 to support claims against the public assistance program of
15 the Department of Healthcare and Family Services (formerly
16 Illinois Department of Public Aid).

17 (r) Professional incompetence as manifested by poor
18 standards of care or mental incompetence as declared by a
19 court of competent jurisdiction.

20 (s) Repeated irregularities in billing a third party
21 for services rendered to an individual. For purposes of
22 this Section, "irregularities in billing" shall include:

23 (i) reporting excessive charges for the purpose of
24 obtaining a total payment in excess of that usually
25 received by the speech-language pathologist,
26 speech-language pathology assistant, or audiologist

1 for the services rendered;

2 (ii) reporting charges for services not rendered;

3 or

4 (iii) incorrectly reporting services rendered for
5 the purpose of obtaining payment not earned.

6 (t) (Blank).

7 (u) Violation of the Health Care Worker Self-Referral
8 Act.

9 (v) Inability to practice with reasonable judgment,
10 skill, or safety as a result of habitual or excessive use
11 of or addiction to alcohol, narcotics, or stimulants or
12 any other chemical agent or drug or as a result of physical
13 illness, including, but not limited to, deterioration
14 through the aging process or loss of motor skill, mental
15 illness, or disability.

16 (w) Violation of the Hearing Instrument Consumer
17 Protection Act.

18 (x) Failure by a speech-language pathology assistant
19 and supervising speech-language pathologist to comply with
20 the supervision requirements set forth in Section 8.8.

21 (y) Willfully exceeding the scope of duties
22 customarily undertaken by speech-language pathology
23 assistants set forth in Section 8.7 that results in, or
24 may result in, harm to the public.

25 (z) Willfully failing to report an instance of
26 suspected abuse, neglect, financial exploitation, or

1 self-neglect of an eligible adult as defined in and
2 required by the Adult Protective Services Act.

3 (aa) Being named as a perpetrator in an indicated
4 report by the Department on Aging under the Adult
5 Protective Services Act and upon the indicated report
6 becoming final after a hearing or opportunity for a
7 hearing., ~~and upon proof by clear and convincing evidence~~
8 ~~that the licensee has caused an eligible adult to be~~
9 ~~abused, neglected, or financially exploited as defined in~~
10 ~~the Adult Protective Services Act.~~

11 (bb) Violating Section 8.2 of this Act.

12 (cc) Violating Section 8.3 of this Act.

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

17 (2) (Blank).

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

1 and upon the Board's recommendation to the Department that the
2 license be restored. Where the circumstances so indicate, the
3 Board may recommend to the Department that it require an
4 examination prior to restoring any license automatically
5 suspended under this subsection.

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

13 (5) In enforcing this Section, the Board upon a showing of
14 a possible violation may compel an individual licensed to
15 practice under this Act, or who has applied for licensure
16 pursuant to 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 examining physicians or clinical psychologists
19 shall be those specifically designated by the Board. The
20 individual to be examined may have, at his or her own expense,
21 another physician or clinical psychologist of his or her
22 choice present during all aspects of this examination. Failure
23 of any individual to submit to a mental or physical
24 examination, when directed, shall be grounds for suspension of
25 his or her license until the individual submits to the
26 examination if the Board finds, after notice and hearing, that

1 the refusal to submit to the examination was without
2 reasonable cause.

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

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

1 medical records.

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

7 (Source: P.A. 100-530, eff. 1-1-18; 100-872, eff. 8-14-18.)

8 Section 145. The Perfusionist Practice Act is amended by
9 changing Section 105 as follows:

10 (225 ILCS 125/105)

11 (Section scheduled to be repealed on January 1, 2030)

12 Sec. 105. Grounds for disciplinary action.

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

20 (1) Making a material misstatement in furnishing
21 information to the Department.

22 (2) Negligence, incompetence, or misconduct in the
23 practice of perfusion.

24 (3) Failure to comply with any provisions of this Act

1 or any of its rules.

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

6 (5) Purposefully making false statements or signing
7 false statements, certificates, or affidavits to induce
8 payment.

9 (6) Conviction of or entry of a plea of guilty or nolo
10 contendere, finding of guilt, jury verdict, or entry of
11 judgment or sentencing, 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 is
15 (i) a felony or (ii) a misdemeanor, an essential element
16 of which is dishonesty, that is directly related to the
17 practice of the profession of perfusion.

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

20 (8) Failing to provide information in response to a
21 written request made by the Department within 60 days
22 after receipt of such written request.

23 (9) Engaging in dishonorable, unethical, or
24 unprofessional conduct of a character likely to deceive,
25 defraud, or harm the public as defined by rule.

26 (10) Habitual or excessive use or abuse of drugs

1 defined in law as controlled substances, of alcohol,
2 narcotics, stimulants, or any other substances that
3 results in the inability to practice with reasonable
4 judgment, skill, or safety.

5 (11) A finding by the Department that an applicant or
6 licensee has failed to pay a fine imposed by the
7 Department.

8 (12) A finding by the Department that the licensee,
9 after having his or her license placed on probationary
10 status, has violated the terms of probation, or failed to
11 comply with such terms.

12 (13) Inability to practice the profession with
13 reasonable judgment, skill, or safety as a result of
14 physical illness, including, but not limited to,
15 deterioration through the aging process, loss of motor
16 skill, mental illness, or disability.

17 (14) Discipline by another state, territory, foreign
18 country, the District of Columbia, the United States
19 government, or any other government agency if at least one
20 of the grounds for discipline is the same or substantially
21 equivalent to those set forth in this Act.

22 (15) The making of any willfully false oath or
23 affirmation in any matter or proceeding where an oath or
24 affirmation is required by this Act.

25 (16) Using or attempting to use an expired, inactive,
26 suspended, or revoked license, or the certificate or seal

1 of another, or impersonating another licensee.

2 (17) Directly or indirectly giving to or receiving
3 from any person or entity any fee, commission, rebate, or
4 other form of compensation for any professional service
5 not actually or personally rendered.

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

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

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

21 (21) Immoral conduct in the commission of an act
22 related to the licensee's practice, including but not
23 limited to sexual abuse, sexual misconduct, or sexual
24 exploitation.

25 (22) Violation of the Health Care Worker Self-Referral
26 Act.

1 (23) Solicitation of business or professional
2 services, other than permitted advertising.

3 (24) Conviction of or cash compromise of a charge or
4 violation of the Illinois Controlled Substances Act.

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

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

11 (27) 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) In enforcing this Section, the Department or Board,
16 upon a showing of a possible violation, may order a licensee or
17 applicant to submit to a mental or physical examination, or
18 both, at the expense of the Department. The Department or
19 Board may order the examining physician to present testimony
20 concerning his or her examination of the licensee or
21 applicant. No information shall be excluded by reason of any
22 common law or statutory privilege relating to communications
23 between the licensee or applicant and the examining physician.
24 The examining physicians shall be specifically designated by
25 the Board or Department. The licensee or applicant may have,
26 at his or her own expense, another physician of his or her

1 choice present during all aspects of the examination. Failure
2 of a licensee or applicant to submit to any such examination
3 when directed, without reasonable cause as defined by rule,
4 shall be grounds for either the immediate suspension of his or
5 her license or immediate denial of his or her application.

6 (1) If the Secretary immediately suspends the license
7 of a licensee for his or her failure to submit to a mental
8 or physical examination when directed, a hearing must be
9 convened by the Department within 15 days after the
10 suspension and completed without appreciable delay.

11 (2) If the Secretary otherwise suspends a license
12 pursuant to the results of the licensee's mental or
13 physical examination, a hearing must be convened by the
14 Department within 15 days after the suspension and
15 completed without appreciable delay. The Department and
16 Board shall have the authority to review the licensee's
17 record of treatment and counseling regarding the relevant
18 impairment or impairments to the extent permitted by
19 applicable federal statutes and regulations safeguarding
20 the confidentiality of medical records.

21 (3) Any licensee suspended or otherwise affected under
22 this subsection (b) shall be afforded an opportunity to
23 demonstrate to the Department or Board that he or she can
24 resume practice in compliance with the acceptable and
25 prevailing standards under the provisions of his or her
26 license.

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 end only upon a finding by a court that the licensee is no
6 longer subject to involuntary admission or judicial admission
7 and issues an order so finding and discharging the licensee;
8 and upon the recommendation of the Board to the Secretary that
9 the licensee be allowed to resume his or her practice.

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

23 (e) The Department shall deny a license or renewal
24 authorized by this Act to a person who has failed to file a
25 return, to pay the tax, penalty, or interest shown in a filed
26 return, or to pay any final assessment of tax, penalty, or

1 interest as required by any tax Act administered by the
2 Department of Revenue, until the requirements of the tax Act
3 are satisfied in accordance with subsection (g) of Section
4 2105-15 of the Department of Professional Regulation Law of
5 the Civil Administrative Code of Illinois.

6 (Source: P.A. 101-311, eff. 8-9-19; 102-558, eff. 8-20-21.)

7 Section 150. The Registered Surgical Assistant and
8 Registered Surgical Technologist Title Protection Act is
9 amended by changing Section 75 as follows:

10 (225 ILCS 130/75)

11 (Section scheduled to be repealed on January 1, 2029)

12 Sec. 75. Grounds for disciplinary action.

13 (a) The Department may refuse to issue, renew, or restore
14 a registration, may revoke or suspend a registration, or may
15 place on probation, reprimand, or take other disciplinary or
16 non-disciplinary action with regard to a person registered
17 under this Act, including, but not limited to, the imposition
18 of fines not to exceed \$10,000 for each violation and the
19 assessment of costs as provided for in Section 90, for any one
20 or combination of the following causes:

21 (1) Making a material misstatement in furnishing
22 information to the Department.

23 (2) Violating a provision of this Act or rules adopted
24 under this Act.

1 (3) Conviction by plea of guilty or nolo contendere,
2 finding of guilt, jury verdict, or entry of judgment or by
3 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 that is
7 (i) a felony or (ii) a misdemeanor, an essential element
8 of which is dishonesty, or that is directly related to the
9 practice of the profession.

10 (4) Fraud or misrepresentation in applying for,
11 renewing, restoring, reinstating, or procuring a
12 registration under this Act.

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

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

17 (7) Engaging in dishonorable, unethical, or
18 unprofessional conduct of a character likely to deceive,
19 defraud, or harm the public, as defined by rule of the
20 Department.

21 (8) Discipline by another United States jurisdiction,
22 governmental agency, unit of government, or foreign
23 nation, if at least one of the grounds for discipline is
24 the same or substantially equivalent to those set forth in
25 this Section.

26 (9) Directly or indirectly giving to or receiving from

1 a person, firm, corporation, partnership, or association a
2 fee, commission, rebate, or other form of compensation for
3 professional services not actually or personally rendered.
4 Nothing in this paragraph (9) 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 registrant's practice under this
12 Act. Nothing in this paragraph (9) shall be construed to
13 require an employment arrangement to receive professional
14 fees for services rendered.

15 (10) A finding by the Department that the registrant,
16 after having the registration placed on probationary
17 status, has violated the terms of probation.

18 (11) Willfully making or filing false records or
19 reports in the practice, including, but not limited to,
20 false records or reports filed with State agencies.

21 (12) Willfully making or signing a false statement,
22 certificate, or affidavit to induce payment.

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

26 (14) Being named as a perpetrator in an indicated

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

8 (15) (Blank).

9 (16) Failure to report to the Department (A) any
10 adverse final action taken against the registrant by
11 another registering or licensing jurisdiction, government
12 agency, law enforcement agency, or any court or (B)
13 liability for conduct that would constitute grounds for
14 action as set forth in this Section.

15 (17) Habitual or excessive use or abuse of drugs
16 defined in law as controlled substances, alcohol, or any
17 other substance that results in the inability to practice
18 with reasonable judgment, skill, or safety.

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

24 (19) Gross malpractice.

25 (20) Immoral conduct in the commission of an act
26 related to the registrant's practice, including, but not

1 limited to, sexual abuse, sexual misconduct, or sexual
2 exploitation.

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

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

9 (b) The Department may refuse to issue or may suspend
10 without hearing the registration of a person who fails to file
11 a return, to pay the tax, penalty, or interest shown in a filed
12 return, or to pay a final assessment of the tax, penalty, or
13 interest as required by a tax Act administered by the
14 Department of Revenue, until the requirements of the tax Act
15 are satisfied in accordance with subsection (g) of Section
16 2105-15 of the Department of Professional Regulation Law of
17 the Civil Administrative Code of Illinois.

18 (b-1) The Department shall not revoke, suspend, summarily
19 suspend, place on probation, 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 (b-2) 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 the
16 person practicing in this State under this Act.

17 (b-3) The conduct specified in subsection (b-1) or (b-2)
18 shall not constitute grounds for suspension under Section 145.

19 (b-4) An applicant seeking licensure, certification, or
20 authorization pursuant to this Act who has been subject to
21 disciplinary action by a duly authorized professional
22 disciplinary agency of another jurisdiction solely on the
23 basis of having provided, authorized, recommended, aided,
24 assisted, referred for, or otherwise participated in health
25 care shall not be denied such licensure, certification, or
26 authorization, unless the Department determines that such

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

7 (c) The determination by a circuit court that a registrant
8 is subject to involuntary admission or judicial admission as
9 provided in the Mental Health and Developmental Disabilities
10 Code operates as an automatic suspension. The suspension will
11 end only upon (1) a finding by a court that the patient is no
12 longer subject to involuntary admission or judicial admission,
13 (2) issuance of an order so finding and discharging the
14 patient, and (3) filing of a petition for restoration
15 demonstrating fitness to practice.

16 (d) (Blank).

17 (e) In cases where the Department of Healthcare and Family
18 Services has previously determined a registrant or a potential
19 registrant 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 registration or may
23 take other disciplinary action against that person based
24 solely upon the certification of delinquency made by the
25 Department of Healthcare and Family Services in accordance
26 with paragraph (5) of subsection (a) of Section 2105-15 of the

1 Department of Professional Regulation Law of the Civil
2 Administrative Code of Illinois.

3 (f) In enforcing this Section, the Department, upon a
4 showing of a possible violation, may compel any individual
5 registered under this Act or any individual who has applied
6 for registration to submit to a mental or physical examination
7 and evaluation, or both, that may include a substance abuse or
8 sexual offender evaluation, at the expense of the Department.
9 The Department shall specifically designate the examining
10 physician licensed to practice medicine in all of its branches
11 or, if applicable, the multidisciplinary team involved in
12 providing the mental or physical examination and evaluation,
13 or both. The multidisciplinary team shall be led by a
14 physician licensed to practice medicine in all of its branches
15 and may consist of one or more or a combination of physicians
16 licensed to practice medicine in all of its branches, licensed
17 chiropractic physicians, licensed clinical psychologists,
18 licensed clinical social workers, licensed clinical
19 professional counselors, and other professional and
20 administrative staff. Any examining physician or member of the
21 multidisciplinary team may require any person ordered to
22 submit to an examination and evaluation pursuant to this
23 Section to submit to any additional supplemental testing
24 deemed necessary to complete any examination or evaluation
25 process, including, but not limited to, blood testing,
26 urinalysis, psychological testing, or neuropsychological

1 testing.

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

26 Failure of any individual to submit to mental or physical

1 examination and evaluation, or both, when directed, shall
2 result in an automatic suspension without a hearing until such
3 time as the individual submits to the examination. If the
4 Department finds a registrant unable to practice because of
5 the reasons set forth in this Section, the Department shall
6 require such registrant to submit to care, counseling, or
7 treatment by physicians approved or designated by the
8 Department as a condition for continued, reinstated, or
9 renewed registration.

10 When the Secretary immediately suspends a registration
11 under this Section, a hearing upon such person's registration
12 must be convened by the Department within 15 days after such
13 suspension and completed without appreciable delay. The
14 Department shall have the authority to review the registrant's
15 record of treatment and counseling regarding the impairment to
16 the extent permitted by applicable federal statutes and
17 regulations safeguarding the confidentiality of medical
18 records.

19 Individuals registered under this Act and affected under
20 this Section shall be afforded an opportunity to demonstrate
21 to the Department that they can resume practice in compliance
22 with acceptable and prevailing standards under the provisions
23 of their registration.

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

1 imposing the fine.

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

4 (Source: P.A. 103-387, eff. 1-1-24; 103-605, eff. 7-1-24;
5 104-417, eff. 8-15-25; 104-432, eff. 1-1-26.)

6 Section 155. The Genetic Counselor Licensing Act is
7 amended by changing Section 95 as follows:

8 (225 ILCS 135/95)

9 (Section scheduled to be repealed on January 1, 2030)

10 Sec. 95. Grounds for discipline.

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

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

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

21 (3) Conviction by plea of guilty or nolo contendere,
22 finding of guilt, jury verdict, or entry of judgment or
23 sentencing, including, but not limited to, convictions,
24 preceding sentences of supervision, conditional discharge,

1 or first offender probation, under the laws of any
2 jurisdiction of the United States: (i) that is a felony or
3 (ii) that is a misdemeanor, an essential element of which
4 is dishonesty, or that is directly related to the practice
5 of genetic counseling.

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

9 (5) Negligence in the rendering of genetic counseling
10 services.

11 (6) Failure to provide genetic testing results and any
12 requested information to a referring physician licensed to
13 practice medicine in all its branches, advanced practice
14 registered nurse, or physician assistant.

15 (7) Aiding or assisting another person in violating
16 any provision of this Act or any 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 and violating the rules of
22 professional conduct adopted by the Department.

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

26 (10.5) Failure to maintain client records of services

1 provided and provide copies to clients upon request.

2 (11) Exploiting a client for personal advantage,
3 profit, or interest.

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

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

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

1 fees for services rendered.

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

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

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

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

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

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

1 or safety.

2 (21) Solicitation of professional services by using
3 false or misleading advertising.

4 (22) Failure to file a return, or to pay the tax,
5 penalty, or interest shown in a filed return, or to pay any
6 final assessment of tax, penalty, or interest, as required
7 by any tax Act administered by the Illinois Department of
8 Revenue or any successor agency or the Internal Revenue
9 Service or any successor agency.

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

13 (24) Practicing or attempting to practice under a name
14 other than the full name as shown on the license or any
15 other legally authorized name.

16 (25) Gross overcharging for professional services,
17 including filing statements for collection of fees or
18 moneys for which services are not rendered.

19 (26) (Blank).

20 (27) Charging for professional services not rendered,
21 including filing false statements for the collection of
22 fees for which services are not rendered.

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

25 (29) Failure to report actual or alleged reportable
26 conduct in accordance with Section 2105-390 of the

1 Department of Professional Regulation Law of the Civil
2 Administrative Code of Illinois.

3 (b) (Blank) .

4 (b-5) The Department shall not revoke, suspend, summarily
5 suspend, place on prohibition, reprimand, refuse to issue or
6 renew, or take any other disciplinary or non-disciplinary
7 action against a person's authorization to practice under this
8 Act based solely upon the person authorizing, recommending,
9 aiding, assisting, referring for, or otherwise participating
10 in any health care service, so long as the care was not
11 unlawful under the laws of this State, regardless of whether
12 the patient was a resident of this State or another state.

13 (b-10) The Department shall 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 on
21 the person violating another state's laws prohibiting the
22 provision of, authorization of, recommendation of, aiding or
23 assisting in, referring for, or participation in any health
24 care service if that health care service as provided would not
25 have been unlawful under the laws of this State and is
26 consistent with the applicable standard of conduct for the

1 person practicing in Illinois under this Act.

2 (b-15) The conduct specified in subsections (b-5) and
3 (b-10) shall not constitute grounds for suspension under
4 Section 160.

5 (b-20) An applicant seeking licensure, certification, or
6 authorization pursuant to this Act who has been subject to
7 disciplinary action by a duly authorized professional
8 disciplinary agency of another jurisdiction solely on the
9 basis of having authorized, recommended, aided, assisted,
10 referred for, or otherwise participated in health care shall
11 not be denied such licensure, certification, or authorization,
12 unless the Department determines that such action would have
13 constituted professional misconduct in this State; however,
14 nothing in this Section shall be construed as prohibiting the
15 Department from evaluating the conduct of such applicant and
16 making a determination regarding the licensure, certification,
17 or authorization to practice a profession under this Act.

18 (c) The determination by a court that a licensee is
19 subject to involuntary admission or judicial admission as
20 provided in the Mental Health and Developmental Disabilities
21 Code will result in an automatic suspension of the license.
22 The suspension will end upon a finding by a court that the
23 licensee is no longer subject to involuntary admission or
24 judicial admission, the issuance of an order so finding and
25 discharging the patient, and the determination of the
26 Secretary that the licensee be allowed to resume professional

1 practice.

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

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

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

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

3 (Source: P.A. 103-763, eff. 1-1-25; 104-432, eff. 1-1-26.)

4 Section 160. The Professional Service Corporation Act is
5 amended by changing Section 13 as follows:

6 (805 ILCS 10/13) (from Ch. 32, par. 415-13)

7 Sec. 13. The regulating authority which issued the
8 certificate of registration may suspend or revoke the
9 certificate or may otherwise discipline the certificate holder
10 for any of the following reasons:

11 (a) The revocation or suspension of the license to
12 practice the profession of any officer, director, shareholder
13 or employee not promptly removed or discharged by the
14 corporation; (b) unethical professional conduct on the part of
15 any officer, director, shareholder or employee not promptly
16 removed or discharged by the corporation; (c) the death of the
17 last remaining shareholder; (d) upon finding that the holder
18 of a certificate has failed to comply with the provisions of
19 this Act or the regulations prescribed by the regulating
20 authority that issued it; ~~or~~ (e) the failure to file a return,
21 or to pay the tax, penalty or interest shown in a filed return,
22 or to pay any final assessment of tax, penalty or interest, as
23 required by any tax Act administered by the Illinois
24 Department of Revenue, until such time as the requirements of

1 any such tax Act are satisfied; or (f) for a certificate of
2 registration issued by the Department of Financial and
3 Professional Regulation, a willful or reckless failure to
4 report in accordance with Section 2105-391 of the Department
5 of Professional Regulation Law of the Civil Administrative
6 Code of Illinois.

7 Before any certificate of registration is suspended or
8 revoked, the holder shall be given written notice of the
9 proposed action and the reasons therefor, and shall provide a
10 public hearing by the regulating authority, with the right to
11 produce testimony and other evidence concerning the charges
12 made. The notice shall also state the place and date of the
13 hearing which shall be at least 10 days after service of said
14 notice.

15 All orders of regulating authorities denying an
16 application for a certificate of registration, suspending or
17 revoking a certificate of registration, or imposing a civil
18 penalty shall be subject to judicial review pursuant to the
19 provisions of the Administrative Review Law, as now or
20 hereafter amended, and the rules adopted pursuant thereto then
21 in force.

22 The proceedings for judicial review shall be commenced in
23 the circuit court of the county in which the party applying for
24 review is located. If the party is not currently located in
25 Illinois, the venue shall be in Sangamon County. The
26 regulating authority shall not be required to certify any

1 record to the court or file any answer in court or otherwise
2 appear in any court in a judicial review proceeding, unless
3 and until the regulating authority has received from the
4 plaintiff payment of the costs of furnishing and certifying
5 the record, which costs shall be determined by the regulating
6 authority. Exhibits shall be certified without cost. Failure
7 on the part of the plaintiff to file a receipt in court is
8 grounds for dismissal of the action.

9 (Source: P.A. 99-227, eff. 8-3-15.)

10 Section 165. The Medical Corporation Act is amended by
11 changing Section 10 as follows:

12 (805 ILCS 15/10) (from Ch. 32, par. 640)

13 Sec. 10. The Department may suspend or revoke any
14 certificate of registration or may otherwise discipline the
15 certificate holder for any of the following reasons: (a) the
16 revocation or suspension of the license to practice medicine
17 of any officer, director, shareholder or employee not promptly
18 removed or discharged by the corporation; (b) unethical
19 professional conduct on the part of any officer, director,
20 shareholder or employee not promptly removed or discharged by
21 the corporation; (c) the death of the last remaining
22 shareholder; ~~or~~ (d) upon finding that the holder of a
23 certificate has failed to comply with the provisions of this
24 Act or the regulations prescribed by the Department; or (e) a

1 willful or reckless failure to report in accordance with
2 Section 2105-391 of the Department of Professional Regulation
3 Law of the Civil Administrative Code of Illinois.

4 The Department may refuse to issue or renew or may suspend
5 the certificate of any corporation which fails to file a
6 return, or to pay the tax, penalty or interest shown in a filed
7 return, or to pay any final assessment of tax, penalty or
8 interest, as required by any tax Act administered by the
9 Illinois Department of Revenue, until such time as the
10 requirements of any such tax Act are satisfied.

11 (Source: P.A. 99-227, eff. 8-3-15.)

12 Section 170. The Professional Limited Liability Company
13 Act is amended by changing Section 25 as follows:

14 (805 ILCS 185/25)

15 Sec. 25. Suspension, revocation or discipline of
16 certificate of registration.

17 (a) The Department may suspend, revoke, or otherwise
18 discipline the certificate of registration of a professional
19 limited liability company or limited liability company for any
20 of the following reasons:

21 (1) the revocation or suspension of the license to
22 practice the profession of any officer, manager, member,
23 agent, or employee not promptly removed or discharged by
24 the professional limited liability company;

1 (2) unethical professional conduct on the part of any
2 officer, manager, member, agent, or employee not promptly
3 removed or discharged by the professional limited
4 liability company;

5 (3) the death of the last remaining member;

6 (4) upon finding that the holder of the certificate
7 has failed to comply with the provisions of this Act or the
8 regulations prescribed by the Department; ~~or~~

9 (5) the failure to file a return, to pay the tax,
10 penalty, or interest shown in a filed return, or to pay any
11 final assessment of tax, penalty, or interest, as required
12 by a tax Act administered by the Illinois Department of
13 Revenue, until such time as the requirements of any such
14 tax Act are satisfied; or-

15 (6) a willful or reckless failure to report in
16 accordance with Section 2105-391 of the Department of
17 Professional Regulation Law of the Civil Administrative
18 Code of Illinois.

19 (b) Before any certificate of registration is suspended or
20 revoked, the holder shall be given written notice of the
21 proposed action and the reasons for the proposed action and
22 shall be provided a public hearing by the Department with the
23 right to produce testimony and other evidence concerning the
24 charges made. The notice shall also state the place and date of
25 the hearing, which shall be at least 10 days after service of
26 the notice.

1 (c) All orders of the Department denying an application
2 for a certificate of registration or suspending or revoking a
3 certificate of registration or imposing a civil penalty shall
4 be subject to judicial review pursuant to the Administrative
5 Review Law.

6 (d) The proceedings for judicial review shall be commenced
7 in the circuit court of the county in which the party applying
8 for review is located. If the party is not currently located in
9 Illinois, the venue shall be in Sangamon County. The
10 Department shall not be required to certify any record to the
11 court or file any answer in court or otherwise appear in any
12 court in a judicial review proceeding, unless and until the
13 Department has received from the plaintiff payment of the
14 costs of furnishing and certifying the record, which costs
15 shall be determined by the Department. Exhibits shall be
16 certified without cost. Failure on the part of the plaintiff
17 to file a receipt in court is grounds for dismissal of the
18 action.

19 (Source: P.A. 99-227, eff. 8-3-15.)

20 Section 995. No acceleration or delay. Where this Act
21 makes changes in a statute that is represented in this Act by
22 text that is not yet or no longer in effect (for example, a
23 Section represented by multiple versions), the use of that
24 text does not accelerate or delay the taking effect of (i) the
25 changes made by this Act or (ii) provisions derived from any

1 other Public Act.".