

1 AN ACT concerning regulation.

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

4 Section 5. The Regulatory Sunset Act is amended by
5 changing Sections 4.37 and 4.42 as follows:

6 (5 ILCS 80/4.37)

7 Sec. 4.37. Acts and Articles repealed on January 1, 2027.

8 The following are repealed on January 1, 2027:

9 ~~The Clinical Psychologist Licensing Act.~~

10 ~~The Illinois Optometric Practice Act of 1987.~~

11 Articles II, III, IV, V, VI, VIIA, VIIC, XVII, XXXI, and
12 XXXI 1/4 of the Illinois Insurance Code.

13 The Boiler and Pressure Vessel Repairer Regulation Act.

14 ~~The Marriage and Family Therapy Licensing Act.~~

15 ~~The Boxing and Full contact Martial Arts Act.~~

16 The Cemetery Oversight Act.

17 The Community Association Manager Licensing and
18 Disciplinary Act.

19 The Detection of Deception Examiners Act.

20 The Home Inspector License Act.

21 ~~The Massage Licensing Act.~~

22 ~~The Medical Practice Act of 1987.~~

23 The Petroleum Equipment Contractors Licensing Act.

1 The Radiation Protection Act of 1990.
2 The Real Estate Appraiser Licensing Act of 2002.
3 The Registered Interior Designers Act.
4 The Landscape Architecture Registration Act.
5 The Water Well and Pump Installation Contractor's License
6 Act.

7 ~~The Licensed Certified Professional Midwife Practice Act.~~

8 (Source: P.A. 102-20, eff. 6-25-21; 102-284, eff. 8-6-21;
9 102-437, eff. 8-20-21; 102-656, eff. 8-27-21; 102-683, eff.
10 10-1-22; 102-813, eff. 5-13-22; 103-371, eff. 1-1-24; 103-823,
11 eff. 8-9-24.)

12 (5 ILCS 80/4.42)

13 Sec. 4.42. Acts repealed on January 1, 2032. The following
14 Acts are repealed on January 1, 2032:

15 The Collateral Recovery Act.

16 The Clinical Psychologist Licensing Act.

17 The Illinois Optometric Practice Act of 1987.

18 The Marriage and Family Therapy Licensing Act.

19 The Boxing and Full-contact Martial Arts Act.

20 The Massage Therapy Practice Act.

21 The Medical Practice Act of 1987.

22 The Licensed Certified Professional Midwife Practice Act.

23 (Source: P.A. 103-371, eff. 1-1-24.)

24 Section 10. The Clinical Psychologist Licensing Act is

1 amended by changing Sections 2, 2.5, 3, 4, 4.3, 4.5, 5, 7, 10,
2 11, 11.5, 12.5, 13, 14, 15, 16, 16.1, 21, 21.2, 25, 26, 26.5,
3 and 27 as follows:

4 (225 ILCS 15/2) (from Ch. 111, par. 5352)

5 (Section scheduled to be repealed on January 1, 2027)

6 Sec. 2. Definitions. As used in this Act:

7 (1) "Department" means the Department of Financial and
8 Professional Regulation.

9 (2) "Secretary" means the Secretary of Financial and
10 Professional Regulation.

11 (3) "Board" means the Clinical Psychologists Licensing
12 and Disciplinary Board appointed by the Secretary.

13 (4) (Blank).

14 (5) "Clinical psychology" means the independent
15 evaluation, classification, diagnosis, and treatment of
16 mental, emotional, behavioral or nervous disorders or
17 conditions, developmental disabilities, alcoholism and
18 substance abuse, disorders of habit or conduct, and the
19 psychological aspects of physical illness. The practice of
20 clinical psychology includes psychoeducational
21 evaluation, therapy, remediation and consultation, the use
22 of psychological and neuropsychological testing,
23 assessment, psychotherapy, psychoanalysis, hypnosis,
24 biofeedback, and behavioral modification when any of these
25 are used for the purpose of preventing or eliminating

1 psychopathology, or for the amelioration of psychological
2 disorders of individuals or groups. "Clinical psychology"
3 does not include the use of hypnosis by unlicensed persons
4 pursuant to Section 3.

5 (6) A person represents oneself ~~himself~~ to be a
6 "clinical psychologist" or "psychologist" within the
7 meaning of this Act when the person ~~he or she~~ holds himself
8 or herself out to the public by any title or description of
9 services incorporating the words "psychological",
10 "psychologic", "psychologist", "psychology", or "clinical
11 psychologist" or under such title or description offers to
12 render or renders clinical psychological services as
13 defined in paragraph (7) of this Section to individuals or
14 the public for remuneration.

15 (7) "Clinical psychological services" refers to any
16 services under paragraph (5) of this Section if the words
17 "psychological", "psychologic", "psychologist",
18 "psychology" or "clinical psychologist" are used to
19 describe such services by the person or organization
20 offering to render or rendering them.

21 (8) "Collaborating physician" means a physician
22 licensed to practice medicine in all of its branches in
23 Illinois who generally prescribes medications for the
24 treatment of mental health disease or illness to the
25 physician's ~~his or her~~ patients in the normal course of
26 the physician's ~~his or her~~ clinical medical practice.

1 (9) "Prescribing psychologist" means a licensed,
2 doctoral level psychologist who has undergone specialized
3 training, has passed an examination as determined by rule,
4 and has received a current license granting prescriptive
5 authority under Section 4.2 of this Act that has not been
6 revoked or suspended from the Department.

7 (10) "Prescriptive authority" means the authority to
8 prescribe, administer, discontinue, or distribute drugs or
9 medicines.

10 (11) "Prescription" means an order for a drug,
11 laboratory test, or any medicines, including controlled
12 substances as defined in the Illinois Controlled
13 Substances Act.

14 (12) "Drugs" has the meaning given to that term in the
15 Pharmacy Practice Act.

16 (13) "Medicines" has the meaning given to that term in
17 the Pharmacy Practice Act.

18 (14) "Address of record" means the designated address
19 recorded by the Department in the applicant's application
20 file or the licensee's license file maintained by the
21 Department's licensure maintenance unit.

22 (15) "Email address of record" means the designated
23 email address recorded by the Department in the
24 applicant's application file or the licensee's license
25 file, as maintained by the Department's licensure
26 maintenance unit.

1 ~~This Act shall not apply to persons lawfully carrying on~~
2 ~~their particular profession or business under any valid~~
3 ~~existing regulatory Act of the State.~~

4 (Source: P.A. 98-668, eff. 6-25-14; 99-572, eff. 7-15-16.)

5 (225 ILCS 15/2.5)

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

7 Sec. 2.5. Address of record; email address of record
8 ~~Change of address.~~ All applicants and licensees shall:

9 (1) provide a valid address and email address to the
10 Department, which shall serve as the address of record and
11 email address of record, respectively, at the time of
12 application for licensure or renewal of a license; and

13 (2) inform the Department of any change of address of
14 record or email address of record within 14 days after
15 such change either through the Department's website or by
16 contacting the Department's licensure maintenance unit. ~~It~~
17 ~~is the duty of the applicant or licensee to inform the~~
18 ~~Department of any change of address within 14 days after~~
19 ~~such change either through the Department's website or by~~
20 ~~contacting the Department's licensure maintenance unit.~~

21 (Source: P.A. 99-572, eff. 7-15-16.)

22 (225 ILCS 15/3) (from Ch. 111, par. 5353)

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

24 Sec. 3. Necessity of license; corporations, professional

1 limited liability companies, partnerships, and associations;
2 display of license.

3 (a) No individual shall, without a valid license as a
4 clinical psychologist issued by the Department, in any manner
5 hold oneself ~~himself or herself~~ out to the public as a
6 psychologist or clinical psychologist under the provisions of
7 this Act or render or offer to render clinical psychological
8 services as defined in paragraph 7 of Section 2 of this Act; or
9 attach the title "clinical psychologist", "psychologist" or
10 any other name or designation which would in any way imply that
11 the person ~~he or she~~ is able to practice as a clinical
12 psychologist; or offer to render or render clinical
13 psychological services as defined in paragraph 7 of Section 2
14 of this Act.

15 No person may engage in the practice of clinical
16 psychology, as defined in paragraph (5) of Section 2 of this
17 Act, without a license granted under this Act, except as
18 otherwise provided in this Act.

19 (b) No business organization shall provide, attempt to
20 provide, or offer to provide clinical psychological services
21 unless every member, shareholder, director, officer, holder of
22 any other ownership interest, agent, and employee who renders
23 clinical psychological services holds a currently valid
24 license issued under this Act. No corporation or limited
25 liability company shall be created that (i) has a stated
26 purpose that includes clinical psychology, or (ii) practices

1 or holds itself out as available to practice clinical
2 psychology, unless it is organized under the Professional
3 Service Corporation Act or the Professional Limited Liability
4 Company Act.

5 (c) Individuals, corporations, professional limited
6 liability companies, partnerships, and associations may employ
7 practicum students, interns or postdoctoral candidates seeking
8 to fulfill educational requirements or the professional
9 experience requirements needed to qualify for a license as a
10 clinical psychologist to assist in the rendering of services,
11 provided that such employees function under the direct
12 supervision, order, control and full professional
13 responsibility of a licensed clinical psychologist in the
14 corporation, professional limited liability company,
15 partnership, or association. Nothing in this paragraph shall
16 prohibit a corporation, professional limited liability
17 company, partnership, or association from contracting with a
18 licensed health care professional to provide services.

19 (c-5) Nothing in this Act shall preclude individuals
20 licensed under this Act from practicing directly or indirectly
21 for a physician licensed to practice medicine in all its
22 branches under the Medical Practice Act of 1987 or for any
23 legal entity as provided under subsection (c) of Section 22.2
24 of the Medical Practice Act of 1987.

25 Nothing in this Act shall preclude individuals licensed
26 under this Act from practicing directly or indirectly for any

1 hospital licensed under the Hospital Licensing Act or any
2 hospital affiliate as defined in Section 10.8 of the Hospital
3 Licensing Act and any hospital authorized under the University
4 of Illinois Hospital Act.

5 (d) Nothing in this Act shall prevent the employment, by a
6 clinical psychologist, individual, association, partnership,
7 professional limited liability company, or corporation
8 furnishing clinical psychological services for remuneration,
9 of persons not licensed as clinical psychologists under the
10 provisions of this Act to perform services in various
11 capacities as needed, provided that such persons are not in
12 any manner held out to the public as rendering clinical
13 psychological services as defined in paragraph 7 of Section 2
14 of this Act. Nothing contained in this Act shall require any
15 hospital, clinic, home health agency, hospice, or other entity
16 that provides health care services to employ or to contract
17 with a clinical psychologist licensed under this Act to
18 perform any of the activities under paragraph (5) of Section 2
19 of this Act.

20 (e) Nothing in this Act shall be construed to limit the
21 services and use of official title on the part of a person, not
22 licensed under the provisions of this Act, in the employ of a
23 State, county, or municipal agency or other political
24 subdivision insofar that such services are a part of the
25 duties in the person's ~~his or her~~ salaried position, and
26 insofar that such services are performed solely on behalf of

1 the person's ~~his or her~~ employer.

2 Nothing contained in this Section shall be construed as
3 permitting such person to offer their services as
4 psychologists to any other persons and to accept remuneration
5 for such psychological services other than as specifically
6 excepted herein, unless they have been licensed under the
7 provisions of this Act.

8 (f) Duly recognized members of any bona fide ~~bonafide~~
9 religious denomination shall not be restricted from
10 functioning in their ministerial capacity provided they do not
11 represent themselves as being clinical psychologists or
12 providing clinical psychological services.

13 (g) Nothing in this Act shall prohibit individuals not
14 licensed under the provisions of this Act who work in
15 self-help groups or programs or not-for-profit organizations
16 from providing services in those groups, programs, or
17 organizations, provided that such persons are not in any
18 manner held out to the public as rendering clinical
19 psychological services as defined in paragraph 7 of Section 2
20 of this Act.

21 (h) Nothing in this Act shall be construed to prevent a
22 person from practicing hypnosis without a license issued under
23 this Act provided that the person (1) does not otherwise
24 engage in the practice of clinical psychology, including, but
25 not limited to, the independent evaluation, classification,
26 and treatment of mental, emotional, behavioral, or nervous

1 disorders or conditions, developmental disabilities,
2 alcoholism and substance abuse, disorders of habit or conduct,
3 and the psychological aspects of physical illness, (2) does
4 not otherwise engage in the practice of medicine, including,
5 but not limited to, the diagnosis or treatment of physical or
6 mental ailments or conditions, and (3) does not hold the
7 person ~~himself or herself~~ out to the public by a title or
8 description stating or implying that the individual is a
9 clinical psychologist or is licensed to practice clinical
10 psychology.

11 (i) Every licensee under this Act shall prominently
12 display the license at the licensee's principal office, place
13 of business, or place of employment and, whenever requested by
14 any representative of the Department, must exhibit the
15 license.

16 (Source: P.A. 99-227, eff. 8-3-15; 99-572, eff. 7-15-16.)

17 (225 ILCS 15/4) (from Ch. 111, par. 5354)

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

19 Sec. 4. Exemptions ~~Application of Act.~~

20 (a) Nothing in this Act shall be construed to limit the
21 activities of and services of a student, intern or resident in
22 psychology seeking to fulfill educational requirements or the
23 experience requirements in order to qualify for a license
24 under this Act, or an individual seeking to fulfill the
25 postdoctoral experience requirements in order to qualify for

1 licensure under this Act provided that such activities and
2 services are under the direct supervision, order, control and
3 full professional responsibility of a licensed clinical
4 psychologist and provided that such student, intern, or
5 resident be designated by a title "intern" or "resident" or
6 other designation of trainee status. Supervised experience in
7 which the supervisor receives monetary payment or other
8 considerations from the supervisee or in which the supervisor
9 is hired by or otherwise employed by the supervisee shall not
10 be accepted by the Department as fulfilling the practicum,
11 internship or 2 years of satisfactory supervised experience
12 requirements for licensure. Nothing contained in this Section
13 shall be construed as permitting such students, interns, or
14 residents to offer their services as clinical psychologists to
15 any other person or persons and to accept remuneration for
16 such clinical psychological services other than as
17 specifically excepted herein, unless they have been licensed
18 under the provisions of this Act. Students, interns, and
19 residents providing services pursuant to the exemption under
20 this subsection (a) who violate any provision of this Act or
21 its rules shall be subject to the provisions of Sections 16.5
22 and 27.2.

23 (b) Nothing in this Act shall be construed as permitting
24 persons licensed as clinical psychologists to engage in any
25 manner in the practice of medicine as defined in the laws of
26 this State. Persons licensed as clinical psychologists who

1 render services to persons in need of mental treatment or who
2 are mentally ill shall as appropriate initiate genuine
3 collaboration with a physician licensed in Illinois to
4 practice medicine in all its branches.

5 (c) Nothing in this Act shall be construed as restricting
6 an individual certified as a school psychologist by the State
7 Board of Education, who is at least 21 years of age and has had
8 at least 3 years of full-time experience as a certified school
9 psychologist, from using the title school psychologist and
10 offering school psychological services limited to those
11 services set forth in the rules and regulations that govern
12 the administration and operation of special education
13 pertaining to children and youth ages 0-21 prepared by the
14 State Board of Education. Anyone offering such services under
15 the provisions of this paragraph shall use the term school
16 psychologist and describe such services as "School
17 Psychological Services". This exemption shall be limited to
18 the practice of school psychology only as manifested through
19 psychoeducational problems, and shall not be construed to
20 allow a school psychologist to function as a general
21 practitioner of clinical psychology, unless otherwise licensed
22 under this Act. However, nothing in this paragraph prohibits a
23 school psychologist from making evaluations, recommendations
24 or interventions regarding the placement of children in
25 educational programs or special education classes, nor shall
26 it prohibit school psychologists from providing clinical

1 psychological services under the supervision of a licensed
2 clinical psychologist. This paragraph shall not be construed
3 to mandate insurance companies to reimburse school
4 psychologists directly for the services of school
5 psychologists. Nothing in this paragraph shall be construed to
6 exclude anyone duly licensed under this Act from offering
7 psychological services in the school setting. School
8 psychologists providing services under the provisions of this
9 paragraph shall not provide such services outside their
10 employment to any child who is a student in the district or
11 districts which employ such school psychologist. School
12 psychologists, as described in this paragraph, shall be under
13 the regulatory authority of the State Board of Education and
14 the State Teacher Certification Board.

15 (d) Nothing in this Act shall be construed to limit the
16 activities and use of the official title of "psychologist" on
17 the part of a person not licensed under this Act who possesses
18 a doctoral degree earned in a program concentrated primarily
19 on the study of psychology and is an academic employee of a
20 duly chartered institution of higher education insofar as such
21 person engages in public speaking with or without
22 remuneration, provided that such person is not in any manner
23 held out to the public as practicing clinical psychology as
24 defined in paragraph 5 of Section 2 of this Act, unless the
25 person ~~he or she~~ has been licensed under the provisions of this
26 Act.

1 (e) Nothing in this Act shall be construed to regulate,
2 control, or restrict the clinical practice of any person
3 licensed, registered, or certified in this State under any
4 other Act, provided that such person is not in any manner held
5 out to the public as rendering clinical psychological services
6 as defined in paragraph 7 of Section 2 of this Act.

7 (f) Nothing in this Act shall be construed to limit the
8 activities and use of the title "psychologist" on the part of a
9 person who practices psychology and (i) who possesses a
10 doctoral degree earned in a program concentrated primarily on
11 the study of psychology; and (ii) whose services involve the
12 development and application of psychological theory and
13 methodology to problems of organizations and problems of
14 individuals and groups in organizational settings; and
15 provided further that such person is not in any manner held out
16 to the public as practicing clinical psychology and is not
17 held out to the public by any title, description or
18 designation stating or implying that the person ~~he or she~~ is a
19 clinical psychologist unless the person ~~he or she~~ has been
20 licensed under the provisions of this Act.

21 (g) This Act shall not apply to persons lawfully carrying
22 on the person's particular profession or business under any
23 valid existing regulatory Act of the State.

24 (Source: P.A. 89-702, eff. 7-1-97.)

25 (225 ILCS 15/4.3)

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

2 Sec. 4.3. Written collaborative agreements.

3 (a) A written collaborative agreement is required for all
4 prescribing psychologists practicing under a prescribing
5 psychologist license issued pursuant to Section 4.2 of this
6 Act.

7 (b) A written delegation of prescriptive authority by a
8 collaborating physician may only include medications for the
9 treatment of mental health disease or illness the
10 collaborating physician generally provides to the
11 collaborating physician's ~~his or her~~ patients in the normal
12 course of the collaborating physician's ~~his or her~~ clinical
13 practice with the exception of the following:

14 (1) patients who are less than 17 years of age or over
15 65 years of age;

16 (2) patients during pregnancy;

17 (3) patients with serious medical conditions, such as
18 heart disease, cancer, stroke, or seizures, and with
19 developmental disabilities and intellectual disabilities;
20 and

21 (4) prescriptive authority for benzodiazepine Schedule
22 III controlled substances.

23 (c) The collaborating physician shall file with the
24 Department notice of delegation of prescriptive authority and
25 termination of the delegation, in accordance with rules of the
26 Department. Upon receipt of this notice delegating authority

1 to prescribe any nonnarcotic Schedule III through V controlled
2 substances, the licensed clinical psychologist shall be
3 eligible to register for a mid-level practitioner controlled
4 substance license under Section 303.05 of the Illinois
5 Controlled Substances Act.

6 (d) All of the following shall apply to delegation of
7 prescriptive authority:

8 (1) Any delegation of Schedule III through V
9 controlled substances shall identify the specific
10 controlled substance by brand name or generic name. No
11 controlled substance to be delivered by injection may be
12 delegated. No Schedule II controlled substance shall be
13 delegated.

14 (2) A prescribing psychologist shall not prescribe
15 narcotic drugs, as defined in Section 102 of the Illinois
16 Controlled Substances Act.

17 Any prescribing psychologist who writes a prescription for
18 a controlled substance without having valid and appropriate
19 authority may be fined by the Department not more than \$50 per
20 prescription and the Department may take any other
21 disciplinary action provided for in this Act.

22 All prescriptions written by a prescribing psychologist
23 must contain the name of the prescribing psychologist and the
24 prescribing psychologist's ~~his or her~~ signature. The
25 prescribing psychologist shall sign the prescribing
26 psychologist's ~~his or her~~ own name.

1 (e) The written collaborative agreement shall describe the
2 working relationship of the prescribing psychologist with the
3 collaborating physician and shall delegate prescriptive
4 authority as provided in this Act. Collaboration does not
5 require an employment relationship between the collaborating
6 physician and prescribing psychologist. Absent an employment
7 relationship, an agreement may not restrict third-party
8 payment sources accepted by the prescribing psychologist. For
9 the purposes of this Section, "collaboration" means the
10 relationship between a prescribing psychologist and a
11 collaborating physician with respect to the delivery of
12 prescribing services in accordance with (1) the prescribing
13 psychologist's training, education, and experience and (2)
14 collaboration and consultation as documented in a jointly
15 developed written collaborative agreement.

16 (f) The agreement shall promote the exercise of
17 professional judgment by the prescribing psychologist
18 corresponding to the prescribing psychologist's ~~his or her~~
19 education and experience.

20 (g) The collaborative agreement shall not be construed to
21 require the personal presence of a physician at the place
22 where services are rendered. Methods of communication shall be
23 available for consultation with the collaborating physician in
24 person or by telecommunications in accordance with established
25 written guidelines as set forth in the written agreement.

26 (h) Collaboration and consultation pursuant to all

1 collaboration agreements shall be adequate if a collaborating
2 physician does each of the following:

3 (1) participates in the joint formulation and joint
4 approval of orders or guidelines with the prescribing
5 psychologist and the collaborating physician ~~he or she~~
6 periodically reviews the prescribing psychologist's orders
7 and the services provided patients under the orders in
8 accordance with accepted standards of medical practice and
9 prescribing psychologist practice;

10 (2) provides collaboration and consultation with the
11 prescribing psychologist in person at least once a month
12 for review of safety and quality clinical care or
13 treatment;

14 (3) is available through telecommunications for
15 consultation on medical problems, complications,
16 emergencies, or patient referral; and

17 (4) reviews medication orders of the prescribing
18 psychologist no less than monthly, including review of
19 laboratory tests and other tests as available.

20 (i) The written collaborative agreement shall contain
21 provisions detailing notice for termination or change of
22 status involving a written collaborative agreement, except
23 when the notice is given for just cause.

24 (j) A copy of the signed written collaborative agreement
25 shall be available to the Department upon request to either
26 the prescribing psychologist or the collaborating physician.

1 (k) Nothing in this Section shall be construed to limit
2 the authority of a prescribing psychologist to perform all
3 duties authorized under this Act.

4 (l) A prescribing psychologist shall inform each
5 collaborating physician of all collaborative agreements the
6 prescribing psychologist ~~he or she~~ has signed and provide a
7 copy of these to any collaborating physician.

8 (m) No collaborating physician shall enter into more than
9 3 collaborative agreements with prescribing psychologists.

10 (Source: P.A. 101-84, eff. 7-19-19.)

11 (225 ILCS 15/4.5)

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

13 Sec. 4.5. Endorsement; prescribing psychologists.

14 (a) Individuals who are already licensed as medical or
15 prescribing psychologists in another state may apply for an
16 Illinois prescribing psychologist license by endorsement from
17 that state, or acceptance of that state's examination if they
18 meet the requirements set forth in this Act and its rules,
19 including proof of successful completion of the educational,
20 testing, and experience standards. Applicants from other
21 states may not be required to pass the examination required
22 for licensure as a prescribing psychologist in Illinois if
23 they meet requirements set forth in this Act and its rules,
24 such as proof of education, testing, payment of any fees, and
25 experience.

1 (b) Individuals who graduated from the Department of
2 Defense Psychopharmacology Demonstration Project may apply for
3 an Illinois prescribing psychologist license by endorsement.
4 Applicants from the Department of Defense Psychopharmacology
5 Demonstration Project may not be required to pass the
6 examination required for licensure as a prescribing
7 psychologist in Illinois if they meet requirements set forth
8 in this Act and its rules, such as proof of education, testing,
9 payment of any fees, and experience.

10 (c) Individuals applying for a prescribing psychologist
11 license by endorsement shall be required to first obtain a
12 clinical psychologist license under this Act.

13 (Source: P.A. 98-668, eff. 6-25-14.)

14 (225 ILCS 15/5) (from Ch. 111, par. 5355)

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

16 Sec. 5. Confidentiality of information. No clinical
17 psychologist shall disclose any information the clinical
18 psychologist ~~he or she~~ may have acquired from persons
19 consulting the clinical psychologist ~~him or her~~ in the
20 clinical psychologist's ~~his or her~~ professional capacity, to
21 any persons except only: (1) in trials for homicide when the
22 disclosure relates directly to the fact or immediate
23 circumstances of the homicide, (2) in all proceedings the
24 purpose of which is to determine mental competency, or in
25 which a defense of mental incapacity is raised, (3) in

1 actions, civil or criminal, against the psychologist for
2 malpractice, (4) with the expressed consent of the client, or
3 in the case of the client's ~~his or her~~ death or disability, the
4 client's ~~or his or her~~ personal representative or other person
5 authorized to sue or of the beneficiary of an insurance policy
6 on the client's ~~his or her~~ life, health, or physical
7 condition, or (5) upon an issue as to the validity of a
8 document as a will of a client. In the event of a conflict
9 between the application of this Section and the Mental Health
10 and Developmental Disabilities Confidentiality Act to a
11 specific situation, the provisions of the Mental Health and
12 Developmental Disabilities Confidentiality Act shall control.

13 (Source: P.A. 89-702, eff. 7-1-97.)

14 (225 ILCS 15/7) (from Ch. 111, par. 5357)

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

16 Sec. 7. Board. The Secretary shall appoint a Board that
17 shall serve in an advisory capacity to the Secretary.

18 The Board shall consist of 11 persons: 4 of whom are
19 licensed clinical psychologists and actively engaged in the
20 practice of clinical psychology; 2 of whom are licensed
21 prescribing psychologists; 2 of whom are physicians licensed
22 to practice medicine in all its branches in Illinois who
23 generally prescribe medications for the treatment of mental
24 health disease or illness in the normal course of clinical
25 medical practice, one of whom shall be a psychiatrist and the

1 other a primary care or family physician; 2 of whom are
2 licensed clinical psychologists and are full-time ~~full-time~~
3 faculty members of accredited colleges or universities who are
4 engaged in training clinical psychologists; and one of whom is
5 a public member who is not a licensed health care provider. In
6 appointing members of the Board, the Secretary shall give due
7 consideration to the adequate representation of the various
8 fields of health care psychology such as clinical psychology,
9 school psychology and counseling psychology. In appointing
10 members of the Board, the Secretary shall give due
11 consideration to recommendations by members of the profession
12 of clinical psychology and by the Statewide ~~State-wide~~
13 organizations representing the interests of clinical
14 psychologists and organizations representing the interests of
15 academic programs as well as recommendations by approved
16 doctoral level psychology programs in the State of Illinois,
17 and, with respect to the 2 physician members of the Board, the
18 Secretary shall give due consideration to recommendations by
19 the Statewide professional associations or societies
20 representing physicians licensed to practice medicine in all
21 its branches in Illinois. The members shall be appointed for a
22 term of 4 years. No member shall be eligible to serve for more
23 than 2 full terms. Any appointment to fill a vacancy shall be
24 for the unexpired portion of the term. A member appointed to
25 fill a vacancy for an unexpired term for a duration of 2 years
26 or more may be reappointed for a maximum of one term and a

1 member appointed to fill a vacancy for an unexpired term for a
2 duration of less than 2 years may be reappointed for a maximum
3 of 2 terms. The Secretary may remove any member for cause at
4 any time prior to the expiration of the member's ~~his or her~~
5 term.

6 The 2 initial appointees to the Board who are licensed
7 prescribing psychologists may hold a medical or prescription
8 license issued by another state so long as the license is
9 deemed by the Secretary to be substantially equivalent to a
10 prescribing psychologist license under this Act and so long as
11 the appointees also maintain an Illinois clinical psychologist
12 license. Such initial appointees shall serve on the Board
13 until the Department adopts rules necessary to implement
14 licensure under Section 4.2 of this Act.

15 The Board shall annually elect a chairperson and vice
16 chairperson.

17 The members of the Board shall be reimbursed for all
18 authorized legitimate and necessary expenses incurred in
19 attending the meetings of the Board.

20 The Secretary shall give due consideration to all
21 recommendations of the Board.

22 The Board may make recommendations on all matters relating
23 to continuing education including the number of hours
24 necessary for license renewal, waivers for those unable to
25 meet such requirements and acceptable course content. Such
26 recommendations shall not impose an undue burden on the

1 Department or an unreasonable restriction on those seeking
2 license renewal.

3 The 2 licensed prescribing psychologist members of the
4 Board and the 2 physician members of the Board shall only
5 deliberate and make recommendations related to the licensure
6 and discipline of prescribing psychologists. Four members
7 shall constitute a quorum, except that all deliberations and
8 recommendations related to the licensure and discipline of
9 prescribing psychologists shall require a quorum of 6 members.
10 A quorum is required for all Board decisions.

11 Members of the Board shall have no liability in any action
12 based upon any disciplinary proceeding or other activity
13 performed in good faith as a member of the Board.

14 The Secretary may terminate the appointment of any member
15 for cause which in the sole opinion of the Secretary
16 reasonably justifies such termination.

17 (Source: P.A. 98-668, eff. 6-25-14; 99-572, eff. 7-15-16.)

18 (225 ILCS 15/10) (from Ch. 111, par. 5360)

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

20 Sec. 10. Qualifications of applicants; examination. The
21 Department, except as provided in Section 11 of this Act,
22 shall issue a license as a clinical psychologist to any person
23 who pays an application fee and who:

24 (1) is at least 21 years of age;

25 (2) (blank);

1 (3) is a graduate of a doctoral program from a
2 college, university or school accredited by the regional
3 accrediting body which is recognized by the Council on
4 Postsecondary Accreditation and is in the jurisdiction in
5 which it is located for purposes of granting the doctoral
6 degree and either:

7 (a) is a graduate of a doctoral program in
8 clinical, school or counseling psychology either
9 accredited by the American Psychological Association
10 or the Psychological Clinical Science Accreditation
11 System or approved by the Council for the National
12 Register of Health Service Providers in Psychology or
13 other national board recognized by the Board, and has
14 completed 2 years of satisfactory supervised
15 experience in clinical, school or counseling
16 psychology at least one of which is an internship and
17 one of which is postdoctoral; or

18 (b) holds a doctoral degree from a recognized
19 college, university or school which the Department,
20 through its rules, establishes as being equivalent to
21 a clinical, school or counseling psychology program
22 and has completed at least one course in each of the
23 following 7 content areas, in actual attendance at a
24 recognized university, college or school whose
25 graduates would be eligible for licensure under this
26 Act: scientific and professional ethics, biological

1 basis of behavior, cognitive-affective basis of
2 behavior, social basis of behavior, individual
3 differences, assessment, and treatment modalities; and
4 has completed 2 years of satisfactory supervised
5 experience in clinical, school or counseling
6 psychology, at least one of which is an internship and
7 one of which is postdoctoral; or

8 (c) holds a doctorate in psychology or in a
9 program whose content is psychological in nature from
10 an accredited college, university or school not
11 meeting the standards of paragraph (a) or (b) of this
12 subsection (3) and provides evidence of the completion
13 of at least one course in each of the 7 content areas
14 specified in paragraph (b) in actual attendance at a
15 recognized university, school or college whose
16 graduate would be eligible for licensure under this
17 Act; and has completed an appropriate practicum, an
18 internship or equivalent supervised clinical
19 experience in an organized mental health care setting
20 and 2 years of satisfactory supervised experience in
21 clinical or counseling psychology, at least one of
22 which is postdoctoral; and

23 (4) has passed an examination authorized by the
24 Department to determine the person's ~~his or her~~ fitness to
25 receive a license.

26 Applicants for licensure under subsection (3) (a) and (3) (b) of

1 this Section shall complete 2 years of satisfactory supervised
2 experience, at least one of which shall be an internship and
3 one of which shall be postdoctoral. A year of supervised
4 experience is defined as not less than 1,750 hours obtained in
5 not less than 50 weeks based on 35 hours per week for full-time
6 work experience. Full-time supervised experience will be
7 counted only if it is obtained in a single setting for a
8 minimum of 6 months. Part-time and internship experience will
9 be counted only if it is 18 hours or more a week for a minimum
10 of 9 months and is in a single setting. The internship
11 experience required under subsection (3) (a) and (3) (b) of this
12 Section shall be a minimum of 1,750 hours completed within 24
13 months.

14 Programs leading to a doctoral degree require minimally
15 the equivalent of 3 full-time academic years of graduate
16 study, at least 2 years of which are at the institution from
17 which the degree is granted, and of which at least one year or
18 its equivalent is in residence at the institution from which
19 the degree is granted. Course work for which credit is given
20 for life experience will not be accepted by the Department as
21 fulfilling the educational requirements for licensure.
22 Residence requires interaction with psychology faculty and
23 other matriculated psychology students; one year's residence
24 or its equivalent is defined as follows:

25 (a) 30 semester hours taken on a full-time or
26 part-time basis at the institution accumulated within 24

1 months, or

2 (b) a minimum of 350 hours of student-faculty contact
3 involving face-to-face individual or group courses or
4 seminars accumulated within 18 months. Such educational
5 meetings must include both faculty-student and
6 student-student interaction, be conducted by the
7 psychology faculty of the institution at least 90% of the
8 time, be fully documented by the institution, and relate
9 substantially to the program and course content. The
10 institution must clearly document how the applicant's
11 performance is assessed and evaluated.

12 To meet the requirement for satisfactory supervised
13 experience, under this Act the supervision must be performed
14 pursuant to the order, control and full professional
15 responsibility of a licensed clinical psychologist. The
16 clients shall be the clients of the agency or supervisor
17 rather than the supervisee. Supervised experience in which the
18 supervisor receives monetary payment or other consideration
19 from the supervisee or in which the supervisor is hired by or
20 otherwise employed by the supervisee shall not be accepted by
21 the Department as fulfilling the practicum, internship or 2
22 years of satisfactory supervised experience requirements for
23 licensure.

24 Examinations for applicants under this Act shall be held
25 at the direction of the Department from time to time but not
26 less than once each year. The scope and form of the examination

1 shall be determined by the Department.

2 Each applicant for a license who possesses the necessary
3 qualifications therefor shall be examined by the Department,
4 and shall pay to the Department, or its designated testing
5 service, the required examination fee, which fee shall not be
6 refunded by the Department. Beginning one year after the
7 effective date of this amendatory Act of the 104th General
8 Assembly, the required examination may be taken upon
9 graduation and before completion of a postdoctoral supervised
10 experience in clinical, school, or counseling psychology.

11 Applicants have 3 years from the date of application to
12 complete the application process. If the process has not been
13 completed in 3 years, the application shall be denied, the fee
14 shall be forfeited, and the applicant must reapply and meet
15 the requirements in effect at the time of reapplication.

16 An applicant has one year from the date of notification of
17 successful completion of the examination to apply to the
18 Department for a license. If an applicant fails to apply
19 within one year, the applicant shall be required to take and
20 pass the examination again unless licensed in another
21 jurisdiction of the United States within one year of passing
22 the examination.

23 (Source: P.A. 104-301, eff. 1-1-26.)

24 (225 ILCS 15/11) (from Ch. 111, par. 5361)

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

1 Sec. 11. Endorsement; clinical psychologists ~~Persons~~
2 ~~licensed in other jurisdictions.~~

3 (a) The Department may, in its discretion, grant a license
4 on payment of the required fee to any person who, at the time
5 of application, is licensed by another state or jurisdiction
6 of the United States or by any foreign country or province
7 whose standards, in the opinion of the Department, were
8 substantially equivalent, at the date of the person's ~~his or~~
9 ~~her~~ licensure in the other jurisdiction, to the requirements
10 of this Act or to any person who, at the time of the person's
11 ~~his or her~~ licensure, possessed individual qualifications that
12 were substantially equivalent to the requirements then in
13 force in this State.

14 (b) The Department may issue a license, upon payment of
15 the required fee and recommendation of the Board, to an
16 individual applicant who:

17 (1) has been licensed based on a doctorate degree to
18 practice psychology in one or more other states or Canada
19 for at least 30 months during the 5 consecutive years
20 preceding application ~~20 years;~~

21 (2) has had no disciplinary action taken against his
22 or her license in any other jurisdiction during the entire
23 period of licensure;

24 (3) (blank);

25 (4) has not violated any provision of this Act or the
26 rules adopted under this Act; and

1 (5) complies with all additional rules promulgated
2 under this subsection.

3 The Department may promulgate rules to further define
4 these licensing criteria.

5 (b-5) The endorsement process for individuals who are
6 already licensed as medical or prescribing psychologists in
7 another state is governed by Section 4.5 of this Act and not
8 this Section.

9 (c) Applicants have 3 years from the date of application
10 to complete the application process. If the process has not
11 been completed in 3 years, the application shall expire ~~be~~
12 ~~denied~~, the fee shall be forfeited, and the applicant must
13 reapply and meet the requirements in effect at the time of
14 reapplication.

15 (Source: P.A. 99-572, eff. 7-15-16.)

16 (225 ILCS 15/11.5)

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

18 Sec. 11.5. Temporary authorization of practice by persons
19 licensed in other jurisdictions.

20 (a) A person licensed in another jurisdiction is
21 authorized to render ~~The Department, in its discretion, may~~
22 ~~issue a temporary permit authorizing the rendering of~~ clinical
23 psychological services, as defined in Section 2 of this Act,
24 in this State for up to 10 calendar days per year,
25 consecutively or in aggregate if the ~~. This temporary permit~~

1 ~~may be issued to an individual who~~ is licensed in good standing
2 to practice psychology independently and at the doctoral level
3 in another state, province, or territory. Any portion of a
4 calendar day in which the psychologist provides services in
5 this State is considered one working day. In no case shall a
6 person practicing pursuant to this subsection (a) establish a
7 permanent office location in Illinois, nor prepare or publish
8 letterhead, business cards, or similar publicity materials
9 listing an Illinois address or Illinois-based phone number.
10 Time devoted to providing testimony in court or in deposition
11 shall not be counted as part of the 10 calendar days allowed
12 under this subsection (a).

13 ~~An applicant for a temporary permit under this subsection~~
14 ~~(a) must apply to the Department on forms and in the manner~~
15 ~~prescribed by the Department. The application shall require~~
16 ~~that the applicant submit to the Department (i) satisfactory~~
17 ~~proof that the applicant is licensed in good standing to~~
18 ~~practice psychology independently and at the doctoral level in~~
19 ~~another state, province, or territory, including the sworn~~
20 ~~statement of the applicant that his or her license is not~~
21 ~~encumbered in any manner by any licensing authority, (ii) the~~
22 ~~name of the state, province, or territory in which the~~
23 ~~applicant is licensed, and (iii) the applicant's license~~
24 ~~number or other appropriate identifier issued by the licensing~~
25 ~~authority to the applicant.~~

26 (b) The Secretary may temporarily authorize an individual

1 to practice clinical psychology who (i) holds an active,
2 unencumbered license in good standing in another jurisdiction
3 and (ii) has applied for a license under this Act due to a
4 natural disaster or catastrophic event in the jurisdiction in
5 which the individual ~~he or she~~ is licensed. The temporary
6 authorization granted under this subsection (b) expires upon
7 the issuance of a license under this Act or upon the
8 notification that licensure has been denied by the Department.

9 (c) Any psychologist practicing pursuant to subsection (a)
10 or (b) of this Section shall conform the psychologist's ~~his or~~
11 ~~her~~ practice to the mandates of and shall be subject to the
12 prohibitions and sanctions, as well as the provisions on
13 hearings and investigations, contained in this Act and any
14 rules adopted thereunder while the psychologist ~~he or she~~ is
15 practicing in this State.

16 (Source: P.A. 95-451, eff. 1-1-08.)

17 (225 ILCS 15/12.5)

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

19 Sec. 12.5. Social Security Number or individual taxpayer
20 identification number on license application. In addition to
21 any other information required to be contained in the
22 application, every application for an original license under
23 this Act shall include the applicant's Social Security Number
24 or individual taxpayer identification number, which shall be
25 retained in the agency's records pertaining to the license. As

1 soon as practical, the Department shall assign a customer's
2 identification number to each applicant for a license.

3 Every application for a renewal or restored license shall
4 require the applicant's customer identification number.

5 (Source: P.A. 97-400, eff. 1-1-12.)

6 (225 ILCS 15/13) (from Ch. 111, par. 5363)

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

8 Sec. 13. License renewal; restoration.

9 (a) The expiration date and renewal period for each
10 license issued under this Act shall be set by rule. Every
11 holder of a license under this Act may renew such license
12 during the 90-day period immediately preceding the expiration
13 date thereof upon payment of the required renewal fees and
14 demonstrating compliance with any continuing education
15 requirements. The Department shall adopt rules establishing
16 minimum requirements of continuing education and means for
17 verification of the completion of the continuing education
18 requirements. The Department may, by rule, specify
19 circumstances under which the continuing education
20 requirements may be waived.

21 A clinical psychologist who has permitted the clinical
22 psychologist's ~~his or her~~ license to expire or who has had the
23 clinical psychologist's ~~his or her~~ license on inactive status
24 may have the clinical psychologist's ~~his or her~~ license
25 restored by making application to the Department and filing

1 proof acceptable to the Department, as defined by rule, of the
2 clinical psychologist's ~~his or her~~ fitness to have the
3 clinical psychologist's ~~his or her~~ license restored, including
4 evidence certifying to active practice in another jurisdiction
5 satisfactory to the Department and by paying the required
6 restoration fee.

7 If the clinical psychologist has not maintained an active
8 practice in another jurisdiction satisfactory to the
9 Department, the Board shall determine, by an evaluation
10 program established by rule, the clinical psychologist's ~~his~~
11 ~~or her~~ fitness to resume active status and may require the
12 clinical psychologist to complete a period of supervised
13 professional experience and may require successful completion
14 of an examination.

15 However, any clinical psychologist ~~whose~~ license that
16 expires ~~expired~~ while the clinical psychologist ~~he or she~~ was
17 (1) in Federal Service on active duty with the Armed Forces of
18 the United States, or the State Militia called into service or
19 training, or (2) in training or education under the
20 supervision of the United States preliminary to induction into
21 the military service, may have the ~~his or her~~ license renewed
22 or restored without paying any lapsed renewal fees if within 2
23 years after honorable termination of such service, training or
24 education the clinical psychologist ~~he or she~~ furnishes the
25 Department with satisfactory evidence to the effect that the
26 clinical psychologist ~~he or she~~ has been so engaged and that

1 the clinical psychologist's ~~his or her~~ service, training, or
2 education has been so terminated.

3 (b) Notwithstanding any other provision of law, the
4 following requirements for restoration of an inactive or
5 expired license of less than 5 years as set forth in subsection
6 (a) are suspended for any licensed clinical psychologist who
7 has had no disciplinary action taken against the clinical
8 psychologist's ~~his or her~~ license in this State or in any other
9 jurisdiction during the entire period of licensure: proof of
10 fitness, certification of active practice in another
11 jurisdiction, and the payment of a renewal fee. An individual
12 may not restore the individual's ~~his or her~~ license in
13 accordance with this subsection more than once.

14 (Source: P.A. 102-1053, eff. 6-10-22.)

15 (225 ILCS 15/14) (from Ch. 111, par. 5364)

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

17 Sec. 14. Inactive status. Any clinical psychologist who
18 notifies the Department in writing on forms prescribed by the
19 Department, may elect to place the clinical psychologist's ~~his~~
20 ~~or her~~ license on an inactive status and shall, subject to
21 rules of the Department, be excused from payment of renewal
22 fees until the clinical psychologist ~~he or she~~ notifies the
23 Department in writing of the clinical psychologist's ~~his or~~
24 ~~her~~ intent to restore the clinical psychologist's ~~his or her~~
25 license.

1 Any clinical psychologist requesting restoration from
2 inactive status shall be required to pay the current renewal
3 fee and shall be required to restore the clinical
4 psychologist's ~~his or her~~ license as provided in Section 13 of
5 this Act.

6 Any clinical psychologist whose license is in an inactive
7 status shall not practice in the State of Illinois.

8 Any licensee who shall practice clinical psychology while
9 the licensee's ~~his or her~~ license is lapsed or on inactive
10 status shall be considered to be practicing without a license
11 which shall be grounds for discipline under this Act.

12 (Source: P.A. 89-702, eff. 7-1-97.)

13 (225 ILCS 15/15) (from Ch. 111, par. 5365)

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

15 Sec. 15. Disciplinary action; grounds.

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

23 (1) Conviction of, or entry of a plea of guilty or nolo
24 contendere to, any crime that is a felony under the laws of
25 the United States or any state or territory thereof or

1 that is a misdemeanor of which an essential element is
2 dishonesty, or any crime that is directly related to the
3 practice of the profession.

4 (2) Gross negligence in the rendering of clinical
5 psychological services.

6 (3) Using fraud or making any misrepresentation in
7 applying for a license or in passing the examination
8 provided for in this Act.

9 (4) Aiding or abetting or conspiring to aid or abet a
10 person, not a clinical psychologist licensed under this
11 Act, in representing the person ~~himself or herself~~ as so
12 licensed or in applying for a license under this Act.

13 (5) Violation of any provision of this Act or the
14 rules promulgated thereunder.

15 (6) Professional connection or association with any
16 person, firm, association, partnership or corporation
17 holding ~~himself, herself, themselves,~~ or itself out in any
18 manner contrary to this Act.

19 (7) Unethical, unauthorized, or unprofessional conduct
20 as defined by rule. In establishing those rules, the
21 Department shall consider, though is not bound by, the
22 ethical standards for psychologists promulgated by
23 recognized national psychology associations.

24 (8) Aiding or assisting another person in violating
25 any provisions of this Act or the rules promulgated
26 thereunder.

1 (9) Failing to provide, within 30 ~~60~~ days, information
2 in response to a written request made by the Department.

3 (10) Habitual or excessive use or addiction to
4 alcohol, narcotics, stimulants, or any other chemical
5 agent or drug that results in a clinical psychologist's
6 inability to practice with reasonable judgment, skill, or
7 safety.

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

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

1 (13) A finding that the licensee, after having the
2 licensee's ~~his or her~~ license placed on probationary
3 status, has violated the terms of probation.

4 (14) Willfully making or filing false records or
5 reports, including, but not limited to, false records or
6 reports filed with State agencies or departments.

7 (15) Physical illness, including, but not limited to,
8 deterioration through the aging process, mental illness,
9 or disability that results in the inability to practice
10 the profession with reasonable judgment, skill, and
11 safety.

12 (16) 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 (17) 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 proof by clear and convincing evidence that the
19 licensee has caused a child to be an abused child or
20 neglected child as defined in the Abused and Neglected
21 Child Reporting Act.

22 (18) Violation of the Health Care Worker Self-Referral
23 Act.

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

1 (20) Failing to report to the Department any adverse
2 judgment, settlement, or award arising from a liability
3 claim related to an act or conduct similar to an act or
4 conduct that would constitute grounds for action as set
5 forth in this Section.

6 (21) Failing to report to the Department any adverse
7 final action taken against a licensee or applicant by
8 another licensing jurisdiction, including any other state
9 or territory of the United States or any foreign state or
10 country, or any peer review body, health care institution,
11 professional society or association related to the
12 profession, governmental agency, law enforcement agency,
13 or court for an act or conduct similar to an act or conduct
14 that would constitute grounds for disciplinary action as
15 set forth in this Section.

16 (22) Prescribing, selling, administering,
17 distributing, giving, or self-administering (A) any drug
18 classified as a controlled substance (designated product)
19 for other than medically accepted therapeutic purposes or
20 (B) any narcotic drug.

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

24 (24) Exceeding the terms of a collaborative agreement
25 or the prescriptive authority delegated to a licensee by
26 the licensee's ~~his or her~~ collaborating physician or

1 established under a written collaborative agreement.

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

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

23 In enforcing this Section, the Department or Board upon a
24 showing of a possible violation may compel any person licensed
25 to practice under this Act, or who has applied for licensure or
26 certification pursuant to this Act, to submit to a mental or

1 physical examination, or both, as required by and at the
2 expense of the Department. The examining physicians or
3 clinical psychologists shall be those specifically designated
4 by the Department. The Board or the Department may order the
5 examining physician or clinical psychologist to present
6 testimony concerning this mental or physical examination of
7 the 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 or clinical psychologist. The person to be
11 examined may have, at the person's ~~his or her~~ own expense,
12 another physician or clinical psychologist of the person's ~~his~~
13 ~~or her~~ choice present during all aspects of the examination.
14 Failure of any person to submit to a mental or physical
15 examination, when directed, shall be grounds for suspension of
16 a license until the person submits to the examination if the
17 Department or Board finds, after notice and hearing, that the
18 refusal to submit to the examination was without reasonable
19 cause.

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

1 counseling, or treatment, the Board may recommend to the
2 Department to file or the Department may file a complaint to
3 immediately suspend, revoke, or otherwise discipline the
4 license of the person. Any person whose license was granted,
5 continued, reinstated, renewed, disciplined, or supervised
6 subject to such terms, conditions, or restrictions, and who
7 fails to comply with such terms, conditions, or restrictions,
8 shall be referred to the Secretary for a determination as to
9 whether the person shall have the person's ~~his or her~~ license
10 suspended immediately, pending a hearing by the Board.

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

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

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

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

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

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

25 (e) 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 license, registration, or permit of
4 the person being suspended or revoked, or the person being
5 otherwise disciplined, by any other state or territory other
6 than Illinois for the referral for or having otherwise
7 participated in any health care service, if the revocation,
8 suspension, or other disciplinary action was based solely on a
9 violation of the other state's law prohibiting such health
10 care services in the state, for a resident of the state, or in
11 any other state.

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

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

15 (225 ILCS 15/16) (from Ch. 111, par. 5366)

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

17 Sec. 16. Investigations; notice; hearing.

18 (a) The Department may investigate the actions of any
19 applicant or of any person or persons holding or claiming to
20 hold a license or registration under this Act.

21 (b) The Department shall, before disciplining an applicant
22 or licensee, at least 30 days before the date set for the
23 hearing, (i) notify the accused in writing of the charges made
24 and the time and place for the hearing on the charges, (ii)
25 direct the applicant or licensee ~~him or her~~ to file a written

1 answer to the charges under oath within 20 days after service,
2 and (iii) inform the applicant or licensee that failure to
3 answer will result in a default being entered against the
4 applicant or licensee.

5 (c) At the time and place fixed in the notice, the Board or
6 hearing officer appointed by the Secretary shall proceed to
7 hear the charges, and the parties or their counsel shall be
8 accorded ample opportunity to present any pertinent
9 statements, testimony, evidence, and arguments. The Board or
10 hearing officer may continue the hearing from time to time. In
11 case the person, after receiving the notice, fails to file an
12 answer, the person's ~~his or her~~ license may, in the discretion
13 of the Secretary, having first received the recommendation of
14 the Board, be suspended, revoked, or placed on probationary
15 status, or be subject to whatever disciplinary action the
16 Secretary considers proper, including limiting the scope,
17 nature, or extent of the person's practice or the imposition
18 of a fine, without hearing, if the act or acts charged
19 constitute sufficient grounds for that action under this Act.

20 (d) The written notice and any notice in the subsequent
21 proceeding may be served by regular or certified mail to the
22 applicant's or licensee's address of record.

23 (Source: P.A. 99-572, eff. 7-15-16.)

24 (225 ILCS 15/16.1)

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

1 Sec. 16.1. Appointment of hearing officer. Notwithstanding
2 any other provision of this Act, the Secretary shall have the
3 authority to appoint any attorney duly licensed to practice
4 law in the State of Illinois to serve as the hearing officer in
5 any action for refusal to issue, renew or discipline a
6 license. The hearing officer shall have full authority to
7 conduct the hearing. The hearing officer shall report the
8 hearing officer's ~~his or her~~ findings of fact, conclusions of
9 law, and recommendations to the Board and the Secretary.

10 (Source: P.A. 99-572, eff. 7-15-16.)

11 (225 ILCS 15/21) (from Ch. 111, par. 5371)

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

13 Sec. 21. Restoration of license. At any time after the
14 suspension or revocation of any license, the Department may
15 restore it to the licensee upon the written recommendation of
16 the Board unless after an investigation and hearing the Board
17 or Department determines that restoration is not in the public
18 interest. Where circumstances of suspension or revocation so
19 indicate, the Department may require an examination of the
20 accused person prior to restoring the accused person's ~~his or~~
21 ~~her~~ license.

22 (Source: P.A. 99-572, eff. 7-15-16.)

23 (225 ILCS 15/21.2)

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

1 Sec. 21.2. Surrender of license. Upon the revocation or
2 suspension of a license, the licensee shall immediately
3 surrender the licensee's ~~his or her~~ license to the Department.
4 If the licensee fails to do so, the Department has the right to
5 seize the license.

6 (Source: P.A. 89-702, eff. 7-1-97.)

7 (225 ILCS 15/25) (from Ch. 111, par. 5375)

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

9 Sec. 25. Returned checks; fines. Any person who delivers a
10 check or other payment to the Department that is returned to
11 the Department unpaid by the financial institution upon which
12 it is drawn shall pay to the Department, in addition to the
13 amount already owed to the Department, a fine of \$50. The fines
14 imposed by this Section are in addition to any other
15 discipline provided under this Act for unlicensed practice or
16 practice on a nonrenewed license. The Department shall notify
17 the person that payment of fees and fines shall be paid to the
18 Department by certified check or money order within 30
19 calendar days of the notification. If, after the expiration of
20 30 days from the date of the notification, the person has
21 failed to submit the necessary remittance, the Department
22 shall automatically terminate the license or certificate or
23 deny the application, without hearing. If, after termination
24 or denial, the person seeks a license or certificate, the
25 person ~~he or she~~ shall apply to the Department for restoration

1 or issuance of the license or certificate and pay all fees and
2 fines due to the Department. The Department may establish a
3 fee for the processing of an application for restoration of a
4 license or certificate to pay all expenses of processing this
5 application. The Secretary may waive the fines due under this
6 Section in individual cases where the Secretary finds that the
7 fines would be unreasonable or unnecessarily burdensome.

8 (Source: P.A. 94-870, eff. 6-16-06.)

9 (225 ILCS 15/26) (from Ch. 111, par. 5376)

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

11 Sec. 26. Rendering services without a license. Any person
12 rendering or offering to render clinical psychological
13 services as defined in Section 2 of this Act or represents the
14 person ~~himself or herself~~ or the person's ~~his or her~~ services
15 as clinical psychological services as defined in Section 2 of
16 this Act, when the person ~~he or she~~ does not possess a
17 currently valid license as defined herein commits a Class B
18 misdemeanor, for a first offense; and for a second or
19 subsequent violation commits a Class 4 felony.

20 (Source: P.A. 89-387, eff. 8-20-95; 89-702, eff. 7-1-97.)

21 (225 ILCS 15/26.5)

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

23 Sec. 26.5. Advertising services. A licensee shall include
24 in every advertisement for services regulated under this Act

1 the licensee's ~~his or her~~ title as it appears on the license or
2 the initials authorized under this Act.

3 (Source: P.A. 91-310, eff. 1-1-00.)

4 (225 ILCS 15/27) (from Ch. 111, par. 5377)

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

6 Sec. 27. Injunctions. It is hereby declared to be a public
7 nuisance for any person to render or offer to render clinical
8 psychological services as defined in Section 2 of this Act or
9 to represent oneself ~~himself~~ as a clinical psychologist or
10 that the services the person ~~he or she~~ renders are clinical
11 psychological services as defined in Section 2 of this Act,
12 without having in effect a currently valid license as defined
13 in this Act. The Secretary, Attorney General, or the State's
14 Attorney of the county in which such nuisance has occurred may
15 file a complaint in the circuit court in the name of the People
16 of the State of Illinois perpetually to enjoin such person
17 from performing such unlawful acts. Upon the filing of a
18 verified complaint in such cause, the court, if satisfied that
19 such unlawful act has been performed and may continue to be
20 performed, shall enter a temporary restraining order or
21 preliminary injunction without notice or bond enjoining the
22 defendant from performing such unlawful act.

23 If it is established that the defendant contrary to this
24 Act has been rendering or offering to render clinical
25 psychological services as defined in Section 2 of this Act or

1 is engaging in or about to engage in representing himself or
2 herself as a clinical psychologist or that the services the
3 person ~~he or she~~ renders are clinical psychological services
4 as defined in Section 2 of this Act, without having been issued
5 a license or after the person's ~~his or her~~ license has been
6 suspended or revoked or after the person's ~~his or her~~ license
7 has not been renewed, the court, may enter a judgment
8 perpetually enjoining such person from further engaging in the
9 unlawful act. In case of violation of any injunction entered
10 under this Section, the court, may summarily try and punish
11 the offender for contempt of court. Such injunction
12 proceedings shall be in addition to, and not in lieu of, all
13 penalties and other remedies provided in this Act.

14 (Source: P.A. 94-870, eff. 6-16-06.)

15 Section 15. The Marriage and Family Therapy Licensing Act
16 is amended by changing Sections 10, 15, 20, 25, 30, 45, 60, 65,
17 75, 85, 90, 91, 95, 135, and 145 and by adding Section 71 as
18 follows:

19 (225 ILCS 55/10) (from Ch. 111, par. 8351-10)

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

21 Sec. 10. Definitions. As used in this Act:

22 "Address of record" means the designated address recorded
23 by the Department in the applicant's application file or the
24 licensee's license file maintained by the Department's

1 licensure maintenance unit.

2 "Advertise" means, but is not limited to, issuing or
3 causing to be distributed any card, sign, website, or other
4 similar type of publication or electronic format or a device
5 to any person; or causing, permitting or allowing any sign or
6 marking on or in any building, structure, newspaper, magazine
7 or directory, or on radio, ~~or~~ television, a website, or
8 another similar type of electronic format; or advertising by
9 any other means designed to secure public attention.

10 "Approved program" means an approved comprehensive program
11 of study in marriage and family therapy in a regionally
12 accredited educational institution approved by the Department
13 for the training of marriage and family therapists.

14 "Associate licensed marriage and family therapist" means a
15 person to whom an associate licensed marriage and family
16 therapist license has been issued under this Act.

17 "Board" means the Illinois Marriage and Family Therapy
18 Licensing and Disciplinary Board.

19 "Department" means the Department of Financial and
20 Professional Regulation.

21 "Email address of record" means the designated email
22 address recorded by the Department in the applicant's
23 application file or the licensee's license file, as maintained
24 by the Department's licensure maintenance unit.

25 "First qualifying degree" means the first master's or
26 doctoral degree, as described in paragraph (1) of subsection

1 (b) of Section 40, that an applicant for licensure received.

2 "Independent practice of marriage and family therapy"
3 means the application of marriage and family therapy knowledge
4 and skills by a licensed marriage and family therapist who
5 regulates and is responsible for the therapist's own practice
6 or treatment procedures.

7 "License" means that which is required to practice
8 marriage and family therapy under this Act, the qualifications
9 for which include specific education, acceptable experience
10 and examination requirements.

11 "Licensed marriage and family therapist" means a person to
12 whom a marriage and family therapist license has been issued
13 under this Act.

14 "Marriage and family therapy" means the evaluation and
15 treatment of mental and emotional problems within the context
16 of human relationships. Marriage and family therapy involves
17 the use of psychotherapeutic methods to ameliorate
18 interpersonal and intrapersonal conflict and to modify
19 perceptions, beliefs and behavior in areas of human life that
20 include, but are not limited to, premarriage, marriage,
21 sexuality, family, divorce adjustment, and parenting.

22 "Person" means any individual, firm, corporation,
23 partnership, organization, or body politic.

24 "Practice of marriage and family therapy" means the
25 rendering of marriage and family therapy services to
26 individuals, couples, and families as defined in this Section,

1 either singly or in groups, whether the services are offered
2 directly to the general public or through organizations,
3 either public or private, for a fee, monetary or otherwise.

4 "Secretary" means the Secretary of Financial and
5 Professional Regulation.

6 ~~"Title or description" means to hold oneself out as a
7 licensed marriage and family therapist or an associate
8 licensed marriage and family therapist to the public by means
9 of stating on signs, mailboxes, address plates, stationery,
10 announcements, calling cards or other instruments of
11 professional identification.~~

12 (Source: P.A. 100-372, eff. 8-25-17.)

13 (225 ILCS 55/15) (from Ch. 111, par. 8351-15)

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

15 Sec. 15. Exemptions.

16 (a) (Blank). ~~Nothing contained in this Act shall restrict
17 any person not licensed under this Act from performing
18 marriage and family therapy if that person does not represent
19 himself or herself as a "licensed marriage and family
20 therapist" or an "associate licensed marriage and family
21 therapist".~~

22 (b) Nothing in this Act shall be construed as permitting
23 persons licensed as marriage and family therapists and
24 associate licensed marriage and family therapists to engage in
25 any manner in the practice of medicine as defined in the laws

1 of this State.

2 (c) Nothing in this Act shall be construed to prevent
3 qualified members of other professional groups, including, but
4 not limited to, clinical psychologists, social workers,
5 counselors, attorneys at law, or psychiatric nurses, from
6 performing or advertising that they perform the work of a
7 marriage and family therapist consistent with the laws of this
8 State, their training, and any code of ethics of their
9 respective professions, provided they do not represent
10 themselves by any title or description as a licensed marriage
11 and family therapist or an associate licensed marriage and
12 family therapist.

13 (c-5) Nothing in this Act shall be construed to limit the
14 activities of a marriage and family therapy student or intern
15 seeking to fulfill educational requirements or experience
16 requirements in order to qualify for a license under this Act
17 if the activities are under the direct supervision, order,
18 control, and full professional responsibility of a licensed
19 marriage and family therapist and the student or intern is
20 designated by the title "intern" or another designation of the
21 student's or intern's trainee status. The Department shall not
22 accept supervised experience in which the supervisor receives
23 monetary payment or other consideration from the supervisee or
24 supervised experience in which the supervisor is hired by or
25 otherwise employed by the supervisee for the supervised
26 experience requirements for licensure. Nothing in this Section

1 shall be construed as permitting students or interns seeking
2 to fulfill educational requirements or experience requirements
3 in order to qualify for a license under this Act to offer their
4 services in marriage and family therapy to any other person or
5 persons or to accept remuneration for such marriage and family
6 therapy services other than as specified in this Act, unless
7 the students or interns have been licensed under the
8 provisions of this Act.

9 (d) Nothing in this Act shall be construed to prevent any
10 person from the bona fide practice of the doctrines of an
11 established church or religious denomination if the person
12 does not hold oneself ~~himself or herself~~ out to be a licensed
13 marriage and family therapist or an associate licensed
14 marriage and family therapist.

15 (e) Nothing in this Act shall prohibit self-help groups or
16 programs or not-for-profit organizations from providing
17 services so long as these groups, programs, or organizations
18 do not hold themselves out as practicing or being able to
19 practice marriage and family therapy.

20 (f) This Act does not prohibit:

21 (1) A person from practicing marriage and family
22 therapy as part of the person's ~~his or her~~ duties as an
23 employee of a recognized academic institution, or a
24 federal, State, county, or local governmental institution
25 or agency while performing those duties for which the
26 person ~~he or she~~ was employed by the institution, agency

1 or facility.

2 (2) (Blank). ~~A person from practicing marriage and~~
3 ~~family therapy as part of his or her duties as an employee~~
4 ~~of a nonprofit organization consistent with the laws of~~
5 ~~this State, his or her training, and any code of ethics of~~
6 ~~his or her respective professions, provided the person~~
7 ~~does not represent himself or herself as a "licensed~~
8 ~~marriage and family therapist" or an "associate licensed~~
9 ~~marriage and family therapist".~~

10 (3) A person from practicing marriage and family
11 therapy if the person is obtaining experience for
12 licensure as a marriage and family therapist, provided the
13 person is designated by a title that clearly indicates
14 training status. A person who provides services pursuant
15 to the exemption in this paragraph (3) and who violates
16 any provision of this Act or its rules shall be subject to
17 the provisions of Sections 90 and 91.

18 (4) A person licensed in this State under any other
19 Act from engaging the practice for which the person ~~he or~~
20 ~~she~~ is licensed.

21 (5) A person from practicing marriage and family
22 therapy if the person is a marriage and family therapist
23 regulated under the laws of another State, territory of
24 the United States or country and who has applied in
25 writing to the Department, on forms prepared and furnished
26 by the Department, for licensing as a marriage and family

1 therapist and who is qualified to receive a license under
2 Section 40 until the expiration of 6 months after the
3 filing of the written application, the withdrawal of the
4 application, a notice of intent to deny the application,
5 or the denial of the application by the Department,
6 whichever occurs first.

7 (Source: P.A. 100-372, eff. 8-25-17.)

8 (225 ILCS 55/20) (from Ch. 111, par. 8351-20)

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

10 Sec. 20. Powers and duties of the Department. Subject to
11 the provisions of this Act, the Department shall exercise the
12 following functions, powers, and duties:

13 (a) Conduct or authorize examinations to ascertain the
14 fitness and qualifications of applicants for licensure and
15 issue licenses to those who are found to be fit and
16 qualified.

17 (b) Adopt rules required for the administration of
18 this Act, including, but not limited to, rules for a
19 method of examination of candidates and for determining
20 approved graduate programs. All examinations, either
21 conducted or authorized, must allow reasonable
22 accommodations for an applicant whose primary language is
23 not English if an examination in the applicant's primary
24 language is not available. All examinations either
25 conducted or authorized must comply with all

1 communication, access, and reasonable modification
2 requirements in Section 504 of the federal Rehabilitation
3 Act of 1973 and Title II of the Americans with
4 Disabilities Act of 1990.

5 (b-5) Prescribe forms to be issued for the
6 administration and enforcement of this Act consistent with
7 and reflecting the requirements of this Act and rules
8 adopted pursuant to this Act.

9 (c) Conduct hearings on proceedings to refuse to issue
10 or renew licenses or to revoke, suspend, place on
11 probation, ~~or~~ reprimand, or impose any other discipline
12 upon persons licensed under the provisions of this Act.

13 (d) Conduct investigations related to possible
14 violations of this Act.

15 The Board may make recommendations on matters relating to
16 continuing education, including the number of hours necessary
17 for license renewal, waivers for those unable to meet the
18 requirements, and acceptable course content.

19 (Source: P.A. 104-178, eff. 1-1-26.)

20 (225 ILCS 55/25) (from Ch. 111, par. 8351-25)

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

22 Sec. 25. Marriage and Family Therapy Licensing and
23 Disciplinary Board.

24 (a) The Secretary shall appoint a Marriage and Family
25 Therapy Licensing and Disciplinary Board. The Board shall be

1 composed of 7 persons who shall serve in an advisory capacity
2 to the Secretary. The Board shall annually elect a chairperson
3 and a vice chairperson.

4 (b) In appointing members of the Board, the Secretary
5 shall give due consideration to recommendations by members of
6 the profession of marriage and family therapy and by the
7 statewide organizations solely representing the interests of
8 marriage and family therapists.

9 (c) Five members of the Board shall be marriage and family
10 therapists who have been in active practice for at least 5
11 years immediately preceding their appointment, or engaged in
12 the education and training of masters, doctoral, or
13 post-doctoral students of marriage and family therapy, or
14 engaged in marriage and family therapy research. Each marriage
15 or family therapy teacher or researcher shall have spent the
16 majority of the time devoted to the study or research of
17 marriage and family therapy during the 2 years immediately
18 preceding the marriage or family therapy teacher's or
19 researcher's ~~his or her~~ appointment to the Board. The
20 appointees shall be licensed under this Act.

21 (d) Two members shall be representatives of the general
22 public who have no direct affiliation or work experience with
23 the practice of marriage and family therapy, social work or
24 clinical social work, professional counseling or clinical
25 professional counseling, or clinical psychology and who
26 clearly represent consumer interests.

1 (e) Board members shall be appointed for terms of 4 years
2 each, except that any person chosen to fill a vacancy shall be
3 appointed only for the unexpired term of the Board member whom
4 the person ~~he or she~~ shall succeed. Upon the expiration of this
5 term of office, a Board member shall continue to serve until a
6 successor is appointed and qualified. No member shall serve
7 more than 2 ~~consecutive~~ 4-year terms.

8 (f) The membership of the Board shall reasonably reflect
9 representation from the various geographic areas of the State.

10 (g) Members of the Board shall have no liability in any
11 action based upon any disciplinary proceedings or other
12 activities performed in good faith as members of the Board.

13 (h) The Secretary may remove any member of the Board for
14 any cause that, in the sole opinion of the Secretary,
15 reasonably justifies termination.

16 (i) The Secretary may consider the recommendations of the
17 Board on questions of standards of professional conduct,
18 discipline, and qualification of candidates or licensees under
19 this Act.

20 (j) The members of the Board shall be reimbursed for all
21 legitimate, necessary, and authorized expenses.

22 (k) A majority of the Board members currently appointed
23 shall constitute a quorum. A vacancy in the membership of the
24 Board shall not impair the right of a quorum to exercise all
25 the rights and perform all the duties of the Board.

26 (Source: P.A. 100-372, eff. 8-25-17.)

1 (225 ILCS 55/30) (from Ch. 111, par. 8351-30)

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

3 Sec. 30. Application.

4 (a) Applications for original licensure shall be made to
5 the Department in writing on forms or electronically as
6 prescribed by the Department and shall be accompanied by the
7 appropriate documentation and the required fee, which shall
8 not be refundable. Any application shall require such
9 information as, in the judgment of the Department, will enable
10 the Department to pass on the qualifications of the applicant
11 for licensing.

12 (b) Applicants have 3 years from the date of application
13 to complete the application process. If the application has
14 not been completed within 3 years, the application shall
15 expire ~~be denied~~, the fee shall be forfeited, and the
16 applicant must reapply and meet the requirements in effect at
17 the time of reapplication.

18 (c) A license shall not be denied to an applicant because
19 of the applicant's race, religion, creed, national origin,
20 real or perceived immigration status, political beliefs or
21 activities, age, sex, sexual orientation, or physical
22 disability that does not affect a person's ability to practice
23 with reasonable judgment, skill, or safety.

24 (Source: P.A. 103-715, eff. 1-1-25.)

1 (225 ILCS 55/45) (from Ch. 111, par. 8351-45)

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

3 Sec. 45. Licenses; renewals; restoration; person in
4 military service.

5 (a) The expiration date and renewal period for each
6 license issued under this Act shall be set by rule. As a
7 condition for renewal of a license, the licensee shall be
8 required to complete continuing education under requirements
9 set forth in rules of the Department.

10 (b) Any person who has permitted the person's ~~his or her~~
11 license to expire may have the person's ~~his or her~~ license
12 restored by making application to the Department and filing
13 proof acceptable to the Department of fitness to have the
14 person's ~~his or her~~ license restored, which may include sworn
15 evidence certifying to active practice in another jurisdiction
16 satisfactory to the Department, complying with any continuing
17 education requirements, and paying the required restoration
18 fee.

19 (c) If the person has not maintained an active practice in
20 another jurisdiction satisfactory to the Department, the Board
21 shall determine, by an evaluation program established by rule,
22 the person's fitness to resume active status and may require
23 the person to complete a period of evaluated clinical
24 experience and successful completion of a practical
25 examination.

26 However, any person whose license expired while the person

1 ~~he or she~~ has been engaged (i) in federal service on active
2 duty with the Armed Forces of the United States or called into
3 service or training with the State Militia, or (ii) in
4 training or education under the supervision of the United
5 States preliminary to induction into the military service may
6 have the person's ~~his or her~~ license renewed or restored
7 without paying any lapsed renewal fees if, within 2 years
8 after honorable termination of the service, training or
9 education, except under condition other than honorable, the
10 person ~~he or she~~ furnishes the Department with satisfactory
11 evidence to the effect that the person ~~he or she~~ has been so
12 engaged and that the service, training, or education has been
13 so terminated.

14 (d) Any person who notifies the Department, in writing on
15 forms prescribed by the Department, may place the person's ~~his~~
16 ~~or her~~ license on inactive status and shall be excused from the
17 payment of renewal fees until the person notifies the
18 Department in writing of the intention to resume active
19 practice.

20 (e) Any person requesting that the person's ~~his or her~~
21 license be changed from inactive to active status shall be
22 required to pay the current renewal fee and shall also
23 demonstrate compliance with the continuing education
24 requirements.

25 (f) Any marriage and family therapist or associate
26 licensed marriage and family therapist whose license is

1 nonrenewed or on inactive status shall not engage in the
2 practice of marriage and family therapy in the State of
3 Illinois and use the title or advertise that he or she performs
4 the services of a "licensed marriage and family therapist" or
5 an "associate licensed marriage and family therapist".

6 (g) Any person violating subsection (f) of this Section
7 shall be considered to be practicing without a license and
8 will be subject to the disciplinary provisions of this Act.

9 (h) (Blank).

10 (Source: P.A. 100-372, eff. 8-25-17.)

11 (225 ILCS 55/60) (from Ch. 111, par. 8351-60)

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

13 Sec. 60. Payments; penalty for insufficient funds. Any
14 person who delivers a check or other payment to the Department
15 that is returned to the Department unpaid by the financial
16 institution upon which it is drawn shall pay to the
17 Department, in addition to the amount already owed to the
18 Department, a fine of \$50. The fines imposed by this Section
19 are in addition to any other discipline provided under this
20 Act prohibiting unlicensed practice or practice on a
21 nonrenewed license. The Department shall notify the person
22 that payment of fees and fines shall be paid to the Department
23 by certified check or money order within 30 calendar days
24 after notification. If, after the expiration of 30 days from
25 the date of the notification, the person has failed to submit

1 the necessary remittance, the Department shall automatically
2 terminate the license or deny the application, without
3 hearing. If, after termination or denial, the person seeks a
4 license, the person ~~he or she~~ shall apply to the Department for
5 restoration or issuance of the license and pay all fees and
6 fines due to the Department. The Department may establish a
7 fee for the processing of an application for restoration of a
8 license to pay all expenses of processing this application.
9 The Secretary may waive the fines due under this Section in
10 individual cases where the Secretary finds that the fines
11 would be unreasonable or unnecessarily burdensome.

12 (Source: P.A. 95-703, eff. 12-31-07.)

13 (225 ILCS 55/65) (from Ch. 111, par. 8351-65)

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

15 Sec. 65. Endorsement. The Department may issue a license
16 as a licensed marriage and family therapist, without the
17 required examination, to an applicant licensed under the laws
18 of another state if the requirements for licensure in that
19 state are, on the date of licensure, substantially equivalent
20 to the requirements of this Act or to a person who, at the time
21 of the person's ~~his or her~~ application for licensure,
22 possessed individual qualifications that were substantially
23 equivalent to the requirements then in force in this State. An
24 applicant under this Section shall pay all of the required
25 fees.

1 An individual applying for licensure as a licensed
2 marriage and family therapist who has been licensed without
3 discipline at the independent level in another United States
4 jurisdiction for at least 30 months during the 5 consecutive
5 years preceding application is not required to submit proof of
6 completion of the education, professional experience, and
7 supervision required in Section 40. Individuals meeting this
8 requirement must submit certified verification of licensure
9 from the jurisdiction in which the applicant practiced and
10 must comply with all other licensing requirements and pay all
11 required fees.

12 If the accuracy of any submitted documentation or the
13 relevance or sufficiency of the course work or experience is
14 questioned by the Department or the Board because of a lack of
15 information, discrepancies or conflicts in information given,
16 or a need for clarification, the applicant seeking licensure
17 may be required to provide additional information.

18 Applicants have 3 years from the date of application to
19 complete the application process. If the process has not been
20 completed within the 3 years, the application shall expire ~~be~~
21 ~~denied~~, the fee shall be forfeited, and the applicant must
22 reapply and meet the requirements in effect at the time of
23 reapplication.

24 (Source: P.A. 102-1053, eff. 6-10-22; 103-955, eff. 1-1-25.)

1 Sec. 71. Temporary authorization of practice by persons
2 licensed in other jurisdictions.

3 (a) A person licensed in another jurisdiction is
4 authorized to render marriage and family therapy services in
5 this State for up to 10 calendar days per year, consecutively
6 or in aggregate, if the individual is licensed in good
7 standing to practice marriage and family therapy independently
8 in another state, province, or territory. Any portion of a
9 calendar day in which the person provides services in this
10 State shall be considered as one working day. A person
11 practicing pursuant to this subsection (a) shall not establish
12 a permanent office location in this State, nor prepare or
13 publish letterhead, business cards, or similar publicity
14 materials listing an Illinois address or Illinois-based phone
15 number. Any time that the person devotes to providing
16 testimony in court or in deposition as a marriage and family
17 therapist shall not be counted as part of the 10 calendar days
18 allowed under this subsection (a).

19 (b) The Secretary may temporarily authorize an individual
20 to practice marriage and family therapy if the individual:

21 (1) holds an active, unencumbered license in good
22 standing in another jurisdiction; and

23 (2) has applied for a license under this Act due to a
24 natural disaster or catastrophic event in the jurisdiction
25 in which the individual is licensed.

26 The temporary authorization granted under this subsection

1 (b) shall expire upon the issuance of a license under this Act
2 to the individual or upon notification to the individual that
3 licensure has been denied by the Department.

4 (c) Any marriage and family therapist practicing pursuant
5 to subsection (a) or (b) of this Section shall be subject to
6 and shall conform the marriage and family therapist's practice
7 to the requirements of the prohibitions and sanctions under
8 this Act, the provisions on hearings and investigations under
9 this Act, and any rules adopted under this Act while the
10 marriage and family therapist is practicing in this State.

11 (225 ILCS 55/75) (from Ch. 111, par. 8351-75)

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

13 Sec. 75. License; restrictions and limitations.

14 (a) No person shall, without a valid license as an
15 associate licensed marriage and family therapist issued by the
16 Department:

17 (1) in any manner hold oneself out to the public as an
18 associate licensed marriage and family therapist;

19 (2) attach the title "associate licensed marriage and
20 family therapist" or use the credential "A.M.F.T." or
21 "A.L.M.F.T."; or

22 (3) offer to render or render to individuals,
23 corporations, or the public associate licensed marriage
24 and family services.

25 (b) No person shall, without a valid license as a licensed

1 marriage and family therapist issued by the Department:

2 (1) in any manner hold oneself out to the public as a
3 marriage and family therapist or a licensed marriage and
4 family therapist;

5 (2) attach the title "marriage and family therapist"
6 or "licensed marriage and family therapist" or use the
7 credential "M.F.T." or "L.M.F.T."; or

8 (3) offer to render or render to individuals,
9 corporations, or the public marriage and family therapist
10 services.

11 (c) No business organization shall provide, attempt to
12 provide, or offer to provide marriage and family therapy
13 services unless every member, partner, shareholder, director,
14 officer, holder of any other ownership interest, agent, and
15 employee who renders marriage and family therapy services
16 holds a currently valid license issued under this Act. No
17 business shall be created that (1) has a stated purpose that
18 includes marriage and family therapy, or (2) practices or
19 holds itself out as available to practice marriage and family
20 therapy, unless it is organized under the Professional Service
21 Corporation Act or Professional Limited Liability Company Act.
22 Nothing in this Act shall preclude individuals licensed under
23 this Act from practicing directly or indirectly for a
24 physician licensed to practice medicine in all its branches
25 under the Medical Practice Act of 1987 or for any legal entity
26 as provided under subsection (c) of Section 22.2 of the

1 Medical Practice Act of 1987.

2 (d) Individuals, corporations, professional limited
3 liability companies, partnerships, and associations may employ
4 practicum students, interns, or postdoctoral candidates
5 seeking to fulfill the professional experience requirements
6 needed to qualify for a license as a marriage and family
7 therapist to assist in the rendering of marriage and family
8 therapy services if the practicum students, interns, or
9 postdoctoral candidates function under the direct supervision,
10 order, control, and full professional responsibility of a
11 licensed marriage and family therapist at the corporation,
12 professional limited liability company, partnership, or
13 association. Nothing in this paragraph shall prohibit a
14 corporation, professional limited liability company,
15 partnership, or association from contracting with a licensed
16 health care professional to provide marriage and family
17 therapy services.

18 (Source: P.A. 99-227, eff. 8-3-15; 100-372, eff. 8-25-17.)

19 (225 ILCS 55/85) (from Ch. 111, par. 8351-85)

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

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

22 (a) The Department may refuse to issue or renew a license,
23 or may revoke, suspend, reprimand, place on probation, or take
24 any other disciplinary or non-disciplinary action as the
25 Department may deem proper, including the imposition of fines

1 not to exceed \$10,000 for each violation, with regard to any
2 license issued under the provisions of this Act for any one or
3 combination of the following grounds:

4 (1) Material misstatement in furnishing information to
5 the Department.

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

8 (3) Conviction of or entry of a plea of guilty or nolo
9 contendere, finding of guilt, jury verdict, or entry of
10 judgment or sentencing, 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 that is
14 (i) a felony or (ii) a misdemeanor, an essential element
15 of which is dishonesty or that is directly related to the
16 practice of the profession.

17 (4) Fraud or misrepresentation in applying for or
18 procuring a license under this Act or in connection with
19 applying for renewal or restoration of a license under
20 this Act or its rules.

21 (5) Professional incompetence.

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

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

25 (8) Failing, within 30 ~~60~~ days, to provide information
26 in response to a written request made by the Department.

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

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

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

13 (12) 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 services not actually or
17 personally rendered. Nothing in this paragraph (12)
18 affects any bona fide independent contractor or employment
19 arrangements among health care professionals, health
20 facilities, health care providers, or other entities,
21 except as otherwise prohibited by law. Any employment
22 arrangements may include provisions for compensation,
23 health insurance, pension, or other employment benefits
24 for the provision of services within the scope of the
25 licensee's practice under this Act. Nothing in this
26 paragraph (12) shall be construed to require an employment

1 arrangement to receive professional fees for services
2 rendered.

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

7 (14) Abandonment of a patient without cause.

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

12 (16) 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 (17) Being named as a perpetrator in an indicated
16 report by the Department of Children and Family Services
17 under the Abused and Neglected Child Reporting Act and
18 upon proof by clear and convincing evidence that the
19 licensee has caused a child to be an abused child or
20 neglected child as defined in the Abused and Neglected
21 Child Reporting Act.

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

1 (19) Solicitation of professional services by using
2 false or misleading advertising.

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

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

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

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

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

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

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

26 (b) (Blank).

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

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

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

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

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

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

21 (d-20) An applicant seeking licensure, certification, or
22 authorization pursuant to this Act 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 authorized, recommended, aided, assisted,
26 referred for, or otherwise participated in health care shall

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

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

14 (d-30) 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 under this
18 Act based upon the person's license, registration, or permit
19 being revoked or suspended, or the person being otherwise
20 disciplined, by any other state if that revocation,
21 suspension, or other form of discipline was based solely upon
22 an immigration violation by the person.

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

1 physical examination, or both, which may include a substance
2 abuse or sexual offender evaluation, as required by and at the
3 expense of the Department.

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

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

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

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

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

25 If the Department or Board finds an individual unable to
26 practice because of the reasons set forth in this Section, the

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

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 30
19 days after the suspension and completed without appreciable
20 delay. The Department and Board shall have the authority to
21 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 or Board that the individual ~~he or she~~ can
2 resume practice in compliance with acceptable and prevailing
3 standards under the provisions of the individual's ~~his or her~~
4 license.

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

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

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

11 (225 ILCS 55/90) (from Ch. 111, par. 8351-90)

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

13 Sec. 90. Violations; injunctions; cease and desist order.

14 (a) If any person violates a provision of this Act, the
15 Secretary may, in the name of the People of the State of
16 Illinois, through the Attorney General of the State of
17 Illinois, petition for an order enjoining the violation or for
18 an order enforcing compliance with this Act. Upon the filing
19 of a verified petition in court, the court may issue a
20 temporary restraining order, without notice or bond, and may
21 preliminarily and permanently enjoin the violation. If it is
22 established that the person has violated or is violating the
23 injunction, the Court may punish the offender for contempt of
24 court. Proceedings under this Section are in addition to, and
25 not in lieu of, all other remedies and penalties provided by

1 this Act.

2 (b) If any person practices as a marriage and family
3 therapist or an associate marriage and family therapist or
4 holds oneself ~~himself or herself~~ out as such without having a
5 valid license under this Act, then any licensee, any
6 interested party or any person injured thereby may, in
7 addition to the Secretary, petition for relief as provided in
8 subsection (a) of this Section.

9 (c) Whenever in the opinion of the Department any person
10 violates any provision of this Act, the Department may issue a
11 rule to show cause why an order to cease and desist should not
12 be entered against that person ~~him or her~~. The rule shall
13 clearly set forth the grounds relied upon by the Department
14 and shall provide a period of 7 days from the date of the rule
15 to file an answer to the satisfaction of the Department.
16 Failure to answer to the satisfaction of the Department shall
17 cause an order to cease and desist to be issued immediately.

18 (Source: P.A. 95-703, eff. 12-31-07.)

19 (225 ILCS 55/91)

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

21 Sec. 91. Unlicensed practice; violation; civil penalty.

22 (a) Any person who practices, offers to practice, attempts
23 to practice, or holds oneself ~~himself or herself~~ out to
24 practice as a licensed marriage and family therapist or an
25 associate licensed marriage and family therapist without being

1 licensed under this Act shall, in addition to any other
2 penalty provided by law, pay a civil penalty to the Department
3 in an amount not to exceed \$10,000 for each offense, as
4 determined by the Department. The civil penalty shall be
5 assessed by the Department after a hearing is held in
6 accordance with the provisions set forth in this Act regarding
7 the provision of a hearing for the discipline of a licensee.

8 (b) The Department may investigate any and all unlicensed
9 activity.

10 (c) The civil penalty shall be paid within 60 days after
11 the effective date of the order imposing the civil penalty.
12 The order shall constitute a judgment and may be filed and
13 execution had thereon in the same manner as any judgment from
14 any court of record.

15 (Source: P.A. 100-372, eff. 8-25-17.)

16 (225 ILCS 55/95) (from Ch. 111, par. 8351-95)

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

18 Sec. 95. Investigation; notice and hearing.

19 (a) The Department may investigate the actions or
20 qualifications of any person or persons holding or claiming to
21 hold a license under this Act.

22 (b) The Department shall, before disciplining an applicant
23 or licensee, at least 30 days before the date set for the
24 hearing, (i) notify the accused in writing of any charges made
25 and the time and place for a hearing on the charges, (ii)

1 direct the accused ~~him or her~~ to file a written answer to the
2 charges under oath within 20 days after the service on the
3 accused ~~him or her~~ of such notice, and (iii) inform the
4 applicant or licensee that failure to file an answer will
5 result in a default being entered against the applicant or
6 licensee.

7 (c) At the time and place fixed in the notice, the Board or
8 hearing officer appointed by the Secretary shall proceed to
9 hear the charges, and the parties or their counsel shall be
10 accorded ample opportunity to present any pertinent
11 statements, testimony, evidence, and arguments. The Board or
12 hearing officer may continue the hearing from time to time. In
13 case the person, after receiving notice, fails to file an
14 answer, the person's ~~his or her~~ license may, in the discretion
15 of the Secretary having first received the recommendation of
16 the Board,⁷ be suspended, revoked, or placed on probationary
17 status, or be subject to whatever disciplinary action the
18 Secretary considers proper, including limiting the scope,
19 nature, or extent of the person's practice or the imposition
20 of a fine, without a hearing, if the act or acts charged
21 constitute sufficient grounds for such action under this Act.

22 (d) Written or electronic notice, and any notice in the
23 subsequent proceeding, may be served by personal delivery, by
24 email, or by mail to the applicant or licensee at the
25 applicant's or licensee's ~~his or her~~ address of record or
26 email address of record.

1 (Source: P.A. 100-372, eff. 8-25-17; revised 6-24-25.)

2 (225 ILCS 55/135) (from Ch. 111, par. 8351-135)

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

4 Sec. 135. Restoration. At any time after the successful
5 completion of a term of probation, suspension, or revocation
6 of any license, the Department may restore the license to the
7 licensee, upon the written recommendation of the Board, unless
8 after an investigation and a hearing the Board or Department
9 determines that restoration is not in the public interest.
10 Where circumstances of suspension or revocation so indicate,
11 the Department may require an examination of the licensee
12 prior to restoring the ~~his or her~~ license. No person whose
13 license has been revoked as authorized in this Act may apply
14 for restoration of that license or permit until such time as
15 provided for in the Civil Administrative Code of Illinois.

16 (Source: P.A. 100-372, eff. 8-25-17.)

17 (225 ILCS 55/145) (from Ch. 111, par. 8351-145)

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

19 Sec. 145. Summary suspension. The Secretary may summarily
20 suspend the license of a marriage and family therapist or an
21 associate licensed marriage and family therapist without a
22 hearing, simultaneously with the institution of proceedings
23 for a hearing provided for in this Act, if the Secretary finds
24 that evidence in the Secretary's ~~his or her~~ possession

1 indicates that a marriage and family therapist's or associate
2 licensed marriage and family therapist's continuation in
3 practice would constitute an imminent danger to the public. In
4 the event that the Secretary summarily suspends the license of
5 a marriage and family therapist or an associate licensed
6 marriage and family therapist without a hearing, a hearing by
7 the Board or Department must be held within 30 calendar days
8 after the suspension has occurred.

9 (Source: P.A. 100-372, eff. 8-25-17.)

10 Section 20. The Massage Therapy Practice Act is amended by
11 changing Sections 15, 17, 19, 25, 30, 32, 35, 45, 50, 68, 70,
12 75, 90, 95, 100, 105, and 165 as follows:

13 (225 ILCS 57/15)

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

15 Sec. 15. Licensure requirements.

16 (a) Persons engaged in massage for compensation must be
17 licensed by the Department. The Department shall issue a
18 license to an individual who meets all of the following
19 requirements:

20 (1) The applicant has applied in writing or
21 electronically on the ~~prescribed~~ forms provided by the
22 Department and has paid the required fees.

23 (2) The applicant is at least 18 years of age and of
24 good moral character. In determining good moral character,

1 the Department may take into consideration conviction of
2 any crime under the laws of the United States or any state
3 or territory thereof that is a felony or a misdemeanor or
4 any crime that is directly related to the practice of the
5 profession. Such a conviction shall not operate
6 automatically as a complete bar to a license, except in
7 the case of any conviction for prostitution, rape, or
8 sexual misconduct, or where the applicant is a registered
9 sex offender.

10 (3) The applicant has successfully completed a massage
11 therapy program approved by the Department that requires a
12 minimum of ~~500 hours, except applicants applying on or~~
13 ~~after January 1, 2014 shall meet a minimum requirement of~~
14 600 hours, and has passed a competency examination
15 approved by the Department.

16 (b) Each applicant for licensure as a massage therapist
17 shall have the applicant's ~~his or her~~ fingerprints submitted
18 to the Illinois State Police in an electronic format that
19 complies with the form and manner for requesting and
20 furnishing criminal history record information as prescribed
21 by the Illinois State Police. These fingerprints shall be
22 checked against the Illinois State Police and Federal Bureau
23 of Investigation criminal history record databases now and
24 hereafter filed. The Illinois State Police shall charge
25 applicants a fee for conducting the criminal history records
26 check, which shall be deposited into the State Police Services

1 Fund and shall not exceed the actual cost of the records check.
2 The Illinois State Police shall furnish, pursuant to positive
3 identification, records of Illinois convictions to the
4 Department. The Department may require applicants to pay a
5 separate fingerprinting fee, either to the Department or to a
6 vendor. The Department, in its discretion, may allow an
7 applicant who does not have reasonable access to a designated
8 vendor to provide the applicant's ~~his or her~~ fingerprints in
9 an alternative manner. The Department may adopt any rules
10 necessary to implement this Section.

11 (c) Each applicant for licensure as a massage therapist
12 shall submit a copy of a current and valid form of government
13 identification that includes a photograph of the licensee,
14 including, but not limited to, a State-issued driver's
15 license, a State identification card, or a passport.

16 (Source: P.A. 102-20, eff. 1-1-22; 102-538, eff. 8-20-21;
17 102-813, eff. 5-13-22.)

18 (225 ILCS 57/17)

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

20 Sec. 17. Social Security number or individual taxpayer
21 identification number on license application. In addition to
22 any other information required to be contained in the
23 application, every application for an original, renewal,
24 reinstated, or restored license as a massage therapist under
25 this Act shall include the applicant's Social Security number

1 or individual taxpayer identification number.

2 (Source: P.A. 97-514, eff. 8-23-11.)

3 (225 ILCS 57/19)

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

5 Sec. 19. Endorsement. The Department may, in its
6 discretion, license as a massage therapist~~7~~ by endorsement
7 upon ~~7-on~~ payment of the required fee and submission of an
8 application, an applicant who is a massage therapist licensed
9 under the laws of another state or territory, if the
10 requirements for licensure in the state or territory in which
11 the applicant was licensed were, at the date of the
12 applicant's ~~his or her~~ licensure, substantially equivalent to
13 the requirements in force in this State on that date. The
14 Department may adopt any rules necessary to implement this
15 Section.

16 Applicants have 3 years from the date of application to
17 complete the application process. If the process has not been
18 completed within the 3 years, the application shall expire ~~be~~
19 ~~denied~~, the fee forfeited, and the applicant must reapply and
20 meet the requirements in effect at the time of reapplication.

21 (Source: P.A. 97-514, eff. 8-23-11.)

22 (225 ILCS 57/25)

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

24 Sec. 25. Exemptions.

1 (a) This Act does not prohibit a person licensed under any
2 other Act in this State from engaging in the practice for which
3 the person ~~he or she~~ is licensed.

4 (b) Persons exempted under this Section include, but are
5 not limited to, physicians, podiatric physicians, naprapaths,
6 and physical therapists.

7 (c) Nothing in this Act prohibits qualified members of
8 other professional groups, including, but not limited to,
9 nurses, occupational therapists, cosmetologists, and
10 estheticians, from performing massage in a manner consistent
11 with their training and the code of ethics of their respective
12 professions.

13 (d) Nothing in this Act prohibits a student of an approved
14 massage school or program from performing massage, provided
15 that the student does not hold the student ~~himself or herself~~
16 out as a licensed massage therapist and does not receive
17 compensation, including tips, for massage therapy services.

18 (e) Nothing in this Act prohibits practitioners that do
19 not involve intentional soft tissue manipulation, including, but not limited to,
20 Alexander Technique, Feldenkrais, Reike,
21 and Therapeutic Touch, from practicing.

22 (f) Practitioners of certain service marked bodywork
23 approaches that do involve intentional soft tissue
24 manipulation, including, but not limited to, Rolfing, Trager
25 Approach, Polarity Therapy, and Orthobionomy, are exempt from
26 this Act if they are approved by their governing body based on

1 a minimum level of training, demonstration of competency, and
2 adherence to ethical standards.

3 (g) (Blank). ~~Until January 1, 2024, members of the~~
4 ~~American Organization for Bodywork Therapies of Asia are~~
5 ~~exempt from licensure under this Act.~~

6 (h) Practitioners of other forms of bodywork who restrict
7 manipulation of soft tissue to the feet, hands, and ears, and
8 who do not have the client disrobe, such as reflexology, are
9 exempt from this Act.

10 (i) Nothing in this Act applies to massage therapists from
11 other states or countries when providing educational programs
12 for a period not exceeding 30 days within a calendar year.

13 (j) Nothing in this Act prohibits a person from treating
14 ailments by spiritual means through prayer alone in accordance
15 with the tenets and practices of a recognized church or
16 religious denomination.

17 (k) Nothing in this Act applies to the practice of massage
18 therapy by a person either actively licensed as a massage
19 therapist in another state or currently certified by the
20 National Certification Board of Therapeutic Massage and
21 Bodywork or other national certifying body if said person's
22 state does not license massage therapists, if the person
23 performs ~~he or she is performing his or her~~ duties for a
24 Department-approved educational program for less than 30 days
25 in a calendar year, a Department-approved continuing education
26 program for less than 30 days in a calendar year, a

1 non-Illinois based team or professional organization, or for a
2 national athletic event held in this State, so long as the
3 massage therapist ~~he or she~~ restricts the massage therapist's
4 ~~his or her~~ practice to the massage therapist's ~~his or her~~ team
5 or organization or to event participants during the course of
6 the massage therapist's ~~his or her~~ team's or organization's
7 stay in this State or for the duration of the event.

8 (Source: P.A. 101-421, eff. 8-16-19; 102-20, eff. 1-1-22.)

9 (225 ILCS 57/30)

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

11 Sec. 30. Title protection.

12 (a) Persons regulated by this Act are designated as
13 massage therapists and therefore are exclusively entitled to
14 utilize the terms "massage", "massage therapy", "licensed
15 massage therapist", "LMT", "MT", and "massage therapist" when
16 advertising or printing promotional material.

17 (b) Anyone who knowingly aids and abets one or more
18 persons not authorized to use a professional title regulated
19 by this Act or knowingly employs persons not authorized to use
20 the regulated professional title in the course of their
21 employment, commits a violation of this Act.

22 (c) Anyone not authorized, under the definitions of this
23 Act, to utilize the term "massage", "massage therapy",
24 "licensed massage therapist", "LMT", "MT", or "massage
25 therapist" and who knowingly utilizes these terms when

1 advertising commits a violation of this Act.

2 (d) Nothing in this Act shall prohibit the use of the terms
3 "massage", "massage therapy", or "massage therapist" by a
4 salon registered under the Barber, Cosmetology, Esthetics,
5 Hair Braiding, and Nail Technology Act of 1985, provided that
6 the salon offers massage therapy services in accordance with
7 this Act.

8 (Source: P.A. 97-514, eff. 8-23-11.)

9 (225 ILCS 57/32)

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

11 Sec. 32. Display. Every holder of a license shall display
12 it, or a copy, in a conspicuous place in the holder's principal
13 place of practice and ~~office or~~ any other location where the
14 holder renders massage therapy services, and shall also
15 present the holder's license and either an employer-issued
16 badge that includes the holder's name and a photograph of the
17 holder or a valid government identification that includes a
18 photograph of the holder upon request of a client. A holder
19 shall provide valid government identification that includes a
20 photograph of the holder to a Department representative upon
21 request when providing massage therapist services at any
22 location. Every displayed license shall have the license
23 number visible.

24 (Source: P.A. 102-20, eff. 1-1-22.)

1 (225 ILCS 57/35)

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

3 Sec. 35. Massage Licensing Board.

4 (a) The Secretary shall appoint a Massage Licensing Board,
5 which shall serve in an advisory capacity to the Secretary.
6 The Board shall consist of 7 members, of whom 6 shall be
7 practicing massage therapists with at least 3 years of
8 experience in massage. One of the massage therapist members
9 shall represent a massage therapy school from the private
10 sector and one of the massage therapist members shall
11 represent a massage therapy school from the public sector. One
12 of the massage therapist members shall be an owner of a massage
13 business. One member of the Board shall be a member of the
14 public who is not licensed under this Act, does not have any
15 interest in massage therapy schools, does not own a massage
16 therapy business, does not have any interest in businesses
17 related to massage therapy, is not licensed as a healthcare
18 worker in this State, as defined in the Health Care Worker
19 Self-Referral Act, is not licensed under the Barber,
20 Cosmetology, Esthetics, Hair Braiding, and Nail Technology Act
21 of 1985, and is not licensed under similar Acts in ~~or a similar~~
22 ~~Act in Illinois or~~ another jurisdiction. Membership on the
23 Board shall reasonably reflect the various massage therapy and
24 non-exempt bodywork organizations. Membership on the Board
25 shall reasonably reflect the geographic areas of the State.
26 The Board shall meet annually to elect a chairperson and vice

1 chairperson. The Board shall hold regularly scheduled meetings
2 during the year. A simple majority of the Board shall
3 constitute a quorum at any meeting. Any action taken by the
4 Board must be on the affirmative vote of a simple majority of
5 members. Voting by proxy shall not be permitted. In the case of
6 an emergency where all Board members cannot meet in person,
7 the Board may convene a meeting via an electronic format in
8 accordance with the Open Meetings Act.

9 (b) Members shall be appointed to a 3-year term, ~~except~~
10 ~~that initial appointees shall serve the following terms: 2~~
11 ~~members shall serve for one year, 2 members shall serve for 2~~
12 ~~years, and 3 members shall serve for 3 years.~~ A member whose
13 term has expired shall continue to serve until a ~~his or her~~
14 successor is appointed. No member shall be reappointed to the
15 Board for a term that would cause the member's ~~his or her~~
16 continuous service on the Board to exceed 9 years. In the case
17 of a Board member position that is vacated before the end of
18 the member's term, an individual may be appointed to serve the
19 unexpired portion of that term, and appointments ~~Appointments~~
20 to fill vacancies shall be made in the same manner as the
21 original appointments for the unexpired portion of the vacated
22 term.

23 (c) The members of the Board are entitled to receive
24 compensation for all legitimate and necessary expenses
25 incurred while attending Board and Department meetings.

26 (d) Members of the Board shall be immune from suit in any

1 action based upon any disciplinary proceedings or other
2 activities performed in good faith as members of the Board.

3 (e) The Secretary may ~~shall~~ consider the recommendations
4 of the Board on questions involving the standards of
5 professional conduct, discipline, and qualifications of
6 candidates and licensees under this Act. Nothing shall limit
7 the ability of the Board to provide recommendations to the
8 Secretary with ~~in~~ regard to any matter affecting the
9 administration of this Act. ~~The Secretary shall give due~~
10 ~~consideration to all recommendations of the Board.~~

11 (f) The Secretary may terminate the appointment of any
12 member for cause which, in the opinion of the Secretary
13 reasonably justifies termination, which may include, but is
14 not limited to, a Board member who does not attend 2
15 consecutive meetings.

16 (Source: P.A. 97-514, eff. 8-23-11.)

17 (225 ILCS 57/45)

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

19 Sec. 45. Grounds for discipline.

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

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

3 (2) 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 (3) professional incompetence, which may include, but
13 is not limited to, failure of a licensee to adhere to the
14 professional code of ethics established by nationally
15 recognized professional organizations;

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

19 (5) aiding, abetting, assisting, procuring, advising,
20 employing, or contracting with any unlicensed person to
21 practice massage contrary to any rules or provisions of
22 this Act;

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

26 (7) engaging in dishonorable, unethical, or

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

3 (8) practicing or offering to practice beyond the
4 scope permitted by law or accepting and performing
5 professional responsibilities which the licensee knows or
6 has reason to know that the licensee ~~he or she~~ is not
7 competent to perform;

8 (9) knowingly delegating professional
9 responsibilities to a person unqualified by training,
10 experience, or licensure to perform;

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

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

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

20 (13) discipline by another state, District of
21 Columbia, territory, or foreign nation, if at least one of
22 the grounds for the discipline is the same or
23 substantially equivalent to those set forth in this
24 Section;

25 (14) a finding by the Department that the licensee,
26 after having the licensee's ~~his or her~~ license placed on

1 probationary status, has violated the terms of probation;

2 (15) willfully making or filing false records or
3 reports in the person's ~~his or her~~ practice, including,
4 but not limited to, false records filed with State
5 agencies or departments;

6 (16) making a material misstatement in furnishing
7 information to the Department or otherwise making
8 misleading, deceptive, untrue, or fraudulent
9 representations in violation of this Act or otherwise in
10 the practice of the profession;

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

14 (18) inability to practice the profession with
15 reasonable judgment, skill, or safety as a result of
16 physical illness, including, but not limited to,
17 deterioration through the aging process, loss of motor
18 skill, or a mental illness or disability;

19 (19) charging for professional services not rendered,
20 including filing false statements for the collection of
21 fees for which services are not rendered, except that
22 licensees may charge a client fees for late cancellations
23 and failure to attend appointments if the client is
24 informed of the fees for late cancellations and failure to
25 attend appointments at the time of booking an appointment;

26 (20) practicing under a false or, except as provided

1 by law, an assumed name; or

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

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

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

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

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

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

3 (2) involuntary sexual servitude of a minor;

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

7 (4) a forcible felony.

8 If the victim of the crime the licensee has been charged
9 with is a patient of the licensee, the prosecuting attorney
10 shall also provide notice to the Department of the patient's
11 name.

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

1 therapist is presumed innocent until proven guilty of the
2 charges.".

3 The licensed massage therapist shall provide a written
4 plan of compliance with the administrative order that is
5 acceptable to the Department within 5 business days after
6 receipt of the administrative order. Failure to comply with
7 the administrative order, failure to file a compliance plan,
8 or failure to follow the compliance plan shall subject the
9 licensed massage therapist to temporary suspension of the
10 licensed massage therapist's ~~his or her~~ license until the
11 completion of the criminal proceedings.

12 If the licensee is not convicted of the charge or if any
13 conviction is later overturned by a reviewing court, the
14 administrative order shall be vacated and removed from the
15 licensee's record.

16 The Department may adopt rules to implement this
17 subsection.

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

26 (e) (Blank).

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

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

20 (h) In enforcing this Act, the Department or Board, 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 or Board may order the examining
26 physician to present testimony concerning the mental or

1 physical examination of the licensee or applicant. No
2 information shall be excluded by reason of any common law or
3 statutory privilege relating to communications between the
4 licensee or applicant and the examining physician. The
5 examining physicians shall be specifically designated by the
6 Board or Department. The individual to be examined may have,
7 at the individual's ~~his or her~~ own expense, another physician
8 of the individual's ~~his or her~~ choice present during all
9 aspects of this examination. The examination shall be
10 performed by a physician licensed to practice medicine in all
11 its branches. Failure of an individual to submit to a mental or
12 physical examination, when directed, shall result in an
13 automatic suspension without hearing.

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

1 terms of the agreement, the Department may file a complaint to
2 revoke, suspend, or otherwise discipline the license of the
3 individual. The Secretary may order the license suspended
4 immediately, pending a hearing by the Department. Fines shall
5 not be assessed in disciplinary actions involving physical or
6 mental illness or impairment.

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 15
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 the individual ~~he or she~~ can
19 resume practice in compliance with acceptable and prevailing
20 standards under the provisions of the individual's ~~his or her~~
21 license.

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

23 (225 ILCS 57/50)

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

25 Sec. 50. Advertising. It is a misdemeanor for any person,

1 organization, or corporation to advertise massage services
2 unless the person providing the service holds a valid license
3 under this Act, except for those excluded licensed
4 professionals who are allowed to include massage in their
5 scope of practice. A massage therapist may not advertise
6 unless the massage therapist ~~he or she~~ has a current license
7 issued by this State. A massage therapist shall include the
8 current license number issued by the Department on all
9 advertisements in accordance with paragraph (4) of subsection
10 (a) of Section 45. "Advertise" as used in this Section
11 includes, but is not limited to, the issuance of any card,
12 sign, or device to any person; the causing, permitting, or
13 allowing of any sign or marking on or in any building, vehicle,
14 or structure; advertising in any newspaper or magazine; any
15 listing or advertising in any directory under a classification
16 or heading that includes the words "massage", "massage
17 therapist", "therapeutic massage", or "massage therapeutic";
18 or commercials broadcast by any means.

19 (Source: P.A. 102-20, eff. 1-1-22.)

20 (225 ILCS 57/68)

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

22 Sec. 68. Abnormal skin growth education.

23 (a) In addition to any other requirements under this Act,
24 the following applicants must provide proof of completion of a
25 course approved by the Department in abnormal skin growth

1 education, including training on identifying melanoma:

2 (1) An applicant who submits an application for
3 original licensure on or after January 1, 2026.

4 (2) An applicant who was licensed before January 1,
5 2026 when submitting the applicant's first application for
6 renewal or restoration of a license on or after January 1,
7 2026.

8 (b) Nothing in this Section shall be construed to create a
9 cause of action or any civil liabilities or to require or
10 permit a licensee or applicant under this Act to practice
11 medicine or otherwise practice outside of the scope of
12 practice of a licensed massage therapist.

13 (c) A person licensed under this Act may refer an
14 individual to seek care from a medical professional regarding
15 an abnormal skin growth. Neither a person licensed under this
16 Act who completes abnormal skin growth education ~~as a part of~~
17 ~~the person's continuing education~~, nor the person's employer,
18 shall be civilly or criminally liable for acting in good faith
19 or failing to act on information obtained during the course of
20 practicing in the person's profession or employment concerning
21 potential abnormal skin growths.

22 (Source: P.A. 103-851, eff. 8-9-24.)

23 (225 ILCS 57/70)

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

25 Sec. 70. Restoration of expired licenses. A massage

1 therapist who has permitted the massage therapist's ~~his or her~~
2 license to expire or who has had the massage therapist's ~~his or~~
3 ~~her~~ license on inactive status may have the ~~his or her~~ license
4 restored by making application to the Department and filing
5 proof acceptable to the Department of the massage therapist's
6 ~~his or her~~ fitness to have the ~~his or her~~ license restored,
7 including sworn evidence certifying to active practice in
8 another jurisdiction satisfactory to the Department, and by
9 paying the required restoration fee and showing proof of
10 completion of required continuing education. Licensees must
11 provide proof of completion of 25 ~~24~~ hours approved continuing
12 education to renew their license.

13 If the massage therapist has not maintained an active
14 practice in another jurisdiction satisfactory to the
15 Department, the Board shall determine, by an evaluation
16 program established by rule, the massage therapist's ~~his or~~
17 ~~her~~ fitness to resume active status and may require the
18 massage therapist to complete a period of evaluated clinical
19 experience and may require successful completion of an
20 examination.

21 A massage therapist whose license has been expired or
22 placed on inactive status for more than 5 years may have the
23 ~~his or her~~ license restored by making application to the
24 Department and filing proof acceptable to the Department of
25 the massage therapist's ~~his or her~~ fitness to have the ~~his or~~
26 ~~her~~ license restored, including sworn evidence certifying to

1 active practice in another jurisdiction, by paying the
2 required restoration fee, and by showing proof of the
3 completion of 25 ~~24~~ hours of continuing education.

4 However, any massage therapist ~~registrant~~ whose license
5 has expired while the massage therapist ~~he or she~~ has been
6 engaged (i) in Federal Service on active duty with the United
7 States Army, Navy, Marine Corps, Air Force, Space Force, Coast
8 Guard, or Public Health Service or the State Militia called
9 into the service or training of the United States of America,
10 or (ii) in training or education under the supervision of the
11 United States preliminary to induction into the military
12 service, may have the massage therapist's ~~his or her~~ license
13 reinstated or restored without paying any lapsed renewal fees,
14 if within 2 years after honorable termination of such service,
15 training, or education, the massage therapist ~~he or she~~
16 furnishes to the Department with satisfactory evidence to the
17 effect that the massage therapist ~~he or she~~ has been so engaged
18 and that the massage therapist's ~~his or her~~ service, training,
19 or education has been so terminated.

20 (Source: P.A. 103-746, eff. 1-1-25.)

21 (225 ILCS 57/75)

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

23 Sec. 75. Inactive licenses. Any massage therapist who
24 notifies the Department in writing or electronically on forms
25 provided ~~prescribed~~ by the Department may elect to place the

1 massage therapist's ~~his or her~~ license on inactive status and
2 shall, subject to rules of the Department, be excused from
3 payment of renewal fees until the massage therapist ~~he or she~~
4 notifies the Department in writing of the massage therapist's
5 ~~his or her~~ desire to resume active status.

6 A massage therapist requesting restoration from inactive
7 status shall be required to pay the current renewal fee and
8 shall be required to restore the massage therapist's ~~his or~~
9 ~~her~~ license as provided in Section 70 of this Act.

10 Any massage therapist whose license is on inactive status
11 shall not practice massage therapy in the State, and any
12 practice conducted shall be deemed unlicensed practice.

13 (Source: P.A. 92-860, eff. 6-1-03.)

14 (225 ILCS 57/90)

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

16 Sec. 90. Violations; injunction; cease and desist order.

17 (a) If any person violates a provision of this Act, the
18 Secretary may, in the name of the People of the State of
19 Illinois, through the Attorney General of the State of
20 Illinois or the State's Attorney in the county in which the
21 offense occurs, petition for an order enjoining the violation
22 or for an order enforcing compliance with this Act. Upon the
23 filing of a verified petition in court, the court may issue a
24 temporary restraining order, without notice or bond, and may
25 preliminarily and permanently enjoin the violation. If it is

1 established that the person has violated or is violating the
2 injunction, the court may punish the offender for contempt of
3 court. Proceedings under this Section shall be in addition to,
4 and not in lieu of, all other remedies and penalties provided
5 by this Act.

6 (b) If any person administers ~~practices as a~~ massage for
7 compensation ~~therapist~~ or holds oneself ~~himself or herself~~ out
8 as a massage therapist without being licensed under the
9 provisions of this Act, then the Secretary, any licensed
10 massage therapist, any interested party, or any person injured
11 thereby may petition for relief as provided in subsection (a)
12 of this Section or may apply to the circuit court of the county
13 in which the violation or some part thereof occurred, or in
14 which the person complained of has his or her principal place
15 of business or resides, to prevent the violation. The court
16 has jurisdiction to enforce obedience by injunction or by
17 other process restricting the person complained of from
18 further violation and enjoining upon the person's ~~him or her~~
19 obedience.

20 (c) Whenever, in the opinion of the Department, a person
21 violates any provision of this Act, the Department may issue a
22 rule to show cause why an order to cease and desist should not
23 be entered against that person ~~him or her~~. The rule shall
24 clearly set forth the grounds relied upon by the Department
25 and shall provide a period of 7 days from the date of the rule
26 to file an answer to the satisfaction of the Department.

1 Failure to answer to the satisfaction of the Department shall
2 cause an order to cease and desist to be issued.

3 (Source: P.A. 97-514, eff. 8-23-11.)

4 (225 ILCS 57/95)

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

6 Sec. 95. Investigations; notice and hearing. The
7 Department may investigate the actions of any applicant or of
8 any person or persons rendering or offering to render massage
9 therapy services or any person holding or claiming to hold a
10 license as a massage therapist. The Department shall, before
11 refusing to issue or renew a license or to discipline a
12 licensee under Section 45, at least 30 days prior to the date
13 set for the hearing, (i) notify the accused in writing of the
14 charges made and the time and place for the hearing on the
15 charges, (ii) direct the accused ~~him or her~~ to file a written
16 answer with the Department under oath within 20 days after the
17 service of the notice, and (iii) inform the accused ~~applicant~~
18 ~~or licensee~~ that failure to file an answer will result in a
19 default judgment being entered against the accused ~~applicant~~
20 ~~or licensee~~. At the time and place fixed in the notice, the
21 Department shall proceed to hear the charges and the parties
22 of their counsel shall be accorded ample opportunity to
23 present any pertinent statements, testimony, evidence, and
24 arguments. The Department may continue the hearing from time
25 to time. In case the person, after receiving the notice, fails

1 to file an answer, the ~~his or her~~ license may, in the
2 discretion of the Department, be revoked, suspended, placed on
3 probationary status, or the Department may take whatever
4 disciplinary actions considered proper, including limiting the
5 scope, nature, or extent of the person's practice or the
6 imposition of a fine, without a hearing, if the act or acts
7 charged constitute sufficient grounds for that action under
8 the Act. The written notice may be served by personal
9 delivery, by ~~certified~~ mail to the accused's address of
10 record, or by email to the accused's email address of record.

11 (Source: P.A. 102-20, eff. 1-1-22.)

12 (225 ILCS 57/100)

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

14 Sec. 100. Record of proceedings ~~Stenographer~~; transcript.
15 The Department, at its expense, shall provide a certified
16 shorthand reporter to take down the testimony and preserve a
17 record of all proceedings at the formal hearing of any case.
18 Any notice, all documents in the nature of pleadings, written
19 motions filed in the proceedings, the transcripts of
20 testimony, reports of the Board and hearing officer, and
21 orders of the Department shall be in the record of the
22 proceeding. The record may be made available to any person
23 interested in the hearing upon the payment of the fee required
24 by Section 2105-115 of the Department of Professional
25 Regulation Law of the Civil Administrative Code of Illinois.

1 The Department may contract for court reporting services, and,
2 in the event it does so, the Department shall provide the name
3 and contact information for the certified shorthand reporter
4 who transcribed the testimony at a hearing to any person
5 interested, who may obtain a copy of the transcript of any
6 proceedings at a hearing upon the payment of the fee specified
7 by the certified shorthand reporter. This charge shall be in
8 addition to any fee charged by the Department for certifying
9 the record.

10 (Source: P.A. 97-514, eff. 8-23-11.)

11 (225 ILCS 57/105)

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

13 Sec. 105. Subpoenas; depositions; oaths.

14 (a) The Department may subpoena and bring before it any
15 person to take the oral or written testimony or compel the
16 production of any books, papers, records, or any other
17 documents that the Secretary or the Secretary's ~~his or her~~
18 designee deems relevant or material to any such investigation
19 or hearing conducted by the Department with the same fees and
20 in the same manner as prescribed in civil cases in the courts
21 of this State.

22 (b) Any circuit court, upon the application of the
23 licensee or the Department, may order the attendance and
24 testimony of witnesses and the production of relevant
25 documents, files, records, books, and papers in connection

1 with any hearing or investigation. The circuit court may
2 compel obedience to its order by proceedings for contempt.

3 (c) The Secretary, the hearing officer, any member of the
4 Board, or a certified shorthand court reporter may administer
5 oaths at any hearing the Department conducts. Notwithstanding
6 any other statute or Department rule to the contrary, all
7 requests for testimony, production of documents, or records
8 shall be in accordance with this Act.

9 (Source: P.A. 97-514, eff. 8-23-11.)

10 (225 ILCS 57/165)

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

12 Sec. 165. Unlicensed practice; violation; civil penalty.

13 (a) Any person who practices, offers to practice, attempts
14 to practice, or holds oneself ~~himself or herself~~ out to
15 practice massage therapy or as a massage therapist without
16 being licensed under this Act, or any person not licensed
17 under this Act who aids, abets, assists, procures, advises,
18 employs, or contracts with any unlicensed person to practice
19 massage therapy contrary to any rules or provisions of this
20 Act, shall, in addition to any other penalty provided by law,
21 pay a civil penalty to the Department in an amount not to
22 exceed \$10,000 for each violation of this Act as determined by
23 the Department. The civil penalty shall be assessed by the
24 Department after a hearing is held in accordance with the
25 provisions set forth in this Act regarding the provision of a

1 hearing for the discipline of a licensee.

2 (b) The Department has the authority and power to
3 investigate any unlicensed activity.

4 (c) The civil penalty shall be paid within 60 days after
5 the effective date of the order imposing the civil penalty.
6 The order shall constitute a judgment and may be filed and
7 execution had thereon in the same manner as any judgment from
8 any court of record.

9 (d) All moneys collected under this Section shall be
10 deposited into the General Professions Dedicated Fund.

11 (Source: P.A. 97-514, eff. 8-23-11.)

12 Section 25. The Medical Practice Act of 1987 is amended by
13 changing Sections 5, 7.1, 9, 9.3, 9.5, 9.7, 11, 15, 17, 18, 21,
14 22, 22.2, 23, 26, 36, 37, 38, 40, 44, 49, 54, 54.2, 54.5, 58,
15 and 66 and by adding Section 70 as follows:

16 (225 ILCS 60/5) (from Ch. 111, par. 4400-5)

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

18 Sec. 5. Because the candid and conscientious evaluation of
19 clinical practices is essential to the provision of adequate
20 health care, it is the policy of this State to encourage peer
21 review by health care providers. Therefore, while serving upon
22 any committee whose purpose, directly or indirectly, is
23 internal quality control or medical study to reduce morbidity
24 or mortality, or for improving patient care or physician

1 services within a hospital duly licensed under the Hospital
2 Licensing Act, or within a professional association of persons
3 licensed under this Act, or the improving or benefiting of
4 patient care and treatment whether within a hospital or not,
5 or for the purpose of professional discipline, any person
6 serving on such committee, and any person providing service to
7 such committees, shall not be liable for civil damages as a
8 result of their acts, omissions, decisions, or any other
9 conduct in connection with their duties on such committees,
10 except those involving willful ~~willful~~ or wanton misconduct.

11 Information considered shall be afforded the same status
12 as is information concerning medical studies by Part 21 of
13 Article VIII of the "~~Code of Civil Procedure~~", ~~as now or~~
14 ~~hereafter amended~~.

15 (Source: P.A. 85-1209; revised 6-24-25.)

16 (225 ILCS 60/7.1)

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

18 Sec. 7.1. Medical Board.

19 (A) There is hereby created the Illinois State Medical
20 Board. The Medical Board shall advise the Secretary. The
21 Medical Board shall consist of 17 members, to be appointed by
22 the Governor by and with the advice and consent of the Senate.
23 All members shall be residents of the State, not more than 8 of
24 whom shall be members of the same political party. All members
25 shall be voting members. Eight members shall be physicians

1 licensed to practice medicine in all of its branches in
2 Illinois possessing the degree of doctor of medicine. Two
3 members shall be physicians licensed to practice medicine in
4 all its branches in Illinois possessing the degree of doctor
5 of osteopathy or osteopathic medicine. Two of the physician
6 members shall be physicians who collaborate with physician
7 assistants. Two members shall be chiropractic physicians
8 licensed to practice in Illinois and possessing the degree of
9 doctor of chiropractic. Two members shall be physician
10 assistants licensed to practice in Illinois. Three members
11 shall be members of the public, who shall not be engaged in any
12 way, directly or indirectly, as providers of health care.

13 (B) Members of the Medical Board shall be appointed for
14 terms of 4 years. Upon the expiration of the term of any
15 member, their successor shall be appointed for a term of 4
16 years by the Governor by and with the advice and consent of the
17 Senate. The Governor shall fill any vacancy for the remainder
18 of the unexpired term with the advice and consent of the
19 Senate. Upon recommendation of the Medical Board, any member
20 of the Medical Board may be removed by the Governor for
21 misfeasance, malfeasance, or willful neglect of duty, after
22 notice, and a public hearing, unless such notice and hearing
23 shall be expressly waived in writing. Each member shall serve
24 on the Medical Board until their successor is appointed and
25 qualified. No member of the Medical Board shall serve more
26 than 2 consecutive 4-year terms.

1 In making appointments the Governor shall attempt to
2 ensure that the various social and geographic regions of the
3 State of Illinois are properly represented.

4 In making the designation of persons to act for the
5 several professions represented on the Medical Board, the
6 Governor shall give due consideration to recommendations by
7 members of the respective professions and by organizations
8 therein.

9 (C) The Medical Board shall annually elect one of its
10 voting members as chairperson and one as vice chairperson. No
11 officer shall be elected more than twice in succession to the
12 same office. Each officer shall serve until their successor
13 has been elected and qualified.

14 (D) A majority of the Medical Board members currently
15 appointed shall constitute a quorum. A vacancy in the
16 membership of the Medical Board shall not impair the right of a
17 quorum to exercise all the rights and perform all the duties of
18 the Medical Board. Any action taken by the Medical Board under
19 this Act may be authorized by resolution at any regular or
20 special meeting and each such resolution shall take effect
21 immediately. The Medical Board shall meet at least quarterly.

22 (E) Each member shall be paid their necessary expenses
23 while engaged in the performance of their duties.

24 (F) The Secretary shall select a Chief Medical Coordinator
25 and not less than 2 Deputy Medical Coordinators who shall not
26 be members of the Medical Board. Each medical coordinator

1 shall be a physician licensed to practice medicine in all of
2 its branches, and the Secretary shall set their rates of
3 compensation. The Secretary shall assign at least one medical
4 coordinator to a region composed of Cook County and such other
5 counties as the Secretary may deem appropriate, and such
6 medical coordinator or coordinators shall locate their office
7 in Chicago. The Secretary shall assign at least one medical
8 coordinator to a region composed of the balance of counties in
9 the State, and such medical coordinator or coordinators shall
10 locate their office in Springfield. The Chief Medical
11 Coordinator shall be the chief enforcement officer of this
12 Act. None of the functions, powers, or duties of the
13 Department with respect to policies regarding enforcement or
14 discipline under this Act, including the adoption of such
15 rules as may be necessary for the administration of this Act,
16 shall be exercised by the Department except upon review of the
17 Medical Board.

18 (G) The Secretary shall employ, in conformity with the
19 Personnel Code, investigators who are college graduates with
20 at least 2 years of investigative experience or one year of
21 advanced medical education. Upon the written request of the
22 Medical Board, the Secretary shall employ, in conformity with
23 the Personnel Code, such other professional, technical,
24 investigative, and clerical help, either on a full or
25 part-time basis as the Medical Board deems necessary for the
26 proper performance of its duties.

1 (H) Upon the specific request of the Medical Board, signed
2 by either the chairperson, vice chairperson, or a medical
3 coordinator of the Medical Board, the Department of Human
4 Services, the Department of Healthcare and Family Services,
5 the Illinois ~~Department of~~ State Police, or any other law
6 enforcement agency located in this State shall make available
7 any and all information that they have in their possession
8 regarding a particular case then under investigation by the
9 Medical Board.

10 (I) Members of the Medical Board shall be immune from suit
11 in any action based upon any disciplinary proceedings or other
12 acts performed in good faith as members of the Medical Board.

13 (J) The Medical Board may compile and establish a
14 statewide roster of physicians and other medical
15 professionals, including the several medical specialties, of
16 such physicians and medical professionals, who have agreed to
17 serve from time to time as advisors to the medical
18 coordinators. Such advisors shall assist the medical
19 coordinators or the Medical Board in their investigations and
20 participation in complaints against physicians. Such advisors
21 shall serve under contract and shall be reimbursed at a
22 reasonable rate for the services provided, plus reasonable
23 expenses incurred. While serving in this capacity, the
24 advisor, for any act undertaken in good faith and in the
25 conduct of his or her duties under this Section, shall be
26 immune from civil suit.

1 (Source: P.A. 102-20, eff. 1-1-22.)

2 (225 ILCS 60/9) (from Ch. 111, par. 4400-9)

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

4 Sec. 9. Application for license. Each applicant for a
5 license shall:

6 (A) Make application on blank forms prepared and
7 furnished by the Department.

8 (B) Submit evidence satisfactory to the Department
9 that the applicant:

10 (1) is of good moral character. In determining
11 moral character under this Section, the Department may
12 take into consideration whether the applicant has
13 engaged in conduct or activities which would
14 constitute grounds for discipline under this Act. The
15 Department may also request the applicant to submit,
16 and may consider as evidence of moral character,
17 endorsements from 2 or 3 individuals licensed under
18 this Act;

19 (2) has the preliminary and professional education
20 required by this Act;

21 (3) (blank); and

22 (4) is physically, mentally, and professionally
23 capable of practicing medicine with reasonable
24 judgment, skill, and safety. In determining physical
25 and mental capacity under this Section, the Medical

1 Board may, upon a showing of a possible incapacity or
2 conduct or activities that would constitute grounds
3 for discipline under this Act, compel any applicant to
4 submit to a mental or physical examination and
5 evaluation, or both, as provided for in Section 22 of
6 this Act. The Medical Board may condition or restrict
7 any license, subject to the same terms and conditions
8 as are provided for the Medical Board under Section 22
9 of this Act. Any such condition of a restricted
10 license shall provide that the Chief Medical
11 Coordinator or Deputy Medical Coordinator shall have
12 the authority to review the subject physician's
13 compliance with such conditions or restrictions,
14 including, where appropriate, the physician's record
15 of treatment and counseling regarding the impairment,
16 to the extent permitted by applicable federal statutes
17 and regulations safeguarding the confidentiality of
18 medical records of patients. The Medical Board, in
19 determining mental capacity, shall consider the latest
20 recommendations of the Federation of State Medical
21 Boards.

22 In determining professional capacity under this
23 Section, an individual may be required to complete such
24 additional testing, training, or remedial education as the
25 Medical Board may deem necessary in order to establish the
26 applicant's present capacity to practice medicine with

1 reasonable judgment, skill, and safety. The Medical Board
2 may consider the following criteria, as they relate to an
3 applicant, as part of its determination of professional
4 capacity:

5 (1) Medical research in an established research
6 facility, hospital, college or university, or private
7 corporation.

8 (2) Specialized training or education.

9 (3) Publication of original work in learned,
10 medical, or scientific journals.

11 (4) Participation in federal, State, local, or
12 international public health programs or organizations.

13 (5) Professional service in a federal veterans or
14 military institution.

15 (5.5) Successful completion of a re-entry course.

16 (6) Any other professional activities deemed to
17 maintain and enhance the clinical capabilities of the
18 applicant.

19 Any applicant applying for a license to practice
20 medicine in all of its branches or for a license as a
21 chiropractic physician who has not been engaged in the
22 active practice of medicine or has not been enrolled in a
23 medical program for 2 years prior to application must
24 submit proof of professional capacity to the Medical
25 Board.

26 Any applicant applying for a temporary license that

1 has not been engaged in the active practice of medicine or
2 has not been enrolled in a medical program for longer than
3 5 years prior to application must submit proof of
4 professional capacity to the Medical Board.

5 (C) Designate specifically the name, location, and
6 kind of professional school, college, or institution of
7 which the applicant is a graduate and the category under
8 which the applicant seeks, and will undertake, to
9 practice.

10 (D) Pay to the Department at the time of application
11 the required fees.

12 (E) Pursuant to Department rules, as required, pass an
13 examination authorized by the Department to determine the
14 applicant's fitness to receive a license.

15 (F) Complete the application process within 3 years
16 from the date of application. If the process has not been
17 completed within 3 years, the application shall expire,
18 application fees shall be forfeited, and the applicant
19 must reapply and meet the requirements in effect at the
20 time of reapplication.

21 (Source: P.A. 102-20, eff. 1-1-22; 103-442, eff. 1-1-24.)

22 (225 ILCS 60/9.3)

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

24 Sec. 9.3. Withdrawal of application. Any applicant
25 applying for a license or permit under this Act may withdraw

1 the applicant's ~~his or her~~ application at any time. If an
2 applicant withdraws the applicant's ~~his or her~~ application
3 after receipt of a written Notice of Intent to Deny License or
4 Permit, then the withdrawal shall be reported to the
5 Federation of State Medical Boards.

6 (Source: P.A. 102-20, eff. 1-1-22.)

7 (225 ILCS 60/9.5)

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

9 Sec. 9.5. Social Security Number or individual taxpayer
10 identification number on license application. In addition to
11 any other information required to be contained in the
12 application, every application for an original license under
13 this Act shall include the applicant's Social Security Number
14 or individual taxpayer identification number, which shall be
15 retained in the agency's records pertaining to the license. As
16 soon as practical, the Department shall assign a customer's
17 identification number to each applicant for a license.

18 Every application for a renewal or reinstated license
19 shall require the applicant's customer identification number.

20 (Source: P.A. 97-400, eff. 1-1-12; 98-1140, eff. 12-30-14.)

21 (225 ILCS 60/9.7)

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

23 Sec. 9.7. Criminal history records background check. Each
24 applicant for licensure or permit under Sections 9, 15.5, 18,

1 and 19 shall have the applicant's ~~his or her~~ fingerprints
2 submitted to the Illinois State Police in an electronic format
3 that complies with the form and manner for requesting and
4 furnishing criminal history record information as prescribed
5 by the Illinois State Police. These fingerprints shall be
6 checked against the Illinois State Police and Federal Bureau
7 of Investigation criminal history record databases now and
8 hereafter filed. The Illinois State Police shall charge
9 applicants a fee for conducting the criminal history records
10 check, which shall be deposited into the State Police Services
11 Fund and shall not exceed the actual cost of the records check.
12 The Illinois State Police shall furnish, pursuant to positive
13 identification, records of Illinois convictions to the
14 Department. The Department may require applicants to pay a
15 separate fingerprinting fee, either to the Department or to a
16 Department designated or approved vendor. The Department, in
17 its discretion, may allow an applicant who does not have
18 reasonable access to a designated vendor to provide the
19 applicant's ~~his or her~~ fingerprints in an alternative manner.
20 The Department may adopt any rules necessary to implement this
21 Section.

22 (Source: P.A. 102-538, eff. 8-20-21.)

23 (225 ILCS 60/11) (from Ch. 111, par. 4400-11)

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

25 Sec. 11. Minimum education standards. The minimum

1 standards of professional education to be enforced by the
2 Department in conducting examinations and issuing licenses
3 shall be as follows:

4 (A) Practice of medicine. For the practice of medicine
5 in all of its branches:

6 (1) For applications for licensure under
7 subsection (D) of Section 19 of this Act:

8 (a) that the applicant is a graduate of a
9 medical or osteopathic college in the United
10 States or its territories and ~~or Canada~~, that the
11 applicant has completed a 2-year ~~2-year~~ course of
12 instruction in a college of liberal arts, or its
13 equivalent, and a course of instruction in a
14 medical or osteopathic college approved by the
15 Department or by a private, not-for-profit ~~not for~~
16 ~~profit~~ accrediting body approved by the
17 Department, and in addition thereto, a course of
18 postgraduate clinical training of not less than 12
19 months as approved by the Department; or

20 (b) that the applicant is a graduate of a
21 medical or osteopathic college located outside the
22 United States or its territories ~~or Canada~~, and
23 that the degree conferred is officially recognized
24 by the country for the purposes of licensure, that
25 the applicant has completed a 2-year ~~2-year~~ course
26 of instruction in a college of liberal arts or its

1 equivalent, and a course of instruction in a
2 medical or osteopathic college approved by the
3 Department, which course shall have been not less
4 than 132 weeks in duration and shall have been
5 completed within a period of not less than 35
6 months, and, in addition thereto, has completed a
7 course of postgraduate clinical training of not
8 less than 12 months, as approved by the
9 Department, and has complied with any other
10 standards established by rule.

11 For the purposes of this subparagraph (b) an
12 applicant is considered to be a graduate of a
13 medical college if the degree which is conferred
14 is officially recognized by that country for the
15 purposes of receiving a license to practice
16 medicine in all of its branches or a document is
17 granted by the medical college which certifies the
18 completion of all formal training requirements
19 including any internship and social service; or

20 (c) that the applicant has studied medicine at
21 a medical or osteopathic college located outside
22 the United States ~~or~~ its territories and ~~or~~
23 ~~Canada,~~ that the applicant has completed a 2-year
24 ~~2-year~~ course of instruction in a college of
25 liberal arts or its equivalent and all of the
26 formal requirements of a foreign medical school

1 except internship and social service, which course
2 shall have been not less than 132 weeks in
3 duration and shall have been completed within a
4 period of not less than 35 months; that the
5 applicant has submitted an application to a
6 medical college accredited by the Liaison
7 Committee on Medical Education and submitted to
8 such evaluation procedures, including use of
9 nationally recognized medical student tests or
10 tests devised by the individual medical college,
11 and that the applicant has satisfactorily
12 completed one academic year of supervised clinical
13 training under the direction of such medical
14 college; and, in addition thereto has completed a
15 course of postgraduate clinical training of not
16 less than 12 months, as approved by the
17 Department, and has complied with any other
18 standards established by rule.

19 (d) Any clinical clerkship ~~clerkships~~ must
20 have been completed in compliance with Section
21 10.3 of the Hospital Licensing Act, as amended.

22 (2) Effective January 1, 1988, for applications
23 for licensure made subsequent to January 1, 1988,
24 under Sections 9 or 17 of this Act by individuals not
25 described in paragraph (3) of subsection (A) of
26 Section 11 who graduated after December 31, 1984:

1 (a) that the applicant: (i) graduated from a
2 medical or osteopathic college officially
3 recognized by the jurisdiction in which it is
4 located for the purpose of receiving a license to
5 practice medicine in all of its branches, and the
6 applicant has completed, as defined by the
7 Department, a 6-year ~~6-year~~ postsecondary course
8 of study comprising at least 2 academic years of
9 study in the basic medical sciences; and 2
10 academic years of study in the clinical sciences,
11 while enrolled in the medical college which
12 conferred the degree, the core rotations of which
13 must have been completed in clinical teaching
14 facilities owned, operated or formally affiliated
15 with the medical college which conferred the
16 degree, or under contract in teaching facilities
17 owned, operated or affiliated with another medical
18 college which is officially recognized by the
19 jurisdiction in which the medical school which
20 conferred the degree is located; or (ii) graduated
21 from a medical or osteopathic college accredited
22 by the Liaison Committee on Medical Education, the
23 Committee on Accreditation of Canadian Medical
24 Schools in conjunction with the Liaison Committee
25 on Medical Education, or the Bureau of
26 Professional Education of the American Osteopathic

1 Association; and, (iii) in addition thereto, has
2 completed 24 months of postgraduate clinical
3 training, as approved by the Department; or

4 (b) that the applicant has studied medicine at
5 a medical or osteopathic college located outside
6 the United States or its territories and ~~or~~
7 ~~Canada,~~ that the applicant, in addition to
8 satisfying the requirements of subparagraph (a),
9 except for the awarding of a degree, has completed
10 all of the formal requirements of a foreign
11 medical school except internship and social
12 service and has submitted an application to a
13 medical college accredited by the Liaison
14 Committee on Medical Education and submitted to
15 such evaluation procedures, including use of
16 nationally recognized medical student tests or
17 tests devised by the individual medical college,
18 and that the applicant has satisfactorily
19 completed one academic year of supervised clinical
20 training under the direction of such medical
21 college; and, in addition thereto, has completed
22 24 months of postgraduate clinical training, as
23 approved by the Department, and has complied with
24 any other standards established by rule.

25 (3) (Blank).

26 (4) Any person granted a temporary license

1 pursuant to Section 17 of this Act who shall
2 satisfactorily complete a course of postgraduate
3 clinical training and meet all of the requirements for
4 licensure shall be granted a permanent license
5 pursuant to Section 9.

6 (5) Notwithstanding any other provision of this
7 Section an individual holding a temporary license
8 under Section 17 of this Act shall be required to
9 satisfy the undergraduate medical and post-graduate
10 clinical training educational requirements in effect
11 on the date of their application for a temporary
12 license, provided they apply for a license under
13 Section 9 of this Act and satisfy all other
14 requirements of this Section while their temporary
15 license is in effect.

16 (B) Treating human ailments without drugs and without
17 operative surgery. For the practice of treating human
18 ailments without the use of drugs and without operative
19 surgery:

20 (1) For an applicant who was a resident student
21 and who is a graduate after July 1, 1926, of a
22 chiropractic college or institution, that such school,
23 college or institution, at the time of the applicant's
24 graduation required as a prerequisite to admission
25 thereto a 4-year ~~4-year~~ course of instruction in a high
26 school, and, as a prerequisite to graduation

1 therefrom, a course of instruction in the treatment of
2 human ailments, of not less than 132 weeks in duration
3 and which shall have been completed within a period of
4 not less than 35 months except that as to students
5 matriculating or entering upon a course of
6 chiropractic study during the years 1940, 1941, 1942,
7 1943, 1944, 1945, 1946, and 1947, such elapsed time
8 shall be not less than 32 months, such high school and
9 such school, college or institution having been
10 reputable and in good standing in the judgment of the
11 Department.

12 (2) For an applicant who is a matriculant in a
13 chiropractic college after September 1, 1969, that
14 such applicant shall be required to complete a 2-year
15 ~~2-year~~ course of instruction in a liberal arts college
16 or its equivalent and a course of instruction in a
17 chiropractic college in the treatment of human
18 ailments, such course, as a prerequisite to graduation
19 therefrom, having been not less than 132 weeks in
20 duration and shall have been completed within a period
21 of not less than 35 months, such college of liberal
22 arts and chiropractic college having been reputable
23 and in good standing in the judgment of the
24 Department.

25 (3) For an applicant who is a graduate of a United
26 States chiropractic college after August 19, 1981, the

1 college of the applicant must be fully accredited by
2 the Commission on Accreditation of the Council on
3 Chiropractic Education or its successor at the time of
4 graduation. Such graduates shall be considered to have
5 met the minimum requirements which shall be in
6 addition to those requirements set forth in the rules
7 and regulations promulgated by the Department.

8 (4) For an applicant who is a graduate of a
9 chiropractic college in another country; that such
10 chiropractic college be equivalent to the standards of
11 education as set forth for chiropractic colleges
12 located in the United States.

13 (Source: P.A. 97-622, eff. 11-23-11.)

14 (225 ILCS 60/15) (from Ch. 111, par. 4400-15)

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

16 Sec. 15. Chiropractic physician; license for general
17 practice. Any chiropractic physician licensed under this Act
18 shall be permitted to take the examination for licensure as a
19 physician to practice medicine in all its branches and shall
20 receive a license to practice medicine in all of its branches
21 if the chiropractic physician ~~he or she~~ shall successfully
22 pass such examination, upon proof of having successfully
23 completed in a medical college, osteopathic college or
24 chiropractic college reputable and in good standing in the
25 judgment of the Department, courses of instruction in materia

1 medica, therapeutics, surgery, obstetrics, and theory and
2 practice deemed by the Department to be equal to the courses of
3 instruction required in those subjects for admission to the
4 examination for a license to practice medicine in all of its
5 branches, together with proof of having completed (a) the
6 2-year ~~2-year~~ course of instruction in a college of liberal
7 arts, or its equivalent, required under this Act, and (b) a
8 course of postgraduate clinical training of not less than 24
9 months as approved by the Department.

10 (Source: P.A. 97-622, eff. 11-23-11.)

11 (225 ILCS 60/17) (from Ch. 111, par. 4400-17)

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

13 Sec. 17. Temporary license. Persons holding the degree of
14 Doctor of Medicine, persons holding the degree of Doctor of
15 Osteopathy or Doctor of Osteopathic Medicine, and persons
16 holding the degree of Doctor of Chiropractic or persons who
17 have satisfied the requirements therefor and are eligible to
18 receive such degree from a medical, osteopathic, or
19 chiropractic school, who wish to pursue programs of graduate
20 or specialty training in this State, may receive without
21 examination, in the discretion of the Department, a 3-year
22 temporary license. In order to receive a 3-year temporary
23 license hereunder, an applicant shall submit evidence
24 satisfactory to the Department that the applicant:

25 (A) Is of good moral character. In determining moral

1 character under this Section, the Department may take into
2 consideration whether the applicant has engaged in conduct
3 or activities which would constitute grounds for
4 discipline under this Act. The Department may also request
5 the applicant to submit, and may consider as evidence of
6 moral character, endorsements from 2 or 3 individuals
7 licensed under this Act;

8 (B) Has been accepted or appointed for specialty or
9 residency training by a hospital situated in this State or
10 a training program in hospitals or facilities maintained
11 by the State of Illinois or affiliated training facilities
12 which is approved by the Department for the purpose of
13 such training under this Act. The applicant shall indicate
14 the beginning and ending dates of the period for which the
15 applicant has been accepted or appointed;

16 (C) Has or will satisfy the professional education
17 requirements of Section 11 of this Act which are effective
18 at the date of application except for postgraduate
19 clinical training;

20 (D) Is physically, mentally, and professionally
21 capable of practicing medicine or treating human ailments
22 without the use of drugs and without operative surgery
23 with reasonable judgment, skill, and safety. In
24 determining physical, mental and professional capacity
25 under this Section, the Medical Board may, upon a showing
26 of a possible incapacity, compel an applicant to submit to

1 a mental or physical examination and evaluation, or both,
2 and may condition or restrict any temporary license,
3 subject to the same terms and conditions as are provided
4 for the Medical Board under Section 22 of this Act. Any
5 such condition of restricted temporary license shall
6 provide that the Chief Medical Coordinator or Deputy
7 Medical Coordinator shall have the authority to review the
8 subject physician's compliance with such conditions or
9 restrictions, including, where appropriate, the
10 physician's record of treatment and counseling regarding
11 the impairment, to the extent permitted by applicable
12 federal statutes and regulations safeguarding the
13 confidentiality of medical records of patients.

14 Three-year temporary licenses issued pursuant to this
15 Section shall be valid only for the period of time designated
16 therein, and may be extended or renewed pursuant to the rules
17 of the Department, and if a temporary license is thereafter
18 extended, it shall not extend beyond completion of the
19 residency program. The holder of a valid 3-year temporary
20 license shall be entitled thereby to perform only such acts as
21 may be prescribed by and incidental to the holder's ~~his or her~~
22 program of residency training; the holder ~~he or she~~ shall not
23 be entitled to otherwise engage in the practice of medicine in
24 this State unless fully licensed in this State.

25 A 3-year temporary license may be revoked or suspended by
26 the Department upon proof that the holder thereof has engaged

1 in the practice of medicine in this State outside of the
2 program of the holder's ~~his or her~~ residency or specialty
3 training, or if the holder shall fail to supply the
4 Department, within 10 days of its request, with information as
5 to the holder's ~~his or her~~ current status and activities in his
6 or her specialty training program. Such a revocation or
7 suspension shall comply with the procedures set forth in
8 subsection (d) of Section 37 of this Act.

9 (Source: P.A. 102-20, eff. 1-1-22.)

10 (225 ILCS 60/18) (from Ch. 111, par. 4400-18)

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

12 Sec. 18. Visiting professor, physician, or resident
13 permits.

14 (A) Visiting professor permit.

15 (1) A visiting professor permit shall entitle a person
16 to practice medicine in all of its branches or to practice
17 the treatment of human ailments without the use of drugs
18 and without operative surgery provided:

19 (a) the person maintains an equivalent
20 authorization to practice medicine in all of its
21 branches or to practice the treatment of human
22 ailments without the use of drugs and without
23 operative surgery in good standing in the person's ~~his~~
24 ~~or her~~ native licensing jurisdiction during the period
25 of the visiting professor permit;

1 (b) the person has received a faculty appointment
2 to teach in a medical, osteopathic, or chiropractic
3 school in Illinois; and

4 (c) the Department may prescribe the information
5 necessary to establish an applicant's eligibility for
6 a permit. This information shall include, without
7 limitation: (i) a statement from the dean of the
8 medical school at which the applicant will be employed
9 describing the applicant's qualifications and (ii) a
10 statement from the dean of the medical school listing
11 every affiliated institution in which the applicant
12 will be providing instruction as part of the medical
13 school's education program and justifying any clinical
14 activities at each of the institutions listed by the
15 dean.

16 (2) Application for visiting professor permits shall
17 be made to the Department, in writing, on forms prescribed
18 by the Department and shall be accompanied by the required
19 fee established by rule, which shall not be refundable.
20 Any application shall require the information as, in the
21 judgment of the Department, will enable the Department to
22 pass on the qualifications of the applicant.

23 (3) A visiting professor permit shall be valid for no
24 longer than 2 years from the date of issuance or until the
25 time the faculty appointment is terminated, whichever
26 occurs first, and may be renewed only in accordance with

1 subdivision (A) (6) of this Section.

2 (4) The applicant may be required to appear before the
3 Medical Board for an interview prior to, and as a
4 requirement for, the issuance of the original permit and
5 the renewal.

6 (5) Persons holding a permit under this Section shall
7 only practice medicine in all of its branches or practice
8 the treatment of human ailments without the use of drugs
9 and without operative surgery in the State of Illinois in
10 their official capacity under their contract within the
11 medical school itself and any affiliated institution in
12 which the permit holder is providing instruction as part
13 of the medical school's educational program and for which
14 the medical school has assumed direct responsibility.

15 (6) After the initial renewal of a visiting professor
16 permit, a visiting professor permit shall be valid until
17 the last day of the next physician license renewal period,
18 as set by rule, and may only be renewed for applicants who
19 meet the following requirements:

20 (i) have obtained the required continuing
21 education hours as set by rule; and

22 (ii) have paid the fee prescribed for a license
23 under Section 21 of this Act.

24 For initial renewal, the visiting professor must
25 successfully pass a general competency examination authorized
26 by the Department by rule, unless the visiting professor ~~he or~~

1 ~~she~~ was issued an initial visiting professor permit on or
2 after January 1, 2007, but prior to July 1, 2007.

3 (B) Visiting physician permit.

4 (1) The Department may, in its discretion, issue a
5 temporary visiting physician permit, without examination,
6 provided:

7 (a) (blank);

8 (b) that the person maintains an equivalent
9 authorization to practice medicine in all of its
10 branches or to practice the treatment of human
11 ailments without the use of drugs and without
12 operative surgery in good standing in the person's ~~his~~
13 ~~or her~~ native licensing jurisdiction during the period
14 of the temporary visiting physician permit;

15 (c) that the person has received an invitation or
16 appointment to study, demonstrate, or perform a
17 specific medical, osteopathic, chiropractic, or
18 clinical subject or technique in a medical,
19 osteopathic, or chiropractic school, a state or
20 national medical, osteopathic, or chiropractic
21 professional association or society conference or
22 meeting, a hospital licensed under the Hospital
23 Licensing Act, a hospital organized under the
24 University of Illinois Hospital Act, or a facility
25 operated pursuant to the Ambulatory Surgical Treatment
26 Center Act; and

1 (d) that the temporary visiting physician permit
2 shall only permit the holder to practice medicine in
3 all of its branches or practice the treatment of human
4 ailments without the use of drugs and without
5 operative surgery within the scope of the medical,
6 osteopathic, chiropractic, or clinical studies, or in
7 conjunction with the state or national medical,
8 osteopathic, or chiropractic professional association
9 or society conference or meeting, for which the holder
10 was invited or appointed.

11 (2) The application for the temporary visiting
12 physician permit shall be made to the Department, in
13 writing, on forms prescribed by the Department, and shall
14 be accompanied by the required fee established by rule,
15 which shall not be refundable. The application shall
16 require information that, in the judgment of the
17 Department, will enable the Department to pass on the
18 qualification of the applicant, and the necessity for the
19 granting of a temporary visiting physician permit.

20 (3) A temporary visiting physician permit shall be
21 valid for no longer than (i) 180 days from the date of
22 issuance or (ii) until the time the medical, osteopathic,
23 chiropractic, or clinical studies are completed, or the
24 state or national medical, osteopathic, or chiropractic
25 professional association or society conference or meeting
26 has concluded, whichever occurs first. The temporary

1 visiting physician permit may be issued multiple times to
2 a visiting physician under this paragraph (3) as long as
3 the total number of days it is active does not exceed 180
4 days within a 365-day period.

5 (4) The applicant for a temporary visiting physician
6 permit may be required to appear before the Medical Board
7 for an interview prior to, and as a requirement for, the
8 issuance of a temporary visiting physician permit.

9 (5) A limited temporary visiting physician permit
10 shall be issued to a physician licensed in another state
11 who has been requested to perform emergency procedures in
12 Illinois if the physician ~~he or she~~ meets the requirements
13 as established by rule.

14 (C) Visiting resident permit.

15 (1) The Department may, in its discretion, issue a
16 temporary visiting resident permit, without examination,
17 provided:

18 (a) (blank);

19 (b) that the person maintains an equivalent
20 authorization to practice medicine in all of its
21 branches or to practice the treatment of human
22 ailments without the use of drugs and without
23 operative surgery in good standing in the person's ~~his~~
24 ~~or her~~ native licensing jurisdiction during the period
25 of the temporary visiting resident permit;

26 (c) that the applicant is enrolled in a

1 postgraduate clinical training program outside the
2 State of Illinois that is approved by the Department;

3 (d) that the individual has been invited or
4 appointed for a specific period of time to perform a
5 portion of that post graduate clinical training
6 program under the supervision of an Illinois licensed
7 physician in an Illinois patient care clinic or
8 facility that is affiliated with the out-of-State post
9 graduate training program; and

10 (e) that the temporary visiting resident permit
11 shall only permit the holder to practice medicine in
12 all of its branches or practice the treatment of human
13 ailments without the use of drugs and without
14 operative surgery within the scope of the medical,
15 osteopathic, chiropractic, or clinical studies for
16 which the holder was invited or appointed.

17 (2) The application for the temporary visiting
18 resident permit shall be made to the Department, in
19 writing, on forms prescribed by the Department, and shall
20 be accompanied by the required fee established by rule.
21 The application shall require information that, in the
22 judgment of the Department, will enable the Department to
23 pass on the qualifications of the applicant.

24 (3) A temporary visiting resident permit shall be
25 valid for 180 days from the date of issuance or until the
26 time the medical, osteopathic, chiropractic, or clinical

1 studies are completed, whichever occurs first.

2 (4) The applicant for a temporary visiting resident
3 permit may be required to appear before the Medical Board
4 for an interview prior to, and as a requirement for, the
5 issuance of a temporary visiting resident permit.

6 (D) Postgraduate training exemption period; visiting
7 rotations. A person may participate in visiting rotations in
8 an approved postgraduate training program, not to exceed a
9 total of 90 days for all rotations, if the following
10 information is submitted in writing or electronically to the
11 Department by the patient care clinics or facilities where the
12 person will be performing the training or by an affiliated
13 program:

14 (1) The person who has been invited or appointed to
15 perform a portion of their postgraduate clinical training
16 program in Illinois.

17 (2) The name and address of the primary patient care
18 clinic or facility, the date the training is to begin, and
19 the length of time of the invitation or appointment.

20 (3) The name and license number of the Illinois
21 physician who will be responsible for supervising the
22 trainee and the medical director or division director of
23 the department or facility.

24 (4) Certification from the postgraduate training
25 program that the person is approved and enrolled in a
26 graduate training program approved by the Department in

1 their home state.

2 (Source: P.A. 103-551, eff. 8-11-23; 104-417, eff. 8-15-25.)

3 (225 ILCS 60/21) (from Ch. 111, par. 4400-21)

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

5 Sec. 21. License renewal; reinstatement; inactive status;
6 disposition and collection of fees.

7 (A) Renewal. The expiration date and renewal period for
8 each license issued under this Act shall be set by rule. The
9 holder of a license may renew the license by paying the
10 required fee. The holder of a license may also renew the
11 license within 90 days after its expiration by complying with
12 the requirements for renewal and payment of an additional fee.
13 A license renewal within 90 days after expiration shall be
14 effective retroactively to the expiration date.

15 The Department shall attempt to provide through electronic
16 means to each licensee under this Act, at least 60 days in
17 advance of the expiration date of the ~~his or her~~ license, a
18 renewal notice. No such license shall be deemed to have lapsed
19 until 90 days after the expiration date and after the
20 Department has attempted to provide such notice as herein
21 provided.

22 (B) Reinstatement. Any licensee who has permitted the
23 licensee's ~~his or her~~ license to lapse or who has had the
24 licensee's ~~his or her~~ license on inactive status may have the
25 licensee's ~~his or her~~ license reinstated by making application

1 to the Department and filing proof acceptable to the
2 Department of the licensee's ~~his or her~~ fitness to have the
3 license reinstated, including evidence certifying to active
4 practice in another jurisdiction satisfactory to the
5 Department, proof of meeting the continuing education
6 requirements for one renewal period, and by paying the
7 required reinstatement fee.

8 If the licensee has not maintained an active practice in
9 another jurisdiction satisfactory to the Department, the
10 Medical Board shall determine, by an evaluation program
11 established by rule, the applicant's fitness to resume active
12 status and may require the licensee to complete a period of
13 evaluated clinical experience and may require successful
14 completion of a practical examination specified by the Medical
15 Board.

16 However, any registrant whose license has expired while
17 the registrant ~~he or she~~ has been engaged (a) in Federal
18 Service on active duty with the Army of the United States, the
19 United States Navy, the Marine Corps, the Air Force, the Coast
20 Guard, the Public Health Service or the State Militia called
21 into the service or training of the United States of America,
22 or (b) in training or education under the supervision of the
23 United States preliminary to induction into the military
24 service, may have the registrant's ~~his or her~~ license
25 reinstated without paying any lapsed renewal fees, if within 2
26 years after honorable termination of such service, training,

1 or education, the registrant ~~he or she~~ furnishes to the
2 Department with satisfactory evidence to the effect that the
3 registrant ~~he or she~~ has been so engaged and that the
4 registrant's ~~his or her~~ service, training, or education has
5 been so terminated.

6 (C) Inactive licenses. Any licensee who notifies the
7 Department, in writing on forms prescribed by the Department,
8 may elect to place the licensee's ~~his or her~~ license on an
9 inactive status and shall, subject to rules of the Department,
10 be excused from payment of renewal fees until the licensee ~~he~~
11 ~~or she~~ notifies the Department in writing of his or her desire
12 to resume active status.

13 Any licensee requesting reinstatement from inactive status
14 shall be required to pay the current renewal fee, provide
15 proof of meeting the continuing education requirements for the
16 period of time the license is inactive not to exceed one
17 renewal period, and shall be required to reinstate the
18 licensee's ~~his or her~~ license as provided in subsection (B).

19 Any licensee whose license is in an inactive status shall
20 not practice in the State of Illinois.

21 (D) Disposition of monies collected. All monies collected
22 under this Act by the Department shall be deposited into ~~in~~ the
23 Illinois State Medical Disciplinary Fund in the State treasury
24 ~~Treasury~~, and used only for the following purposes: (a) by the
25 Medical Board in the exercise of its powers and performance of
26 its duties, as such use is made by the Department with full

1 consideration of all recommendations of the Medical Board, (b)
2 for costs directly related to persons licensed under this Act,
3 and (c) for direct and allocable indirect costs related to the
4 public purposes of the Department.

5 Moneys in the Fund may be transferred to the Professions
6 Indirect Cost Fund as authorized under Section 2105-300 of the
7 Department of Professional Regulation Law of the Civil
8 Administrative Code of Illinois.

9 All earnings received from investment of monies in the
10 Illinois State Medical Disciplinary Fund shall be deposited
11 into ~~in~~ the Illinois State Medical Disciplinary Fund and shall
12 be used for the same purposes as fees deposited into ~~in~~ such
13 Fund.

14 (E) Fees. The following fees are nonrefundable.

15 (1) Applicants for any examination shall be required
16 to pay, either to the Department or to the designated
17 testing service, a fee covering the cost of determining
18 the applicant's eligibility and providing the examination.
19 Failure to appear for the examination on the scheduled
20 date, at the time and place specified, after the
21 applicant's application for examination has been received
22 and acknowledged by the Department or the designated
23 testing service, shall result in the forfeiture of the
24 examination fee.

25 (2) Before July 1, 2018, the fee for a license under
26 Section 9 of this Act is \$700. Beginning on July 1, 2018,

1 the fee for a license under Section 9 of this Act is \$500.

2 (3) Before July 1, 2018, the fee for a license under
3 Section 19 of this Act is \$700. Beginning on July 1, 2018,
4 the fee for a license under Section 19 of this Act is \$500.

5 (4) Before July 1, 2018, the fee for the renewal of a
6 license for a resident of Illinois shall be calculated at
7 the rate of \$230 per year, and beginning on July 1, 2018
8 and until January 1, 2020, the fee for the renewal of a
9 license shall be \$167, except for licensees who were
10 issued a license within 12 months of the expiration date
11 of the license, before July 1, 2018, the fee for the
12 renewal shall be \$230, and beginning on July 1, 2018 and
13 until January 1, 2020 that fee will be \$167. Before July 1,
14 2018, the fee for the renewal of a license for a
15 nonresident shall be calculated at the rate of \$460 per
16 year, and beginning on July 1, 2018 and until January 1,
17 2020, the fee for the renewal of a license for a
18 nonresident shall be \$250, except for licensees who were
19 issued a license within 12 months of the expiration date
20 of the license, before July 1, 2018, the fee for the
21 renewal shall be \$460, and beginning on July 1, 2018 and
22 until January 1, 2020 that fee will be \$250. Beginning on
23 January 1, 2020, the fee for renewal of a license for a
24 resident or nonresident is \$181 per year.

25 (5) The fee for the reinstatement of a license other
26 than from inactive status, is \$230. In addition, payment

1 of all lapsed renewal fees not to exceed \$1,400 is
2 required.

3 (6) The fee for a 3-year temporary license under
4 Section 17 is \$230.

5 (7) The fee for the issuance of a license with a change
6 of name or address other than during the renewal period is
7 \$20. No fee is required for name and address changes on
8 Department records when no updated license is issued.

9 (8) The fee to be paid for a license record for any
10 purpose is \$20.

11 (9) The fee to be paid to have the scoring of an
12 examination, administered by the Department, reviewed and
13 verified, is \$20 plus any fees charged by the applicable
14 testing service.

15 (F) Any person who delivers a check or other payment to the
16 Department that is returned to the Department unpaid by the
17 financial institution upon which it is drawn shall pay to the
18 Department, in addition to the amount already owed to the
19 Department, a fine of \$50. The fines imposed by this Section
20 are in addition to any other discipline provided under this
21 Act for unlicensed practice or practice on a nonrenewed
22 license. The Department shall notify the person that payment
23 of fees and fines shall be paid to the Department by certified
24 check or money order within 30 calendar days of the
25 notification. If, after the expiration of 30 days from the
26 date of the notification, the person has failed to submit the

1 necessary remittance, the Department shall automatically
2 terminate the license or permit or deny the application,
3 without hearing. If, after termination or denial, the person
4 seeks a license or permit, the person ~~he or she~~ shall apply to
5 the Department for reinstatement or issuance of the license or
6 permit and pay all fees and fines due to the Department. The
7 Department may establish a fee for the processing of an
8 application for reinstatement of a license or permit to pay
9 all expenses of processing this application. The Secretary may
10 waive the fines due under this Section in individual cases
11 where the Secretary finds that the fines would be unreasonable
12 or unnecessarily burdensome.

13 (Source: P.A. 101-316, eff. 8-9-19; 101-603, eff. 1-1-20;
14 102-20, eff. 1-1-22.)

15 (225 ILCS 60/22)

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

17 Sec. 22. Disciplinary action.

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

25 (1) (Blank).

1 (2) (Blank).

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

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

9 (5) Engaging in dishonorable, unethical, or
10 unprofessional conduct of a character likely to deceive,
11 defraud, or harm the public.

12 (6) Obtaining any fee by fraud, deceit, or
13 misrepresentation.

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

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

20 (9) Fraud or misrepresentation in applying for, or
21 procuring, a license under this Act or in connection with
22 applying for renewal of a license under this Act.

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

1 body or mind.

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

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

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

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

22 (15) A finding by the Medical Board that the
23 registrant after having the registrant's ~~his or her~~
24 license placed on probationary status or subjected to
25 conditions or restrictions violated the terms of the
26 probation or failed to comply with such terms or

1 conditions.

2 (16) Abandonment of a patient.

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

8 (18) Promotion of the sale of drugs, devices,
9 appliances, or goods provided for a patient in such manner
10 as to exploit the patient for financial gain of the
11 physician.

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

18 (20) Immoral conduct in the commission of any act,
19 including, but not limited to, commission of an act of
20 sexual misconduct or sexual harassment related to the
21 licensee's practice. For the purpose of this paragraph
22 (20), "sexual harassment" means unwelcome sexual advances,
23 requests for sexual favors, or other verbal, physical, or
24 nonverbal conduct of a sexual nature.

25 (21) Willfully making or filing false records or
26 reports in the person's ~~his or her~~ practice as a

1 physician, including, but not limited to, false records to
2 support claims against the medical assistance program of
3 the Department of Healthcare and Family Services (formerly
4 Department of Public Aid) under the Illinois Public Aid
5 Code.

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

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

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

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

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

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

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

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

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

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

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

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

25 (33) Violating State or federal laws or regulations
26 relating to controlled substances, legend drugs, or

1 ephedra as defined in the Ephedra Prohibition Act.

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

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

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

1 (37) Failure to provide copies of medical records as
2 required by law.

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

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

10 (40) (Blank).

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

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

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

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

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

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

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

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

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

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

17 All proceedings to take disciplinary action as the
18 Department may deem proper, with regard to a license, must be
19 commenced within 5 years after the date of the Department's
20 receipt of a complaint alleging the commission of or notice of
21 a conviction order for any of the violations described herein.
22 Ground number (26) is exempt from this 5-year limitation. No
23 action shall be commenced more than 10 years after the date of
24 the incident or act alleged to have violated this Section.
25 Ground numbers (8), (9), (26), and (29) are exempt from this
26 10-year limitation. Except for actions involving the ground

1 ~~numbered (26), all proceedings to suspend, revoke, place on~~
2 ~~probationary status, or take any other disciplinary action as~~
3 ~~the Department may deem proper, with regard to a license on any~~
4 ~~of the foregoing grounds, must be commenced within 5 years~~
5 ~~next after receipt by the Department of a complaint alleging~~
6 ~~the commission of or notice of the conviction order for any of~~
7 ~~the acts described herein. Except for the grounds numbered~~
8 ~~(8), (9), (26), and (29), no action shall be commenced more~~
9 ~~than 10 years after the date of the incident or act alleged to~~
10 ~~have violated this Section. For actions involving the ground~~
11 ~~numbered (26), a pattern of practice or other behavior~~
12 ~~includes all incidents alleged to be part of the pattern of~~
13 ~~practice or other behavior that occurred, or a report pursuant~~
14 ~~to Section 23 of this Act received, within the 10-year period~~
15 ~~preceding the filing of the complaint. In the event of the~~
16 ~~settlement of any claim or cause of action in favor of the~~
17 ~~claimant or the reduction to final judgment of any civil~~
18 ~~action in favor of the plaintiff, such claim, cause of action,~~
19 ~~or civil action being grounded on the allegation that a person~~
20 ~~licensed under this Act was negligent in providing care, the~~
21 ~~Department shall be exempt from the 10-year limitation and~~
22 ~~shall have 5 years from receipt of the report ~~have an~~~~
23 ~~additional period of 2 years from the date of notification to~~
24 ~~the Department under Section 23 of this Act of such settlement~~
25 ~~or final judgment in which to investigate and commence formal~~
26 ~~disciplinary proceedings under Section 36 of this Act, except~~

1 as otherwise provided by law. The time during which the holder
2 of the license was outside the State of Illinois shall not be
3 included within any period of time limiting the commencement
4 of disciplinary action by the Department.

5 The entry of an order or judgment by any circuit court
6 establishing that any person holding a license under this Act
7 is a person in need of mental treatment operates as a
8 suspension of that license. That person may resume ~~his or her~~
9 practice only upon the entry of a Departmental order based
10 upon a finding by the Medical Board that the person has been
11 determined to be recovered from mental illness by the court
12 and upon the Medical Board's recommendation that the person be
13 permitted to resume ~~his or her~~ practice.

14 The Department may refuse to issue or take disciplinary
15 action concerning the license of any person who fails to file a
16 return, or to pay the tax, penalty, or interest shown in a
17 filed return, or to pay any final assessment of tax, penalty,
18 or 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 as determined
21 by the Illinois Department of Revenue.

22 The Department, upon the recommendation of the Medical
23 Board, shall adopt rules which set forth standards to be used
24 in determining:

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

1 (b) what constitutes dishonorable, unethical, or
2 unprofessional conduct of a character likely to deceive,
3 defraud, or harm the public;

4 (c) what constitutes immoral conduct in the commission
5 of any act, including, but not limited to, commission of
6 an act of sexual misconduct related to the licensee's
7 practice; and

8 (d) what constitutes gross negligence in the practice
9 of medicine.

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

13 In enforcing this Section, the Medical Board, upon a
14 showing of a possible violation, may compel any individual who
15 is licensed to practice under this Act or holds a permit to
16 practice under this Act, or any individual who has applied for
17 licensure or a permit pursuant to this Act, to submit to a
18 mental or physical examination and evaluation, or both, which
19 may include a substance abuse or sexual offender evaluation,
20 as required by the Medical Board and at the expense of the
21 Department. The Medical Board shall specifically designate the
22 examining physician licensed to practice medicine in all of
23 its branches or, if applicable, the multidisciplinary team
24 involved in providing the mental or physical examination and
25 evaluation, or both. The multidisciplinary team shall be led
26 by a physician licensed to practice medicine in all of its

1 branches and may consist of one or more or a combination of
2 physicians licensed to practice medicine in all of its
3 branches, licensed chiropractic physicians, 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 and evaluation pursuant to this
9 Section to submit to any additional supplemental testing
10 deemed necessary to complete any examination or evaluation
11 process, including, but not limited to, blood testing,
12 urinalysis, psychological testing, or neuropsychological
13 testing. The Medical Board or the Department may order the
14 examining physician or any member of the multidisciplinary
15 team to provide to the Department or the Medical Board any and
16 all records, including business records, that relate to the
17 examination and evaluation, including any supplemental testing
18 performed. The Medical Board or the Department may order the
19 examining physician or any member of the multidisciplinary
20 team to present testimony concerning this examination and
21 evaluation of the licensee, permit holder, or applicant,
22 including testimony concerning any supplemental testing or
23 documents relating to the examination and evaluation. No
24 information, report, record, or other documents in any way
25 related to the examination and evaluation shall be excluded by
26 reason of any common law or statutory privilege relating to

1 communication between the licensee, permit holder, or
2 applicant and the examining physician or any member of the
3 multidisciplinary team. No authorization is necessary from the
4 licensee, permit holder, or applicant ordered to undergo an
5 evaluation and examination for the examining physician or any
6 member of the multidisciplinary team to provide information,
7 reports, records, or other documents or to provide any
8 testimony regarding the examination and evaluation. The
9 individual to be examined may have, at the individual's ~~his or~~
10 ~~her~~ own expense, another physician of the individual's ~~his or~~
11 ~~her~~ choice present during all aspects of the examination.
12 Failure of any individual to submit to mental or physical
13 examination and 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 Medical Board finds a physician unable to practice following
17 an examination and evaluation because of the reasons set forth
18 in this Section, the Medical Board shall require such
19 physician to submit to care, counseling, or treatment by
20 physicians, or other health care professionals, approved or
21 designated by the Medical Board, as a condition for issued,
22 continued, reinstated, or renewed licensure to practice. Any
23 physician, whose license was granted pursuant to Section 9,
24 17, or 19 of this Act, ~~or~~, continued, reinstated, renewed,
25 disciplined, or supervised, subject to such terms, conditions,
26 or restrictions who shall fail to comply with such terms,

1 conditions, or restrictions, or to complete a required program
2 of care, counseling, or treatment, as determined by the Chief
3 Medical Coordinator or Deputy Medical Coordinators, shall be
4 referred to the Secretary for a determination as to whether
5 the licensee shall have the licensee's ~~his or her~~ license
6 suspended immediately, pending a hearing by the Medical Board.
7 In instances in which the Secretary immediately suspends a
8 license under this Section, a hearing upon such person's
9 license must be convened by the Medical Board within 15 days
10 after such suspension and completed without appreciable delay.
11 The Medical Board shall have the authority to review the
12 subject physician's record of treatment and counseling
13 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, affected under this
17 Section, shall be afforded an opportunity to demonstrate to
18 the Medical Board that the individual ~~he or she~~ can resume
19 practice in compliance with acceptable and prevailing
20 standards under the provisions of the individual's ~~his or her~~
21 license.

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

25 The Department may promulgate rules for the imposition of
26 fines in disciplinary cases, not to exceed \$10,000 for each

1 violation of this Act. Fines may be imposed in conjunction
2 with other forms of disciplinary action, but shall not be the
3 exclusive disposition of any disciplinary action arising out
4 of conduct resulting in death or injury to a patient. Any funds
5 collected from such fines shall be deposited into ~~in~~ the
6 Illinois State Medical Disciplinary Fund.

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

11 (B) The Department shall revoke the license or permit
12 issued under this Act to practice medicine of a chiropractic
13 physician who has been convicted a second time of committing
14 any felony under the Illinois Controlled Substances Act or the
15 Methamphetamine Control and Community Protection Act, or who
16 has been convicted a second time of committing a Class 1 felony
17 under Sections 8A-3 and 8A-6 of the Illinois Public Aid Code. A
18 person whose license or permit is revoked under this
19 subsection (B) shall be prohibited from practicing medicine or
20 treating human ailments without the use of drugs and without
21 operative surgery.

22 (C) 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:

26 (1) based solely upon the recommendation of the person

1 to an eligible patient regarding, or prescription for, or
2 treatment with, an investigational drug, biological
3 product, or device;

4 (2) for experimental treatment for Lyme disease or
5 other tick-borne diseases, including, but not limited to,
6 the prescription of or treatment with long-term
7 antibiotics;

8 (3) based solely upon the person providing,
9 authorizing, recommending, aiding, assisting, referring
10 for, or otherwise participating in any health care
11 service, so long as the care was not unlawful under the
12 laws of this State, regardless of whether the patient was
13 a resident of this State or another state; or

14 (4) based upon the person's license, registration, or
15 permit being revoked or suspended, or the person being
16 otherwise disciplined, by any other state if that
17 revocation, suspension, or other form of discipline was
18 based solely on the person violating another state's laws
19 prohibiting the provision of, authorization of,
20 recommendation of, aiding or assisting in, referring for,
21 or participation in any health care service if that health
22 care service as provided would not have been unlawful
23 under the laws of this State and is consistent with the
24 applicable standard of conduct for the person practicing
25 in Illinois under this Act.

26 (D) (Blank).

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

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

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

22 (Source: P.A. 103-442, eff. 1-1-24; 104-417, eff. 8-15-25;
23 104-432, eff. 1-1-26; revised 9-15-25.)

24 (225 ILCS 60/22.2)

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

1 Sec. 22.2. Prohibition against fee splitting.

2 (a) A licensee under this Act may not directly or
3 indirectly divide, share or split any professional fee or
4 other form of compensation for professional services with
5 anyone in exchange for a referral or otherwise, other than as
6 provided in this Section 22.2.

7 (b) Nothing contained in this Section abrogates the right
8 of 2 or more licensed health care workers as defined in the
9 Health Care Worker Self-referral Act to each receive adequate
10 compensation for concurrently rendering services to a patient
11 and to divide the fee for such service, provided that the
12 patient has full knowledge of the division and the division is
13 made in proportion to the actual services personally performed
14 and responsibility assumed by each licensee consistent with
15 the licensee's ~~his or her~~ license, except as prohibited by
16 law.

17 (c) Nothing contained in this Section prohibits a licensee
18 under this Act from practicing medicine through or within any
19 form of legal entity authorized to conduct business in this
20 State or from pooling, sharing, dividing, or apportioning the
21 professional fees and other revenues in accordance with the
22 agreements and policies of the entity provided:

23 (1) each owner of the entity is licensed under this
24 Act;

25 (2) the entity is organized under the Medical
26 Corporation Act, the Professional Services Corporation

1 Act, the Professional Association Act, or the Professional
2 Limited Liability Company Act;

3 (3) the entity is allowed by Illinois law to provide
4 physician services or employ physicians such as a licensed
5 hospital or hospital affiliate or licensed ambulatory
6 surgical treatment center owned in full or in part by
7 Illinois-licensed physicians;

8 (4) the entity is a combination or joint venture of
9 the entities authorized under this subsection (c); or

10 (5) the entity is an Illinois not-for-profit ~~not for~~
11 ~~profit~~ corporation that is recognized as exempt from the
12 payment of federal income taxes as an organization
13 described in Section 501(c)(3) of the Internal Revenue
14 Code and all of its members are full-time faculty members
15 of a medical school that offers an ~~a~~ M.D. degree program
16 that is accredited by the Liaison Committee on Medical
17 Education and a program of graduate medical education that
18 is accredited by the Accreditation Council for Graduate
19 Medical Education.

20 (d) Nothing contained in this Section prohibits a licensee
21 under this Act from paying a fair market value fee to any
22 person or entity whose purpose is to perform billing,
23 administrative preparation, or collection services based upon
24 a percentage of professional service fees billed or collected,
25 a flat fee, or any other arrangement that directly or
26 indirectly divides professional fees, for the administrative

1 preparation of the licensee's claims or the collection of the
2 licensee's charges for professional services, provided that:

3 (i) the licensee or the licensee's practice under
4 subsection (c) of this Section at all times controls the
5 amount of fees charged and collected; and

6 (ii) all charges collected are paid directly to the
7 licensee or the licensee's practice or are deposited
8 directly into an account in the name of and under the sole
9 control of the licensee or the licensee's practice or
10 deposited into a "Trust Account" by a licensed collection
11 agency in accordance with the requirements of Section 8(c)
12 of the Illinois Collection Agency Act.

13 (e) Nothing contained in this Section prohibits the
14 granting of a security interest in the accounts receivable or
15 fees of a licensee under this Act or the licensee's practice
16 for bona fide advances made to the licensee or licensee's
17 practice provided the licensee retains control and
18 responsibility for the collection of the accounts receivable
19 and fees.

20 (f) Excluding payments that may be made to the owners of or
21 licensees in the licensee's practice under subsection (c), a
22 licensee under this Act may not divide, share or split a
23 professional service fee with, or otherwise directly or
24 indirectly pay a percentage of the licensee's professional
25 service fees, revenues or profits to anyone for: (i) the
26 marketing or management of the licensee's practice, (ii)

1 including the licensee or the licensee's practice on any
2 preferred provider list, (iii) allowing the licensee to
3 participate in any network of health care providers, (iv)
4 negotiating fees, charges or terms of service or payment on
5 behalf of the licensee, or (v) including the licensee in a
6 program whereby patients or beneficiaries are provided an
7 incentive to use the services of the licensee.

8 (g) A violation of any of the provisions of this Section
9 constitutes an unlawful practice under the Consumer Fraud and
10 Deceptive Business Practices Act. All remedies, penalties, and
11 authority granted to the Attorney General by the Consumer
12 Fraud and Deceptive Business Practices Act shall be available
13 to him or her for the enforcement of this Section. This
14 subsection does not apply to hospitals and hospital affiliates
15 licensed in Illinois.

16 (Source: P.A. 100-1058, eff. 1-1-19.)

17 (225 ILCS 60/23) (from Ch. 111, par. 4400-23)

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

19 Sec. 23. Reports relating to professional conduct and
20 capacity.

21 (A) Entities required to report.

22 (1) Health care institutions. The chief administrator
23 or executive officer of any health care institution
24 licensed by the Illinois Department of Public Health shall
25 report to the Medical Board when any person's clinical

1 privileges are terminated or are restricted based on a
2 final determination made in accordance with that
3 institution's by-laws or rules and regulations that a
4 person has either committed an act or acts which may
5 directly threaten patient care or that a person may have a
6 mental or physical disability that may endanger patients
7 under that person's care. Such officer also shall report
8 if a person accepts voluntary termination or restriction
9 of clinical privileges in lieu of formal action based upon
10 conduct related directly to patient care or in lieu of
11 formal action seeking to determine whether a person may
12 have a mental or physical disability that may endanger
13 patients under that person's care. The Medical Board
14 shall, by rule, provide for the reporting to it by health
15 care institutions of all instances in which a person,
16 licensed under this Act, who is impaired by reason of age,
17 drug or alcohol abuse, or physical or mental impairment,
18 is under supervision and, where appropriate, is in a
19 program of rehabilitation. Such reports shall be strictly
20 confidential and may be reviewed and considered only by
21 the members of the Medical Board, or by authorized staff
22 as provided by rules of the Medical Board. Provisions
23 shall be made for the periodic report of the status of any
24 such person not less than twice annually in order that the
25 Medical Board shall have current information upon which to
26 determine the status of any such person. Such initial and

1 periodic reports of impaired physicians shall not be
2 considered records within the meaning of the State Records
3 Act and shall be disposed of, following a determination by
4 the Medical Board that such reports are no longer
5 required, in a manner and at such time as the Medical Board
6 shall determine by rule. The filing of such reports shall
7 be construed as the filing of a report for purposes of
8 subsection (C) of this Section. Such health care
9 institution shall not take any adverse action, including,
10 but not limited to, restricting or terminating any
11 person's clinical privileges, as a result of an adverse
12 action against a person's license, registration, permit,
13 or clinical privileges or other disciplinary action by
14 another state or health care institution that resulted
15 from the person's provision of, authorization of,
16 recommendation of, aiding or assistance with, referral
17 for, or participation in any health care service if the
18 adverse action was based solely on a violation of the
19 other state's law prohibiting the provision of such health
20 care and related services in the state or for a resident of
21 the state if that health care service would not have been
22 unlawful under the laws of this State and is consistent
23 with the applicable standard of conduct for a person
24 practicing in Illinois under this Act.

25 (1.5) Clinical training programs. The program director
26 of any post-graduate clinical training program shall

1 report to the Medical Board if a person engaged in a
2 post-graduate clinical training program at the
3 institution, including, but not limited to, a residency or
4 fellowship, separates from the program for any reason
5 prior to its conclusion. The program director shall
6 provide all documentation relating to the separation if,
7 after review of the report, the Medical Board determines
8 that a review of those documents is necessary to determine
9 whether a violation of this Act occurred.

10 (2) Professional associations. The President or chief
11 executive officer of any association or society, of
12 persons licensed under this Act, operating within this
13 State shall report to the Medical Board when the
14 association or society renders a final determination that
15 a person has committed unprofessional conduct related
16 directly to patient care or that a person may have a mental
17 or physical disability that may endanger patients under
18 that person's care.

19 (3) Professional liability insurers. Every insurance
20 company which offers policies of professional liability
21 insurance to persons licensed under this Act, or any other
22 entity which seeks to indemnify the professional liability
23 of a person licensed under this Act, shall report to the
24 Medical Board the settlement of any claim or cause of
25 action, or final judgment rendered in any cause of action,
26 which alleged negligence in the furnishing of medical care

1 by such licensed person when such settlement or final
2 judgment is in favor of the plaintiff. Such insurance
3 company shall not take any adverse action, including, but
4 not limited to, denial or revocation of coverage, or rate
5 increases, against a person authorized to practice under
6 this Act with respect to coverage for services provided in
7 the State if based solely on the person providing,
8 authorizing, recommending, aiding, assisting, referring
9 for, or otherwise participating in health care services in
10 this State in violation of another state's law, or a
11 revocation or other adverse action against the person's
12 license, registration, or permit in another state for
13 violation of such law if that health care service as
14 provided would have been lawful and consistent with the
15 applicable standard of conduct for a person practicing in
16 Illinois under this Act. Notwithstanding this provision,
17 it is against public policy to require coverage for an
18 illegal action.

19 (4) State's Attorneys. The State's Attorney of each
20 county shall report to the Medical Board, within 5 days,
21 any instances in which a person licensed under this Act is
22 convicted of any felony or Class A misdemeanor.

23 (5) State agencies. All agencies, boards, commissions,
24 departments, or other instrumentalities of the government
25 of the State of Illinois shall report to the Medical Board
26 any instance arising in connection with the operations of

1 such agency, including the administration of any law by
2 such agency, in which a person licensed under this Act has
3 either committed an act or acts which may be a violation of
4 this Act or which may constitute unprofessional conduct
5 related directly to patient care or which indicates that a
6 person licensed under this Act may have a mental or
7 physical disability that may endanger patients under that
8 person's care.

9 (B) Mandatory reporting. All reports required by items
10 (34), (35), and (36) of subsection (A) of Section 22 and by
11 this Section 23 shall be submitted to the Medical Board in a
12 timely fashion. Unless otherwise provided in this Section, the
13 reports shall be filed in writing within 60 days after a
14 determination that a report is required under this Act. All
15 reports shall contain the following information:

16 (1) The name, address, and telephone number of the
17 person making the report.

18 (2) The name, address, and telephone number of the
19 person who is the subject of the report.

20 (3) The name and date of birth of any patient or
21 patients whose treatment is a subject of the report, if
22 available, or other means of identification if such
23 information is not available, identification of the
24 hospital or other health care facility where the care at
25 issue in the report was rendered, provided, however, no
26 medical records may be revealed.

1 (4) A brief description of the facts which gave rise
2 to the issuance of the report, including the dates of any
3 occurrences deemed to necessitate the filing of the
4 report.

5 (5) If court action is involved, the identity of the
6 court in which the action is filed, along with the docket
7 number and date of filing of the action.

8 (6) Any further pertinent information which the
9 reporting party deems to be an aid in the evaluation of the
10 report.

11 The Medical Board or Department may also exercise the
12 power under Section 38 of this Act to subpoena copies of
13 hospital or medical records in mandatory report cases alleging
14 death or permanent bodily injury. Appropriate rules shall be
15 adopted by the Department with the approval of the Medical
16 Board.

17 When the Department has received written reports
18 concerning incidents required to be reported in items (34),
19 (35), and (36) of subsection (A) of Section 22, the licensee's
20 failure to report the incident to the Department under those
21 items shall not be the sole grounds for disciplinary action.

22 Nothing contained in this Section shall act to, in any
23 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 Medical Board, the Medical

1 Coordinators, the Medical Board's attorneys, the medical
2 investigative staff, and authorized clerical staff, as
3 provided in this Act, and shall be afforded the same status as
4 is provided information concerning medical studies in Part 21
5 of Article VIII of the Code of Civil Procedure, except that the
6 Department may disclose information and documents to a
7 federal, State, or local law enforcement agency pursuant to a
8 subpoena in an ongoing criminal investigation or to a health
9 care licensing body or medical licensing authority of this
10 State or another state or jurisdiction pursuant to an official
11 request made by that licensing body or medical licensing
12 authority. Furthermore, information and documents disclosed to
13 a federal, State, or local law enforcement agency may be used
14 by that agency only for the investigation and prosecution of a
15 criminal offense, or, in the case of disclosure to a health
16 care licensing body or medical licensing authority, only for
17 investigations and disciplinary action proceedings with regard
18 to a license. Information and documents disclosed to the
19 Department of Public Health may be used by that Department
20 only for investigation and disciplinary action regarding the
21 license of a health care institution licensed by the
22 Department of Public Health.

23 (C) Immunity from prosecution. Any individual or
24 organization acting in good faith, and not in a willful ~~wilful~~
25 and wanton manner, in complying with this Act by providing any
26 report or other information to the Medical Board or a peer

1 review committee, or assisting in the investigation or
2 preparation of such information, or by voluntarily reporting
3 to the Medical Board or a peer review committee information
4 regarding alleged errors or negligence by a person licensed
5 under this Act, or by participating in proceedings of the
6 Medical Board or a peer review committee, or by serving as a
7 member of the Medical Board or a peer review committee, shall
8 not, as a result of such actions, be subject to criminal
9 prosecution or civil damages.

10 (D) Indemnification. Members of the Medical Board, the
11 Medical Coordinators, the Medical Board's attorneys, the
12 medical investigative staff, physicians retained under
13 contract to assist and advise the medical coordinators in the
14 investigation, and authorized clerical staff shall be
15 indemnified by the State for any actions occurring within the
16 scope of services on the Medical Board, done in good faith and
17 not willful ~~wilful~~ and wanton in nature. The Attorney General
18 shall defend all such actions unless the Attorney General ~~he~~
19 ~~or she~~ determines either that there would be a conflict of
20 interest in such representation or that the actions complained
21 of were not in good faith or were willful ~~wilful~~ and wanton.

22 Should the Attorney General decline representation, the
23 member shall have the right to employ counsel of the member's
24 ~~his or her~~ choice, whose fees shall be provided by the State,
25 after approval by the Attorney General, unless there is a
26 determination by a court that the member's actions were not in

1 good faith or were willful ~~wilful~~ and wanton.

2 The member must notify the Attorney General within 7 days
3 of receipt of notice of the initiation of any action involving
4 services of the Medical Board. Failure to so notify the
5 Attorney General shall constitute an absolute waiver of the
6 right to a defense and indemnification.

7 The Attorney General shall determine within 7 days after
8 receiving such notice, whether the Attorney General ~~he or she~~
9 will undertake to represent the member.

10 (E) Deliberations of Medical Board. Upon the receipt of
11 any report called for by this Act, other than those reports of
12 impaired persons licensed under this Act required pursuant to
13 the rules of the Medical Board, the Medical Board shall notify
14 in writing, by mail or email, the person who is the subject of
15 the report. Such notification shall be made within 30 days of
16 receipt by the Medical Board of the report.

17 The notification shall include a written notice setting
18 forth the person's right to examine the report. Included in
19 such notification shall be the address at which the file is
20 maintained, the name of the custodian of the reports, and the
21 telephone number at which the custodian may be reached. The
22 person who is the subject of the report shall submit a written
23 statement responding, clarifying, adding to, or proposing the
24 amending of the report previously filed. The person who is the
25 subject of the report shall also submit with the written
26 statement any medical records related to the report. The

1 statement and accompanying medical records shall become a
2 permanent part of the file and must be received by the Medical
3 Board no more than 30 days after the date on which the person
4 was notified by the Medical Board of the existence of the
5 original report.

6 The Medical Board shall review all reports received by it,
7 together with any supporting information and responding
8 statements submitted by persons who are the subject of
9 reports. The review by the Medical Board shall be in a timely
10 manner but in no event, shall the Medical Board's initial
11 review of the material contained in each disciplinary file be
12 less than 61 days nor more than 180 days after the receipt of
13 the initial report by the Medical Board.

14 When the Medical Board makes its initial review of the
15 materials contained within its disciplinary files, the Medical
16 Board shall, in writing, make a determination as to whether
17 there are sufficient facts to warrant further investigation or
18 action. Failure to make such determination within the time
19 provided shall be deemed to be a determination that there are
20 not sufficient facts to warrant further investigation or
21 action.

22 Should the Medical Board find that there are not
23 sufficient facts to warrant further investigation or action,
24 the report shall be accepted for filing and the matter shall be
25 deemed closed and so reported to the Secretary. The Secretary
26 shall then have 30 days to accept the Medical Board's decision

1 or request further investigation. The Secretary shall inform
2 the Medical Board of the decision to request further
3 investigation, including the specific reasons for the
4 decision. The individual or entity filing the original report
5 or complaint and the person who is the subject of the report or
6 complaint shall be notified in writing by the Secretary of any
7 final action on their report or complaint. The Department
8 shall disclose to the individual or entity who filed the
9 original report or complaint, on request, the status of the
10 Medical Board's review of a specific report or complaint. Such
11 request may be made at any time, including prior to the Medical
12 Board's determination as to whether there are sufficient facts
13 to warrant further investigation or action.

14 (F) Summary reports. The Medical Board shall prepare, on a
15 timely basis, but in no event less than once every other month,
16 a summary report of final disciplinary actions taken upon
17 disciplinary files maintained by the Medical Board. The
18 summary reports shall be made available to the public upon
19 request and payment of the fees set by the Department. This
20 publication may be made available to the public on the
21 Department's website. Information or documentation relating to
22 any disciplinary file that is closed without disciplinary
23 action taken shall not be disclosed and shall be afforded the
24 same status as is provided by Part 21 of Article VIII of the
25 Code of Civil Procedure.

26 (G) Any violation of this Section shall be a Class A

1 misdemeanor.

2 (H) If any such person violates the provisions of this
3 Section an action may be brought in the name of the People of
4 the State of Illinois, through the Attorney General of the
5 State of Illinois, for an order enjoining such violation or
6 for an order enforcing compliance with this Section. Upon
7 filing of a verified petition in such court, the court may
8 issue a temporary restraining order without notice or bond and
9 may preliminarily or permanently enjoin such violation, and if
10 it is established that such person has violated or is
11 violating the injunction, the court may punish the offender
12 for contempt of court. Proceedings under this paragraph shall
13 be in addition to, and not in lieu of, all other remedies and
14 penalties provided for 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 60/26) (from Ch. 111, par. 4400-26)

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

20 Sec. 26. Advertising.

21 (1) Any person licensed under this Act may advertise the
22 availability of professional services in the public media or
23 on the premises where such professional services are rendered.
24 Such advertising shall be limited to the following
25 information:

1 (a) Publication of the person's name, title, office
2 hours, address and telephone number;

3 (b) Information pertaining to the person's areas of
4 specialization, including appropriate board certification
5 or limitation of professional practice;

6 (c) Information on usual and customary fees for
7 routine professional services offered, which information
8 shall include, notification that fees may be adjusted due
9 to complications or unforeseen circumstances;

10 (d) Announcement of the opening of, change of, absence
11 from, or return to business;

12 (e) Announcement of additions to or deletions from
13 professional licensed staff;

14 (f) The issuance of business or appointment cards.

15 (2) It is unlawful for any person licensed under this Act
16 to use claims of superior quality of care to entice the public.
17 It shall be unlawful to advertise fee comparisons of available
18 services with those of other persons licensed under this Act.

19 (3) This Act does not authorize the advertising of
20 professional services which the offeror of such services is
21 not licensed to render. Nor shall the advertiser use
22 statements which contain false, fraudulent, deceptive or
23 misleading material or guarantees of success, statements which
24 play upon the vanity or fears of the public, or statements
25 which promote or produce unfair competition.

26 (4) A licensee shall include in every advertisement for

1 services regulated under this Act the licensee's ~~his or her~~
2 title as it appears on the license or the initials authorized
3 under this Act.

4 (Source: P.A. 97-622, eff. 11-23-11.)

5 (225 ILCS 60/36) (from Ch. 111, par. 4400-36)

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

7 Sec. 36. Investigation; notice.

8 (a) Upon the motion of either the Department or the
9 Medical Board or upon the verified complaint in writing of any
10 person setting forth facts which, if proven, would constitute
11 grounds for suspension or revocation under Section 22 of this
12 Act, the Department shall investigate the actions of any
13 person, so accused, who holds or represents that the person ~~he~~
14 ~~or she~~ holds a license. Such person is hereinafter called the
15 accused.

16 (b) The Department shall, before suspending, revoking,
17 placing on probationary status, or taking any other
18 disciplinary action as the Department may deem proper with
19 regard to any license at least 30 days prior to the date set
20 for the hearing, notify the accused in writing of any charges
21 made and the time and place for a hearing of the charges before
22 the Medical Board, direct the accused ~~him or her~~ to file the
23 accused's ~~his or her~~ written answer thereto to the Medical
24 Board under oath within 20 days after the service on the
25 accused ~~him or her~~ of such notice and inform the accused ~~him or~~

1 ~~her~~ that if the accused ~~he or she~~ fails to file such answer
2 default will be taken against the accused ~~him or her~~ and the
3 accused's ~~his or her~~ license may be suspended, revoked, placed
4 on probationary status, or have other disciplinary action,
5 including limiting the scope, nature or extent of the
6 accused's ~~his or her~~ practice, as the Department may deem
7 proper taken with regard thereto. The Department shall, at
8 least 14 days prior to the date set for the hearing, notify in
9 writing any person who filed a complaint against the accused
10 of the time and place for the hearing of the charges against
11 the accused before the Medical Board and inform such person
12 whether the accused ~~he or she~~ may provide testimony at the
13 hearing.

14 (c) (Blank).

15 (d) Such written notice and any notice in such proceedings
16 thereafter may be served by personal delivery, email to the
17 respondent's email address of record, or mail to the
18 respondent's address of record.

19 (e) All information gathered by the Department during its
20 investigation including information subpoenaed under Section
21 23 or 38 of this Act and the investigative file shall be kept
22 for the confidential use of the Secretary, the Medical Board,
23 the Medical Coordinators, persons employed by contract to
24 advise the Medical Coordinator or the Department, the Medical
25 Board's attorneys, the medical investigative staff, and
26 authorized clerical staff, as provided in this Act and shall

1 be afforded the same status as is provided information
2 concerning medical studies in Part 21 of Article VIII of the
3 Code of Civil Procedure, except that the Department may
4 disclose information and documents to a federal, State, or
5 local law enforcement agency pursuant to a subpoena in an
6 ongoing criminal investigation to a health care licensing body
7 of this State or another state or jurisdiction pursuant to an
8 official request made by that licensing body. Furthermore,
9 information and documents disclosed to a federal, State, or
10 local law enforcement agency may be used by that agency only
11 for the investigation and prosecution of a criminal offense
12 or, in the case of disclosure to a health care licensing body,
13 only for investigations and disciplinary action proceedings
14 with regard to a license issued by that licensing body.

15 (Source: P.A. 101-13, eff. 6-12-19; 101-316, eff. 8-9-19;
16 102-20, eff. 1-1-22; 102-558, eff. 8-20-21.)

17 (225 ILCS 60/37) (from Ch. 111, par. 4400-37)

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

19 Sec. 37. Disciplinary actions.

20 (a) At the time and place fixed in the notice, the Medical
21 Board provided for in this Act shall proceed to hear the
22 charges, and the accused person shall be accorded ample
23 opportunity to present in person, or by counsel, such
24 statements, testimony, evidence and argument as may be
25 pertinent to the charges or to any defense thereto. The

1 Medical Board may continue such hearing from time to time. If
2 the Medical Board is not sitting at the time and place fixed in
3 the notice or at the time and place to which the hearing has
4 been continued, the Department shall continue such hearing for
5 a period not to exceed 30 days.

6 (b) In case the accused person, after receiving notice,
7 fails to file an answer, their license may, in the discretion
8 of the Secretary, having received first the recommendation of
9 the Medical Board, be suspended, revoked or placed on
10 probationary status, or the Secretary may take whatever
11 disciplinary action as the Secretary ~~he or she~~ may deem
12 proper, including limiting the scope, nature, or extent of
13 said person's practice, without a hearing, if the act or acts
14 charged constitute sufficient grounds for such action under
15 this Act.

16 (c) The Medical Board has the authority to recommend to
17 the Secretary that probation be granted or that other
18 disciplinary or non-disciplinary action, including the
19 limitation of the scope, nature or extent of a person's
20 practice, be taken as it deems proper. If disciplinary or
21 non-disciplinary action, other than suspension or revocation,
22 is taken the Medical Board may recommend that the Secretary
23 impose reasonable limitations and requirements upon the
24 accused registrant to ensure compliance with the terms of the
25 probation or other disciplinary action, including, but not
26 limited to, regular reporting by the accused to the Department

1 of their actions, placing themselves under the care of a
2 qualified physician for treatment, or limiting their practice
3 in such manner as the Secretary may require.

4 (d) The Secretary, after consultation with the Chief
5 Medical Coordinator or Deputy Medical Coordinator, may
6 temporarily suspend the license of a physician without a
7 hearing, simultaneously with the institution of proceedings
8 for a hearing provided under this Section if the Secretary
9 possesses evidence that ~~finds that evidence in his or her~~
10 ~~possession~~ indicates that a physician's continuation in
11 practice would constitute an immediate danger to the public.
12 In the event that the Secretary suspends, temporarily, the
13 license of a physician without a hearing, a hearing by the
14 Medical Board shall be held within 15 days after such
15 suspension has occurred and shall be concluded without
16 appreciable delay.

17 (Source: P.A. 102-20, eff. 1-1-22.)

18 (225 ILCS 60/38) (from Ch. 111, par. 4400-38)

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

20 Sec. 38. Subpoena; oaths.

21 (a) The Medical Board or Department has power to subpoena
22 and bring before it any person in this State and to take
23 testimony either orally or by deposition, or both, with the
24 same fees and mileage and in the same manner as is prescribed
25 by law for judicial procedure in civil cases.

1 (b) The Medical Board or Department, upon a determination
2 that probable cause exists that a violation of one or more of
3 the grounds for discipline listed in Section 22 has occurred
4 or is occurring, may subpoena the medical and hospital records
5 of individual patients of physicians licensed under this Act,
6 provided, that prior to the submission of such records to the
7 Medical Board, all information indicating the identity of the
8 patient shall be removed and deleted. Notwithstanding the
9 foregoing, the Medical Board and Department shall possess the
10 power to subpoena copies of hospital or medical records in
11 mandatory report cases under Section 23 alleging death or
12 permanent bodily injury when consent to obtain records is not
13 provided by a patient or legal representative. Prior to
14 submission of the records to the Medical Board, all
15 information indicating the identity of the patient shall be
16 removed and deleted. All medical records and other information
17 received pursuant to subpoena shall be confidential and shall
18 be afforded the same status as is proved information
19 concerning medical studies in Part 21 of Article VIII of the
20 Code of Civil Procedure. The use of such records shall be
21 restricted to members of the Medical Board, the medical
22 coordinators, and appropriate staff of the Department
23 designated by the Medical Board for the purpose of determining
24 the existence of one or more grounds for discipline of the
25 physician as provided for by Section 22 of this Act. Any such
26 review of individual patients' records shall be conducted by

1 the Medical Board in strict confidentiality, provided that
2 such patient records shall be admissible in a disciplinary
3 hearing, before the Medical Board, when necessary to
4 substantiate the grounds for discipline alleged against the
5 physician licensed under this Act, and provided further, that
6 nothing herein shall be deemed to supersede the provisions of
7 Part 21 of Article VIII of the Code of Civil Procedure, to the
8 extent applicable.

9 (c) The Secretary, hearing officer, and any member of the
10 Medical Board each have power to administer oaths at any
11 hearing which the Medical Board or Department is authorized by
12 law to conduct.

13 (d) Upon ~~The Medical Board, upon~~ a determination that
14 probable cause exists that a violation of one or more of the
15 grounds for discipline listed in Section 22 has occurred or is
16 occurring on the business premises of a physician licensed
17 under this Act, ~~may issue an order authorizing~~ an
18 appropriately qualified investigator employed by the
19 Department may ~~to~~ enter upon the business premises with due
20 consideration for patient care of the subject of the
21 investigation so as to inspect the physical premises and
22 equipment and furnishings therein. The right to inspection ~~No~~
23 ~~such order~~ shall not include the right of inspection of
24 business, medical, or personnel records located on the
25 premises without a subpoena issued in accordance with this
26 Section or Section 2105-105 of the Department of Professional

1 Regulation Law of the Civil Administrative Code of Illinois.

2 For purposes of this Section, "business premises" is defined
3 as the office or offices where the physician conducts the
4 practice of medicine. ~~Any such order shall expire and become~~
5 ~~void five business days after its issuance by the Medical~~
6 ~~Board.~~ The execution of any such inspection order shall be
7 valid only during the normal business hours of the facility or
8 office to be inspected.

9 (Source: P.A. 101-316, eff. 8-9-19; 102-20, eff. 1-1-22.)

10 (225 ILCS 60/40) (from Ch. 111, par. 4400-40)

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

12 Sec. 40. Findings and recommendations; rehearing.

13 (a) The Medical Board shall present to the Secretary a
14 written report of its findings and recommendations. A copy of
15 such report shall be served upon the accused person, either
16 personally or by mail or email. Within 20 days after such
17 service, the accused person may present to the Department the
18 accused person's ~~his or her~~ motion, in writing, for a
19 rehearing, which written motion shall specify the particular
20 ground therefor. If the accused person orders and pays for a
21 transcript of the record as provided in Section 39, the time
22 elapsing thereafter and before such transcript is ready for
23 delivery to them shall not be counted as part of such 20 days.

24 (b) At the expiration of the time allowed for filing a
25 motion for rehearing, the Secretary may take the action

1 recommended by the Medical Board. Upon the suspension,
2 revocation, placement on probationary status, or the taking of
3 any other disciplinary action, including the limiting of the
4 scope, nature, or extent of one's practice, deemed proper by
5 the Department, with regard to the license or permit, the
6 accused shall surrender the accused's ~~his or her~~ license or
7 permit to the Department, if ordered to do so by the
8 Department, and upon the accused's ~~his or her~~ failure or
9 refusal so to do, the Department may seize the same.

10 (c) Each order of revocation, suspension, or other
11 disciplinary action shall contain a brief, concise statement
12 of the ground or grounds upon which the Department's action is
13 based, as well as the specific terms and conditions of such
14 action. This document shall be retained as a permanent record
15 by the Department.

16 (d) (Blank).

17 (e) In those instances where an order of revocation,
18 suspension, or other disciplinary action has been rendered by
19 virtue of a physician's physical illness, including, but not
20 limited to, deterioration through the aging process, or loss
21 of motor skill which results in a physician's inability to
22 practice medicine with reasonable judgment, skill, or safety,
23 the Department shall only permit this document, and the record
24 of the hearing incident thereto, to be observed, inspected,
25 viewed, or copied pursuant to court order.

26 (Source: P.A. 101-316, eff. 8-9-19; 102-20, eff. 1-1-22.)

1 (225 ILCS 60/44) (from Ch. 111, par. 4400-44)

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

3 Sec. 44. None of the disciplinary functions, powers and
4 duties enumerated in this Act shall be exercised by the
5 Department except upon the action and report in writing of the
6 Medical Board.

7 In all instances, under this Act, in which the Medical
8 Board has rendered a recommendation to the Secretary with
9 respect to a particular physician, the Secretary may take
10 action contrary to the recommendation of the Medical Board. In
11 the event that the Secretary disagrees with or takes action
12 contrary to the recommendation of the Medical Board, the
13 Secretary may file with the Medical Board the Secretary's ~~his~~
14 ~~or her~~ specific written reasons of disagreement with the
15 Medical Board. Such reasons shall be filed within 30 days of
16 the occurrence of the Secretary's contrary position having
17 been taken.

18 The action and report in writing of a majority of the
19 Medical Board designated is sufficient authority upon which
20 the Secretary may act.

21 Whenever the Secretary is satisfied that substantial
22 justice has not been done in a formal disciplinary action, or
23 refusal to restore a license, the Secretary ~~he or she~~ may order
24 a rehearing.

25 (Source: P.A. 102-20, eff. 1-1-22.)

1 (225 ILCS 60/49) (from Ch. 111, par. 4400-49)

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

3 Sec. 49. If any person does any of the following and does
4 not possess a valid license issued under this Act, that person
5 shall be sentenced as provided in Section 59: (i) holds
6 himself or herself out to the public as being engaged in the
7 diagnosis or treatment of physical or mental ailments or
8 conditions including, but not limited to, deformities,
9 diseases, disorders, or injuries of human beings; (ii)
10 suggests, recommends or prescribes any form of treatment for
11 the palliation, relief or cure of any physical or mental
12 ailment or condition of any person with the intention of
13 receiving, either directly or indirectly, any fee, gift, or
14 compensation whatever; (iii) diagnoses or attempts to
15 diagnose, operates upon, professes to heal, prescribes for, or
16 otherwise treats any ailment or condition, or supposed ailment
17 or condition, of another; (iv) maintains an office for
18 examination or treatment of persons afflicted, or alleged or
19 supposed to be afflicted, by any ailment or condition; (v)
20 manipulates or adjusts osseous or articular structures; or
21 (vi) attaches the title Doctor, Physician, Surgeon, M.D., D.O.
22 or D.C. or any other word or abbreviation to the person's ~~his~~
23 ~~or her~~ name indicating that the person ~~he or she~~ is engaged in
24 the treatment of human ailments or conditions as a business.

25 Whenever the Department has reason to believe that any

1 person has violated this Section the Department may issue a
2 rule to show cause why an order to cease and desist should not
3 be entered against that person. The rule shall clearly set
4 forth the grounds relied upon by the Department and shall
5 provide a period of 7 days from the date of the rule to file an
6 answer to the satisfaction of the Department. Failure to
7 answer to the satisfaction of the Department shall cause an
8 order to cease and desist to be issued immediately.

9 (Source: P.A. 89-702, eff. 7-1-97.)

10 (225 ILCS 60/54) (from Ch. 111, par. 4400-54)

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

12 Sec. 54. A person who holds himself or herself out to treat
13 human ailments under a name other than the person's ~~his or her~~
14 own, or by personation of any physician, shall be punished as
15 provided in Section 59.

16 However, nothing in this Act shall be construed as
17 prohibiting partnerships, limited liability companies,
18 associations, or corporations in accordance with subsection
19 (c) of Section 22.2 of this Act.

20 (Source: P.A. 97-622, eff. 11-23-11.)

21 (225 ILCS 60/54.2)

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

23 Sec. 54.2. Physician delegation of authority.

24 (a) Nothing in this Act shall be construed to limit the

1 delegation of patient care tasks or duties by a physician, to a
2 licensed practical nurse, a registered professional nurse, or
3 other licensed person practicing within the scope of the
4 licensed person's ~~his or her~~ individual licensing Act.
5 Delegation by a physician licensed to practice medicine in all
6 its branches to physician assistants or advanced practice
7 registered nurses is also addressed in Section 54.5 of this
8 Act. No physician may delegate any patient care task or duty
9 that is statutorily or by rule mandated to be performed by a
10 physician.

11 (b) In an office or practice setting and within a
12 physician-patient relationship, a physician may delegate
13 patient care tasks or duties to an unlicensed person who
14 possesses appropriate training and experience provided a
15 health care professional, who is practicing within the scope
16 of such licensed professional's individual licensing Act, is
17 on site to provide assistance.

18 (c) Any such patient care task or duty delegated to a
19 licensed or unlicensed person must be within the scope of
20 practice, education, training, or experience of the delegating
21 physician and within the context of a physician-patient
22 relationship.

23 (d) Nothing in this Section shall be construed to affect
24 referrals for professional services required by law.

25 (e) The Department shall have the authority to adopt rules
26 concerning a physician's delegation, including, but not

1 limited to, the use of light emitting devices for patient care
2 or treatment. An on-site physician examination prior to the
3 performance of a non-ablative laser procedure shall not be
4 required when:

5 (1) the laser hair removal facility follows a
6 physician delegation protocol, which shall be made
7 available to the Department upon request;

8 (2) the examination is performed by an advanced
9 practice registered nurse;

10 (3) the procedure is delegated by a physician and
11 performed by a registered nurse or licensed practical
12 nurse who has received appropriate, documented training
13 and education in the safe and effective use of each
14 system; and

15 (4) a physician is available by telephone or other
16 electronic means to respond promptly to any questions or
17 complications that may occur.

18 Nothing in this Section shall be construed to limit a
19 licensed advanced practice registered nurse with full practice
20 authority from practicing according to the Nurse Practice Act.

21 (f) Nothing in this Act shall be construed to limit the
22 method of delegation that may be authorized by any means,
23 including, but not limited to, oral, written, electronic,
24 standing orders, protocols, guidelines, or verbal orders.

25 (g) (Blank). ~~A physician licensed to practice medicine in~~
26 ~~all of its branches under this Act may delegate any and all~~

~~authority prescribed to him or her by law to international medical graduate physicians, so long as the tasks or duties are within the scope of practice, education, training, or experience of the delegating physician who is on site to provide assistance. An international medical graduate working in Illinois pursuant to this subsection is subject to all statutory and regulatory requirements of this Act, as applicable, relating to the standards of care. An international medical graduate physician is limited to providing treatment under the supervision of a physician licensed to practice medicine in all of its branches. The supervising physician or employer must keep record of and make available upon request by the Department the following: (1) evidence of education certified by the Educational Commission for Foreign Medical Graduates; (2) evidence of passage of Step 1, Step 2 Clinical Knowledge, and Step 3 of the United States Medical Licensing Examination as required by this Act; and (3) evidence of an unencumbered license from another country. This subsection does not apply to any international medical graduate whose license as a physician is revoked, suspended, or otherwise encumbered. This subsection is inoperative upon the adoption of rules implementing Section 15.5.~~

(Source: P.A. 103-1, eff. 4-27-23; 103-102, eff. 6-16-23; 103-814, eff. 1-1-25.)

(225 ILCS 60/54.5)

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

2 Sec. 54.5. Physician delegation of authority to physician
3 assistants, advanced practice registered nurses without full
4 practice authority, and prescribing psychologists.

5 (a) Physicians licensed to practice medicine in all its
6 branches may delegate care and treatment responsibilities to a
7 physician assistant under guidelines in accordance with the
8 requirements of the Physician Assistant Practice Act of 1987.
9 A physician licensed to practice medicine in all its branches
10 may enter into collaborative agreements with no more than 7
11 full-time equivalent physician assistants, except in a
12 hospital, hospital affiliate, or ambulatory surgical treatment
13 center as set forth by Section 7.7 of the Physician Assistant
14 Practice Act of 1987 and as provided in subsection (a-5).

15 (a-5) A physician licensed to practice medicine in all its
16 branches may collaborate with more than 7 physician assistants
17 when the services are provided in a federal primary care
18 health professional shortage area with a Health Professional
19 Shortage Area score greater than or equal to 12, as determined
20 by the United States Department of Health and Human Services.

21 The collaborating physician must keep appropriate
22 documentation of meeting this exemption and make it available
23 to the Department upon request.

24 (b) A physician licensed to practice medicine in all its
25 branches in active clinical practice may collaborate with an
26 advanced practice registered nurse in accordance with the

1 requirements of the Nurse Practice Act. Collaboration is for
2 the purpose of providing medical consultation, and no
3 employment relationship is required. A written collaborative
4 agreement shall conform to the requirements of Section 65-35
5 of the Nurse Practice Act. The written collaborative agreement
6 shall be for services for which the collaborating physician
7 can provide adequate collaboration. A written collaborative
8 agreement shall be adequate with respect to collaboration with
9 advanced practice registered nurses if all of the following
10 apply:

11 (1) The agreement is written to promote the exercise
12 of professional judgment by the advanced practice
13 registered nurse commensurate with the advanced practice
14 registered nurse's ~~his or her~~ education and experience.

15 (2) The advanced practice registered nurse provides
16 services based upon a written collaborative agreement with
17 the collaborating physician, except as set forth in
18 subsection (b-5) of this Section. With respect to labor
19 and delivery, the collaborating physician must provide
20 delivery services in order to participate with a certified
21 nurse midwife.

22 (3) Methods of communication are available with the
23 collaborating physician in person or through
24 telecommunications for consultation, collaboration, and
25 referral as needed to address patient care needs.

26 (b-5) An anesthesiologist or physician licensed to

1 practice medicine in all its branches may collaborate with a
2 certified registered nurse anesthetist in accordance with
3 Section 65-35 of the Nurse Practice Act for the provision of
4 anesthesia services. With respect to the provision of
5 anesthesia services, the collaborating anesthesiologist or
6 physician shall have training and experience in the delivery
7 of anesthesia services consistent with Department rules.
8 Collaboration shall be adequate if:

9 (1) an anesthesiologist or a physician participates in
10 the joint formulation and joint approval of orders or
11 guidelines and periodically reviews such orders and the
12 services provided patients under such orders; and

13 (2) for anesthesia services, the anesthesiologist or
14 physician participates through discussion of and agreement
15 with the anesthesia plan and is physically present and
16 available on the premises during the delivery of
17 anesthesia services for diagnosis, consultation, and
18 treatment of emergency medical conditions. Anesthesia
19 services in a hospital shall be conducted in accordance
20 with Section 10.7 of the Hospital Licensing Act and in an
21 ambulatory surgical treatment center in accordance with
22 Section 6.5 of the Ambulatory Surgical Treatment Center
23 Act.

24 (b-10) The anesthesiologist or operating physician must
25 agree with the anesthesia plan prior to the delivery of
26 services.

1 (c) The collaborating physician shall have access to the
2 medical records of all patients attended by a physician
3 assistant. The collaborating physician shall have access to
4 the medical records of all patients attended to by an advanced
5 practice registered nurse.

6 (d) (Blank).

7 (e) A physician shall not be liable for the acts or
8 omissions of a prescribing psychologist, physician assistant,
9 or advanced practice registered nurse solely on the basis of
10 having signed a supervision agreement or guidelines or a
11 collaborative agreement, an order, a standing medical order, a
12 standing delegation order, or other order or guideline
13 authorizing a prescribing psychologist, physician assistant,
14 or advanced practice registered nurse to perform acts, unless
15 the physician has reason to believe the prescribing
16 psychologist, physician assistant, or advanced practice
17 registered nurse lacked the competency to perform the act or
18 acts or commits willful and wanton misconduct.

19 (f) A collaborating physician may, but is not required to,
20 delegate prescriptive authority to an advanced practice
21 registered nurse as part of a written collaborative agreement,
22 and the delegation of prescriptive authority shall conform to
23 the requirements of Section 65-40 of the Nurse Practice Act.

24 (g) A collaborating physician may, but is not required to,
25 delegate prescriptive authority to a physician assistant as
26 part of a written collaborative agreement, and the delegation

1 of prescriptive authority shall conform to the requirements of
2 Section 7.5 of the Physician Assistant Practice Act of 1987.

3 (h) (Blank).

4 (i) A collaborating physician shall delegate prescriptive
5 authority to a prescribing psychologist as part of a written
6 collaborative agreement, and the delegation of prescriptive
7 authority shall conform to the requirements of Section 4.3 of
8 the Clinical Psychologist Licensing Act.

9 (j) As set forth in Section 22.2 of this Act, a licensee
10 under this Act may not directly or indirectly divide, share,
11 or split any professional fee or other form of compensation
12 for professional services with anyone in exchange for a
13 referral or otherwise, other than as provided in Section 22.2.
14 (Source: P.A. 103-228, eff. 1-1-24.)

15 (225 ILCS 60/58) (from Ch. 111, par. 4400-58)

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

17 Sec. 58. Any person who shall willfully ~~wilfully~~ swear or
18 affirm falsely, or make or file any affidavit willfully
19 ~~wilfully~~ and corruptly, in filing or prosecuting their
20 application for a license before the Department, or in
21 submitting any complaint, evidence or testimony to the
22 Department under the provisions of this Act, or under any rule
23 or regulation of the Department, shall be sentenced therefor
24 as the law shall prescribe at the time for perjury.

25 (Source: P.A. 85-4.)

1 (225 ILCS 60/66)

2 Sec. 66. Temporary permit for health care.

3 (a) The Department may issue a temporary permit to an
4 applicant who is licensed to practice as a physician in
5 another state. The temporary permit will authorize the
6 practice of providing health care to patients in this State if
7 all of the following apply:

8 (1) The Department determines that the applicant's
9 services will improve the welfare of Illinois residents
10 and non-residents requiring health care services.

11 (2) The applicant has graduated from a medical program
12 officially recognized by the jurisdiction in which it is
13 located for the purpose of receiving a license to practice
14 medicine in all of its branches, and maintains an
15 equivalent authorization to practice medicine in good
16 standing in the applicant's current state or territory of
17 licensure; and the applicant can furnish the Department
18 with a certified letter upon request from that
19 jurisdiction attesting to the fact that the applicant has
20 no pending action or violations against the applicant's
21 license.

22 The Department will not consider a physician's license
23 being revoked or otherwise disciplined by any state or
24 territory based solely on the physician providing,
25 authorizing, recommending, aiding, assisting, referring

1 for, or otherwise participating in any health care service
2 that is unlawful or prohibited in that state or territory,
3 if the provision of, authorization of, or participation in
4 that health care, medical service, or procedure related to
5 any health care service is not unlawful or prohibited in
6 this State.

7 (3) The applicant has sufficient training and
8 possesses the appropriate core competencies to provide
9 health care services, and is physically, mentally, and
10 professionally capable of practicing medicine with
11 reasonable judgment, skill, and safety and in accordance
12 with applicable standards of care.

13 (4) The applicant will be working pursuant to an
14 agreement with a sponsoring licensed hospital, medical
15 office, clinic, or other medical facility providing
16 abortion or other health care services. Such agreement
17 shall be executed by an authorized representative of the
18 licensed hospital, medical office, clinic, or other
19 medical facility, certifying that the physician holds an
20 active license and is in good standing in the state in
21 which they are licensed. If an applicant for a temporary
22 permit has been previously disciplined by another
23 jurisdiction, except as described in paragraph (2) of
24 subsection (a), further review may be conducted pursuant
25 to the Civil Administrative Code of Illinois and this Act.
26 The application shall include the physician's name,

1 contact information, state of licensure, and license
2 number.

3 (5) Payment of a \$75 fee.

4 The sponsoring licensed hospital, medical office, clinic,
5 or other medical facility engaged in the agreement with the
6 applicant shall notify the Department should the applicant at
7 any point leave or become separate from the sponsor.

8 The Department may adopt rules pursuant to this Section.

9 (b) A temporary permit under this Section shall expire 2
10 years after the date of issuance. The temporary permit may be
11 renewed for a \$45 fee for an additional 2 years. A holder of a
12 temporary permit may only renew one time.

13 (c) The temporary permit shall only permit the holder to
14 practice medicine within the scope of providing health care
15 services at the location or locations specified on the permit.

16 (d) An application for the temporary permit shall be made
17 to the Department, in writing, on forms prescribed by the
18 Department, and shall be accompanied by a nonrefundable
19 ~~non-refundable~~ fee of \$75. The Department shall grant or deny
20 an applicant a temporary permit within 60 days of receipt of a
21 completed application. The Department shall notify the
22 applicant of any deficiencies in the applicant's application
23 materials requiring corrections in a timely manner.

24 (e) An applicant for temporary permit may be requested to
25 appear before the Board to respond to questions concerning the
26 applicant's qualifications to receive the permit. An

1 applicant's refusal to appear before the Illinois State
2 Medical Board may be grounds for denial of the application by
3 the Department.

4 (f) The Secretary may summarily cancel any temporary
5 permit issued pursuant to this Section, without a hearing, if
6 the Secretary finds ~~that~~ evidence that ~~in his or her~~
7 ~~possession~~ indicates that a permit holder's continuation in
8 practice would constitute an imminent danger to the public or
9 violate any provision of this Act or its rules. If the
10 Secretary summarily cancels a temporary permit issued pursuant
11 to this Section or Act, the permit holder may petition the
12 Department for a hearing in accordance with the provisions of
13 Section 43 of this Act to restore the permit holder's ~~his or~~
14 ~~her~~ permit, unless the permit holder has exceeded the ~~his or~~
15 ~~her~~ renewal limit.

16 (g) In addition to terminating any temporary permit issued
17 pursuant to this Section or Act, the Department may issue a
18 monetary penalty not to exceed \$10,000 upon the temporary
19 permit holder and may notify any state in which the temporary
20 permit holder has been issued a permit that the permit
21 holder's ~~his or her~~ Illinois permit has been terminated and
22 the reasons for the termination. The monetary penalty shall be
23 paid within 60 days after the effective date of the order
24 imposing the penalty. The order shall constitute a judgment
25 and may be filed and execution had thereon in the same manner
26 as any judgment from any court of record. It is the intent of

1 the General Assembly that a permit issued pursuant to this
2 Section shall be considered a privilege and not a property
3 right.

4 (h) While working in Illinois, all temporary permit
5 holders are subject to all statutory and regulatory
6 requirements of this Act in the same manner as a licensee.
7 Failure to adhere to all statutory and regulatory requirements
8 may result in revocation or other discipline of the temporary
9 permit.

10 (i) If the Department becomes aware of a violation
11 occurring at the licensed hospital, medical office, clinic, or
12 other medical facility or via telehealth practice, the
13 Department shall notify the Department of Public Health.

14 (j) The Department may adopt emergency rules pursuant to
15 this Section. The General Assembly finds that the adoption of
16 rules to implement a temporary permit for health care services
17 is deemed an emergency and necessary for the public interest,
18 safety, and welfare.

19 (Source: P.A. 102-1117, eff. 1-13-23.)

20 (225 ILCS 60/70 new)

21 Sec. 70. Record retention. A physician shall retain all
22 medical records of adult patients not appropriately
23 transferred to another physician or entity for at least 6
24 years after the last date of service for each patient, except
25 as otherwise required by law. A physician shall retain all

1 medical records of minor patients not appropriately
2 transferred to another physician or entity for at least 6
3 years after the last date of service for each patient or until
4 the patient reaches the age of 21, whichever date is longer,
5 except as otherwise required by law.

6 Section 27. The Licensed Certified Professional Midwife
7 Practice Act is amended by adding Section 21 as follows:

8 (225 ILCS 64/21 new)

9 Sec. 21. Unlicensed practice.

10 (a) As used in this Section, "midwifery services" does not
11 include the services provided by an advanced practice
12 registered nurse certified as a nurse midwife under the Nurse
13 Practice Act.

14 (b) No person may provide, offer to provide, or attempt to
15 practice midwifery or hold oneself out as a licensed certified
16 professional midwife, a licensed midwife, a certified
17 professional midwife, or as a qualified provider of midwifery
18 services unless the person is licensed in accordance with this
19 Act.

20 Section 30. The Illinois Optometric Practice Act of 1987
21 is amended by changing Sections 3, 4, 5, 6, 7, 8, 9, 9.5, 10,
22 11, 12, 13, 16, 17, 18, 20, 22, 24, 24.2, 25, 26.1, 26.2, 26.7,
23 26.13, and 26.14 as follows:

1 (225 ILCS 80/3) (from Ch. 111, par. 3903)

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

3 Sec. 3. Practice of optometry defined; referrals;
4 manufacture of lenses and prisms.

5 (a) The practice of optometry is defined as the employment
6 of any and all means for the examination, diagnosis, and
7 treatment of the human visual system, the human eye, and its
8 appendages without the use of surgery or the use of lasers for
9 surgical purposes, including, but not limited to: the
10 appropriate use of ocular pharmaceutical agents; refraction
11 and other determinants of visual function; prescribing
12 corrective lenses or prisms; prescribing, dispensing, or
13 management of contact lenses; vision therapy; visual
14 rehabilitation; or any other procedures taught in schools and
15 colleges of optometry approved by the Department, and not
16 specifically restricted in this Act, subject to demonstrated
17 competency and training as required by the Board, and pursuant
18 to rule or regulation approved by the Board and adopted by the
19 Department.

20 A person shall be deemed to be practicing optometry within
21 the meaning of this Act who:

22 (1) In any way presents the person ~~himself or herself~~
23 to be qualified to practice optometry.

24 (2) Performs refractions or employs any other
25 determinants of visual function.

1 (3) Employs any means for the adaptation of lenses or
2 prisms.

3 (4) Prescribes corrective lenses, prisms, vision
4 therapy, visual rehabilitation, or ocular pharmaceutical
5 agents.

6 (5) Prescribes or manages contact lenses for
7 refractive, cosmetic, or therapeutic purposes.

8 (6) Evaluates the need for, or prescribes, low vision
9 aids to partially sighted persons.

10 (7) Diagnoses or treats any ocular abnormality,
11 disease, or visual or muscular anomaly of the human eye or
12 visual system.

13 (8) Practices, or offers or attempts to practice,
14 optometry as defined in this Act either on the person's
15 ~~his or her~~ own behalf or as an employee of a person, firm,
16 or corporation, whether under the supervision of the
17 person's ~~his or her~~ employer or not.

18 Nothing in this Section shall be interpreted (A) to
19 prevent a person from functioning as an assistant under the
20 direct supervision of a person licensed by the State of
21 Illinois to practice optometry or medicine in all of its
22 branches or (B) to prohibit visual screening programs that are
23 conducted without a fee (other than voluntary donations), by
24 charitable organizations acting in the public welfare under
25 the supervision of a committee composed of persons licensed by
26 the State of Illinois to practice optometry or persons

1 licensed by the State of Illinois to practice medicine in all
2 of its branches.

3 (b) When, in the course of providing optometric services
4 to any person, an optometrist licensed under this Act finds an
5 indication of a disease or condition of the eye which in the
6 optometrist's ~~his or her~~ professional judgment requires
7 professional service outside the scope of practice as defined
8 in this Act, the optometrist ~~he or she~~ shall refer such person
9 to a physician licensed to practice medicine in all of its
10 branches, or other appropriate health care practitioner.
11 Nothing in this Act shall preclude an optometrist from
12 rendering appropriate nonsurgical emergency care.

13 (c) Nothing contained in this Section shall prohibit a
14 person from manufacturing ophthalmic lenses and prisms or the
15 fabrication of contact lenses according to the specifications
16 prescribed by an optometrist or a physician licensed to
17 practice medicine in all of its branches, but shall
18 specifically prohibit (1) the sale or delivery of ophthalmic
19 lenses, prisms, and contact lenses without a prescription
20 signed by an optometrist or a physician licensed to practice
21 medicine in all of its branches and (2) the dispensing of
22 contact lenses by anyone other than a licensed optometrist,
23 licensed pharmacist, or a physician licensed to practice
24 medicine in all of its branches. For the purposes of this Act,
25 "contact lenses" include, but are not limited to, contact
26 lenses with prescriptive power and decorative and plano power

1 contact lenses. Nothing in this Section shall prohibit the
2 sale of contact lenses by an optical firm or corporation
3 primarily engaged in manufacturing or dealing in eyeglasses or
4 contact lenses with an affiliated optometrist who practices
5 and is licensed or has an ancillary registration for the
6 location where the sale occurs.

7 (d) Nothing in this Act shall restrict the filling of a
8 prescription by a pharmacist licensed under the Pharmacy
9 Practice Act.

10 (e) Nothing in this Act shall be construed to restrict the
11 dispensing and sale by an optometrist of ocular devices, such
12 as contact lenses, that contain and deliver ocular
13 pharmaceutical agents permitted for use or prescription under
14 this Act.

15 (f) (Blank). ~~On and after January 1, 2018, nothing in this~~
16 ~~Act shall prohibit an optometrist who is certified by a school~~
17 ~~of optometry approved by the Department from performing~~
18 ~~advanced optometric procedures, pursuant to educational~~
19 ~~requirements established by rule, that are consistent with the~~
20 ~~recommendations of the Collaborative~~
21 ~~Optometric/Ophthalmological Task Force created in Section 15.3~~
22 ~~of this Act and that are taught (1) at an accredited, private~~
23 ~~4-year school of optometry that is located in a city in~~
24 ~~Illinois with a population in excess of 1,500,000, or (2) at a~~
25 ~~school of optometry with a curriculum that is substantially~~
26 ~~similar to the curriculum taught at the school of optometry~~

1 ~~described in item (1) of this subsection. Advanced optometric~~
2 ~~procedures do not include the use of lasers.~~

3 (Source: P.A. 98-186, eff. 8-5-13; 99-909, eff. 1-1-17.)

4 (225 ILCS 80/4) (from Ch. 111, par. 3904)

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

6 Sec. 4. License requirement. No person shall practice, or
7 attempt to practice, optometry, as defined in this Act,
8 without a valid license as an optometrist issued by the
9 Department.

10 (Source: P.A. 85-896.)

11 (225 ILCS 80/5) (from Ch. 111, par. 3905)

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

13 Sec. 5. Title and designation of licensed optometrists.
14 Every person to whom a valid existing license as an
15 optometrist has been issued under this Act, shall be
16 designated professionally as an "optometrist" and not
17 otherwise, and any such licensed optometrist may, in
18 connection with the practice of the licensed optometrist's ~~his~~
19 ~~or her~~ profession, use the title or designation of
20 "optometrist", and, if entitled by degree from a college or
21 university recognized by the Department of Financial and
22 Professional Regulation, may use the title of "Doctor of
23 Optometry", or the abbreviation "O.D.". When the name of such
24 licensed optometrist is used professionally in oral, written,

1 or printed announcements, prescriptions, professional cards,
2 or publications for the information of the public, and is
3 preceded by the title "Doctor" or the abbreviation "Dr.", the
4 explanatory designation of "optometrist", "optometry", or
5 "Doctor of Optometry" shall be added immediately following
6 such title and name. When such announcement, prescription,
7 professional care or publication is in writing or in print,
8 such explanatory addition shall be in writing, type, or print
9 not less than one-half the size of that used in said name and
10 title. No person other than the holder of a valid existing
11 license under this Act shall use the title and designation of
12 "Doctor of Optometry", "O.D.", or "optometrist", either
13 directly or indirectly in connection with the licensee's ~~his~~
14 ~~or her~~ profession or business.

15 (Source: P.A. 94-787, eff. 5-19-06.)

16 (225 ILCS 80/6) (from Ch. 111, par. 3906)

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

18 Sec. 6. Display of license; change of address; record of
19 examinations and prescriptions.

20 (a) Every holder of a license under this Act shall display
21 such license on a conspicuous place in the office or offices
22 wherein such holder practices optometry and every holder
23 shall, whenever requested, exhibit such license to any
24 representative of the Department, and shall notify the
25 Department of the address or addresses and of every change

1 thereof, where such holder shall practice optometry.

2 (b) Every licensed optometrist shall keep a record of
3 examinations made and prescriptions issued, which record shall
4 include the names of persons examined and for whom
5 prescriptions were prepared, and shall be signed by the
6 licensed optometrist and shall be retained in the office in
7 which such professional service was rendered or in a secure
8 offsite storage facility. Such records shall be preserved by
9 the optometrist for a period designated by the Department. A
10 copy of such records shall be provided, upon written request,
11 to the person examined, or the person's ~~his or her~~ designee.
12 (Source: P.A. 97-1028, eff. 1-1-13.)

13 (225 ILCS 80/7) (from Ch. 111, par. 3907)

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

15 Sec. 7. Additional practice locations.

16 (a) Every holder of a license under this Act shall report
17 to the Department every additional location where the licensee
18 engages in the practice of optometry. Such reports shall be
19 made prior to practicing at the location and shall be done in a
20 manner prescribed by the Department.

21 (b) Failure to report a practice location or to maintain
22 evidence of such a report at the practice location shall be a
23 violation of this Act and shall be considered the unlicensed
24 practice of optometry. Registering a location where a licensee
25 does not practice shall also be a violation of this Act.

1 (c) Nothing contained herein, however, shall be construed
2 to require a licensed optometrist in active practice to report
3 a location to the Department when serving on the staff of a
4 hospital or an institution that receives no fees (other than
5 entrance registration fees) for the services rendered by the
6 optometrist and for which the optometrist receives no fees or
7 compensation directly or indirectly for such services
8 rendered.

9 (d) Nothing contained herein shall be construed to require
10 a licensed optometrist to report a location to the Department
11 when rendering necessary optometric services for the licensed
12 optometrist's ~~his or her~~ patients confined to their homes,
13 hospitals or institutions, or to act in an advisory capacity,
14 with or without remuneration, in any industry, school or
15 institution.

16 (Source: P.A. 96-270, eff. 1-1-10.)

17 (225 ILCS 80/8) (from Ch. 111, par. 3908)

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

19 Sec. 8. Permitted activities. This Act does not prohibit:

20 (1) Any person licensed in this State under any other
21 Act from engaging in the practice for which the person ~~he~~
22 ~~or she~~ is licensed.

23 (2) The practice of optometry by a person who is
24 employed by the United States government or any bureau,
25 division or agency thereof while in the discharge of the

1 employee's official duties.

2 (3) The practice of optometry that is included in
3 their program of study by students enrolled in schools of
4 optometry or in continuing education courses approved by
5 the Department.

6 (4) Persons, firms, and corporations who manufacture
7 or deal in eyeglasses ~~eye-glasses~~ or spectacles in a
8 store, shop, or other permanently established place of
9 business, and who neither practice nor attempt to practice
10 optometry from engaging the services of one or more
11 licensed optometrists, nor prohibit any such licensed
12 optometrist when so engaged, to practice optometry as
13 defined in Section 3 of this Act, when the person, or firm,
14 or corporation so conducts the person's, firm's, or
15 corporation's ~~his or her or its~~ business in a permanently
16 established place and in such manner that the person's,
17 firm's, or corporation's ~~his or her or its~~ activities, in
18 any department in which such optometrist is engaged,
19 insofar as the practice of optometry is concerned, are in
20 keeping with the limitations imposed upon individual
21 practitioners of optometry by subparagraphs 17, 23, 26,
22 27, 28, 29, and 30 of Section 24 of this Act; provided,
23 that such licensed optometrist or optometrists shall not
24 be exempt, by reason of such relationship, from compliance
25 with the provisions of this Act as prescribed for
26 individual practitioners of optometry.

1 (Source: P.A. 94-787, eff. 5-19-06.)

2 (225 ILCS 80/9) (from Ch. 111, par. 3909)

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

4 Sec. 9. Definitions. For purposes of ~~in~~ this Act, the
5 following definitions shall have the following meanings,
6 except where the context requires otherwise:

7 (1) "Department" means the Department of Financial and
8 Professional Regulation.

9 (2) "Secretary" means the Secretary of Financial and
10 Professional Regulation.

11 (3) "Board" means the Illinois Optometric Licensing
12 and Disciplinary Board appointed by the Secretary.

13 (4) "License" means the document issued by the
14 Department authorizing the person named thereon to
15 practice optometry.

16 (5) (Blank).

17 (6) "Direct supervision" means supervision of any
18 person assisting an optometrist, requiring that the
19 optometrist authorize the procedure, remain in the
20 facility while the procedure is performed, approve the
21 work performed by the person assisting before dismissal of
22 the patient, but does not mean that the optometrist must
23 be present with the patient, during the procedure. For the
24 dispensing of contact lenses, "direct supervision" means
25 that the optometrist is responsible for training the

1 person assisting the optometrist in the dispensing or sale
2 of contact lenses, but does not mean that the optometrist
3 must be present in the facility where the optometrist ~~he~~
4 ~~or she~~ practices under a license or ancillary registration
5 at the time the contacts are dispensed or sold. For the
6 practice of optometry through telehealth, "direct
7 supervision" means supervision by an optometrist of any
8 person located at a remote location who is assisting an
9 optometrist with procedures or optometric services
10 administered to a patient at the remote location when the
11 optometrist is at a distant site.

12 (7) "Address of record" means the designated address
13 recorded by the Department in the applicant's application
14 file or the licensee's license file maintained by the
15 Department's licensure maintenance unit.

16 (8) "Remote location" means the site at which the
17 patient is located at the time optometric services are
18 rendered through telehealth to that patient.

19 (9) "Distant site" means the location in Illinois from
20 which an optometrist is rendering services through
21 telehealth.

22 (10) "Interactive telecommunications system" means an
23 audio and video system permitting 2-way, real-time
24 interactive communication between a patient located at a
25 remote location and an optometrist located at a distant
26 site.

1 (11) "Telehealth" means the evaluation, diagnosis, or
2 interpretation of patient-specific data that is
3 transmitted by way of an interactive telecommunication
4 system between a remote location and an optometrist
5 located at a distant site that generates interaction or
6 treatment recommendations for a patient located at a
7 remote location. "Telehealth" includes the performance of
8 any of the activities set forth in Sections 3 and 15.1.

9 (12) "Email address of record" means the designated
10 email address by the Department in the applicant's
11 application file or the licensee's license file maintained
12 by the Department's licensure maintenance unit.

13 (Source: P.A. 102-153, eff. 1-1-22.)

14 (225 ILCS 80/9.5)

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

16 Sec. 9.5. Address of record; email address of record
17 ~~Change of address.~~ All applicants and licensees shall:

18 (1) provide a valid address and email address to the
19 Department, which shall serve as the address of record and
20 email address of record, respectively, at the time of
21 application for licensure or renewal of a license; and

22 (2) inform the Department of any change of address of
23 record or email address of record within 14 days after the
24 change, either through the Department's website or by
25 contacting the Department's licensure maintenance unit. ††

~~is the duty of the applicant or licensee to inform the Department of any change of address within 14 days after such change either through the Department's website or by contacting the Department's licensure maintenance unit.~~

(Source: P.A. 99-909, eff. 1-1-17.)

(225 ILCS 80/10) (from Ch. 111, par. 3910)

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

Sec. 10. Powers and duties of Department; rules; report.

(a) The Department shall exercise the powers and duties prescribed by the Civil Administrative Code of Illinois for the administration of licensing acts and shall exercise such other powers and duties necessary for effectuating the purpose of this Act.

(b) The Secretary shall promulgate rules consistent with the provisions of this Act, for the administration and enforcement thereof and may prescribe forms that shall be issued in connection therewith. The rules shall include standards and criteria for licensure and certification, and professional conduct and discipline.

(c) The Department shall consult with the Board in promulgating rules. Notice of proposed rulemaking shall be transmitted to the Board and the Department shall review the Board's responses and any recommendations made therein. The Department may solicit the advice of the Board on any matter relating to the administration and enforcement of this Act.

1 (Source: P.A. 99-909, eff. 1-1-17.)

2 (225 ILCS 80/11) (from Ch. 111, par. 3911)

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

4 Sec. 11. Optometric Licensing and Disciplinary Board.

5 (a) The Secretary shall appoint an Illinois Optometric
6 Licensing and Disciplinary Board as follows: Seven persons who
7 shall be appointed by and shall serve in an advisory capacity
8 to the Secretary. Five members must be lawfully and actively
9 engaged in the practice of optometry in this State, one member
10 shall be a licensed optometrist, with a full-time faculty
11 appointment with a school of optometry located in this State
12 and recognized by the Department ~~the Illinois College of~~
13 ~~Optometry~~, and one member must be a member of the public who
14 shall be a voting member and is not licensed under this Act, or
15 a similar Act of another jurisdiction, or have any connection
16 with the profession. Neither the public member nor the faculty
17 member shall participate in the preparation or administration
18 of the examination of applicants for licensure.

19 (b) Members shall serve 4-year terms and until their
20 successors are appointed and qualified. No member shall be
21 appointed to the Board for more than 2 successive 4-year
22 terms, not counting any partial terms when appointed to fill
23 the unexpired portion of a vacated term. Appointments to fill
24 vacancies shall be made in the same manner as original
25 appointments, for the unexpired portion of the vacated term.

1 (c) The Board shall annually elect a chairperson and a
2 vice-chairperson, both of whom shall be licensed optometrists.

3 (d) The membership of the Board should reasonably reflect
4 representation from the geographic areas in this State.

5 (e) A majority of the Board members currently appointed
6 shall constitute a quorum. A vacancy in the membership of the
7 Board shall not impair the right of a quorum to perform all of
8 the duties of the Board.

9 (f) The Secretary may remove any member of the Board for
10 misconduct, incapacity, or neglect of duty, and the Secretary
11 shall be the sole judge of the sufficiency of cause for removal
12 ~~terminate the appointment of any member for cause.~~

13 (g) The members of the Board shall be reimbursed for all
14 authorized legitimate and necessary expenses incurred in
15 attending the meetings of the Board.

16 (h) Members of the Board shall have no liability in any
17 action based upon any disciplinary proceeding or other
18 activity performed in good faith as a member of the Board.

19 (i) The Secretary shall give due consideration to all
20 recommendations of the Board.

21 (j) Without, in any manner, limiting the power of the
22 Department to conduct investigations, the Board may recommend
23 to the Secretary that one or more licensed optometrists be
24 selected by the Secretary to conduct or assist in any
25 investigation pursuant to this Act. Such licensed optometrist
26 may receive remuneration as determined by the Secretary.

1 (Source: P.A. 99-909, eff. 1-1-17.)

2 (225 ILCS 80/12) (from Ch. 111, par. 3912)

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

4 Sec. 12. Applications for licenses.

5 (a) Applications for original licenses shall be made to
6 the Department in writing or electronically on forms
7 prescribed by the Department and shall be accompanied by the
8 required fee, which shall not be refundable. Any such
9 application shall require such information as in the judgment
10 of the Department will enable the Department to pass on the
11 qualifications of the applicant for a license.

12 (b) Applicants have 3 years from the date of application
13 to complete the application process. If the process has not
14 been completed within 3 years, the application shall be
15 denied, the application fees shall be forfeited, and the
16 applicant must reapply and meet the requirements in effect at
17 the time of reapplication.

18 (Source: P.A. 99-43, eff. 1-1-16.)

19 (225 ILCS 80/13) (from Ch. 111, par. 3913)

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

21 Sec. 13. Examination of applicants for licensure. The
22 Department shall promulgate rules establishing examination
23 requirements for applicants as optometrists. The examination
24 shall accurately evaluate the applicant's ability to perform

1 to the minimum standards of the practice of optometry.

2 Applicants for examination shall be required to pay,
3 either to the Department or the designated testing service, a
4 fee covering the cost of providing the examination.

5 The Department may employ consultants for the purpose of
6 preparing and conducting examinations.

7 (Source: P.A. 94-787, eff. 5-19-06.)

8 (225 ILCS 80/16) (from Ch. 111, par. 3916)

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

10 Sec. 16. Renewal, reinstatement or restoration of
11 licenses; military service.

12 (a) The expiration date and renewal period for each
13 license issued under this Act shall be set by rule.

14 (b) All renewal applicants shall provide proof of having
15 met the requirements of continuing education set forth in the
16 rules of the Department. The Department shall, by rule,
17 provide for an orderly process for the reinstatement of
18 licenses which have not been renewed due to failure to meet the
19 continuing education requirements. The continuing education
20 requirement may be waived for such good cause, including, but
21 not limited to, illness or hardship, as defined by rules of the
22 Department.

23 (c) The Department shall establish by rule a means for the
24 verification of completion of the continuing education
25 required by this Section. This verification may be

1 accomplished through audits of records maintained by
2 registrants; by requiring the filing of continuing education
3 certificates with the Department; or by other means
4 established by the Department.

5 ~~Any licensee seeking renewal of his or her license during~~
6 ~~the renewal cycle beginning April 1, 2008 must first complete~~
7 ~~a tested educational course in the use of oral pharmaceutical~~
8 ~~agents for the management of ocular conditions, as approved by~~
9 ~~the Board.~~

10 (d) Any optometrist who has permitted the optometrist's
11 ~~his or her~~ license to expire or who has had the optometrist's
12 ~~his or her~~ license on inactive status may have the
13 optometrist's ~~his or her~~ license restored by making
14 application to the Department and filing proof acceptable to
15 the Department of the optometrist's ~~his or her~~ fitness to have
16 the optometrist's ~~his or her~~ license restored and by paying
17 the required fees. Such proof of fitness may include evidence
18 certifying to active lawful practice in another jurisdiction
19 and must include proof of the completion of the continuing
20 education requirements specified in the rules for the
21 preceding license renewal period that has been completed
22 during the 2 years prior to the application for license
23 restoration.

24 (e) The Department shall determine, by an evaluation
25 program established by rule, an optometrist's ~~his or her~~
26 fitness for restoration of the optometrist's ~~his or her~~

1 license and shall establish procedures and requirements for
2 such restoration.

3 However, any optometrist whose license expired while the
4 person ~~he or she~~ was (1) in Federal Service on active duty with
5 the Armed Forces of the United States, or the State Militia
6 called into service or training, or (2) in training or
7 education under the supervision of the United States
8 preliminary to induction into the military service, may have
9 the person's ~~his or her~~ license restored without paying any
10 lapsed renewal fees if within 2 years after honorable
11 termination of such service, training, or education, the
12 person ~~he or she~~ furnishes the Department with satisfactory
13 evidence to the effect that the person ~~he or she~~ has been so
14 engaged and that the person's ~~his or her~~ service, training, or
15 education has been so terminated.

16 (f) All licenses without "Therapeutic Certification" on
17 March 31, 2006 shall be placed on nonrenewed ~~non-renewed~~
18 status and may only be renewed after the licensee meets those
19 requirements established by the Department that may not be
20 waived. All licensees on March 31, 2010 without a
21 certification of completion of an oral pharmaceutical course
22 as required by this Section shall be placed on nonrenewed
23 ~~non-renewed~~ status and may only be renewed after the licensee
24 meets those requirements established by the Department that
25 may not be waived.

26 (Source: P.A. 95-242, eff. 1-1-08; 96-270, eff. 1-1-10.)

1 (225 ILCS 80/17) (from Ch. 111, par. 3917)

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

3 Sec. 17. Inactive status.

4 (a) Any optometrist who notifies the Department in writing
5 on forms prescribed by the Department, may elect to place the
6 optometrist's ~~his or her~~ license on an inactive status and
7 shall be excused from payment of renewal fees until the
8 optometrist ~~he or she~~ notifies the Department in writing of
9 the optometrist's ~~his~~ intent to restore the optometrist's ~~his~~
10 ~~or her~~ license.

11 (b) Any optometrist requesting restoration from inactive
12 status shall be required to pay the current renewal fee, to
13 provide proof of completion of the continuing education
14 requirements specified in the rules for the preceding license
15 renewal period that has been completed during the 2 years
16 prior to the application for restoration, and to restore the
17 optometrist's ~~his or her~~ license as provided by rule of the
18 Department. All licenses without "Therapeutic Certification"
19 that are on inactive status as of March 31, 2006 shall be
20 placed on nonrenewed ~~non-renewed~~ status and may only be
21 restored after the licensee meets those requirements
22 established by the Department that may not be waived.

23 (c) Any optometrist whose license is in an expired or
24 inactive status shall not practice optometry in the State of
25 Illinois.

1 (d) Any licensee who shall practice while the
2 optometrist's ~~his or her~~ license is lapsed or on inactive
3 status shall be considered to be practicing without a license
4 which shall be grounds for discipline under Section 24
5 subsection (a) of this Act.

6 (Source: P.A. 94-787, eff. 5-19-06.)

7 (225 ILCS 80/18) (from Ch. 111, par. 3918)

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

9 Sec. 18. Endorsement.

10 (a) The Department may, in its discretion, license as an
11 optometrist, without examination on payment of the required
12 fee, an applicant who is so licensed under the laws of another
13 state or jurisdiction of the United States. The Department may
14 issue a license, upon payment of the required fee and
15 recommendation of the Board, to an individual applicant who is
16 licensed in any foreign country or province whose standards,
17 in the opinion of the Board or Department, were, at the date of
18 the applicant's ~~his or her~~ licensure, substantially equivalent
19 to the requirements then in force in this State; or if the
20 applicant possesses individual qualifications and skills which
21 demonstrate substantial equivalence to current Illinois
22 requirements.

23 (b) Applicants have 3 years from the date of application
24 to complete the application process. If the process has not
25 been completed in 3 years, the application shall be denied,

1 the fee forfeited and the applicant must reapply and meet the
2 requirements in effect at the time of reapplication.

3 (Source: P.A. 99-909, eff. 1-1-17.)

4 (225 ILCS 80/20) (from Ch. 111, par. 3920)

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

6 Sec. 20. Fund.

7 (a) All moneys received by the Department pursuant to this
8 Act shall be deposited into ~~in~~ the Optometric Licensing and
9 Disciplinary Board Fund, which is hereby created as a special
10 fund in the State treasury ~~Treasury~~, and shall be used for the
11 administration of this Act, including: (a) by the Board and
12 Department in the exercise of its powers and performance of
13 its duties; (b) for costs directly related to license renewal
14 of persons licensed under this Act; and (c) for direct and
15 allocable indirect costs related to the public purposes of the
16 Department of Financial and Professional Regulation. Subject
17 to appropriation, moneys in the Optometric Licensing and
18 Disciplinary Board Fund may be used for the Optometric
19 Education Scholarship Program administered by the Illinois
20 Student Assistance Commission pursuant to Section 65.70 of the
21 Higher Education Student Assistance Act.

22 (b) Moneys in the Fund may be transferred to the
23 Professions Indirect Cost Fund as authorized under Section
24 2105-300 of the Department of Professional Regulation Law of
25 the Civil Administrative Code of Illinois ~~(20—ILCS~~

1 ~~2105/2105-300~~).

2 (c) Money in the Optometric Licensing and Disciplinary
3 Board Fund may be invested and reinvested, with all earnings
4 received from such investment to be deposited into ~~in~~ the
5 Optometric Licensing and Disciplinary Board Fund and used for
6 the same purposes as fees deposited into ~~in~~ such fund.

7 (Source: P.A. 99-909, eff. 1-1-17.)

8 (225 ILCS 80/22) (from Ch. 111, par. 3922)

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

10 Sec. 22. Advertising.

11 (a) Any person licensed under this Act may advertise the
12 availability of professional services in the public media or
13 on the premises where such professional services are rendered
14 provided that such advertising is truthful and not misleading
15 and is in conformity with rules promulgated by the Department.

16 (b) It is unlawful for any person licensed under this Act
17 to use claims of superior quality of care to entice the public.

18 (Source: P.A. 99-43, eff. 1-1-16.)

19 (225 ILCS 80/24) (from Ch. 111, par. 3924)

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

21 Sec. 24. Grounds for disciplinary action.

22 (a) The Department may refuse to issue or to renew, or may
23 revoke, suspend, place on probation, reprimand or take other
24 disciplinary or non-disciplinary action as the Department may

1 deem appropriate, including fines not to exceed \$10,000 for
2 each violation, with regard to any license for any one or
3 combination of the causes set forth in subsection (a-3) of
4 this Section. All fines collected under this Section shall be
5 deposited into ~~in~~ the Optometric Licensing and Disciplinary
6 Board Fund. Any fine imposed shall be payable within 60 days
7 after the effective date of the order imposing the fine.

8 (a-3) Grounds for disciplinary action include the
9 following:

10 (1) Violations of this Act, or of the rules
11 promulgated hereunder.

12 (2) Conviction of or entry of a plea of guilty to any
13 crime under the laws of any U.S. jurisdiction thereof that
14 is a felony or that is a misdemeanor of which an essential
15 element is dishonesty, or any crime that is directly
16 related to the practice of the profession.

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

19 (4) Professional incompetence or gross negligence in
20 the practice of optometry.

21 (5) Gross malpractice, prima facie evidence of which
22 may be a conviction or judgment of malpractice in any
23 court of competent jurisdiction.

24 (6) Aiding or assisting another person in violating
25 any provision of this Act or rules.

26 (7) Failing, within 60 days, to provide information in

1 response to a written request made by the Department that
2 has been sent by certified or registered mail to the
3 licensee's last known address.

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

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

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

15 (11) Violation of the prohibition against fee
16 splitting in Section 24.2 of this Act.

17 (12) A finding by the Department that the licensee,
18 after having the licensee's ~~his or her~~ license placed on
19 probationary status has violated the terms of probation.

20 (13) Abandonment of a patient.

21 (14) Willfully making or filing false records or
22 reports in the licensee's ~~his or her~~ practice, including,
23 but not limited to, false records filed with State
24 agencies or departments.

25 (15) Willfully failing to report an instance of
26 suspected abuse or neglect as required by law.

1 (16) Physical illness, including, but not limited to,
2 deterioration through the aging process, or loss of motor
3 skill, mental illness, or disability that results in the
4 inability to practice the profession with reasonable
5 judgment, skill, or safety.

6 (17) Solicitation of professional services other than
7 permitted advertising.

8 (18) Failure to provide a patient with a copy of the
9 patient's ~~his or her~~ record or prescription in accordance
10 with federal law.

11 (19) Conviction by any court of competent
12 jurisdiction, either within or without this State, of any
13 violation of any law governing the practice of optometry,
14 conviction in this or another State of any crime that is a
15 felony under the laws of this State or conviction of a
16 felony in a federal court, if the Department determines,
17 after investigation, that such person has not been
18 sufficiently rehabilitated to warrant the public trust.

19 (20) A finding that licensure has been applied for or
20 obtained by fraudulent means.

21 (21) Continued practice by a person knowingly having
22 an infectious or contagious disease.

23 (22) Being named as a perpetrator in an indicated
24 report by the Department of Children and Family Services
25 under the Abused and Neglected Child Reporting Act, and
26 upon proof by clear and convincing evidence that the

1 licensee has caused a child to be an abused child or a
2 neglected child as defined in the Abused and Neglected
3 Child Reporting Act.

4 (23) Practicing or attempting to practice under a name
5 other than the full name as shown on the licensee's ~~his or~~
6 ~~her~~ license.

7 (24) Immoral conduct in the commission of any act,
8 such as sexual abuse, sexual misconduct or sexual
9 exploitation, related to the licensee's practice.

10 (25) Maintaining a professional relationship with any
11 person, firm, or corporation when the optometrist knows,
12 or should know, that such person, firm, or corporation is
13 violating this Act.

14 (26) Promotion of the sale of drugs, devices,
15 appliances or goods provided for a client or patient in
16 such manner as to exploit the patient or client for
17 financial gain of the licensee.

18 (27) Using the title "Doctor" or its abbreviation
19 without further qualifying that title or abbreviation with
20 the word "optometry" or "optometrist".

21 (28) Use by a licensed optometrist of the word
22 "infirmary", "hospital", "school", "university", in
23 English or any other language, in connection with the
24 place where optometry may be practiced or demonstrated
25 unless the licensee is employed by and practicing at a
26 location that is licensed as a hospital or accredited as a

1 school or university.

2 (29) Continuance of an optometrist in the employ of
3 any person, firm or corporation, or as an assistant to any
4 optometrist or optometrists, directly or indirectly, after
5 the optometrist's ~~his or her~~ employer or superior has been
6 found guilty of violating or has been enjoined from
7 violating the laws of the State of Illinois relating to
8 the practice of optometry, when the employer or superior
9 persists in that violation.

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

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

21 (32) Willfully making or filing false records or
22 reports in the practice of optometry, including, but not
23 limited to, l false records to support claims against the
24 medical assistance program of the Department of Healthcare
25 and Family Services (formerly Department of Public Aid)
26 under the Illinois Public Aid Code.

1 (33) Gross and willful overcharging for professional
2 services including filing false statements for collection
3 of fees for which services are not rendered, including,
4 but not limited to, l filing false statements for collection
5 of monies for services not rendered from the medical
6 assistance program of the Department of Healthcare and
7 Family Services (formerly Department of Public Aid) under
8 the Illinois Public Aid Code.

9 (34) In the absence of good reasons to the contrary,
10 failure to perform a minimum eye examination as required
11 by the rules of the Department.

12 (35) Violation of the Health Care Worker Self-Referral
13 Act.

14 The Department shall refuse to issue or shall 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 any
17 final assessment of the tax, penalty or interest, as required
18 by any tax Act administered by the Illinois Department of
19 Revenue, until such time as the requirements of any such tax
20 Act are satisfied.

21 (a-5) In enforcing this Section, the Board or Department,
22 upon a showing of a possible violation, may compel any
23 individual licensed to practice under this Act, or who has
24 applied for licensure or certification pursuant to this Act,
25 to submit to a mental or physical examination, or both, as
26 required by and at the expense of the Department. The

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

19 If the Board or Department finds an individual unable to
20 practice because of the reasons set forth in this Section, the
21 Board or Department shall require such individual to submit to
22 care, counseling, or treatment by physicians or clinical
23 psychologists approved or designated by the Department, as a
24 condition, term, or restriction for continued, reinstated, or
25 renewed licensure to practice, or in lieu of care, counseling,
26 or treatment, the Board may recommend to the Department to

1 file a complaint to immediately suspend, revoke, or otherwise
2 discipline the license of the individual, or the Board may
3 recommend to the Department to file a complaint to suspend,
4 revoke, or otherwise discipline the license of the individual.
5 Any individual whose license was granted pursuant to this Act,
6 or continued, reinstated, renewed, disciplined, or supervised,
7 subject to such conditions, terms, or restrictions, who shall
8 fail to comply with such conditions, terms, or restrictions,
9 shall be referred to the Secretary for a determination as to
10 whether the individual shall have the individual's ~~his or her~~
11 license suspended immediately, pending a hearing by the Board.

12 (b) The determination by a circuit court that a licensee
13 is subject to involuntary admission or judicial admission as
14 provided in the Mental Health and Developmental Disabilities
15 Code operates as an automatic suspension. The suspension will
16 end only upon a finding by a court that the patient is no
17 longer subject to involuntary admission or judicial admission
18 and issues an order so finding and discharging the patient;
19 and upon the recommendation of the Board to the Secretary that
20 the licensee be allowed to resume the licensee's ~~his or her~~
21 practice.

22 (Source: P.A. 99-43, eff. 1-1-16; 99-909, eff. 1-1-17.)

23 (225 ILCS 80/24.2)

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

25 Sec. 24.2. Prohibition against fee splitting.

1 (a) A licensee under this Act may not directly or
2 indirectly divide, share or split any professional fee or
3 other form of compensation for professional services with
4 anyone in exchange for a referral or otherwise, other than as
5 provided in this Section 24.2.

6 (b) Nothing contained in this Section abrogates the right
7 of 2 or more licensed health care workers as defined in the
8 Health Care Worker Self-referral Act to each receive adequate
9 compensation for concurrently rendering services to a patient
10 and to divide the fee for such service, whether or not the
11 worker is employed, provided that the patient has full
12 knowledge of the division and the division is made in
13 proportion to the actual services personally performed and
14 responsibility assumed by each licensee consistent with the
15 licensee's ~~his or her~~ license, except as prohibited by law.

16 (c) Nothing contained in this Section prohibits a licensee
17 under this Act from practicing optometry through or within any
18 form of legal entity authorized to conduct business in this
19 State or from pooling, sharing, dividing, or apportioning the
20 professional fees and other revenues in accordance with the
21 agreements and policies of the entity provided:

22 (1) each owner of the entity is licensed under this
23 Act;

24 (2) the entity is organized under the Professional
25 Services Corporation Act or the Professional Association
26 Act;

1 (3) the entity is (i) a licensed hospital or hospital
2 affiliate or (ii) a licensed ambulatory surgical treatment
3 center owned in full or in part by Illinois-licensed
4 physicians or optometrists; or

5 (4) the entity is a combination or joint venture of
6 the entities authorized under this subsection (c).

7 (d) Nothing contained in this Section prohibits a licensee
8 under this Act from paying a fair market value fee to any
9 person or entity whose purpose is to perform billing,
10 administrative preparation, or collection services based upon
11 a percentage of professional service fees billed or collected,
12 a flat fee, or any other arrangement that directly or
13 indirectly divides professional fees, for the administrative
14 preparation of the licensee's claims or the collection of the
15 licensee's charges for professional services, provided that:

16 (i) the licensee or the licensee's practice under
17 subsection (c) at all times controls the amount of fees
18 charged and collected; and

19 (ii) all charges collected are paid directly to the
20 licensee or the licensee's practice or are deposited
21 directly into an account in the name of and under the sole
22 control of the licensee or the licensee's practice or
23 deposited into a "Trust Account" by a licensed collection
24 agency in accordance with the requirements of Section 8(c)
25 of the Illinois Collection Agency Act.

26 (e) Nothing contained in this Section prohibits the

1 granting of a security interest in the accounts receivable or
2 fees of a licensee under this Act or the licensee's practice
3 for bona fide advances made to the licensee or licensee's
4 practice provided the licensee retains control and
5 responsibility for the collection of the accounts receivable
6 and fees.

7 (f) Excluding payments that may be made to the owners of or
8 licensees in the licensee's practice under subsection (c), a
9 licensee under this Act may not divide, share or split a
10 professional service fee with, or otherwise directly or
11 indirectly pay a percentage of the licensee's professional
12 service fees, revenues or profits to anyone for: (i) the
13 marketing or management of the licensee's practice, (ii)
14 including the licensee or the licensee's practice on any
15 preferred provider list, (iii) allowing the licensee to
16 participate in any network of health care providers, (iv)
17 negotiating fees, charges or terms of service or payment on
18 behalf of the licensee, or (v) including the licensee in a
19 program whereby patients or beneficiaries are provided an
20 incentive to use the services of the licensee.

21 (g) Nothing contained in this Section prohibits the
22 payment of rent or other remunerations paid to an individual,
23 partnership, or corporation by a licensee for the lease,
24 rental, or use of space, owned or controlled by the
25 individual, partnership, corporation, or association.

26 (h) Nothing contained in this Section prohibits the

1 payment, at no more than fair market value, to an individual,
2 partnership, or corporation by a licensee for the use of
3 staff, administrative services, franchise agreements,
4 marketing required by franchise agreements, or equipment owned
5 or controlled by the individual, partnership, or corporation,
6 or the receipt thereof by a licensee.

7 (Source: P.A. 96-608, eff. 8-24-09; 97-563, eff. 8-25-11.)

8 (225 ILCS 80/25) (from Ch. 111, par. 3925)

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

10 Sec. 25. Returned checks; fines.

11 (a) Any person who delivers a check or other payment to the
12 Department that is returned to the Department unpaid by the
13 financial institution upon which it is drawn shall pay to the
14 Department, in addition to the amount already owed to the
15 Department, a fine of \$50. The fines imposed by this Section
16 are in addition to any other discipline provided under this
17 Act for unlicensed practice or practice on a nonrenewed
18 license.

19 (b) The Department shall notify the person that payment of
20 fees and fines shall be paid to the Department by certified
21 check or money order within 30 calendar days of the
22 notification. If, after the expiration of 30 days from the
23 date of the notification, the person has failed to submit the
24 necessary remittance, the Department shall automatically
25 terminate the license or deny the application, without

1 hearing.

2 (c) If, after termination or denial, the person seeks a
3 license, the person ~~he or she~~ shall apply to the Department for
4 restoration or issuance of the license and pay all fees and
5 fines due to the Department. The Department may establish a
6 fee for the processing of an application for restoration of a
7 license to pay all expenses of processing this application.

8 (d) The Secretary may waive the fines due under this
9 Section in individual cases where the Secretary finds that the
10 fines would be unreasonable or unnecessarily burdensome.

11 (Source: P.A. 94-787, eff. 5-19-06.)

12 (225 ILCS 80/26.1) (from Ch. 111, par. 3926.1)

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

14 Sec. 26.1. Injunctions; criminal offenses; cease and
15 desist orders.

16 (a) If any person violates the provision of this Act, the
17 Secretary may, in the name of the People of the State of
18 Illinois, through the Attorney General of the State of
19 Illinois, or the State's Attorney of any county in which the
20 action is brought, petition for an order enjoining such
21 violation or for an order enforcing compliance with this Act.
22 Upon the filing of a verified petition in court, the court may
23 issue a temporary restraining order, without notice or bond,
24 and may preliminarily and permanently enjoin such violation,
25 and if it is established that such person has violated or is

1 violating the injunction, the Court may punish the offender
2 for contempt of court. Proceedings under this Section shall be
3 in addition to, and not in lieu of, all other remedies and
4 penalties provided by this Act.

5 (b) If any person shall practice as an optometrist or hold
6 oneself ~~himself or herself~~ out as an optometrist without being
7 licensed under the provisions of this Act then any licensed
8 optometrist, any interested party or any person injured
9 thereby may, in addition to the Secretary, petition for relief
10 as provided in subsection (a) of this Section.

11 Whoever knowingly practices or offers to practice
12 optometry in this State without being licensed for that
13 purpose shall be guilty of a Class A misdemeanor and for each
14 subsequent conviction, shall be guilty of a Class 4 felony.
15 Notwithstanding any other provision of this Act, all criminal
16 fines, monies, or other property collected or received by the
17 Department under this Section or any other State or federal
18 statute, including, but not limited to, property forfeited to
19 the Department under Section 505 of the Illinois Controlled
20 Substances Act or Section 85 of the Methamphetamine Control
21 and Community Protection Act, shall be deposited into the
22 Optometric Licensing and Disciplinary Board Fund.

23 (c) Whenever in the opinion of the Department any person
24 violates any provision of this Act, the Department may issue a
25 rule to show cause why an order to cease and desist should not
26 be entered against him. The rule shall clearly set forth the

1 grounds relied upon by the Department and shall provide a
2 period of 7 days from the date of the rule to file an answer to
3 the satisfaction of the Department. Failure to answer to the
4 satisfaction of the Department shall cause an order to cease
5 and desist to be issued forthwith.

6 (Source: P.A. 94-556, eff. 9-11-05; 94-787, eff. 5-19-06.)

7 (225 ILCS 80/26.2) (from Ch. 111, par. 3926.2)

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

9 Sec. 26.2. Investigation; notice. The Department may
10 investigate the actions of any applicant or of any person or
11 persons holding or claiming to hold a license. The Department
12 shall, before suspending, revoking, placing on probationary
13 status, or taking any other disciplinary action as the
14 Department may deem proper with regard to any license, at
15 least 30 days prior to the date set for the hearing, notify the
16 accused in writing of any charges made and the time and place
17 for a hearing of the charges before the Board, direct the
18 accused ~~him or her~~ to file the accused's ~~his or her~~ written
19 answer to the Board under oath within 20 days after the service
20 on the accused ~~him or her~~ of the notice and inform the accused
21 ~~him or her~~ that if the accused ~~he or she~~ fails to file an
22 answer default will be taken against the accused ~~him or her~~ and
23 the accused's ~~his or her~~ license may be suspended, revoked,
24 placed on probationary status, or have other disciplinary
25 action, including limiting the scope, nature or extent of the

1 accused's ~~his or her~~ practice, as the Department may deem
2 proper taken with regard thereto. The written notice and any
3 notice in the subsequent proceeding may be served by personal
4 delivery or by regular or certified mail to the applicant's or
5 licensee's address of record. In case the person fails to file
6 an answer after receiving notice, the person's ~~his or her~~
7 license may, in the discretion of the Department, be
8 suspended, revoked, or placed on probationary status, or the
9 Department may take whatever disciplinary action deemed
10 proper, including limiting the scope, nature, or extent of the
11 person's practice or the imposition of a fine, without a
12 hearing, if the act or acts charged constitute sufficient
13 grounds for such action under this Act. At the time and place
14 fixed in the notice, the Department shall proceed to hear the
15 charges and the parties or their counsel shall be accorded
16 ample opportunity to present such statements, testimony,
17 evidence and argument as may be pertinent to the charges or to
18 their defense. The Department may continue the hearing from
19 time to time. At the discretion of the Secretary after having
20 first received the recommendation of the Board, the accused
21 person's license may be suspended, revoked, placed on
22 probationary status, or whatever disciplinary action as the
23 Secretary may deem proper, including limiting the scope,
24 nature, or extent of said person's practice, without a
25 hearing, if the act or acts charged constitute sufficient
26 grounds for such action under this Act.

1 (Source: P.A. 99-909, eff. 1-1-17.)

2 (225 ILCS 80/26.7) (from Ch. 111, par. 3926.7)

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

4 Sec. 26.7. Hearing officer. Notwithstanding the provisions
5 of Section 26.6 of this Act, the Secretary shall have the
6 authority to appoint any attorney duly licensed to practice
7 law in the State of Illinois to serve as the hearing officer in
8 any action for discipline of a license. The hearing officer
9 shall have full authority to conduct the hearing. The Board
10 shall have the right to have at least one member present at any
11 hearing conducted by such hearing officer. The hearing officer
12 shall report the hearing officer's ~~his or her~~ findings of
13 fact, conclusions of law and recommendations to the Board and
14 the Secretary. The Board shall review the report of the
15 hearing officer and present its findings of fact, conclusions
16 of law and recommendations to the Secretary. If the Secretary
17 disagrees in any regard with the report of the Board or hearing
18 officer, the Secretary ~~he or she~~ may issue an order in
19 contravention thereof. The Secretary shall specify with
20 particularity the reasons for such action in the final order.

21 (Source: P.A. 99-909, eff. 1-1-17.)

22 (225 ILCS 80/26.13) (from Ch. 111, par. 3926.13)

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

24 Sec. 26.13. Temporary suspension. The Secretary may

1 temporarily suspend the license of an optometrist without a
2 hearing, simultaneously with the institution of proceedings
3 for a hearing provided for in Section 26.2 of this Act, if the
4 Secretary finds that evidence in the Secretary's ~~his or her~~
5 possession indicates that continuation in practice would
6 constitute an imminent danger to the public. In the event that
7 the Secretary suspends, temporarily, this license without a
8 hearing, a hearing by the Department must be held within 30
9 days after such suspension has occurred, and be concluded
10 without appreciable delay.

11 (Source: P.A. 94-787, eff. 5-19-06.)

12 (225 ILCS 80/26.14) (from Ch. 111, par. 3926.14)

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

14 Sec. 26.14. Administrative Review Law; venue.

15 (a) All final administrative decisions of the Department
16 are subject to judicial review pursuant to the provisions of
17 the "Administrative Review Law", as amended, and all rules are
18 adopted pursuant thereto. The term "administrative decision"
19 is defined as in Section 3-101 of the Code of Civil Procedure.

20 (b) Proceedings for judicial review shall be commenced in
21 the circuit court of the county in which the party applying for
22 review resides; but if the party is not a resident of this
23 State, venue shall be Sangamon County.

24 (Source: P.A. 97-333, eff. 8-12-11.)

1 Section 35. The Illinois Physical Therapy Act is amended
2 by changing Section 2 as follows:

3 (225 ILCS 90/2) (from Ch. 111, par. 4252)

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

5 Sec. 2. Licensure requirement; exempt activities. No
6 person shall after the date of August 31, 1965 begin to
7 practice physical therapy in this State or hold oneself out as
8 being able to practice this profession, unless the person is
9 licensed as such in accordance with the provisions of this
10 Act. After July 1, 1991 (the effective date of Public Act
11 86-1396), no person shall practice or hold oneself out as a
12 physical therapist assistant unless the person is licensed as
13 such under this Act. A physical therapist shall use the
14 initials "PT" in connection with the physical therapist's name
15 to denote licensure under this Act, and a physical therapist
16 assistant shall use the initials "PTA" in connection with the
17 physical therapist assistant's name to denote licensure under
18 this Act.

19 This Act does not prohibit:

20 (1) Any person licensed in this State under any other
21 Act from engaging in the practice for which the person is
22 licensed.

23 (2) The practice of physical therapy by those persons,
24 practicing under the supervision of a licensed physical
25 therapist and who have met all of the qualifications as

1 provided in Sections 8 and 7, ~~8.1, and 9~~ of this Act, until
2 the next examination is given for physical therapists or
3 physical therapist assistants and the results have been
4 received by the Department and the Department has
5 determined the applicant's eligibility for a license.
6 Anyone failing to pass said examination shall not again
7 practice physical therapy until such time as an
8 examination has been successfully passed by such person.

9 (3) The practice of physical therapy for a period not
10 exceeding 6 months by a person who is in this State on a
11 temporary basis to assist in a case of medical emergency
12 or to engage in a special physical therapy project, and
13 who meets the qualifications for a physical therapist as
14 set forth in Sections 7 and 8 of this Act and is licensed
15 in another state as a physical therapist.

16 (4) Practice of physical therapy by qualified persons
17 who have filed for endorsement for no longer than one year
18 or until such time that notification of licensure has been
19 granted or denied, whichever period of time is lesser.

20 (5) One or more licensed physical therapists from
21 forming a professional service corporation under the
22 provisions of the Professional Service Corporation Act and
23 licensing such corporation for the practice of physical
24 therapy.

25 (6) Physical therapy aides from performing patient
26 care activities under the on-site supervision of a

1 licensed physical therapist or licensed physical therapist
2 assistant. These patient care activities shall not include
3 interpretation of referrals, evaluation procedures, the
4 planning of or major modifications of, patient programs.

5 (7) Physical therapist assistants from performing
6 patient care activities under the general supervision of a
7 licensed physical therapist. The physical therapist must
8 maintain continual contact with the physical therapist
9 assistant including periodic personal supervision and
10 instruction to ensure the safety and welfare of the
11 patient.

12 (8) The practice of physical therapy by a physical
13 therapy student or a physical therapist assistant student
14 under the on-site supervision of a licensed physical
15 therapist. The physical therapist shall be readily
16 available for direct supervision and instruction to ensure
17 the safety and welfare of the patient.

18 (9) The practice of physical therapy as part of an
19 educational program by a physical therapist licensed in
20 another state or country for a period not to exceed 6
21 months.

22 (10) (Blank).

23 (Source: P.A. 104-154, eff. 1-1-26; 104-417, eff. 8-15-25.)

24 Section 40. The Boxing and Full-contact Martial Arts Act
25 is amended by changing Sections 1, 2, 5, 6, 7, 8, 10, 11, 12,

1 14, 15, 16, 17.7, 17.8, 18, 19, 19.1, 23, 23.1, 24, and 25.1 as
2 follows:

3 (225 ILCS 105/1) (from Ch. 111, par. 5001)

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

5 Sec. 1. Short title and definitions.

6 (a) This Act may be cited as the Boxing and Full-contact
7 Martial Arts Act.

8 (b) As used in this Act:

9 "Department" means the Department of Financial and
10 Professional Regulation.

11 "Secretary" means the Secretary of Financial and
12 Professional Regulation or a person authorized by the
13 Secretary to act in the Secretary's stead.

14 "Board" means the State of Illinois Athletic Board.

15 "License" means the license issued for promoters,
16 professional contestants, amateur contestants
17 ~~professionals, amateurs, or professional or amateur~~
18 officials in accordance with this Act.

19 "Contest" means a boxing or full-contact martial arts
20 competition in which contestants compete against each
21 other in matched bouts ~~all of the participants competing~~
22 ~~against one another are professionals or amateurs~~ and
23 where the public is able to attend or a fee is charged to
24 attend.

25 "Permit" means the authorization from the Department

1 to a promoter to conduct a contest ~~professional or amateur~~
2 ~~contests, or a combination of both.~~

3 "Professional promoter ~~Promoter~~" means a person who is
4 licensed and who holds a permit to conduct professional or
5 amateur contests, or a combination of both.

6 "Amateur promoter" means a person who is licensed and
7 who holds a permit to conduct amateur contests.

8 Unless the context indicates otherwise, "person"
9 includes, but is not limited to, an individual,
10 association, organization, business entity, gymnasium, or
11 club.

12 "Judge" means a person licensed by the Department who
13 is located at ringside or adjacent to the fighting area
14 during a contest and who has the responsibility of scoring
15 the performance of the contestants ~~participants~~ in that
16 ~~professional or amateur~~ contest.

17 "Referee" means a person licensed by the Department
18 who has the general supervision of and is present inside
19 of the ring or fighting area during a ~~professional or~~
20 ~~amateur~~ contest.

21 "Amateur contest" means a contest where only amateur
22 contestants are permitted to compete.

23 "Amateur contestant" means a contestant ~~person~~
24 licensed by the Department who is not competing for, and
25 has never received or competed for, any purse or other
26 article of value, directly or indirectly, either for

1 participating in any contest or for the expenses of
2 training therefor, other than a non-monetary prize that
3 does not exceed \$50 in value.

4 "Amateur official" means a referee or judge who is
5 licensed by the Department to participate as an official
6 in amateur contests.

7 "Professional contestant" means a contestant ~~person~~
8 licensed by the Department who competes for a money prize,
9 purse, or other type of compensation in a professional
10 contest ~~held in Illinois.~~

11 "Professional official" means a person who is in the
12 role of a second, referee, matchmaker, timekeeper, or
13 judge who is licensed by the Department and permitted to
14 participate as an official in any type of contest.

15 "Professional contest" means a contest where only
16 professional contestants are permitted to compete or a
17 contest where both professional contestants and amateur
18 contestants are permitted to compete.

19 "Second" means a person ~~licensed by the Department~~ who
20 is present at any ~~professional or amateur~~ contest to
21 provide assistance or advice to contestants ~~a professional~~
22 during the contest.

23 "Matchmaker" means a person ~~licensed by the Department~~
24 who arranges professional or amateur contestants by record
25 and skill level for bouts and submits those matches to the
26 Department for consideration ~~brings together professionals~~

1 ~~or amateurs~~ to compete in contests.

2 "Manager" means a person ~~licensed by the Department~~
3 who is not a promoter and who, under contract, agreement,
4 or other arrangement, undertakes to, directly or
5 indirectly, control or administer the affairs of
6 contestants.

7 "Timekeeper" means a person ~~licensed by the Department~~
8 who is the official timer of the length of rounds and the
9 intervals between the rounds.

10 "Purse" means the financial guarantee or any other
11 remuneration for which contestants are participating in a
12 professional contest.

13 "Physician" means a person licensed to practice
14 medicine in all its branches under the Medical Practice
15 Act of 1987.

16 "Martial arts" means a discipline or combination of
17 different disciplines that utilizes sparring techniques
18 without the intent to injure, disable, or incapacitate
19 one's opponent, such as, but not limited to, Karate, Kung
20 Fu, Jujutsu, and Tae Kwon Do.

21 "Full-contact martial arts" means the use of a
22 singular discipline or a combination of techniques from
23 different disciplines of the martial arts, including,
24 without limitation, full-force grappling, kicking, and
25 striking with the intent to injure, disable, or
26 incapacitate one's opponent.

1 "Contestant" means a person who competes in either a
2 boxing or full-contact martial arts contest.

3 "Address of record" means the designated address
4 recorded by the Department in the applicant's or
5 licensee's application file or license file as maintained
6 by the Department's licensure maintenance unit.

7 "Bout" means one match between 2 contestants.

8 "Sanctioning body" means an organization approved by
9 the Department under the requirements and standards stated
10 in this Act and the rules adopted under this Act to act as
11 a governing body that sanctions professional or amateur
12 ~~full-contact martial arts~~ contests.

13 "Email address of record" means the designated email
14 address recorded by the Department in the applicant's
15 application file or the licensee's license file as
16 maintained by the Department's licensure maintenance unit.

17 (Source: P.A. 102-20, eff. 1-1-22.)

18 (225 ILCS 105/2) (from Ch. 111, par. 5002)

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

20 Sec. 2. State of Illinois Athletic Board.

21 (a) The Secretary shall appoint members to the State of
22 Illinois Athletic Board. The Board shall consist of 7 members
23 who shall serve in an advisory capacity to the Secretary. One
24 member of the Board shall be a physician licensed to practice
25 medicine in all of its branches. One member of the Board shall

1 be a member of the full-contact martial arts community. One
2 member of the Board shall be a member of either the
3 full-contact martial arts community or the boxing community.

4 (b) Board members shall serve 5-year terms and until their
5 successors are appointed and qualified.

6 (c) In appointing members to the Board, the Secretary
7 shall give due consideration to recommendations by members and
8 organizations of the martial arts and boxing industry.

9 (d) The membership of the Board should reasonably reflect
10 representation from the geographic areas in this State.

11 (e) No member shall be appointed to the Board for a term
12 that would cause the member's ~~his or her~~ continuous service on
13 the Board to be longer than 2 consecutive 5-year terms.

14 (f) The Secretary may terminate the appointment of any
15 member for cause that in the opinion of the Secretary
16 reasonably justified such termination, which may include, but
17 is not limited to, a Board member who does not attend 2
18 consecutive meetings.

19 (g) Appointments to fill vacancies shall be made in the
20 same manner as original appointments, for the unexpired
21 portion of the vacated term.

22 (h) Four members of the Board shall constitute a quorum. A
23 quorum is required for Board decisions.

24 (i) Members of the Board shall have no liability in any
25 action based upon activity performed in good faith as members
26 of the Board.

1 (j) Members of the Board may be reimbursed for all
2 legitimate, necessary, and authorized expenses.

3 (Source: P.A. 102-20, eff. 1-1-22.)

4 (225 ILCS 105/5) (from Ch. 111, par. 5005)

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

6 Sec. 5. Powers and duties of the Department. The
7 Department shall, subject to the provisions of this Act,
8 exercise the following functions, powers, and duties:

9 (1) Ascertain the qualifications and fitness of
10 applicants for licenses ~~license~~ and permits.

11 (2) Adopt rules required for the administration of
12 this Act.

13 (3) Conduct hearings on proceedings to refuse to
14 issue, renew, or restore licenses and revoke, suspend,
15 place on probation, or reprimand those licensed under the
16 provisions of this Act.

17 (4) Issue licenses to those who meet the
18 qualifications of this Act and its rules.

19 (5) Conduct investigations related to possible
20 violations of this Act.

21 (Source: P.A. 102-20, eff. 1-1-22.)

22 (225 ILCS 105/6) (from Ch. 111, par. 5006)

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

24 Sec. 6. Restricted contests and events.

1 (a) All professional and amateur contests, or a
2 combination of both, in which physical contact is made are
3 prohibited in Illinois unless authorized by the Department
4 pursuant to the requirements and standards stated in this Act
5 and the rules adopted pursuant to this Act. This subsection
6 (a) does not apply to any of the following contests or
7 contestants:

8 (1) Amateur ~~boxing or full contact martial arts~~
9 contests conducted by accredited secondary schools,
10 colleges, or universities, although a fee may be charged.

11 (2) Amateur boxing contests that are sanctioned by USA
12 Boxing or any other sanctioning body ~~organization~~ approved
13 by the Department as determined by rule.

14 (3) Amateur boxing contests conducted by a State,
15 county, or municipal entity, including those events held
16 by any agency organized under these entities.

17 (4) Amateur martial arts contests that are not defined
18 as full-contact martial arts contests under this Act.

19 (5) Full-contact martial arts contests, as defined by
20 this Act, that are recognized by the International Olympic
21 Committee or are contested in the Olympic Games and are
22 not conducted in an enclosed fighting area or ring.

23 No other ~~amateur boxing or full contact martial arts~~
24 contests are ~~shall be~~ permitted unless authorized by the
25 Department.

26 (b) The Department shall have the authority to determine

1 whether a ~~professional or amateur~~ contest is exempt for
2 purposes of this Section.

3 (Source: P.A. 102-20, eff. 1-1-22.)

4 (225 ILCS 105/7) (from Ch. 111, par. 5007)

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

6 Sec. 7. Authorization to conduct contests; sanctioning
7 bodies.

8 (a) In order to conduct a professional contest, an amateur
9 contest, or a combination of both, in this State, a promoter
10 shall obtain a permit issued by the Department in accordance
11 with this Act and the rules ~~and regulations~~ adopted pursuant
12 thereto. This permit shall authorize one or more ~~professional~~
13 ~~or amateur~~ contests, ~~or a combination of both.~~

14 (b) Pursuant to rules adopted by the Department ~~Before~~
15 ~~January 1, 2023,~~ amateur boxing ~~full contact martial arts~~
16 contests must have a permit issued by the Department ~~be~~
17 ~~registered~~ and be sanctioned by a sanctioning body approved by
18 the Department for that purpose under the requirements and
19 standards stated in this Act and the rules adopted under this
20 Act.

21 (c) A ~~On and after January 1, 2023,~~ a promoter for an
22 amateur full-contact martial arts contest shall obtain a
23 permit issued by the Department under the requirements and
24 standards set forth in this Act and the rules adopted under
25 this Act.

1 (d) ~~The~~ ~~On and after January 1, 2023,~~ the Department shall
2 not approve any sanctioning body for amateur full-contact
3 martial arts contests. A sanctioning body's approval by the
4 Department for amateur full-contact martial arts contests that
5 was received before the effective date of this amendatory Act
6 of the 104th General Assembly before January 1, 2023 is
7 withdrawn ~~on January 1, 2023~~.

8 (e) A permit issued under this Act is not transferable.
9 (Source: P.A. 102-20, eff. 1-1-22.)

10 (225 ILCS 105/8) (from Ch. 111, par. 5008)

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

12 Sec. 8. Permits.

13 (a) A promoter who desires to obtain a permit to conduct a
14 ~~professional or amateur contest, or a combination of both,~~
15 shall apply to the Department at least 30 calendar days prior
16 to the event, in writing or electronically, on forms
17 prescribed by the Department. The application shall be
18 accompanied by the required fee and shall contain, but not be
19 limited to, the following information to be submitted at times
20 specified by rule:

21 (1) the legal names and addresses of the promoter;

22 (2) the name of the matchmaker;

23 (3) the time and exact location of the professional or
24 amateur contest, or a combination of both. It is the
25 responsibility of the promoter to ensure that the building

1 to be used for the event complies with all laws,
2 ordinances, and regulations in the city, town, village, or
3 county where the contest is to be held;

4 (4) the signed and executed copy of the event venue
5 lease agreement; and

6 (5) the initial list of names of the professionals or
7 amateurs competing subject to Department approval.

8 (b) The Department may issue a permit to any promoter who
9 meets the requirements of this Act and the rules. The permit
10 shall only be issued for a specific date and location of a
11 ~~professional or amateur contest, or a combination of both,~~ and
12 shall not be transferable. The Department may allow a promoter
13 to amend a permit application to hold a ~~professional or~~
14 ~~amateur contest, or a combination of both,~~ in a different
15 location other than the application specifies if all
16 requirements of this Section are met, waiving the 30-day
17 provision of subsection (a).

18 (c) The Department shall be responsible for assigning the
19 judges, timekeepers, referees, and physicians for a
20 professional contest, an amateur contest, or a combination of
21 both. The Department may, at its sole discretion, permit a
22 promoter to assign a physician to a contest. Compensation
23 shall be determined by the Department, and it shall be the
24 responsibility of the promoter to pay the individuals
25 utilized.

26 (d) The promoter shall submit the following documents to

1 the Department at times specified by rule:

2 (1) proof of adequate security measures, as determined
3 by rule, to ensure the protection of the safety of
4 contestants and the general public while attending
5 professional contests, amateur contests, or a combination
6 of both;

7 (2) proof of adequate medical supervision, as
8 determined by rule, to ensure the protection of the health
9 and safety of contestants ~~professionals or amateurs~~ while
10 participating in contests;

11 (3) the complete and final list of names of the
12 contestants ~~professionals or amateurs~~ competing, subject
13 to Department approval, which shall be submitted up to 48
14 hours prior to the event date specified in the permit;

15 (4) proof of insurance for not less than \$50,000 as
16 further defined by rule for each contestant ~~professional~~
17 ~~or amateur~~ participating in a ~~professional or amateur~~
18 ~~contest, or a combination of both~~; insurance required
19 under this paragraph shall cover: (i) hospital,
20 medication, physician, and other such expenses as would
21 accrue in the treatment of an injury as a result of the
22 ~~professional or amateur~~ contest; (ii) payment to the
23 estate of the contestant ~~professional or amateur~~ in the
24 event of the contestant's ~~his or her~~ death as a result of
25 the contestant's ~~his or her~~ participation in the
26 ~~professional or amateur~~ contest; and (iii) accidental

1 death and dismemberment; the terms of the insurance
2 coverage shall require the promoter, not the ~~licensed~~
3 contestant, to pay the policy deductible for the medical,
4 surgical, or hospital care of a contestant for injuries a
5 contestant sustained while engaged in a contest; if a
6 ~~licensed~~ contestant pays for the medical, surgical, or
7 hospital care, the insurance proceeds shall be paid to the
8 contestant or the contestant's ~~his or her~~ beneficiaries as
9 reimbursement for such payment;

10 (5) the amount of the purses to be paid to the
11 professional contestant ~~professionals~~ for the event ~~as~~
12 ~~determined by rule;~~

13 (6) organizational or internationally accepted rules,
14 per discipline, for ~~professional or amateur full contact~~
15 ~~martial arts~~ contests if the Department does not provide
16 the rules for Department approval; and

17 (7) any other information the Department may require,
18 as determined by rule, to issue a permit.

19 (e) If the accuracy, relevance, or sufficiency of any
20 submitted documentation is questioned by the Department
21 because of lack of information, discrepancies, or conflicts in
22 information given or a need for clarification, the promoter
23 seeking a permit may be required to provide additional
24 information.

25 (Source: P.A. 102-20, eff. 1-1-22.)

1 (225 ILCS 105/10) (from Ch. 111, par. 5010)

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

3 Sec. 10. Who must be licensed.

4 (a) In order to participate in contests the following
5 persons must each be licensed and in good standing with the
6 Department:

7 (1) professional contestants and amateur contestants;

8 (2) seconds for professional contests;

9 (3) referees for professional and amateur contests;

10 (4) judges for professional and amateur contests;

11 (5) managers for professional contests;

12 (6) matchmakers for professional contests; and

13 (7) timekeepers for professional contests.

14 Seconds, managers, matchmakers, and timekeepers
15 participating in amateur contests are not required to be
16 licensed. ~~(a) professionals and amateurs, (b) seconds, (c)~~
17 ~~referees, (d) judges, (e) managers, (f) matchmakers, and (g)~~
18 ~~timekeepers.~~

19 (b) In order to hold a contest ~~participate in professional~~
20 ~~or amateur contests or a combination of both,~~ promoters must
21 be licensed and in good standing with the Department.

22 (c) Announcers may participate in ~~professional or amateur~~
23 ~~contests, or a combination of both,~~ without being licensed
24 under this Act. It shall be the responsibility of the promoter
25 to ensure that announcers comply with the Act, and all rules
26 and regulations promulgated pursuant to this Act.

1 (d) A licensed promoter may not act as, and cannot be
2 licensed as, a second, contestant ~~professional~~, referee,
3 timekeeper, judge, or manager. If the promoter ~~he or she~~ is so
4 licensed, the promoter ~~he or she~~ must relinquish any of these
5 licenses to the Department for cancellation. A person
6 possessing a valid promoter's license may act as a matchmaker.

7 (e) (Blank). ~~Participants in amateur full contact martial~~
8 ~~arts contests taking place before January 1, 2023 are not~~
9 ~~required to obtain licenses by the Department, except for~~
10 ~~promoters of amateur contests.~~

11 (Source: P.A. 102-20, eff. 1-1-22.)

12 (225 ILCS 105/11) (from Ch. 111, par. 5011)

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

14 Sec. 11. Qualifications for license. The Department shall
15 grant licenses to the following persons if the following
16 qualifications are met:

17 (1) An applicant for licensure as a professional or
18 amateur must: (1) be 18 years old, (2) be of good moral
19 character, (3) file an application stating the applicant's
20 legal name (and no assumed or ring name may be used unless
21 such name is registered with the Department along with the
22 applicant's legal name), date of birth, place of current
23 residence, and a sworn statement that the applicant ~~he or~~
24 ~~she~~ is not currently in violation of any federal, State or
25 local laws or rules governing boxing or full-contact

1 martial arts, (4) file a certificate from a physician
2 licensed to practice medicine in all of its branches which
3 attests that the applicant is physically fit and qualified
4 to participate in ~~professional or amateur~~ contests, and
5 (5) pay the required fee and meet any other requirements
6 as determined by rule. Applicants over age 35 who have not
7 competed in a ~~professional or amateur~~ contest within the
8 12 months preceding their application for licensure or
9 have insufficient experience to participate in a
10 ~~professional or amateur~~ contest may be required to appear
11 before the Department to determine their fitness to
12 participate in a ~~professional or amateur~~ contest.

13 (2) An applicant for licensure as a referee, judge,
14 manager, second, matchmaker, or timekeeper must: (1) be of
15 good moral character, (2) file an application stating the
16 applicant's name, date of birth, and place of current
17 residence along with a certifying statement that the
18 applicant ~~he or she~~ is not currently in violation of any
19 federal, State, or local laws or rules governing boxing,
20 or full-contact martial arts, (3) have had satisfactory
21 experience in the applicant's ~~his or her~~ field as defined
22 by rule, (4) pay the required fee, and (5) meet any other
23 requirements as determined by rule.

24 (3) An applicant for licensure as a promoter must: (1)
25 be of good moral character, (2) file an application with
26 the Department stating the applicant's name, date of

1 birth, place of current residence along with a certifying
2 statement that the applicant ~~he or she~~ is not currently in
3 violation of any federal, State, or local laws or rules
4 governing boxing or full-contact martial arts, (3) pay the
5 required fee and meet any other requirements as
6 established by rule, and (4) in addition to the foregoing,
7 an applicant for licensure as a promoter ~~of professional~~
8 ~~or amateur contests or a combination of both professional~~
9 ~~and amateur bouts in one contest~~ shall also provide (i)
10 proof of a surety bond of no less than \$5,000 to cover
11 financial obligations under this Act, payable to the
12 Department and conditioned for the payment of the tax
13 imposed by this Act and compliance with this Act, and the
14 rules adopted under this Act, and (ii) a \$10,000
15 performance bond guaranteeing payment of all obligations
16 relating to the promotional activities payable to the
17 Department and conditioned for the payment of the tax
18 imposed by this Act and its rules.

19 (4) All applicants shall submit an application to the
20 Department, in writing or electronically, on forms
21 prescribed by the Department, containing such information
22 as determined by rule.

23 In determining good moral character, the Department may
24 take into consideration any violation of any of the provisions
25 of Section 16 of this Act as to referees, judges, managers,
26 matchmakers, timekeepers, or promoters and any felony

1 conviction of the applicant, but such a conviction shall not
2 operate as a bar to licensure. No license issued under this Act
3 is transferable.

4 (Source: P.A. 102-20, eff. 1-1-22.)

5 (225 ILCS 105/12) (from Ch. 111, par. 5012)

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

7 Sec. 12. Contests ~~Professional or amateur contests.~~

8 (a) A ~~The professional or amateur contest, or a~~
9 ~~combination of both,~~ shall be held in an area where adequate
10 neurosurgical facilities are immediately available for skilled
11 emergency treatment of an injured contestant ~~professional or~~
12 ~~amateur.~~

13 (b) Each contestant ~~professional or amateur~~ shall be
14 examined before the contest and promptly after each bout by a
15 physician. The physician shall determine, prior to the
16 contest, if each contestant ~~professional or amateur~~ is
17 physically fit to compete in the contest. After the bout the
18 physician shall examine the contestant ~~professional or amateur~~
19 to determine possible injury. If the contestant's
20 ~~professional's or amateur's~~ physical condition so indicates,
21 the physician shall recommend to the Department immediate
22 medical suspension. The physician or a licensed paramedic must
23 check the vital signs of all contestants as established by
24 rule.

25 (c) The physician may, at any time during the ~~professional~~

1 ~~or amateur~~ bout, stop the ~~professional or amateur~~ bout to
2 examine a ~~professional or amateur~~ contestant and may direct
3 the referee to terminate the bout when, in the physician's
4 opinion, continuing the bout could result in serious injury to
5 the contestant ~~professional or amateur~~. If the contestant's
6 ~~professional's or amateur's~~ physical condition so indicates,
7 the physician shall recommend to the Department immediate
8 medical suspension. The physician shall certify to the
9 condition of the contestant ~~professional or amateur~~ in
10 writing, over the physician's ~~his or her~~ signature on forms
11 prescribed by the Department. Such reports shall be submitted
12 to the Department in a timely manner.

13 (d) No ~~professional or amateur~~ contest, ~~or a combination~~
14 ~~of both,~~ shall be allowed to begin or be held unless at least
15 one physician, at least one EMT and one paramedic, and one
16 ambulance have been contracted with solely for the care of
17 contestants ~~professionals or amateurs~~ who are competing as
18 defined by rule.

19 (e) No professional boxing bout shall be more than 12
20 rounds in length. The rounds shall not be more than 3 minutes
21 each with a minimum one-minute interval between them. ~~and no~~

22 (e-5) No contestant ~~professional boxer~~ shall be permitted
23 ~~allowed~~ to participate in more than one contest within a ~~7-day~~
24 period determined by rule.

25 (e-10) The number and length of rounds for all other
26 full-contact martial arts bouts ~~professional or amateur boxing~~

1 ~~or full contact martial arts contests, or a combination of~~
2 ~~both,~~ shall be determined by rule.

3 (f) The number and types of amateur or professional
4 officials required for each ~~professional or amateur~~ contest,
5 ~~or a combination of both,~~ shall be determined by the
6 Department based on how many bouts are to be held at the
7 contest rule.

8 (g) The Department or its representative shall have
9 discretion to declare a price, remuneration, or purse or any
10 part of it belonging to the professional withheld if in the
11 judgment of the Department or its representative the
12 professional is not honestly competing.

13 (h) The Department shall have the authority to prevent a
14 ~~professional or amateur~~ contest, ~~or a combination of both,~~
15 from being held and shall have the authority to stop a
16 ~~professional or amateur~~ contest, ~~or a combination of both,~~ for
17 noncompliance with any part of this Act or rules or when, in
18 the judgment of the Department, or its representative,
19 continuation of the event would endanger the health, safety,
20 and welfare of the professionals or amateurs or spectators.
21 The Department's authority to stop a contest on the basis that
22 the ~~professional or amateur~~ contest, ~~or a combination of both,~~
23 would endanger the health, safety, and welfare of the
24 professionals or amateurs or spectators shall extend to any
25 ~~professional or amateur~~ contest, ~~or a combination of both,~~
26 regardless of whether that amateur contest is exempted from

1 the prohibition in Section 6 of this Act.

2 (i) A professional contestant shall only compete against
3 another professional contestant. An amateur contestant shall
4 only compete against another amateur contestant. A contest may
5 involve bouts between professional contestants and bouts
6 between amateur contestants, but a professional contestant
7 shall not compete against an amateur contestant.

8 (Source: P.A. 102-20, eff. 1-1-22.)

9 (225 ILCS 105/14) (from Ch. 111, par. 5014)

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

11 Sec. 14. Failure to report ticket sales and tax. If the
12 permit holder fails to make a report as required by Section 13,
13 or if such report is unsatisfactory, the Department may
14 examine or cause to be examined the books and records of any
15 such holder or the holder's ~~his~~ associates or any other person
16 as a witness under oath to determine the total amount of tax
17 due under this Act.

18 If it is determined that there has been a default in the
19 payment of a tax, the promoter shall be given 20 days' ~~days~~
20 notice of the amount due which shall include the expenses
21 incurred in making the examination.

22 If the promoter does not pay the amount due, the promoter
23 ~~he~~ shall be disqualified from obtaining a permit under this
24 Act and the Attorney General shall institute suit upon the
25 bond filed pursuant to this Act to recover the tax or penalties

1 imposed by this Act.

2 (Source: P.A. 91-408, eff. 1-1-00.)

3 (225 ILCS 105/15) (from Ch. 111, par. 5015)

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

5 Sec. 15. Inspectors. The Secretary may appoint inspectors
6 to assist the Department staff in the administration of the
7 Act. Each inspector appointed by the Secretary shall receive
8 compensation for each day the inspector ~~he or she~~ is engaged in
9 the transacting of business of the Department. The inspector
10 or inspectors shall supervise each professional contest,
11 amateur contest, or combination of both and, at the
12 Department's discretion, may supervise any contest to ensure
13 that the provisions of the Act are strictly enforced.

14 (Source: P.A. 102-20, eff. 1-1-22.)

15 (225 ILCS 105/16) (from Ch. 111, par. 5016)

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

17 Sec. 16. Discipline and sanctions.

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

1 (1) gambling, betting, or wagering on the result of or
2 a contingency connected with a ~~professional or amateur~~
3 ~~contest, or a combination of both,~~ or permitting such
4 activity to take place;

5 (2) participating in or permitting a sham or fake
6 ~~professional or amateur~~ contest, or a combination of both;

7 (3) holding the ~~professional or amateur~~ contest, ~~or a~~
8 ~~combination of both,~~ at any other time or place than is
9 stated on the permit application;

10 (4) permitting any contestant ~~professional or amateur~~
11 other than those stated on the permit application to
12 participate in a ~~professional or amateur~~ contest, ~~or a~~
13 ~~combination of both,~~ except as provided in Section 9;

14 (5) violation or aiding in the violation of any of the
15 provisions of this Act or any rules or regulations
16 promulgated thereto;

17 (6) violation of any federal, State, or local laws of
18 the United States or other jurisdiction governing
19 ~~professional or amateur~~ contests or any regulation
20 promulgated pursuant thereto;

21 (7) charging a greater rate or rates of admission than
22 is specified on the permit application;

23 (8) failure to obtain all the necessary permits or
24 licenses as required under this Act;

25 (9) failure to file the necessary bond or to pay the
26 gross receipts or broadcast tax as required by this Act;

1 (10) engaging in dishonorable, unethical or
2 unprofessional conduct of a character likely to deceive,
3 defraud or harm the public, or which is detrimental to
4 honestly conducted contests;

5 (11) employment of fraud, deception or any unlawful
6 means in applying for or securing a permit or license
7 under this Act;

8 (12) permitting a physician making the physical
9 examination to knowingly certify falsely to the physical
10 condition of a contestant ~~professional or amateur~~;

11 (13) permitting professional ~~professionals~~ or amateur
12 contestants ~~amateurs~~ of widely disparate weights or
13 abilities to engage in ~~professional or amateur~~ contests,
14 respectively;

15 (14) participating in a contest while under medical
16 suspension in this State or in any other state, territory
17 or country;

18 (15) physical illness, including, but not limited to,
19 deterioration through the aging process, or loss of motor
20 skills which results in the inability to participate in
21 contests with reasonable judgment, skill, or safety;

22 (16) allowing one's license or permit issued under
23 this Act to be used by another person;

24 (17) failing, within 30 days ~~a reasonable time~~, to
25 provide any information requested by the Department ~~as a~~
26 ~~result of a formal or informal complaint~~;

1 (18) professional incompetence;

2 (19) failure to file a return, or to pay the tax,
3 penalty or interest shown in a filed return, or to pay any
4 final assessment of tax, penalty or interest, as required
5 by any tax Act administered by the Illinois Department of
6 Revenue, until such time as the requirements of any such
7 tax Act are satisfied;

8 (20) (blank);

9 (21) habitual or excessive use or addiction to
10 alcohol, narcotics, stimulants, or any other chemical
11 agent or drug that results in an inability to participate
12 in an event;

13 (22) failure to stop a ~~professional or amateur~~
14 ~~contest, or a combination of both,~~ when requested to do so
15 by the Department;

16 (23) failure of a promoter to adequately supervise and
17 enforce this Act and its rules as applicable to amateur
18 contests, as set forth in rule; or

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

22 (b) The determination by a circuit court that a licensee
23 is subject to involuntary admission or judicial admission as
24 provided in the Mental Health and Developmental Disabilities
25 Code operates as an automatic suspension. The suspension will
26 end only upon a finding by a court that the licensee is no

1 longer subject to involuntary admission or judicial admission,
2 issuance of an order so finding and discharging the licensee.

3 (c) In enforcing this Section, the Department, upon a
4 showing of a possible violation, may compel any individual
5 licensed to practice under this Act, or who has applied for
6 licensure pursuant to this Act, to submit to a mental or
7 physical examination, or both, as required by and at the
8 expense of the Department. The examining physicians or
9 clinical psychologists shall be those specifically designated
10 by the Department. The Department may order the examining
11 physician or clinical psychologist to present testimony
12 concerning this mental or physical examination of the licensee
13 or applicant. No information shall be excluded by reason of
14 any common law or statutory privilege relating to
15 communications between the licensee or applicant and the
16 examining physician or clinical psychologist. Eye examinations
17 may be provided by a physician licensed to practice medicine
18 in all of its branches or a licensed and certified therapeutic
19 optometrist. The individual to be examined may have, at the
20 individual's ~~his or her~~ own expense, another physician of the
21 individual's ~~his or her~~ choice present during all aspects of
22 the examination. Failure of any individual to submit to a
23 mental or physical examination, when directed, shall be
24 grounds for suspension or revocation of a license.

25 (d) A contestant who tests positive for a banned
26 substance, as defined by rule, shall have the contestant's ~~his~~

1 ~~or her~~ license immediately suspended. The license shall be
2 subject to other discipline as authorized in this Section.

3 (Source: P.A. 102-20, eff. 1-1-22.)

4 (225 ILCS 105/17.7)

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

6 Sec. 17.7. Restoration of license from discipline.

7 (a) At any time after the successful completion of a term
8 of indefinite probation, suspension, or revocation of a
9 license under this Act, the Department may restore the license
10 to the licensee unless, after an investigation and a hearing,
11 the Secretary determines that restoration is not in the public
12 interest.

13 (b) If circumstances of suspension or revocation so
14 indicate, the Department may require an examination of the
15 licensee prior to restoring the licensee's ~~his or her~~ license.

16 (c) No person whose license has been revoked as authorized
17 in this Act may apply for restoration of that license until
18 allowed under the Civil Administrative Code of Illinois.

19 (d) A license that has been suspended or revoked shall be
20 considered nonrenewed for purposes of restoration under this
21 Section and a licensee restoring the licensee's ~~his or her~~
22 license from suspension or revocation must comply with the
23 requirements for renewal as set forth in this Act and its
24 rules.

25 (Source: P.A. 102-20, eff. 1-1-22.)

1 (225 ILCS 105/17.8)

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

3 Sec. 17.8. Surrender of license. Upon the revocation or
4 suspension of a license, the licensee shall immediately
5 surrender the licensee's ~~his or her~~ license to the Department.
6 If the licensee fails to do so, the Department has the right to
7 seize the license.

8 (Source: P.A. 102-20, eff. 1-1-22.)

9 (225 ILCS 105/18) (from Ch. 111, par. 5018)

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

11 Sec. 18. Investigations; notice and hearing.

12 (a) The Department may investigate the actions of any
13 applicant or of any person or entity holding or claiming to
14 hold a license under this Act.

15 (b) The Department shall, before disciplining an applicant
16 or licensee, at least 30 days prior to the date set for the
17 hearing: (i) notify, in writing, the accused of the charges
18 made and the time and place for the hearing on the charges;
19 (ii) direct the accused ~~him or her~~ to file a written answer to
20 the charges, under oath, within 20 days after service of the
21 notice; and (iii) inform the applicant or licensee that
22 failure to file an answer will result in a default being
23 entered against the applicant or licensee.

24 (c) Written or electronic notice, and any notice in the

1 subsequent proceedings, may be served by personal delivery, by
2 email, or by mail to the applicant or licensee at the
3 applicant's or licensee's ~~his or her~~ address of record or
4 email address of record.

5 (d) At the time and place fixed in the notice, the hearing
6 officer appointed by the Secretary shall proceed to hear the
7 charges, and the parties or their counsel shall be accorded
8 ample opportunity to present any statement, testimony,
9 evidence, and argument as may be pertinent to the charges or to
10 their defense. The hearing officer may continue the hearing
11 from time to time.

12 (e) If the licensee or applicant, after receiving the
13 notice, fails to file an answer, the licensee's or applicant's
14 ~~his or her~~ license may, in the discretion of the Secretary, be
15 suspended, revoked, or placed on probationary status or be
16 subject to whatever disciplinary action the Secretary
17 considers proper, including limiting the scope, nature, or
18 extent of the person's practice or imposition of a fine,
19 without hearing, if the act or acts charged constitute
20 sufficient grounds for the action under this Act.

21 (Source: P.A. 102-20, eff. 1-1-22.)

22 (225 ILCS 105/19) (from Ch. 111, par. 5019)

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

24 Sec. 19. Hearing; motion for rehearing.

25 (a) The hearing officer appointed by the Secretary shall

1 hear evidence in support of the formal charges and evidence
2 produced by the applicant or licensee. At the conclusion of
3 the hearing, the hearing officer shall present to the
4 Secretary a written report of the hearing officer's ~~his or her~~
5 findings of fact, conclusions of law, and recommendations.

6 (b) A copy of the hearing officer's report shall be served
7 upon the applicant or licensee, either personally or as
8 provided in this Act for the service of the notice of hearing.
9 Within 20 calendar days after such service, the applicant or
10 licensee may present to the Department a motion, in writing,
11 for a rehearing that shall specify the particular grounds for
12 rehearing. The Department may respond to the motion for
13 rehearing within 20 calendar days after its service on the
14 Department. If no motion for rehearing is filed, then upon the
15 expiration of the time specified for filing such a motion, or
16 upon denial of a motion for rehearing, the Secretary may enter
17 an order in accordance with the recommendations of the hearing
18 officer. If the applicant or licensee orders from the
19 reporting service and pays for a transcript of the record
20 within the time for filing a motion for rehearing, the 20
21 calendar day period within which a motion may be filed shall
22 commence upon delivery of the transcript to the applicant or
23 licensee.

24 (c) If the Secretary disagrees in any regard with the
25 report of the hearing officer, the Secretary may issue an
26 order contrary to the report.

1 (d) Whenever the Secretary is not satisfied that
2 substantial justice has been done, the Secretary may order a
3 hearing by the same or another hearing officer.

4 (e) At any point in any investigation or disciplinary
5 proceeding provided for in this Act, both parties may agree to
6 a negotiated consent order. The consent order shall be final
7 upon signature of the Secretary.

8 (Source: P.A. 102-20, eff. 1-1-22.)

9 (225 ILCS 105/19.1) (from Ch. 111, par. 5019.1)

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

11 Sec. 19.1. Hearing officer. Notwithstanding any provision
12 of this Act, the Secretary has the authority to appoint an
13 attorney duly licensed to practice law in the State of
14 Illinois to serve as the hearing officer in any action for
15 refusal to issue or renew a license or discipline a license.
16 The hearing officer shall have full authority to conduct the
17 hearing. The hearing officer shall report the hearing
18 officer's ~~his or her~~ findings of fact, conclusions of law, and
19 recommendations to the Secretary.

20 (Source: P.A. 102-20, eff. 1-1-22.)

21 (225 ILCS 105/23) (from Ch. 111, par. 5023)

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

23 Sec. 23. Fees.

24 (a) The fees for the administration and enforcement of

1 this Act, including, but not limited to, original licensure,
2 renewal, and restoration shall be set by rule. The fees shall
3 not be refundable. All of the fees, taxes, and fines collected
4 under this Act shall be deposited into the General Professions
5 Dedicated Fund.

6 (b) (Blank). ~~Before January 1, 2023, there shall be no~~
7 ~~fees for amateur full contact martial arts events; except that~~
8 ~~until January 1, 2023, the applicant fees for promoters of~~
9 ~~amateur events where only amateur bouts are held shall be~~
10 ~~\$300.~~

11 (Source: P.A. 102-20, eff. 1-1-22.)

12 (225 ILCS 105/23.1) (from Ch. 111, par. 5023.1)

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

14 Sec. 23.1. Returned checks; fines. Any person who delivers
15 a check or other payment to the Department that is returned to
16 the Department unpaid by the financial institution upon which
17 it is drawn shall pay to the Department, in addition to the
18 amount already owed to the Department, a fine of \$50. The fines
19 imposed by this Section are in addition to any other
20 discipline provided under this Act for unlicensed practice or
21 practice on a nonrenewed license. The Department shall notify
22 the person that payment of fees and fines shall be paid to the
23 Department by certified check or money order within 30
24 calendar days of the notification. If, after the expiration of
25 30 days from the date of the notification, the person has

1 failed to submit the necessary remittance, the Department
2 shall automatically terminate the license or deny the
3 application, without hearing. If, after termination or denial,
4 the person seeks a license, the person ~~he or she~~ shall apply to
5 the Department for restoration or issuance of the license and
6 pay all fees and fines due to the Department. The Department
7 may establish a fee for the processing of an application for
8 restoration of a license to pay all expenses of processing
9 this application. The Secretary may waive the fines due under
10 this Section in individual cases where the Secretary finds
11 that the fines would be unreasonable or unnecessarily
12 burdensome.

13 (Source: P.A. 102-20, eff. 1-1-22.)

14 (225 ILCS 105/24) (from Ch. 111, par. 5024)

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

16 Sec. 24. Unlicensed practice; violations; civil penalty.

17 (a) Any person who practices, offers to practice, attempts
18 to practice, or holds oneself ~~himself or herself~~ out as being
19 able to engage in practices requiring a license under this Act
20 without being licensed or exempt under this Act shall, in
21 addition to any other penalty provided by law, pay a civil
22 penalty to the Department in an amount not to exceed \$10,000
23 for each offense, as determined by the Department. The civil
24 penalty shall be assessed by the Department after a hearing is
25 held in accordance with the provision set forth in this Act

1 regarding the provision of a hearing for the discipline of a
2 licensee.

3 (b) The Department may investigate any actual, alleged, or
4 suspected unlicensed activity.

5 (c) The civil penalty shall be paid within 60 days after
6 the effective date of the order imposing the civil penalty.
7 The order shall constitute a judgment and may be filed and
8 executed thereon in the same manner as any judgment from any
9 court of record.

10 (d) A person or entity not licensed under this Act who has
11 violated any provision of this Act or its rules is guilty of a
12 Class A misdemeanor for the first offense and a Class 4 felony
13 for a second and subsequent offenses.

14 (Source: P.A. 102-20, eff. 1-1-22.)

15 (225 ILCS 105/25.1)

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

17 Sec. 25.1. Medical suspension.

18 (a) A licensee who is determined by the examining
19 physician or Department to be unfit to compete or officiate
20 shall be prohibited from participating in a contest in
21 Illinois and, if actively licensed, shall be medically
22 suspended until it is shown that the licensee ~~he or she~~ is fit
23 for further competition or officiating.

24 (b) If the referee has stopped the bout or rendered a
25 decision of technical knockout against a contestant

1 ~~professional or amateur~~, the contestant ~~professional or~~
2 ~~amateur~~ shall be medically suspended immediately for a period
3 of not less than 30 days.

4 (c) In a full-contact martial arts contest, if the
5 contestant ~~professional or amateur~~ has tapped out, has
6 submitted, or the referee has stopped the bout, the
7 Department, in consultation with the ringside physician, shall
8 determine the length of suspension.

9 (d) If the contestant ~~professional or amateur~~ has been
10 knocked unconscious, the contestant ~~he or she~~ shall be
11 medically suspended immediately for a period of not less than
12 45 days.

13 (e) A contestant ~~licensee~~ may receive a medical suspension
14 for any injury sustained as a result of a bout that shall not
15 be less than 7 days.

16 (f) A contestant ~~licensee~~ may receive additional terms and
17 conditions for a medical suspension beyond a prescribed
18 passage of time as authorized under this Section.

19 (g) If a contestant ~~licensee~~ receives a medical suspension
20 that includes terms and conditions in addition to the
21 prescribed passage of time as authorized under this Section,
22 before the removal of the medical suspension, a licensee
23 shall:

24 (1) satisfactorily pass a Department-prescribed
25 medical examination;

26 (2) provide those examination results to the

1 Department;

2 (3) provide any additional requested documentation as
3 directed by the licensee's examining physician or
4 Department where applicable; and

5 (4) if the licensee's examining physician requires any
6 necessary additional medical procedures during the
7 examination related to the injury that resulted in the
8 medical suspension, those results shall be provided to the
9 Department.

10 (h) Any medical suspension imposed as authorized under
11 this Act upon ~~against~~ a contestant ~~licensee~~ shall be reported
12 to the Department's record keeper as determined by rule.

13 (i) A medical suspension as authorized under this Section
14 shall not be considered a suspension under Section 16 of this
15 Act. A violation of the terms of a medical suspension
16 authorized under this Section shall subject a licensee to
17 discipline under Section 16 of this Act.

18 (j) A ~~professional or amateur~~ contestant who has been
19 placed on medical suspension under the laws of another state,
20 the District of Columbia, or a territory of the United States
21 for substantially similar reasons as this Section shall be
22 prohibited from participating in a contest as authorized under
23 this Act until the requirements of subsection (g) of this
24 Section have been met or the medical suspension has been
25 removed by that jurisdiction.

26 (k) A medical suspension authorized under this Section

1 shall begin the day after the bout a licensee participated in.
2 (Source: P.A. 102-20, eff. 1-1-22.)

3 Section 45. The Sex Offender Evaluation and Treatment
4 Provider Act is amended by changing Sections 10, 30, 35, 40,
5 45, 50, 65, 75, 85, 90, 95, 100, 105, 110, 115, 125, 130, 135,
6 and 145 and by adding Section 10.5 as follows:

7 (225 ILCS 109/10)

8 Sec. 10. Definitions. As used in this Act:

9 "Address of record" means the designated address recorded
10 by the Department in the applicant's or licensee's application
11 file or license file maintained by the Department's licensure
12 maintenance unit.

13 "Associate sex offender provider" means a person licensed
14 under this Act to conduct sex offender evaluations or provide
15 sex offender treatment services under the supervision of a
16 licensed sex offender evaluator or a licensed sex offender
17 treatment provider.

18 ~~"Board" means the Sex Offender Evaluation and Treatment~~
19 ~~Licensing and Disciplinary Board.~~

20 "Department" means the Department of Financial and
21 Professional Regulation.

22 "Email address of record" means the designated email
23 address recorded by the Department in the applicant's
24 application file or the licensee's license file, as maintained

1 by the Department's licensure maintenance unit.

2 "Licensee" means a person who has obtained a license under
3 this Act.

4 "Secretary" means the Secretary of Financial and
5 Professional Regulation.

6 "Sex offender evaluation" means a sex-offender specific
7 evaluation that systematically uses a variety of standardized
8 measurements, assessments and information gathered
9 collaterally and through face-to-face interviews. Sex-offender
10 specific evaluations assess risk to the community; identify
11 and document treatment and developmental needs, including safe
12 and appropriate placement settings; determine amenability to
13 treatment; and are the foundation of treatment, supervision,
14 and placement recommendations.

15 "Sex offender evaluator" means a person licensed under
16 this Act to conduct sex offender evaluations.

17 "Sex offender treatment" means a comprehensive set of
18 planned therapeutic interventions and experiences to reduce
19 the risk of further sexual offending and abusive behaviors by
20 the offender. Treatment may include adjunct therapies to
21 address the unique needs of the individual, but must include
22 offense specific services by a treatment provider who meets
23 the qualifications in Section 30 of this Act. Treatment
24 focuses on the situations, thoughts, feelings, and behavior
25 that have preceded and followed past offending (abuse cycles)
26 and promotes change in each area relevant to the risk of

1 continued abusive, offending, or deviant sexual behaviors. Due
2 to the heterogeneity of the persons who commit sex offenses,
3 treatment is provided based on the individualized evaluation
4 and assessment. Treatment is designed to stop sex offending
5 and abusive behavior, while increasing the offender's ability
6 to function as a healthy, pro-social member of the community.
7 Progress in treatment is measured by change rather than the
8 passage of time.

9 "Sex offender treatment provider" means a person licensed
10 under this Act to provide sex offender treatment.

11 (Source: P.A. 97-1098, eff. 7-1-13.)

12 (225 ILCS 109/10.5 new)

13 Sec. 10.5. Address of record; email address of record. All
14 applicants and licensees shall:

15 (1) Provide a valid address and email address to the
16 Department, which shall serve as the address of record and
17 email address of record, respectively, at the time of
18 application for licensure or renewal of a license; and

19 (2) Inform the Department of any change of address of
20 record or email address of record within 14 days after
21 such change, either through the Department's website or by
22 contacting the Department's licensure maintenance unit.

23 (225 ILCS 109/30)

24 Sec. 30. Social Security Number or individual taxpayer

1 identification number on license application. In addition to
2 any other information required to be contained in the
3 application, every application for an original, renewal,
4 reinstated, or restored license under this Act shall include
5 the applicant's Social Security number or individual taxpayer
6 identification number.

7 (Source: P.A. 97-1098, eff. 7-1-13.)

8 (225 ILCS 109/35)

9 Sec. 35. Qualifications for licensure.

10 (a)(1) A person is qualified for licensure as a sex
11 offender evaluator if that person:

12 (A) has applied in writing on forms prepared and
13 furnished by the Department;

14 (B) has not engaged or is not engaged in any practice
15 or conduct that would be grounds for disciplining a
16 licensee under Section 75 of this Act; and

17 (C) satisfies the licensure and experience
18 requirements of paragraph (2) of this subsection (a).

19 (2) A person who applies to the Department shall be issued
20 a sex offender evaluator license by the Department if the
21 person meets the qualifications set forth in paragraph (1) of
22 this subsection (a) and provides evidence to the Department
23 that the person:

24 (A) is a physician licensed to practice medicine in
25 all of its branches under the Medical Practice Act of 1987

1 or licensed under the laws of another state; an advanced
2 practice registered nurse with psychiatric specialty
3 licensed under the Nurse Practice Act or licensed under
4 the laws of another state; a clinical psychologist
5 licensed under the Clinical Psychologist Licensing Act or
6 licensed under the laws of another state; a licensed
7 clinical social worker licensed under the Clinical Social
8 Work and Social Work Practice Act or licensed under the
9 laws of another state; a licensed clinical professional
10 counselor licensed under the Professional Counselor and
11 Clinical Professional Counselor Licensing and Practice Act
12 or licensed under the laws of another state; or a licensed
13 marriage and family therapist licensed under the Marriage
14 and Family Therapy Licensing Act or licensed under the
15 laws of another state;

16 (B) has 400 hours of supervised experience in the
17 treatment or evaluation of sex offenders in the last 4
18 years, at least 200 of which are face-to-face therapy or
19 evaluation with sex offenders;

20 (C) has completed at least 10 sex offender evaluations
21 under supervision in the past 4 years; and

22 (D) has at least 40 hours of documented training in
23 the specialty of sex offender evaluation, treatment, or
24 management.

25 ~~Until January 1, 2015, the requirements of subparagraphs~~
26 ~~(B) and (D) of paragraph (2) of this subsection (a) are~~

~~satisfied if the applicant has been listed on the Sex Offender Management Board's Approved Provider List for a minimum of 2 years before application for licensure. Until January 1, 2015, the requirements of subparagraph (C) of paragraph (2) of this subsection (a) are satisfied if the applicant has completed at least 10 sex offender evaluations within the 4 years before application for licensure.~~

(b) (1) A person is qualified for licensure as a sex offender treatment provider if that person:

(A) has applied in writing on forms prepared and furnished by the Department;

(B) has not engaged or is not engaged in any practice or conduct that would be grounds for disciplining a licensee under Section 75 of this Act; and

(C) satisfies the licensure and experience requirements of paragraph (2) of this subsection (b).

(2) A person who applies to the Department shall be issued a sex offender treatment provider license by the Department if the person meets the qualifications set forth in paragraph (1) of this subsection (b) and provides evidence to the Department that the person:

(A) is a physician licensed to practice medicine in all of its branches under the Medical Practice Act of 1987 or licensed under the laws of another state; an advanced practice registered nurse with psychiatric specialty licensed under the Nurse Practice Act or licensed under

1 the laws of another state; a clinical psychologist
2 licensed under the Clinical Psychologist Licensing Act or
3 licensed under the laws of another state; a licensed
4 clinical social worker licensed under the Clinical Social
5 Work and Social Work Practice Act or licensed under the
6 laws of another state; a licensed clinical professional
7 counselor licensed under the Professional Counselor and
8 Clinical Professional Counselor Licensing and Practice Act
9 or licensed under the laws of another state; or a licensed
10 marriage and family therapist licensed under the Marriage
11 and Family Therapy Licensing Act or licensed under the
12 laws of another state;

13 (B) has 400 hours of supervised experience in the
14 treatment of sex offenders in the last 4 years, at least
15 200 of which are face-to-face therapy with sex offenders;
16 and

17 (C) has at least 40 hours documented training in the
18 specialty of sex offender evaluation, treatment, or
19 management.

20 ~~Until January 1, 2015, the requirements of subparagraphs~~
21 ~~(B) and (C) of paragraph (2) of this subsection (b) are~~
22 ~~satisfied if the applicant has been listed on the Sex Offender~~
23 ~~Management Board's Approved Provider List for a minimum of 2~~
24 ~~years before application.~~

25 (c) (1) A person is qualified for licensure as an associate
26 sex offender provider if that person:

1 (A) has applied in writing on forms prepared and
2 furnished by the Department;

3 (B) has not engaged or is not engaged in any practice
4 or conduct that would be grounds for disciplining a
5 licensee under Section 75 of this Act; and

6 (C) satisfies the education and experience
7 requirements of paragraph (2) of this subsection (c).

8 (2) A person who applies to the Department shall be issued
9 an associate sex offender provider license by the Department
10 if the person meets the qualifications set forth in paragraph
11 (1) of this subsection (c) and provides evidence to the
12 Department that the person holds a master's degree or higher
13 in social work, psychology, marriage and family therapy,
14 counseling or closely related behavioral science degree, or
15 psychiatry.

16 (Source: P.A. 100-201, eff. 8-18-17; 100-513, eff. 1-1-18.)

17 (225 ILCS 109/40)

18 Sec. 40. Application; exemptions.

19 (a) No person may act as a sex offender evaluator, sex
20 offender treatment provider, or associate sex offender
21 provider as defined in this Act for the provision of sex
22 offender evaluations or sex offender treatment pursuant to the
23 Sex Offender Management Board Act, the Sexually Dangerous
24 Persons Act, or the Sexually Violent Persons Commitment Act
25 unless the person is licensed to do so by the Department. Any

1 evaluation or treatment services provided by a licensed health
2 care professional not licensed under this Act shall not be
3 valid under the Sex Offender Management Board Act, the
4 Sexually Dangerous Persons Act, or the Sexually Violent
5 Persons Commitment Act. No business shall provide, attempt to
6 provide, or offer to provide sex offender evaluation services
7 unless it is organized under the Professional Service
8 Corporation Act, the Medical Corporation Act, or the
9 Professional Limited Liability Company Act.

10 (b) Nothing in this Act shall be construed to require any
11 licensed physician, advanced practice registered nurse,
12 physician assistant, or other health care professional to be
13 licensed under this Act for the provision of services for
14 which the person is otherwise licensed. This Act does not
15 prohibit a person licensed under any other Act in this State
16 from engaging in the practice for which the person ~~he or she~~ is
17 licensed. This Act only applies to the provision of sex
18 offender evaluations or sex offender treatment provided for
19 the purposes of complying with the Sex Offender Management
20 Board Act, the Sexually Dangerous Persons Act, or the Sexually
21 Violent Persons Commitment Act.

22 (Source: P.A. 99-227, eff. 8-3-15; 100-513, eff. 1-1-18.)

23 (225 ILCS 109/45)

24 Sec. 45. License renewal; restoration.

25 (a) The expiration date and renewal period for a license

1 issued under this Act shall be set by rule. The holder of a
2 license under this Act may renew that license during the
3 90-day ~~90-day~~ period immediately preceding the expiration date
4 upon payment of the required renewal fees and demonstrating
5 compliance with any continuing education requirements. The
6 Department shall adopt rules establishing minimum requirements
7 of continuing education and means for verification of the
8 completion of the continuing education requirements. The
9 Department may, by rule, specify circumstances under which the
10 continuing education requirements may be waived.

11 (b) A licensee who has permitted the licensee's ~~his or her~~
12 license to expire or who has had the licensee's ~~his or her~~
13 license on inactive status may have the ~~his or her~~ license
14 restored by making application to the Department and filing
15 proof acceptable to the Department, as defined by rule, of the
16 licensee's ~~his or her~~ fitness to have the ~~his or her~~ license
17 restored, including evidence certifying to active practice in
18 another jurisdiction satisfactory to the Department and by
19 paying the required restoration fee.

20 (c) A licensee whose license expired while the licensee ~~he~~
21 ~~or she~~ was (1) in Federal Service on active duty with the Armed
22 Forces of the United States, or the State Militia called into
23 service or training, or (2) in training or education under the
24 supervision of the United States preliminary to induction into
25 the military service, may have the ~~his or her~~ license renewed
26 or restored without paying any lapsed renewal fees if within 2

1 years after honorable termination of service, training or
2 education, the licensee ~~he or she~~ furnishes the Department
3 with satisfactory evidence to the effect that the licensee ~~he~~
4 ~~or she~~ has been so engaged and that the licensee's ~~his or her~~
5 service, training or education has been terminated.

6 (Source: P.A. 97-1098, eff. 7-1-13.)

7 (225 ILCS 109/50)

8 Sec. 50. Inactive status.

9 (a) A licensee who notifies the Department in writing on
10 forms prescribed by the Department may elect to place the
11 licensee's ~~his or her~~ license on an inactive status and shall,
12 subject to rules of the Department, be excused from payment of
13 renewal fees until the licensee ~~he or she~~ notifies the
14 Department in writing of the licensee's ~~his or her~~ intent to
15 restore the ~~his or her~~ license.

16 (b) A licensee requesting restoration from inactive status
17 shall be required to pay the current renewal fee and shall be
18 required to restore the ~~his or her~~ license as provided in
19 Section 45 of this Act.

20 (c) A licensee whose license is in an inactive status
21 shall not practice in the State of Illinois.

22 (d) A licensee who provides sex offender evaluation or
23 treatment services while the licensee's ~~his or her~~ license is
24 lapsed or on inactive status shall be considered to be
25 practicing without a license which shall be grounds for

1 discipline under this Act.

2 (Source: P.A. 97-1098, eff. 7-1-13.)

3 (225 ILCS 109/65)

4 Sec. 65. Payments; penalty for insufficient funds. A
5 person who delivers a check or other payment to the Department
6 that is returned to the Department unpaid by the financial
7 institution upon which it is drawn shall pay to the
8 Department, in addition to the amount already owed to the
9 Department, a fine of \$50. The fines imposed by this Section
10 are in addition to any other discipline provided under this
11 Act prohibiting unlicensed practice or practice on a
12 nonrenewed license. The Department shall notify the person
13 that payment of fees and fines shall be paid to the Department
14 by certified check or money order within 30 calendar days
15 after notification. If after the expiration of 30 days from
16 the date of the notification the person has failed to submit
17 the necessary remittance, the Department shall automatically
18 terminate the license or deny the application without hearing.
19 If after termination or denial the person seeks a license, the
20 person ~~he or she~~ shall apply to the Department for restoration
21 or issuance of the license and pay all fees and fines due to
22 the Department. The Department may establish a fee for the
23 processing of an application for restoration of a license to
24 pay all expenses of processing the application. The Secretary
25 may waive the fines due under this Section in individual cases

1 where the Secretary finds that the fines would be unreasonable
2 or unnecessarily burdensome.

3 (Source: P.A. 97-1098, eff. 7-1-13.)

4 (225 ILCS 109/75)

5 Sec. 75. Refusal, revocation, or suspension.

6 (a) 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
9 considers appropriate, including the imposition of fines not
10 to exceed \$10,000 for each violation, with regard to any
11 license or licensee for any one or more of the following:

12 (1) violations of this Act or of the rules adopted
13 under this Act;

14 (2) discipline by the Department under other state law
15 and rules which the licensee is subject to;

16 (3) 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: (i)
22 that is a felony; or (ii) that is a misdemeanor, an
23 essential element of which is dishonesty, or that is
24 directly related to the practice of the profession;

25 (4) professional incompetence;

1 (5) advertising in a false, deceptive, or misleading
2 manner;

3 (6) aiding, abetting, assisting, procuring, advising,
4 employing, or contracting with any unlicensed person to
5 provide sex offender evaluation or treatment services
6 contrary to any rules or provisions of this Act;

7 (7) engaging in immoral conduct in the commission of
8 any act, such as sexual abuse, sexual misconduct, or
9 sexual exploitation, related to the licensee's practice;

10 (8) engaging in dishonorable, unethical, or
11 unprofessional conduct of a character likely to deceive,
12 defraud, or harm the public;

13 (9) practicing or offering to practice beyond the
14 scope permitted by law or accepting and performing
15 professional responsibilities which the licensee knows or
16 has reason to know that the licensee ~~he or she~~ is not
17 competent to perform;

18 (10) knowingly delegating professional
19 responsibilities to a person unqualified by training,
20 experience, or licensure to perform;

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

23 (12) having a habitual or excessive use of or
24 addiction to alcohol, narcotics, stimulants, or any other
25 chemical agent or drug which results in the inability to
26 practice with reasonable judgment, skill, or safety;

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

4 (14) discipline by another state, District of
5 Columbia, territory, or foreign nation, if at least one of
6 the grounds for the discipline is the same or
7 substantially equivalent to those set forth in this
8 Section;

9 (15) a finding by the Department that the licensee,
10 after having the licensee's ~~his or her~~ license placed on
11 probationary status, has violated the terms of probation;

12 (16) willfully making or filing false records or
13 reports in the licensee's ~~his or her~~ practice, including,
14 but not limited to, false records filed with State
15 agencies or departments;

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

21 (18) fraud or misrepresentation in applying for or
22 procuring a license under this Act or in connection with
23 applying for renewal of a license under this Act;

24 (19) inability to practice the profession with
25 reasonable judgment, skill, or safety as a result of
26 physical illness, including, but not limited to,

1 deterioration through the aging process, loss of motor
2 skill, or a mental illness or disability;

3 (20) charging for professional services not rendered,
4 including filing false statements for the collection of
5 fees for which services are not rendered; or

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

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

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

18 (c) (Blank).

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

1 Department of Healthcare and Family Services in accordance
2 with item (5) of subsection (a) of Section 2105-15 of the Civil
3 Administrative Code of Illinois.

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

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

1 examination shall be performed by a physician licensed to
2 practice medicine in all its branches. Failure of an
3 individual to submit to a mental or physical examination, when
4 directed, shall result in an automatic suspension without
5 hearing.

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

25 In instances in which the Secretary immediately suspends a
26 person's license under this Section, a hearing on that

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

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

13 (Source: P.A. 100-872, eff. 8-14-18; 101-81, eff. 7-12-19.)

14 (225 ILCS 109/85)

15 Sec. 85. Violations; injunctions; cease and desist order.

16 (a) If a person violates a provision of this Act, the
17 Secretary may, in the name of the People of the State of
18 Illinois, through the Attorney General, petition for an order
19 enjoining the violation or for an order enforcing compliance
20 with this Act. Upon the filing of a verified petition in court,
21 the court may issue a temporary restraining order, without
22 notice or bond, and may preliminarily and permanently enjoin
23 the violation. If it is established that the person has
24 violated or is violating the injunction, the court may punish
25 the offender for contempt of court. Proceedings under this

1 Section are in addition to, and not in lieu of, all other
2 remedies and penalties provided by this Act.

3 (b) If a person engages in sex offender evaluation or
4 treatment or holds oneself ~~himself or herself~~ out as licensee
5 without having a valid license under this Act, then any
6 licensee, any interested party or any person injured thereby
7 may, in addition to the Secretary, petition for relief as
8 provided in subsection (a) of this Section.

9 (c) Whenever in the opinion of the Department a person has
10 violated any provision of this Act, the Department may issue a
11 rule to show cause why an order to cease and desist should not
12 be entered against that person ~~him or her~~. The rule shall
13 clearly set forth the grounds relied upon by the Department
14 and shall provide a period of 7 days from the date of the rule
15 to file an answer to the satisfaction of the Department.
16 Failure to answer to the satisfaction of the Department shall
17 cause an order to cease and desist to be issued immediately.

18 (Source: P.A. 97-1098, eff. 7-1-13.)

19 (225 ILCS 109/90)

20 Sec. 90. Unlicensed practice; violation; civil penalty.

21 (a) A person who holds oneself ~~himself or herself~~ out to
22 practice as a licensee without being licensed under this Act
23 shall, in addition to any other penalty provided by law, pay a
24 civil penalty to the Department in an amount not to exceed
25 \$10,000 for each offense, as determined by the Department. The

1 civil penalty shall be assessed by the Department after a
2 hearing is held in accordance with the provisions of this Act
3 regarding a hearing for the discipline of a licensee.

4 (b) The Department may investigate any and all unlicensed
5 activity.

6 (c) The civil penalty shall be paid within 60 days after
7 the effective date of the order imposing the civil penalty.
8 The order shall constitute a judgment and may be filed and
9 execution had thereon in the same manner as any judgment from
10 any court of record.

11 (Source: P.A. 97-1098, eff. 7-1-13.)

12 (225 ILCS 109/95)

13 Sec. 95. Investigation; notice and hearing. The
14 Department may investigate the actions or qualifications of
15 any person or persons holding or claiming to hold a license.
16 Before suspending, revoking, placing on probationary status,
17 or taking any other disciplinary action as the Department may
18 deem proper with regard to any license, at least 30 days before
19 the date set for the hearing, the Department shall (i) notify
20 the accused in writing of any charges made and the time and
21 place for a hearing on the charges before the Department
22 ~~Board~~, (ii) direct the accused ~~him or her~~ to file a written
23 answer to the charges with the Department ~~Board~~ under oath
24 within 20 days after the service on the accused ~~him or her~~ of
25 the notice, and (iii) inform the accused ~~him or her~~ that if the

1 accused ~~he or she~~ fails to file an answer, default will be
2 taken against the accused ~~him or her~~ and the accused's ~~his or~~
3 ~~her~~ license may be suspended, revoked, placed on probationary
4 status, or other disciplinary action taken with regard to the
5 license, including limiting the scope, nature, or extent of
6 his or her practice, as the Department may deem proper. In case
7 the person, after receiving notice, fails to file an answer,
8 the person's ~~his or her~~ license may, in the discretion of the
9 Department, be suspended, revoked, placed on probationary
10 status, or the Department may take whatever disciplinary
11 action is deemed proper, including limiting the scope, nature,
12 or extent of the person's practice or the imposition of a fine,
13 without a hearing, if the act or acts charged constitute
14 sufficient grounds for that action under this Act. Written
15 notice may be served by ~~personal delivery or by registered or~~
16 ~~certified~~ mail to the applicant or licensee at the applicant's
17 or licensee's ~~his or her~~ last address of record with the
18 Department. In case the person fails to file an answer after
19 receiving notice, the person's ~~his or her~~ license may, in the
20 discretion of the Department, be suspended, revoked, or placed
21 on probationary status, or the Department may take whatever
22 disciplinary action is deemed proper, including limiting the
23 scope, nature, or extent of the person's practice or the
24 imposition of a fine, without a hearing, if the act or acts
25 charged constitute sufficient grounds for that action under
26 this Act. The written answer shall be served by personal

1 delivery, certified delivery, or certified or registered mail
2 to the Department. At the time and place fixed in the notice,
3 the Department shall proceed to hear the charges and the
4 parties or their counsel shall be accorded ample opportunity
5 to present statements, testimony, evidence, and argument as
6 may be pertinent to the charges or to the defense thereto. The
7 Department may continue the hearing from time to time. At the
8 discretion of the Secretary after having first received the
9 recommendation of the hearing officer ~~Board~~, the accused
10 person's license may be suspended or revoked, if the evidence
11 constitutes sufficient grounds for that action under this Act.
12 (Source: P.A. 97-1098, eff. 7-1-13.)

13 (225 ILCS 109/100)

14 Sec. 100. Record of proceeding. The Department, at its
15 expense, shall preserve a record of all proceedings at the
16 formal hearing of any case. The notice of hearing, complaint
17 and all other documents in the nature of pleadings and written
18 motions filed in the proceedings, the transcript of testimony,
19 the report of the hearing officer ~~Board~~ and orders of the
20 Department shall be in the record of the proceedings. The
21 Department shall furnish a transcript of the record to any
22 person interested in the hearing upon payment of the fee
23 required under Section 2105-115 of the Department of
24 Professional Regulation Law.

25 (Source: P.A. 97-1098, eff. 7-1-13.)

1 (225 ILCS 109/105)

2 Sec. 105. Subpoenas; oaths; attendance of witnesses. The
3 Department has the power to subpoena and to bring before it any
4 person and to take testimony either orally or by deposition,
5 or both, with the same fees and mileage and in the same manner
6 as prescribed in civil cases in the courts of this State.

7 The Secretary and ~~7~~ the designated hearing officer have
8 the ~~7, and every member of the Board has~~ power to administer
9 oaths to witnesses at any hearing that the Department is
10 authorized to conduct and any other oaths authorized in any
11 Act administered by the Department. A circuit court may, upon
12 application of the Department or its designee, or of the
13 applicant or licensee against whom proceedings under this Act
14 are pending, enter an order requiring the attendance of
15 witnesses and their testimony, and the production of
16 documents, papers, files, books and records in connection with
17 any hearing or investigation. The court may compel obedience
18 to its order by proceedings for contempt.

19 (Source: P.A. 97-1098, eff. 7-1-13.)

20 (225 ILCS 109/110)

21 Sec. 110. Recommendations for disciplinary action. At the
22 conclusion of the hearing, the hearing officer ~~Board~~ shall
23 present to the Secretary a written report of the hearing
24 officer's ~~its~~ findings and recommendations. The report shall

1 contain a finding whether or not the accused person violated
2 this Act or failed to comply with the conditions required in
3 this Act. The hearing officer ~~Board~~ shall specify the nature
4 of the violation or failure to comply, and shall make its
5 recommendations to the Secretary.

6 The report of findings and recommendations of the hearing
7 officer ~~Board~~ shall be the basis for the Department's order
8 for refusal or for the granting of a license, or for any
9 disciplinary action, unless the Secretary shall determine that
10 the hearing officer's ~~Board's~~ report is contrary to the
11 manifest weight of the evidence, in which case the Secretary
12 may issue an order in contravention of the hearing officer's
13 ~~Board's~~ report. The finding is not admissible in evidence
14 against the person in a criminal prosecution brought for the
15 violation of this Act, but the hearing and finding are not a
16 bar to a criminal prosecution brought for the violation of
17 this Act.

18 (Source: P.A. 97-1098, eff. 7-1-13.)

19 (225 ILCS 109/115)

20 Sec. 115. Rehearing. In a hearing involving disciplinary
21 action against a licensee, a copy of the hearing officer's
22 ~~Board's~~ report shall be served upon the respondent by the
23 Department, either personally or as provided in this Act for
24 the service of the notice of hearing. Within 20 calendar days
25 after service, the respondent may present to the Department a

1 motion in writing for a rehearing that shall specify the
2 particular grounds for rehearing. If no motion for rehearing
3 is filed, then upon the expiration of the time specified for
4 filing a motion, or if a motion for rehearing is denied, then
5 upon denial, the Secretary may enter an order in accordance
6 with recommendations of the hearing officer ~~Board~~, except as
7 provided in this Act. If the respondent orders from the
8 reporting service, and pays for, a transcript of the record
9 within the time for filing a motion for rehearing, the 20
10 calendar day period within which a motion may be filed shall
11 commence upon the delivery of the transcript to the
12 respondent.

13 (Source: P.A. 97-1098, eff. 7-1-13.)

14 (225 ILCS 109/125)

15 Sec. 125. Appointment of a hearing officer. The Secretary
16 has the authority to appoint any attorney duly licensed to
17 practice law in the State of Illinois to serve as the hearing
18 officer in any action for refusal to issue or renew a license,
19 or to discipline a licensee. The hearing officer has full
20 authority to conduct the hearing. The hearing officer shall
21 report the ~~his or her~~ findings and recommendations to ~~the~~
22 ~~Board and~~ the Secretary. In the hearing officer's report, the
23 hearing officer shall make a finding of whether or not the
24 charged licensee or applicant violated a provision of this Act
25 or any rules adopted under this Act. Upon presenting the

1 report to the Secretary, the Secretary may issue an order
2 based on the report of the hearing officer. If the Secretary
3 disagrees with the report of the hearing officer, the
4 Secretary may issue an order in contravention of the hearing
5 officer's report. The finding by the hearing officer shall not
6 be admissible in evidence against the person in a criminal
7 prosecution brought for a violation of this Act nor shall a
8 finding by the hearing officer be a bar to a criminal
9 prosecution brought for a violation of this Act. ~~The Board has~~
10 ~~60 calendar days from receipt of the report to review the~~
11 ~~report of the hearing officer and present its findings of~~
12 ~~fact, conclusions of law and recommendations to the Secretary.~~
13 ~~If the Board fails to present its report within the 60 calendar~~
14 ~~day period, the respondent may request in writing a direct~~
15 ~~appeal to the Secretary, in which case the Secretary shall,~~
16 ~~within 7 calendar days after receipt of the request, issue an~~
17 ~~order directing the Board to issue its findings of fact,~~
18 ~~conclusions of law, and recommendations to the Secretary~~
19 ~~within 30 calendar days after that order. If the Board fails to~~
20 ~~issue its findings of fact, conclusions of law, and~~
21 ~~recommendations within that time frame to the Secretary after~~
22 ~~the entry of the order, the Secretary shall, within 30~~
23 ~~calendar days thereafter, issue an order based upon the report~~
24 ~~of the hearing officer and the record of the proceedings or~~
25 ~~issue an order remanding the matter back to the hearing~~
26 ~~officer for additional proceedings in accordance with the~~

1 ~~order. If (i) a direct appeal is requested, (ii) the Board~~
2 ~~fails to issue its findings of fact, conclusions of law, and~~
3 ~~recommendations within the 30 day mandate from the Secretary~~
4 ~~or the Secretary fails to order the Board to do so, and (iii)~~
5 ~~the Secretary fails to issue an order within 30 calendar days~~
6 ~~thereafter, then the hearing officer's report is deemed~~
7 ~~accepted and a final decision of the Secretary.~~

8 Notwithstanding any other provision of this Section, if the
9 Secretary, upon review, determines that substantial justice
10 has not been done in the revocation, suspension, or refusal to
11 issue or renew a license or other disciplinary action taken as
12 the result of the entry of the hearing officer's report, the
13 Secretary may order a rehearing by the same or other hearing
14 officer. If the Secretary disagrees with the recommendation of
15 the ~~Board or the~~ hearing officer, the Secretary may issue an
16 order in contravention of the recommendation.

17 (Source: P.A. 97-1098, eff. 7-1-13.)

18 (225 ILCS 109/130)

19 Sec. 130. Order; certified copy. An order or a certified
20 copy of the order, over the seal of the Department and
21 purporting to be signed by the Secretary, shall be prima facie
22 proof:

23 (a) that the signature is the genuine signature of the
24 Secretary;

25 (b) that the Secretary is duly appointed and

1 qualified; and

2 (c) (blank). ~~that the Board and its members are~~
3 ~~qualified to act.~~

4 (Source: P.A. 97-1098, eff. 7-1-13.)

5 (225 ILCS 109/135)

6 Sec. 135. Restoration. At any time after the suspension
7 or revocation of a license, the Department may restore the
8 license to the accused person, upon the filing of an
9 application, the filing of proof of fitness acceptable to the
10 Department, and the payment of the required restoration fee
11 ~~written recommendation of the Board~~, unless after an
12 investigation and a hearing the Department ~~Board~~ determines
13 that restoration is not in the public interest.

14 (Source: P.A. 97-1098, eff. 7-1-13.)

15 (225 ILCS 109/145)

16 Sec. 145. Summary suspension. The Secretary may summarily
17 suspend the license of a licensee without a hearing,
18 simultaneously with the institution of proceedings for a
19 hearing provided for in this Act, if the Secretary finds that
20 evidence in the Secretary's ~~his or her~~ possession indicates
21 that a licensee's continuation in practice would constitute an
22 imminent danger to the public. In the event that the Secretary
23 summarily suspends the license of a licensee without a
24 hearing, a hearing ~~by the Board~~ must be held within 30 calendar

1 days after the suspension has occurred.

2 (Source: P.A. 97-1098, eff. 7-1-13.)

3 (225 ILCS 109/70 rep.)

4 Section 50. The Sex Offender Evaluation and Treatment
5 Provider Act is amended by repealing Section 70.

6 Section 55. The Barber, Cosmetology, Esthetics, Hair
7 Braiding, and Nail Technology Act of 1985 is amended by
8 changing Section 3D-5 as follows:

9 (225 ILCS 410/3D-5)

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

11 Sec. 3D-5. Requisites for ownership or operation of
12 cosmetology, esthetics, hair braiding, and nail technology
13 salons and barber shops.

14 (a) No person, firm, partnership, limited liability
15 company, professional limited liability company, corporation,
16 or professional service corporation shall own or operate a
17 cosmetology, esthetics, hair braiding, or nail technology
18 salon or barber shop or employ, rent space to, or
19 independently contract with any licensee under this Act
20 without applying on forms provided by the Department for a
21 certificate of registration. This registration shall be in
22 addition to and shall not replace or supersede any other
23 business license, registration, or permit that may be required

1 by local municipalities or other governmental entities to own
2 or operate a business in the governmental entity's
3 jurisdiction. The issuance of a license, registration, or
4 permit by a municipality or another governmental entity to a
5 salon or shop shall not waive the requirement to obtain a
6 certificate of registration from the Department to own or
7 operate a salon or shop.

8 (b) The application for a certificate of registration
9 under this Section shall set forth the name, address, and
10 telephone number of the proposed cosmetology, esthetics, hair
11 braiding, or nail technology salon or barber shop; the name,
12 address, and telephone number of the person, firm,
13 partnership, limited liability company, professional limited
14 liability company, corporation, or professional service
15 corporation that is to own or operate the salon or shop; the
16 license number of the owner or operator of the shop if they are
17 licensed under the Act or the name and license number of the
18 individual manager of the salon or shop; and, if the salon or
19 shop is to be owned or operated by an entity other than an
20 individual, the name, address, and telephone number of the
21 managing partner or the chief executive officer of the
22 corporation or other entity that owns or operates the salon or
23 shop. A person who is not licensed under the Act may own or
24 operate a salon or shop, but may not practice barbering,
25 cosmetology, esthetics, hair braiding, or nail technology. An
26 unlicensed owner or operator of a salon or shop shall employ at

1 least one person as a manager who holds a license under the Act
2 and manages the salon or shop. The licensed owner, operator,
3 or manager of a salon or shop shall ensure that the salon or
4 shop operates in compliance with this Act and any applicable
5 rules, and the owner's, operator's, or manager's name and
6 license number shall be posted with the certificate of
7 registration at the salon or shop.

8 (c) The Department shall be notified by the owner or
9 operator of a salon or shop that is moved to a new location. If
10 there is a change in the ownership or operation or manager of a
11 salon or shop, the new owner, operator, or manager shall
12 report that change to the Department along with completion of
13 any additional requirements set forth by rule.

14 (d) If a person, firm, partnership, limited liability
15 company, professional limited liability company, corporation,
16 or professional service corporation owns or operates more than
17 one shop or salon, a separate certificate of registration must
18 be obtained for each salon or shop.

19 (e) A certificate of registration granted under this
20 Section may be revoked in accordance with the provisions of
21 Article IV and the holder of the certificate and any licensed
22 managers may be otherwise disciplined by the Department in
23 accordance with rules adopted under this Act.

24 (f) The Department may promulgate rules to establish
25 additional requirements for owning or operating a salon or
26 shop.

1 (g) The requirement of a certificate of registration as
2 set forth in this Section shall also apply to any person, firm,
3 partnership, limited liability company, professional limited
4 liability company, corporation, or professional service
5 corporation providing barbering, cosmetology, esthetics, hair
6 braiding, or nail technology services at any location not
7 owned or rented by such person, firm, partnership, limited
8 liability company, professional limited liability company,
9 corporation, or professional service corporation for these
10 purposes or from a mobile shop or salon. Notwithstanding any
11 provision of this Section, applicants for a certificate of
12 registration under this subsection (g) shall report in its
13 application the address and telephone number of its office and
14 shall not be required to report the location where services
15 are or will be rendered. Nothing in this subsection (g) shall
16 apply to a sole proprietor who has no employees or contractors
17 and is not operating a mobile shop or salon.

18 (h) Nothing in this Act shall prohibit the use of the terms
19 "electrology", "electrologist", "massage", "massage therapy",
20 or "massage therapist" by a salon or shop registered under
21 this Act as long as the salon or shop offers electrology
22 services in accordance with the Electrologist Licensing Act or
23 massage therapy services in accordance with the Massage
24 Therapy Practice Act.

25 (Source: P.A. 104-153, eff. 1-1-26.)

1 Section 60. The Electrologist Licensing Act is amended by
2 changing Section 20 as follows:

3 (225 ILCS 412/20)

4 (Section scheduled to be repealed on January 1, 2029)

5 Sec. 20. Exemptions. This Act does not prohibit:

6 (1) A person licensed in this State under any other
7 Act from engaging in the practice for which that person is
8 licensed.

9 (2) The practice of electrology by a person who is
10 employed by the United States government or any bureau,
11 division, or agency thereof while in the discharge of the
12 employee's official duties.

13 (3) The practice of electrology included in a program
14 of study by students enrolled in schools or in refresher
15 courses approved by the Department.

16 Nothing in this Act shall be construed to prevent a person
17 who is licensed under this Act and functioning as an assistant
18 to a person who is licensed to practice medicine in all of its
19 branches from providing delegated services. Such delegated
20 services may not be performed by a person while holding
21 himself or herself out as an electrologist or in any manner
22 that indicates that the services are part of the practice of
23 electrology.

24 Nothing in this Act shall prohibit the use of the terms
25 "electrology" or "electrologist" by a salon or shop registered

1 under the Barber, Cosmetology, Esthetics, Hair Braiding, and
2 Nail Technology Act of 1985 as long as the salon offers
3 electrology services in accordance with this Act.

4 (Source: P.A. 96-569, eff. 8-18-09.)

5 Section 65. The Professional Service Corporation Act is
6 amended by changing Section 3.6 as follows:

7 (805 ILCS 10/3.6) (from Ch. 32, par. 415-3.6)

8 Sec. 3.6. "Related professions" and "related professional
9 services" mean more than one personal service which requires
10 as a condition precedent to the rendering thereof the
11 obtaining of a license and which prior to October 1, 1973 could
12 not be performed by a corporation by reason of law; provided,
13 however, that these terms shall be restricted to:

14 (1) a combination of 2 or more of the following
15 personal services: (a) "architecture" as defined in
16 Section 5 of the Illinois Architecture Practice Act of
17 1989, (b) "professional engineering" as defined in Section
18 4 of the Professional Engineering Practice Act of 1989,
19 (c) "structural engineering" as defined in Section 5 of
20 the Structural Engineering Practice Act of 1989, (d) "land
21 surveying" as defined in Section 2 of the Illinois
22 Professional Land Surveyor Act of 1989;

23 (2) a combination of the following personal services:

24 (a) the practice of medicine by persons licensed under the

1 Medical Practice Act of 1987, (b) the practice of podiatry
2 as defined in the Podiatric Medical Practice Act of 1987,
3 (c) the practice of dentistry as defined in the Illinois
4 Dental Practice Act, (d) the practice of optometry as
5 defined in the Illinois Optometric Practice Act of 1987;

6 (3) a combination of 2 or more of the following
7 personal services: (a) the practice of clinical psychology
8 by persons licensed under the Clinical Psychologist
9 Licensing Act, (b) the practice of social work or clinical
10 social work by persons licensed under the Clinical Social
11 Work and Social Work Practice Act, (c) the practice of
12 marriage and family therapy by persons licensed under the
13 Marriage and Family Therapy Licensing Act, (d) the
14 practice of professional counseling or clinical
15 professional counseling by persons licensed under the
16 Professional Counselor and Clinical Professional Counselor
17 Licensing and Practice Act, or (e) the practice of sex
18 offender evaluations by persons licensed under the Sex
19 Offender Evaluation and Treatment Provider Act; ~~or~~

20 (4) a combination of 2 or more of the following
21 personal services: (a) the practice of acupuncture by
22 persons licensed under the Acupuncture Practice Act, (b)
23 the practice of massage by persons licensed under the
24 Massage Therapy Practice Act, (c) the practice of
25 naprapathy by persons licensed under the Naprapathic
26 Practice Act, (d) the practice of occupational therapy by

1 persons licensed under the Illinois Occupational Therapy
2 Practice Act, (e) the practice of physical therapy by
3 persons licensed under the Illinois Physical Therapy Act,
4 or (f) the practice of speech-language therapy by persons
5 licensed under the Illinois Speech-Language Pathology and
6 Audiology Practice Act; ~~or-~~

7 (5) a combination of 2 or more of the following
8 personal services: (a) services provided by persons
9 licensed under the Barber, Cosmetology, Esthetics, Hair
10 Braiding, and Nail Technology Act of 1985, (b) the
11 practice of massage therapy by persons licensed under the
12 Massage Therapy Practice Act, or (c) the practice of
13 electrology by persons licensed under the Electrologist
14 Licensing Act.

15 (Source: P.A. 101-95, eff. 7-19-19; 102-20, eff. 1-1-22.)

16 Section 70. The Professional Limited Liability Company Act
17 is amended by changing Section 13 as follows:

18 (805 ILCS 185/13)

19 Sec. 13. Nature of business.

20 (a) A professional limited liability company may be formed
21 to provide a professional service or services licensed by the
22 Department except:

23 (1) the practice of dentistry unless all the members
24 and managers are licensed as dentists under the Illinois

1 Dental Practice Act;

2 (2) the practice of medicine unless all the managers,
3 if any, are licensed to practice medicine under the
4 Medical Practice Act of 1987 and each member is either:

5 (A) licensed to practice medicine under the
6 Medical Practice Act of 1987;

7 (B) a registered medical corporation or
8 corporations organized pursuant to the Medical
9 Corporation Act;

10 (C) a professional corporation organized pursuant
11 to the Professional Service Corporation Act of
12 physicians licensed to practice under the Medical
13 Practice Act of 1987;

14 (D) a hospital or hospital affiliate as defined in
15 Section 10.8 of the Hospital Licensing Act; or

16 (E) a professional limited liability company that
17 satisfies the requirements of subparagraph (A), (B),
18 (C), or (D);

19 (3) the practice of real estate unless all the members
20 and managers, if any, that actively participate in the
21 real estate activities of the professional limited
22 liability company are licensed to practice as a managing
23 broker or broker pursuant to the Real Estate License Act
24 of 2000. All nonparticipating members or managers shall
25 submit affidavits of nonparticipation as required by the
26 Department and the Real Estate License Act of 2000;

1 (4) the practice of clinical psychology unless all the
2 managers and members are licensed to practice as a
3 clinical psychologist under the Clinical Psychologist
4 Licensing Act;

5 (5) the practice of social work unless all the
6 managers and members are licensed to practice as a
7 clinical social worker or social worker under the Clinical
8 Social Work and Social Work Practice Act;

9 (6) the practice of marriage and family therapy unless
10 all the managers and members are licensed to practice as a
11 marriage and family therapist under the Marriage and
12 Family Therapy Licensing Act;

13 (7) the practice of professional counseling unless all
14 the managers and members are licensed to practice as a
15 clinical professional counselor or a professional
16 counselor under the Professional Counselor and Clinical
17 Professional Counselor Licensing and Practice Act;

18 (8) the practice of sex offender evaluation and
19 treatment unless all the managers and members are licensed
20 to practice as a sex offender evaluator or sex offender
21 treatment provider under the Sex Offender Evaluation and
22 Treatment Provider Act; or

23 (9) the practice of veterinary medicine unless all the
24 managers and members are licensed to practice as a
25 veterinarian under the Veterinary Medicine and Surgery
26 Practice Act of 2004.

1 (b) Notwithstanding any provision of this Section, any of
2 the following professional services may be combined and
3 offered within a single professional limited liability company
4 provided that each professional service is offered only by
5 persons licensed to provide that professional service and all
6 managers and members are licensed in at least one of the
7 professional services offered by the professional limited
8 liability company:

9 (1) the practice of medicine by physicians licensed
10 under the Medical Practice Act of 1987, the practice of
11 podiatry by podiatric physicians licensed under the
12 Podiatric Medical Practice Act of 1987, the practice of
13 dentistry by dentists licensed under the Illinois Dental
14 Practice Act, and the practice of optometry by
15 optometrists licensed under the Illinois Optometric
16 Practice Act of 1987;

17 (2) the practice of clinical psychology by clinical
18 psychologists licensed under the Clinical Psychologist
19 Licensing Act, the practice of social work by clinical
20 social workers or social workers licensed under the
21 Clinical Social Work and Social Work Practice Act, the
22 practice of marriage and family counseling by marriage and
23 family therapists licensed under the Marriage and Family
24 Therapy Licensing Act, the practice of professional
25 counseling by professional counselors and clinical
26 professional counselors licensed under the Professional

1 Counselor and Clinical Professional Counselor Licensing
2 and Practice Act, and the practice of sex offender
3 evaluation and treatment by sex offender evaluators and
4 sex offender treatment providers licensed under the Sex
5 Offender Evaluation and Treatment Provider Act;

6 (3) the practice of architecture by persons licensed
7 under the Illinois Architecture Practice Act of 1989, the
8 practice of professional engineering by persons licensed
9 under the Professional Engineering Practice Act of 1989,
10 the practice of structural engineering by persons licensed
11 under the Structural Engineering Practice Act of 1989, and
12 the practice of land surveying by persons licensed under
13 the Illinois Professional Land Surveyor Act of 1989; ~~or~~

14 (4) the practice of acupuncture by persons licensed
15 under the Acupuncture Practice Act, the practice of
16 massage by persons licensed under the Massage Licensing
17 Act, the practice of naprapathy by persons licensed under
18 the Naprapathic Practice Act, the practice of occupational
19 therapy by persons licensed under the Illinois
20 Occupational Therapy Practice Act, the practice of
21 physical therapy by persons licensed under the Illinois
22 Physical Therapy Act, and the practice of speech-language
23 pathology by persons licensed under the Illinois
24 Speech-Language Pathology and Audiology Practice Act; ~~or~~

25 (5) services provided by persons licensed under the
26 Barber, Cosmetology, Esthetics, Hair Braiding, and Nail

1 Technology Act of 1985, the practice of massage therapy by
2 persons licensed under the Massage Therapy Practice Act,
3 and the practice of electrology by persons licensed under
4 the Electrologist Licensing Act.

5 (Source: P.A. 102-970, eff. 5-27-22.)

6 Section 99. Effective date. This Act takes effect upon
7 becoming law.