**Section 1130.300 Disciplinary Sanctions**

Upon a finding by the Department that a person has committed a violation of any licensing Act administered by the Department with regard to licenses, certificates or authorities of persons exercising their respective professions, trades or occupations, the Department may revoke, suspend, refuse to renew, place on probationary status, fine, or take any other disciplinary action as authorized in any licensing Act administered by the Department with regard to those licenses, certificates or authorities. When making a determination of the appropriate disciplinary sanction to be imposed, the Department shall consider, but is not limited to, the following factors in aggravation and mitigation:

a) Factors in Aggravation

1) The seriousness of the offenses;

2) The presence of multiple offenses;

3) Prior disciplinary history, including actions taken by other agencies in this State or by other states or jurisdictions, hospitals, healthcare facilities, residency programs, employers, insurance providers, or any of the armed forces of the United States or any state;

4) The impact of the offenses on any injured party;

5) The vulnerability of any injured party when considering such elements as, but not limited to, the injured party's age, disability or mental illness;

6) The motive for the offense;

7) The lack of contrition for the offenses;

8) Financial gain as a result of committing the offenses; and

9) The lack of cooperation with the Department or other investigative authorities.

b) Factors in Mitigation

1) The lack of prior disciplinary action by the Department or by other agencies in this State or by other states or jurisdictions, hospitals, healthcare facilities, residency programs, employers, insurance providers, or any of the armed forces of the United States or any state;

2) Contrition for the offenses;

3) Cooperation with the Department or other investigative authorities;

4) Restitution to injured parties;

5) Self-reporting of the misconduct; and

6) Any voluntary remedial actions taken.

c) The Division shall not renew a license if the licensee has an unpaid fine from a disciplinary matter or an unpaid fee from a non-disciplinary action imposed by the Division until the fine or fee is paid to the Division or the licensee has entered into a payment plan and is current on the required payments.

d) The Division shall not issue a license if the applicant has an unpaid fine imposed by the Division for unlicensed practice until the fine is paid to the Division or the applicant has entered into a payment plan and is current on the required payments.

(Source: Section 1130.300 renumbered from Section 1130.200 and amended at 43 Ill. Reg. 5297, effective May 10, 2019)