**Section 1247.85 Dishonorable, Unethical, or Unprofessional Conduct**

The Department may suspend or refuse to renew or revoke or take any other disciplinary actions authorized by the Act based upon its finding of dishonorable, unethical, or unprofessional conduct within the meaning of Section 35(a)(8) of the Act which is interpreted to include, but is not limited to, the following acts or practices conducted by the licensee:

a) Making a gross or material misstatement in any document or statement related to practice, making misleading claims about professional qualifications or furnishing inaccurate information to the Division;

b) Engaging in conduct likely to deceive or defraud or harm the public, actual injury need not be established;

c) Negligence in practice or committing gross or multiple acts of negligence in practice;

d) Practicing beyond ones’ competency providing services and techniques for which one is not qualified by education, training, or experience − performing or pretending to be able to perform professional services beyond one’s scope of practice and one’s competency;

e) The disclosure to unauthorized persons of confidential or non-public information obtained during the course of providing professional services or failing to take appropriate steps to protect such information from unauthorized or unintended disclosure;

f) Failing to disclose conflicts of interest to an employer or client;

g) Allowing a license to be used by another person or using another’s license;

h) Engaging in the solicitation or acceptance of gratuities, directly or indirectly, from any person or entity in connection with professional services or work for which the licensee is responsible;

i) Failing to be completely objective and truthful in all professional reports, statements, or testimony;

j) Violating the ethical standards of the profession in accordance with Section 35 of the Act;

k) Failing to properly supervise any subordinate or trainee under the licensee’s supervision;

l) Engaging in activities that cause actual harm to any member of the public,

m) Submitting fraudulent billing or reports to an employer or any third party or claiming a fee for a service that is not performed or earned; or

n) Discriminating in any manner against a person or group based upon that person or group in violation of the Illinois Human Rights Act [775 ILCS 5].

(Source: Added at 47 Ill. Reg. 1311, effective January 10, 2023)