

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 changing
5 Section 4.30 and by adding Section 4.40 as follows:

6 (5 ILCS 80/4.30)

7 Sec. 4.30. Acts repealed on January 1, 2020. The following
8 Acts are repealed on January 1, 2020:

9 The Auction License Act.

10 The Community Association Manager Licensing and
11 Disciplinary Act.

12 The Illinois Architecture Practice Act of 1989.

13 The Illinois Landscape Architecture Act of 1989.

14 The Illinois Professional Land Surveyor Act of 1989.

15 The Orthotics, Prosthetics, and Pedorthics Practice Act.

16 ~~The Perfusionist Practice Act.~~

17 The Pharmacy Practice Act.

18 The Professional Engineering Practice Act of 1989.

19 The Real Estate License Act of 2000.

20 The Structural Engineering Practice Act of 1989.

21 (Source: P.A. 100-497, eff. 9-8-17; 100-534, eff. 9-22-17;
22 100-863, eff. 8-14-18.)

1 (5 ILCS 80/4.40 new)

2 Sec. 4.40. Act repealed on January 1, 2030. The following
3 Act is repealed on January 1, 2030:

4 The Perfusionist Practice Act.

5 Section 10. The Perfusionist Practice Act is amended by
6 changing Sections 10, 15, 25, 30, 60, 65, 70, 75, 80, 90, 105,
7 115, 120, 125, 140, 150, 170, 185, 200, 210, and 220 and by
8 adding Sections 11, 26, and 31 as follows:

9 (225 ILCS 125/10)

10 (Section scheduled to be repealed on January 1, 2020)

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

12 "Address of Record" means the designated address recorded
13 by the Department in the applicant's or licensee's application
14 file or license file maintained by the Department. ~~It is the~~
15 ~~duty of the applicant or licensee to inform the Department of~~
16 ~~any change of address, and such changes must be made either~~
17 ~~through the Department's website or by directly contacting the~~
18 ~~Department.~~

19 "Board" means the Board of Licensing for Perfusionists.

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

22 "Email address of record" means the designated email
23 address of record 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 "Extracorporeal circulation" means the diversion of a
3 patient's blood through a heart-lung machine or a similar
4 device that assumes the functions of the patient's heart,
5 lungs, kidney, liver, or other organs.

6 "New graduate perfusionist" means a perfusionist
7 practicing within a period of one year since the date of
8 graduation from a Commission on Accreditation of Allied Health
9 Education Programs accredited perfusion education program.

10 "Perfusion" means the functions necessary for the support,
11 treatment, measurement, or supplementation of the
12 cardiovascular systems or other organs, or a combination of
13 those functions, and to ensure the safe management of
14 physiologic functions by monitoring and analyzing the
15 parameters of the systems under an order and under the
16 supervision of a physician licensed to practice medicine in all
17 its branches.

18 "Perfusionist" means a person, qualified by academic and
19 clinical education, to operate the extracorporeal circulation
20 equipment during any medical situation where it is necessary to
21 support or replace a person's cardiopulmonary, circulatory, or
22 respiratory function. A perfusionist is responsible for the
23 selection of appropriate equipment and techniques necessary
24 for support, treatment, measurement, or supplementation of the
25 cardiopulmonary and circulatory system of a patient, including
26 the safe monitoring, analysis, and treatment of physiologic

1 conditions under an order and under the supervision of a
2 physician licensed to practice medicine in all its branches and
3 in coordination with a registered professional nurse.

4 "Perfusion protocols" means perfusion related policies and
5 protocols developed or approved by a licensed health facility
6 or a physician through collaboration with administrators,
7 licensed perfusionists, and other health care professionals.

8 "Physician" or "operating physician" means a person
9 licensed to practice medicine in all of its branches under the
10 Medical Practice Act of 1987.

11 "Secretary" means the Secretary of the Department of
12 Financial and Professional Regulation.

13 (Source: P.A. 96-682, eff. 8-25-09.)

14 (225 ILCS 125/11 new)

15 Sec. 11. Address of record; email address of record. All
16 applicants and licensees shall:

17 (1) provide a valid address and email address to the
18 Department, which shall serve as the address of record and
19 email address of record, respectively, at the time of
20 application for licensure or renewal of a license; and

21 (2) inform the Department of any change of address of
22 record or email address of record within 14 days after such
23 change either through the Department's website or by
24 contacting the Department's licensure maintenance unit.

1 (225 ILCS 125/15)

2 (Section scheduled to be repealed on January 1, 2020)

3 Sec. 15. Functions, powers, ~~Powers~~ and duties of the
4 Department. The Department shall, subject ~~Subject~~ to the
5 provisions of this Act, exercise the following functions,
6 powers, and duties ~~the Department may:~~

7 (1) Authorize examinations to ascertain the fitness
8 and qualifications of applicants for licensure and pass ~~(a)~~
9 ~~Pass~~ upon the qualifications of applicants for licensure by
10 endorsement.

11 (2) Adopt rules required for the administration of this
12 Act ~~(b) Conduct hearings on proceedings to refuse to issue~~
13 ~~or renew a license, or to revoke or suspend a license, or~~
14 ~~to place on probation, reprimand, or take any other~~
15 ~~disciplinary or non-disciplinary action with regard to a~~
16 ~~person licensed under this Act.~~

17 (3) ~~(c)~~ Formulate rules required for the
18 administration of this Act.

19 (4) Conduct hearings on proceedings to refuse to issue
20 or renew licenses, or to revoke, suspend, place on
21 probation, or reprimand persons licensed under this Act ~~(d)~~
22 ~~Obtain written recommendations from the Board regarding~~
23 ~~(i) curriculum content, standards of professional conduct,~~
24 ~~formal disciplinary actions, and the formulation of rules,~~
25 ~~and (ii) when petitioned by the applicant, opinions~~
26 ~~regarding the qualifications of applicants for licensing.~~

1 (5) Issue licenses to those who meet the requirements
2 of this Act ~~(e) Maintain rosters of the names and address~~
3 ~~of all licensees, and all persons whose licenses have been~~
4 ~~suspended, revoked, or denied renewal for cause or~~
5 ~~otherwise disciplined within the previous calendar year.~~
6 ~~These rosters shall be available upon written request and~~
7 ~~payment of the required fee as established by rule.~~

8 (6) Conduct investigations related to possible
9 violations of this Act.

10 (Source: P.A. 96-682, eff. 8-25-09.)

11 (225 ILCS 125/25)

12 (Section scheduled to be repealed on January 1, 2020)

13 Sec. 25. Board of Licensing for Perfusionists.

14 (a) The Secretary shall appoint a Board of Licensing for
15 Perfusionists ~~which shall serve in an advisory capacity to the~~
16 ~~Secretary.~~ The Board shall consist ~~be comprised~~ of 5 members
17 who shall serve in an advisory capacity to the Secretary
18 ~~persons appointed by the Secretary, who shall give due~~
19 ~~consideration to recommendations by members of the profession~~
20 ~~of perfusion and perfusion organizations within the State. All~~
21 shall be residents of Illinois. ~~(b)~~ Two members must hold an
22 active license to engage in the practice of perfusion in this
23 State. One ~~one~~ member shall ~~must~~ be a physician licensed
24 under the Medical Practice Act of 1987 who is board certified
25 in and actively engaged in the practice of cardiothoracic

1 surgery. One ~~one~~ member shall ~~must~~ be a licensed registered
2 professional nurse certified by the Association of
3 periOperative Registered Operating Room Nurses. In addition to
4 the 4 licensed members, there shall be ~~and~~ one public member.
5 The public member shall not hold a license ~~must be a member of~~
6 ~~the public who is not licensed~~ under this Act or a similar Act
7 of this State ~~another jurisdiction~~ and who shall have ~~has~~ no
8 connection with the profession of perfusion.

9 (b) ~~(e)~~ Members shall serve 4-year terms and until their
10 successors are appointed and qualified, ~~except that, of the~~
11 ~~initial appointments, 2 members shall be appointed to serve for~~
12 ~~2 years, 2 members shall be appointed to serve for 3 years, and~~
13 ~~1 member shall be appointed to serve for 4 years, and until~~
14 ~~their successors are appointed and qualified.~~

15 (c) In appointing members to the Board, the Secretary shall
16 give due consideration to recommendations made by members and
17 organizations of the perfusionist profession.

18 (d) The membership of the Board should reasonably reflect
19 representation from the geographic areas in this State.

20 (e) No member shall be reappointed to the Board for a term
21 that would cause his or her continuous service on the Board to
22 be longer than 8 consecutive years.

23 (f) ~~(d)~~ Appointments to fill vacancies shall be made in the
24 same manner as original appointments for the unexpired portion
25 of the vacated term.

26 ~~(c)~~ ~~The Board shall annually elect a chairperson and a~~

1 ~~vice chairperson who shall preside in the absence of the~~
2 ~~chairperson.~~

3 ~~(f) Insofar as possible, the licensed professionals~~
4 ~~appointed to serve on the Board shall be generally~~
5 ~~representative of the occupational and geographical~~
6 ~~distribution of licensed professionals within this State.~~

7 ~~(g) The Secretary may remove or suspend any member for~~
8 ~~cause at any time before the expiration of his or her term. The~~
9 ~~Secretary shall be the sole arbiter of cause.~~

10 ~~(h) The Secretary may give due consideration to all~~
11 ~~recommendations of the Board.~~

12 (g) (i) Three Board members shall constitute a quorum. A
13 quorum is required for all Board decisions.

14 (h) The Secretary may terminate the appointment of any
15 member for cause which in the opinion of the Secretary
16 reasonably justified such termination which may include, but is
17 not limited to, a Board member who does not attend 2
18 consecutive meetings.

19 (i) Notice of proposed rulemaking shall be transmitted to
20 the Board and the Department shall review the response of the
21 Board and any recommendations made therein.

22 (j) Members of the Board shall have no liability in any
23 action based upon disciplinary proceedings or other activity
24 performed in good faith as members of the Board.

25 (k) Members of the Board shall be reimbursed for all
26 legitimate, necessary, and authorized expenses.

1 ~~(j) Except for willful or wanton misconduct, members of the~~
2 ~~Board shall be immune from liability in any action based upon~~
3 ~~any disciplinary proceeding or other activity performed in good~~
4 ~~faith as a member of the Board.~~

5 (Source: P.A. 96-682, eff. 8-25-09.)

6 (225 ILCS 125/26 new)

7 Sec. 26. Powers and duties of the Board. Subject to the
8 provisions of this Act, the Board shall exercise the following
9 functions, powers, and duties:

10 (1) The Board shall hold at least 2 regular meetings
11 each year.

12 (2) The Board shall annually elect a Chairperson and a
13 Vice Chairperson, both of whom shall be Illinois licensed
14 perfusionists.

15 (3) The Board, upon request by the Department, may make
16 an evaluation to approve a perfusionist program,
17 examination, or certification.

18 (4) The Board shall assist the Department in conducting
19 oral interviews, disciplinary conferences, informal
20 conferences, and formal evidentiary hearings.

21 The Department may at any time seek the expert advice and
22 knowledge of the Board on any matter related to the enforcement
23 of this Act.

24 (225 ILCS 125/30)

1 (Section scheduled to be repealed on January 1, 2020)

2 Sec. 30. Application for licensure.

3 (a) An application for an original ~~initial~~ license shall be
4 made to the Department in writing on forms ~~or electronically as~~
5 prescribed by the Department and shall be accompanied by the
6 required ~~nonrefundable~~ fee, which shall not be refundable. All
7 applications shall contain information that, in the judgment of
8 the Department, will enable the Department to pass on the
9 qualifications of the applicant for a license as a
10 perfusionist. An application shall require information that,
11 in the judgment of the Department, will enable the Department
12 to evaluate the qualifications of an applicant for licensure.

13 (b) If an applicant fails to obtain a license under this
14 Act within 3 years after filing his or her application, the
15 application shall be denied, the fee shall be forfeited, and
16 the applicant must reapply and meet the requirements in effect
17 at the time of reapplication. The applicant may make a new
18 application, which shall be accompanied by the required
19 nonrefundable fee. The applicant shall be required to meet the
20 qualifications required for licensure at the time of
21 reapplication.

22 A person shall be qualified for licensure as a perfusionist
23 if that person:

24 (1) has applied to the Department for licensure in
25 accordance with this Section;

26 (2) has not violated a provision of Section 110 of this

1 ~~Act; in addition the Department may take into consideration~~
2 ~~any felony conviction of the applicant, but a conviction~~
3 ~~shall not operate as an absolute bar to licensure; and~~

4 ~~(3) has successfully completed the examination~~
5 ~~provided by the American Board of Cardiovascular Perfusion~~
6 ~~(ABCP) or its successor agency or a substantially~~
7 ~~equivalent examination approved by the Department;~~

8 ~~(4) has met the requirements for certification set~~
9 ~~forth by the American Board of Cardiovascular Perfusion or~~
10 ~~its successor agency; and~~

11 ~~(5) has graduated from a school accredited by the~~
12 ~~Commission on the Accreditation of Allied Health Education~~
13 ~~Programs (CAAHEP) or a similar accrediting body approved by~~
14 ~~the Department.~~

15 (Source: P.A. 91-580, eff. 1-1-00.)

16 (225 ILCS 125/31 new)

17 Sec. 31. Qualification. A person shall be qualified for
18 licensure as a perfusionist if that person:

19 (1) has applied to the Department for licensure in
20 accordance with this Act;

21 (2) has not violated any provision of this Act; and

22 (3) has met the requirements for licensure as set forth
23 by this Act and rules.

24 (225 ILCS 125/60)

1 (Section scheduled to be repealed on January 1, 2020)

2 Sec. 60. Display of license; ~~change of address~~. A licensee
3 shall maintain on file at all times during which the licensee
4 provides services in a health care facility a true and correct
5 copy of the license certificate in the appropriate records of
6 the facility.

7 (Source: P.A. 96-682, eff. 8-25-09.)

8 (225 ILCS 125/65)

9 (Section scheduled to be repealed on January 1, 2020)

10 Sec. 65. Endorsement ~~Licensure by endorsement~~.

11 (a) The Department may, upon application in writing on
12 forms or electronically accompanied by the required fee, issue
13 a license as a perfusionist to an applicant who is a
14 perfusionist licensed under the law of another state, the
15 District of Columbia, territory, or country, if the
16 requirements for licensure in that jurisdiction were, at the
17 date of original licensure, substantially equivalent to the
18 requirements in force in this State.

19 (b) An applicant who holds a current certificate as a
20 certified clinical perfusionist issued by the American Board of
21 Cardiovascular Perfusion, or its equivalent, as approved by the
22 Department, prior to January 1, 1999 may apply for endorsement
23 as stated in subsection (a) of this Section.

24 (c) If the accuracy of any submitted documentation or
25 relevance or sufficiency of the course work or experience is

1 questioned by the Department or the Board because of a lack of
2 information, discrepancies, or conflicts in information given,
3 or a need for clarification, the applicant seeking licensure
4 may be required to provide additional information.

5 (d) Applicants have 3 years from the date of application to
6 complete the application process. If the process has not been
7 completed in 3 years, the application shall be denied, the fee
8 forfeited, and the applicant must reapply and meet the
9 requirements in effect at the time of reapplication.

10 ~~The Department may, in its discretion, license as a~~
11 ~~perfusionist, without examination and on payment of the~~
12 ~~required fee, an applicant who (1) is licensed as a~~
13 ~~perfusionist under the laws of another state, territory, or~~
14 ~~country, if the requirements for licensure in that state,~~
15 ~~territory, or country in which the applicant was licensed were,~~
16 ~~at the date of his or her licensure, substantially equal to the~~
17 ~~requirements in force in this State on that date or (2) holds a~~
18 ~~current certificate as a certified clinical perfusionist~~
19 ~~issued by the American Board of Cardiovascular Perfusion~~
20 ~~(ABCP), or its successor organization, prior to January 1,~~
21 ~~1999.~~

22 (Source: P.A. 91-580, eff. 1-1-00.)

23 (225 ILCS 125/70)

24 (Section scheduled to be repealed on January 1, 2020)

25 Sec. 70. Renewal, reinstatement, or restoration of

1 license; persons in military service.

2 (a) The expiration date and renewal period for each license
3 issued under this Act shall be set by the Department by rule.
4 The holder of a license ~~A licensee~~ may renew the ~~his or her~~
5 license during the month preceding the expiration date of the
6 license by paying the required fee. ~~It is the responsibility of~~
7 ~~the licensee to notify the Department in writing of a change of~~
8 ~~address.~~

9 (b) A licensee who has permitted his or her license to
10 expire or who has had his or her license placed on inactive
11 status may have his or her ~~the~~ license restored by making
12 application to the Department, and ~~by~~ filing proof acceptable
13 to the Department of his or her fitness to have the license
14 restored, including, but not limited to, sworn practice in
15 another jurisdiction satisfactory to the Department and by
16 paying the required fees as determined by rule. ~~Proof of~~
17 ~~fitness may include sworn evidence certifying to active lawful~~
18 ~~practice in another jurisdiction.~~

19 (c) A perfusionist ~~If the licensee has not maintained an~~
20 ~~active practice in another jurisdiction satisfactory to the~~
21 ~~Department, the Department shall determine, by an evaluation~~
22 ~~program established by rule, his or her fitness for restoration~~
23 ~~of the license and shall establish procedures and requirements~~
24 ~~for restoration. However, a licensee whose license has expired~~
25 while engaged ~~he or she was~~ (1) in federal service on active
26 duty with the Armed Forces of the United States or the State

1 Militia called into service or training, or (2) in training or
2 education under the supervision of the United States before
3 induction into the military service, may have the license
4 restored or reinstated without paying any lapsed
5 reinstatement, renewal, or restoration fees if within 2 years
6 after ~~honorable~~ termination other than by dishonorable
7 discharge of such the service, training, or education and he or
8 ~~she~~ furnishes the Department is furnished with satisfactory
9 evidence ~~to the effect~~ that the licensee ~~he or she~~ has been so
10 engaged in the practice of perfusion and that such ~~and that his~~
11 ~~or her~~ service, training, or education has been so terminated.
12 (Source: P.A. 96-682, eff. 8-25-09.)

13 (225 ILCS 125/75)

14 (Section scheduled to be repealed on January 1, 2020)

15 Sec. 75. Continuing education. The Department may adopt
16 rules of continuing education for persons licensed under this
17 Act. The Department shall consider the recommendations of the
18 Board in establishing the guidelines for continuing education
19 requirements. The requirements of this Section shall apply to
20 any person seeking renewal or restoration under Sections 70 and
21 80 of this Act ~~licensees that require 30 hours of continuing~~
22 ~~education per 2 year license renewal cycle. The rules shall~~
23 ~~address variances in part or in whole for good cause, including~~
24 ~~without limitation temporary illness or hardship. The~~
25 ~~Department may approve continuing education programs offered,~~

1 ~~provided, and approved by the American Board of Cardiovascular~~
2 ~~Perfusion, or its successor agency. The Department may approve~~
3 ~~additional continuing education sponsors. Each licensee is~~
4 ~~responsible for maintaining records of his or her completion of~~
5 ~~the continuing education and shall be prepared to produce the~~
6 ~~records when requested by the Department.~~

7 (Source: P.A. 96-682, eff. 8-25-09.)

8 (225 ILCS 125/80)

9 (Section scheduled to be repealed on January 1, 2020)

10 Sec. 80. Inactive status. A person licensed under this Act
11 ~~licensee~~ who notifies the Department, in writing on forms
12 prescribed by the Department, may elect to place his or her
13 license on an inactive status and shall, subject to rules of
14 the Department, be excused from payment of renewal fees until
15 he or she notifies the Department in writing of his or her
16 intention to restore the license. ~~A licensee requesting~~
17 ~~restoration from inactive status shall pay the current renewal~~
18 ~~fee and shall restore his or her license in accordance with~~
19 ~~Section 70 of this Act.~~ A licensee whose license is on inactive
20 status shall not practice as a perfusionist in this State. ~~A~~
21 ~~licensee who engages in practice as a perfusionist while his or~~
22 ~~her license is lapsed or on inactive status shall be considered~~
23 ~~to be practicing without a license, which shall be grounds for~~
24 ~~discipline under Section 105 of this Act.~~

25 (Source: P.A. 91-580, eff. 1-1-00.)

1 (225 ILCS 125/90)

2 (Section scheduled to be repealed on January 1, 2020)

3 Sec. 90. Fees; deposit of fees and fines.

4 (a) The Department shall provide ~~set~~ by rule for a schedule
5 of fees to be paid for licenses by applicants for the
6 ~~administration of this Act, including, but not limited to, fees~~
7 ~~for initial and renewal licensure and restoration of a license.~~
8 All ~~The~~ fees are ~~shall be~~ nonrefundable.

9 (b) The fees for the administration and enforcement of the
10 Act, including but not limited to original licensure, renewal,
11 and restoration shall be set by rule by the Department.

12 (c) ~~(b)~~ All of the fees and fines collected as authorized
13 under this Act shall be deposited into the General Professions
14 Dedicated Fund. The monies deposited into the Fund shall be
15 appropriated to the Department for expenses of the Department
16 in the administration of this Act.

17 (Source: P.A. 96-682, eff. 8-25-09; 96-1000, eff. 7-2-10.)

18 (225 ILCS 125/105)

19 (Section scheduled to be repealed on January 1, 2020)

20 Sec. 105. Grounds for disciplinary action ~~Disciplinary~~
21 ~~actions.~~

22 (a) The Department may refuse to issue, renew, or restore a
23 license, or may revoke, ~~or~~ suspend a license, ~~or may~~ place on
24 probation, reprimand, or take any other disciplinary or

1 non-disciplinary action as the Department may deem proper ~~with~~
2 ~~regard to a person licensed under this Act,~~ including ~~but not~~
3 ~~limited to the imposition of~~ fines not to exceed \$10,000 per
4 ~~for each~~ violation with regard to any license issued under this
5 Act, for any one or a ~~any~~ combination of the following reasons
6 causes:

7 (1) Making a material misstatement in furnishing
8 information to the Department.

9 (2) Negligence, incompetence, or misconduct in the
10 practice of perfusion ~~Violation of this Act or any rule~~
11 ~~promulgated under this Act.~~

12 (3) Failure to comply with any provisions of this Act
13 or any of its rules ~~Conviction of, or entry of a plea of~~
14 ~~guilty or nolo contendere to, any crime that is a felony~~
15 ~~under the laws of the United States or any state or~~
16 ~~territory thereof, or any crime that is a misdemeanor of~~
17 ~~which an essential element is dishonesty, or any crime that~~
18 ~~is directly related to the practice as a perfusionist.~~

19 (4) Fraud or any misrepresentation in applying for or
20 procuring a license under this Act or in connection with
21 applying for renewal or restoration of a license under this
22 Act ~~Making a misrepresentation for the purpose of~~
23 ~~obtaining, renewing, or restoring a license.~~

24 (5) Purposefully making false statements or signing
25 false statements, certificates, or affidavits to induce
26 payment ~~Aiding or assisting another person in violating a~~

1 ~~provision of this Act or its rules.~~

2 (6) Conviction of or entry of a plea of guilty or nolo
3 contendere, finding of guilt, jury verdict, or entry of
4 judgment or sentencing, including, but not limited to,
5 convictions, preceding sentences of supervision,
6 conditional discharge, or first offender probation under
7 the laws of any jurisdiction of the United States that is
8 (i) a felony or (ii) a misdemeanor, an essential element of
9 which is dishonesty, that is directly related to the
10 practice of the profession of perfusion ~~Failing to provide~~
11 ~~information within 60 days in response to a written request~~
12 ~~made by the Department.~~

13 (7) Aiding or assisting another in violating any
14 provision of this Act or its rules ~~Engaging in~~
15 ~~dishonorable, unethical, or unprofessional conduct of a~~
16 ~~character likely to deceive, defraud, or harm the public,~~
17 ~~as defined by rule of the Department.~~

18 (8) Failing to provide information in response to a
19 written request made by the Department within 60 days after
20 receipt of such written request ~~Discipline by another~~
21 ~~state, the District of Columbia, or territory, or a foreign~~
22 ~~nation, if at least one of the grounds for discipline is~~
23 ~~the same or substantially equivalent to those set forth in~~
24 ~~this Section.~~

25 (9) Engaging in dishonorable, unethical, or
26 unprofessional conduct of a character likely to deceive,

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

17 (10) Habitual or excessive use or abuse of drugs
18 defined in law as controlled substances, of alcohol,
19 narcotics, stimulants, or any other substances that
20 results in the inability to practice with reasonable
21 judgment, skill, or safety ~~A finding by the Board that the~~
22 ~~licensee, after having his or her license placed on~~
23 ~~probationary status, has violated the terms of probation.~~

24 (11) A finding by the Department that an applicant or
25 licensee has failed to pay a fine imposed by the Department
26 ~~Wilfully making or filing false records or reports in his~~

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

3 (12) A finding by the Department that the licensee,
4 after having his or her license placed on probationary
5 status, has violated the terms of probation, or failed to
6 comply with such terms ~~Wilfully making or signing a false~~
7 ~~statement, certificate, or affidavit to induce payment.~~

8 (13) Inability to practice the profession with
9 reasonable judgment, skill, or safety as a result of
10 physical illness, including, but not limited to,
11 deterioration through the aging process, loss of motor
12 skill, mental illness, or disability ~~Wilfully failing to~~
13 ~~report an instance of suspected child abuse or neglect as~~
14 ~~required under the Abused and Neglected Child Reporting~~
15 ~~Act.~~

16 (14) Discipline by another state, territory, foreign
17 country, the District of Columbia, the United States
18 government, or any other government agency if at least one
19 of the grounds for discipline is the same or substantially
20 equivalent to those set forth in this Act ~~Being named as a~~
21 ~~perpetrator in an indicated report by the Department of~~
22 ~~Children and Family Services under the Abused and Neglected~~
23 ~~Child Reporting Act and upon proof by clear and convincing~~
24 ~~evidence that the licensee has caused a child to be an~~
25 ~~abused child or neglected child as defined in the Abused~~
26 ~~and Neglected Child Reporting Act.~~

1 (15) The making of any willfully false oath or
2 affirmation in any matter or proceeding where an oath or
3 affirmation is required by this Act ~~Employment of fraud,~~
4 ~~deception, or any unlawful means in applying for or~~
5 ~~securing a license as a perfusionist.~~

6 (16) Using or attempting to use an expired, inactive,
7 suspended, or revoked license, or the certificate or seal
8 of another, or impersonating another licensee ~~Allowing~~
9 ~~another person to use his or her license to practice.~~

10 (17) Directly or indirectly giving to or receiving from
11 any person or entity any fee, commission, rebate, or other
12 form of compensation for any professional service not
13 actually or personally rendered ~~Failure to report to the~~
14 ~~Department (A) any adverse final action taken against the~~
15 ~~licensee by another licensing jurisdiction, government~~
16 ~~agency, law enforcement agency, or any court or (B)~~
17 ~~liability for conduct that would constitute grounds for~~
18 ~~action as set forth in this Section.~~

19 (18) Willfully making or filing false records or
20 reports related to the licensee's practice, including, but
21 not limited to, false records filed with federal or State
22 agencies or departments ~~Inability to practice the~~
23 ~~profession with reasonable judgment, skill or safety as a~~
24 ~~result of a physical illness, including but not limited to~~
25 ~~deterioration through the aging process or loss of motor~~
26 ~~skill, or a mental illness or disability.~~

1 (19) Willfully failing to report an instance of
2 suspected child abuse or neglect as required under the
3 Abused and Neglected Child Reporting Act ~~Inability to~~
4 ~~practice the profession for which he or she is licensed~~
5 ~~with reasonable judgment, skill, or safety as a result of~~
6 ~~habitual or excessive use or addiction to alcohol,~~
7 ~~narcotics, stimulants, or any other chemical agent or drug.~~

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

15 (21) Immoral conduct in the commission of an act
16 related to the licensee's practice, including but not
17 limited to sexual abuse, sexual misconduct, or sexual
18 exploitation.

19 (22) Violation of the Health Care Worker Self-Referral
20 Act.

21 (23) Solicitation of business or professional
22 services, other than permitted advertising.

23 (24) Conviction of or cash compromise of a charge or
24 violation of the Illinois Controlled Substances Act.

25 (25) Gross, willful, or continued overcharging for
26 professional services, including filing false statements

1 for collection of fees for which services are not rendered.

2 (26) Practicing under a false name or, except as
3 allowed by law, an assumed name.

4 ~~(27) Violating any provision of this Act or the rules
5 promulgated under this Act, including, but not limited to,
6 advertising.~~

7 ~~(b) A licensee or applicant who, because of a physical or
8 mental illness or disability, including, but not limited to,
9 deterioration through the aging process or loss of motor skill,
10 is unable to practice the profession with reasonable judgment,
11 skill, or safety, may be required by the Department to submit
12 to care, counseling or treatment by physicians approved or
13 designated by the Department, as a condition, term, or
14 restriction for continued, reinstated, or renewed licensure to
15 practice. Submission to care, counseling or treatment as
16 required by the Department shall not be considered discipline
17 of the licensee. 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 suspend or revoke the license or otherwise discipline the
21 licensee. The Secretary may order the license suspended
22 immediately, pending a hearing by the Department. Fines shall
23 not be assessed in the disciplinary actions involving physical
24 or mental illness or impairment.~~

25 ~~(b-5) The Department may refuse to issue or may suspend,
26 without a hearing as provided for in the Civil Administrative~~

1 ~~Code of Illinois, the license of a person who fails to file a~~
2 ~~return, to pay the tax, penalty, or interest shown in a filed~~
3 ~~return, or to pay any final assessment of tax, penalty, or~~
4 ~~interest as required by any tax Act administered by the~~
5 ~~Department of Revenue, until such time as the requirements of~~
6 ~~the tax Act are satisfied in accordance with subsection (g) of~~
7 ~~Section 2105-15 of the Department of Professional Regulation~~
8 ~~Law of the Civil Administrative Code of Illinois (20 ILCS~~
9 ~~2105/2105-15).~~

10 ~~(c) The determination by a circuit court that a licensee is~~
11 ~~subject to involuntary admission or judicial admission as~~
12 ~~provided in the Mental Health and Developmental Disabilities~~
13 ~~Code, as amended, operates as an automatic suspension. The~~
14 ~~suspension will end only upon a finding by a court that the~~
15 ~~licensee is no longer subject to the involuntary admission or~~
16 ~~judicial admission and issues an order so finding and~~
17 ~~discharging the licensee; and upon the recommendation of the~~
18 ~~Board to the Secretary that the licensee be allowed to resume~~
19 ~~his or her practice.~~

20 (b) ~~(d)~~ In enforcing this Section, the Department or Board,
21 upon a showing of a possible violation, may order a licensee or
22 applicant to submit to a mental or physical examination, or
23 both, at the expense of the Department. The Department or Board
24 may order the examining physician to present testimony
25 concerning his or her examination of the licensee or applicant.
26 No information shall be excluded by reason of any common law or

1 statutory privilege relating to communications between the
2 licensee or applicant and the examining physician. The
3 examining physicians shall be specifically designated by the
4 Board or Department. The licensee or applicant may have, at his
5 or her own expense, another physician of his or her choice
6 present during all aspects of the examination. Failure of a
7 licensee or applicant to submit to any such examination when
8 directed, without reasonable cause as defined by rule, shall be
9 grounds for either the immediate suspension of his or her
10 license or immediate denial of his or her application.

11 (1) If the Secretary immediately suspends the license
12 of a licensee for his or her failure to submit to a mental
13 or physical examination when directed, a hearing must be
14 convened by the Department within 15 days after the
15 suspension and completed without appreciable delay.

16 (2) If the Secretary otherwise suspends a license
17 pursuant to the results of the licensee's mental or
18 physical examination, a hearing must be convened by the
19 Department within 15 days after the suspension and
20 completed without appreciable delay. The Department and
21 Board shall have the authority to review the licensee's
22 record of treatment and counseling regarding the relevant
23 impairment or impairments to the extent permitted by
24 applicable federal statutes and regulations safeguarding
25 the confidentiality of medical records.

26 (3) Any licensee suspended or otherwise affected under

1 this subsection (b) ~~(d)~~ shall be afforded an opportunity to
2 demonstrate to the Department or Board that he or she can
3 resume practice in compliance with the acceptable and
4 prevailing standards under the provisions of his or her
5 license.

6 (c) The determination by a circuit court that a licensee is
7 subject to involuntary admission or judicial admission as
8 provided in the Mental Health and Developmental Disabilities
9 Code operates as an automatic suspension. The suspension will
10 end only upon a finding by a court that the licensee is no
11 longer subject to the involuntary admission or judicial
12 admission and issues an order so finding and discharging the
13 licensee; and upon the recommendation of the Board to the
14 Secretary that the licensee be allowed to resume his or her
15 practice.

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

1 Civil Administrative Code of Illinois.

2 (e) The Department shall deny a license or renewal
3 authorized by this Act to a person who has failed to file a
4 return, to pay the tax, penalty, or interest shown in a filed
5 return, or to pay any final assessment of tax, penalty, or
6 interest as required by any tax Act administered by the
7 Department of Revenue, until the requirements of the tax Act
8 are satisfied in accordance with subsection (g) of Section
9 2105-15 of the Department of Professional Regulation Law of the
10 Civil Administrative Code of Illinois.

11 (Source: P.A. 98-756, eff. 7-16-14.)

12 (225 ILCS 125/115)

13 (Section scheduled to be repealed on January 1, 2020)

14 Sec. 115. Injunction ~~Injunctive action~~; cease and desist
15 order.

16 (a) If any person violates the provisions of this Act, the
17 Secretary, in the name of the People of the State of Illinois,
18 through the Attorney General or the State's Attorney of the
19 county in which the violation is alleged to have occurred, may
20 petition for an order enjoining the violation or for an order
21 enforcing compliance with this Act. Upon the filing of a
22 verified petition, the court with appropriate jurisdiction may
23 issue a temporary restraining order, without notice or bond,
24 and may preliminarily and permanently enjoin the violation. If
25 it is established that the person has violated or is violating

1 the injunction, the court may punish the offender for contempt
2 of court. Proceedings under this Section are in addition to,
3 and not in lieu of, all other remedies and penalties provided
4 by this Act.

5 (b) Whenever, in the opinion of the Department, a person
6 violates any provision of this Act, the Department may issue a
7 rule to show cause why an order to cease and desist should not
8 be entered against that person. The rule shall clearly set
9 forth the grounds relied upon the Department and shall allow at
10 least 7 days from the date of the rule to file an answer
11 satisfactory to the Department. Failure to answer to the
12 satisfaction of the Department shall cause an order to cease
13 and desist to be issued.

14 ~~(c) If a person practices as a perfusionist or holds~~
15 ~~himself or herself out as a perfusionist without being licensed~~
16 ~~under this Act, then any licensee under this Act, interested~~
17 ~~party, or person injured thereby, in addition to the Secretary~~
18 ~~or State's Attorney, may petition for relief as provided in~~
19 ~~subsection (a) of this Section.~~

20 (Source: P.A. 96-682, eff. 8-25-09.)

21 (225 ILCS 125/120)

22 (Section scheduled to be repealed on January 1, 2020)

23 Sec. 120. Investigation; notice; hearing.

24 (a) The Department may investigate the actions of any
25 applicant or of any person or entity holding or claiming to

1 hold a ~~perfusionist~~ license under this Act.

2 (b) The Department shall, before disciplining an applicant
3 or licensee, refusing to issue or renew, suspending, or
4 revoking a license or taking other discipline pursuant to
5 Section 105 of this Act, and at least 30 days prior to the date
6 set for the hearing, (i) notify in writing the applicant or
7 licensee of ~~the any~~ charges made and the time and ~~the~~ place for
8 the hearing on the charges, (ii) direct the applicant or
9 licensee ~~him or her~~ to file a written answer to the charges
10 ~~with the Board~~ under oath within 20 days after the service ~~on~~
11 ~~him or her~~ of the notice, and shall direct ~~the applicant or~~
12 ~~licensee~~ to file a written answer to the Department under oath
13 ~~within 20 days after the service on him or her of the notice~~
14 and (iii) inform the applicant or licensee accused that failure
15 to file a written answer to the charges will result in a
16 default being entered against the applicant or licensee, ~~if he~~
17 ~~or she fails to answer, default will be taken against him or~~
18 ~~her or that his or her license may be suspended, revoked, or~~
19 ~~placed on probationary status, or other disciplinary action may~~
20 ~~be taken with regard to the licensee, including limiting the~~
21 ~~scope, nature, or extent of practice, as the Department may~~
22 ~~consider proper.~~

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

1 (d) At the time and place fixed in the notice, the Board or
2 hearing officer appointed by the Secretary shall proceed to
3 hear the charges, and the parties or their counsel shall be
4 accorded ample opportunity to present any statement pertinent
5 ~~statements~~, testimony, evidence, and argument as may be
6 pertinent to the charges or to their defense arguments. The
7 Board or hearing officer may continue the hearing from time to
8 time.

9 (e) In case the licensee or applicant person, after
10 receiving the notice, fails to file an answer, his or her
11 license may, in the discretion of the Secretary Department,
12 having first received the recommendation of the Board, be
13 suspended, revoked, or placed on probationary status, or be
14 subject to the Department may take whatever disciplinary action
15 the Secretary ~~it~~ considers proper, including limiting the
16 scope, nature, or extent of the person's practice or ~~the~~
17 imposition of a fine, without a hearing, if the act or acts
18 charged constitute sufficient grounds for such action under
19 this Act. ~~The written notice may be served by personal delivery~~
20 ~~or by certified mail to the address of record or the address~~
21 ~~specified by the accused in his or her last communication with~~
22 ~~the Department.~~

23 (Source: P.A. 96-682, eff. 8-25-09.)

24 (225 ILCS 125/125)

25 (Section scheduled to be repealed on January 1, 2020)

1 Sec. 125. Record of proceedings.

2 (a) The Department, at its expense, shall preserve a record
3 of all proceedings at the formal hearing of any case in which a
4 license under this Act may be revoked, suspended, placed on
5 probationary status, reprimanded, fined, or subjected to other
6 disciplinary action with reference to the license when a
7 disciplinary action is authorized under this Act and rules ~~at a~~
8 ~~formal hearing conducted pursuant to Section 120 of this Act.~~
9 The notice of hearing, complaint, and all other documents in
10 the nature of pleadings and written motions filed in the
11 proceedings, the transcript of testimony, the report of the
12 Board or hearing officer, and orders of the Department shall be
13 the record of the proceeding. The record may be made available
14 to any ~~The Department shall supply a transcript of the record~~
15 ~~to a~~ person interested in the hearing on payment of the fee
16 required under Section 2105-115 of the Department of
17 Professional Regulation Law.

18 (b) The Department may contract for court reporting
19 services, and, if it does so, the Department shall provide the
20 name and contact information for the certified shorthand
21 reporter who transcribed the testimony at a hearing to any
22 person interested, who may obtain a copy of the transcript of
23 any proceedings at a hearing upon payment of the fee specified
24 by the certified shorthand reporter.

25 (Source: P.A. 99-642, eff. 7-28-16.)

1 (225 ILCS 125/140)

2 (Section scheduled to be repealed on January 1, 2020)

3 Sec. 140. Subpoena; depositions; oaths.

4 (a) The Department has the power to subpoena documents,
5 books, records or other materials and to bring before it any
6 person and to take testimony either orally or by deposition,
7 with the same fees and mileage and in the same manner as is
8 prescribed in civil cases in circuit courts of this State.

9 (b) The Secretary, the designated hearing officer, and any
10 Board member has the power to administer oaths to witnesses at
11 any hearing that the Department is authorized to conduct, and
12 any other oaths authorized in any Act administered by the
13 Department.

14 (Source: P.A. 96-682, eff. 8-25-09.)

15 (225 ILCS 125/150)

16 (Section scheduled to be repealed on January 1, 2020)

17 Sec. 150. Hearing; motion for Board, rehearing.

18 (a) The Board or hearing officer appointed by the Secretary
19 shall hear evidence in support of the formal charges and
20 evidence produced by the licensee. At the conclusion of the
21 hearing, the Board or hearing officer shall present to the
22 Secretary a written report of its findings of fact, conclusions
23 of law, and recommendations. If the Board fails to present its
24 report, the applicant or licensee may request in writing a
25 direct appeal to the Secretary, in which case the Secretary may

1 issue an order based upon the report of the hearing officer and
2 the record of the proceedings or issue an order remanding the
3 matter back to the hearing officer for additional proceedings
4 in accordance with the order.

5 (b) At the conclusion of the hearing, a copy of the Board's
6 report shall be served upon the applicant or licensee by the
7 Department, either personally or as provided in this Act for
8 the service of a notice of hearing. Within 20 days after such
9 ~~the~~ service, the applicant or licensee may present to the
10 Department a motion in writing for a rehearing, which shall
11 specify the particular grounds for a rehearing. The Department
12 may respond to the motion for rehearing within 20 days after
13 its service on the Department. If no motion for rehearing is
14 filed, then upon the expiration of the specified time for
15 filing such a motion, or upon denial of ~~if~~ a motion for
16 rehearing ~~is denied, then upon the denial~~ the Secretary may
17 enter an order in accordance with the recommendations of the
18 Board or hearing officer , ~~except as provided in Section 160 of~~
19 ~~this Act~~. If the applicant or licensee orders ~~a transcript of~~
20 ~~the record~~ from the reporting service and pays for a ~~the~~
21 transcript of the record within the time for filing a motion
22 for rehearing, the 20-day period within which such a motion may
23 be filed shall commence upon the delivery of the transcript to
24 the applicant or licensee.

25 (c) If the Secretary disagrees in any regard with the
26 report of the Board, the Secretary may issue an order contrary

1 to the report.

2 (d) Whenever the Secretary is not satisfied that
3 substantial justice has been done, the Secretary may order a
4 hearing by the same or another hearing officer.

5 (e) At any point in any investigation or disciplinary
6 proceeding provided for in this Act, both parties may agree to
7 a negotiated consent order. The consent order shall be final
8 upon signature of the Secretary.

9 (Source: P.A. 96-682, eff. 8-25-09.)

10 (225 ILCS 125/170)

11 (Section scheduled to be repealed on January 1, 2020)

12 Sec. 170. Hearing officer. Notwithstanding any provision
13 of this Act, the ~~The~~ Secretary shall have the authority to
14 appoint an attorney licensed to practice law in this State to
15 serve as the hearing officer in any action for refusal to
16 issue, restore, or renew a license or to discipline a licensee.
17 The Board may have at least one member present at any hearing
18 conducted by the hearing officer. The hearing officer shall
19 have full authority to conduct the hearing. ~~A Board member or~~
20 ~~members may attend the hearing.~~ The hearing officer shall
21 report his or her findings of fact, conclusions of law, and
22 recommendations to the Secretary and the Board. ~~The Board shall~~
23 ~~have 60 days from receipt of the report to review the report of~~
24 ~~the hearing officer and to present its findings of fact,~~
25 ~~conclusions of law, and recommendations to the Secretary and to~~

1 ~~all parties to the proceeding. If the Board fails to present~~
2 ~~its report within the 60 day period, the respondent may request~~
3 ~~in writing a direct appeal to the Secretary, in which case the~~
4 ~~Secretary shall, within 7 calendar days after such request,~~
5 ~~issue an order directing the Board to issue its findings of~~
6 ~~fact, conclusions of law, and recommendations to the Secretary~~
7 ~~within 30 calendar days of such order. If the Board fails to~~
8 ~~issue its findings of fact, conclusions of law, and~~
9 ~~recommendations within that time frame to the Secretary after~~
10 ~~the entry of such order, the Secretary shall, within 30~~
11 ~~calendar days thereafter, issue an order based upon the report~~
12 ~~of the hearing officer and the record of the proceedings in~~
13 ~~accordance with such order. If (i) a direct appeal is~~
14 ~~requested, (ii) the Board fails to issue its findings of fact,~~
15 ~~conclusions of law, and recommendations within its 30 day~~
16 ~~mandate from the Secretary or the Secretary fails to order the~~
17 ~~Board to do so, and (iii) the Secretary fails to issue an order~~
18 ~~within 30 calendar days thereafter, then the hearing officer's~~
19 ~~report is deemed accepted and a final decision of the~~
20 ~~Secretary. Notwithstanding the foregoing, should the~~
21 ~~Secretary, upon review, determine that substantial justice has~~
22 ~~not been done in the revocation, suspension, or refusal to~~
23 ~~issue or renew a license, or other disciplinary action taken~~
24 ~~per the result of the entry of such hearing officer's report,~~
25 ~~the Secretary may order a rehearing by the same or another~~
26 ~~examiner. If the Secretary disagrees with the recommendation of~~

1 ~~the Board or hearing officer, he or she may issue an order in~~
2 ~~contravention of the recommendation.~~

3 (Source: P.A. 96-682, eff. 8-25-09; 96-1000, eff. 7-2-10.)

4 (225 ILCS 125/185)

5 (Section scheduled to be repealed on January 1, 2020)

6 Sec. 185. Restoration from disciplinary status ~~of a~~
7 ~~suspended or revoked license.~~

8 (a) At any time after the successful completion of a term
9 of probation, suspension, or revocation of a license, the
10 Department may restore the license ~~it~~ to the licensee upon
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 (b) Where circumstances of suspension or revocation so
15 indicate, or on the recommendation of the Board, the Department
16 may require an examination of the licensee before restoring his
17 or her license.

18 (c) No person whose license has been revoked as authorized
19 in this Act may apply for restoration of that license until
20 such time as provided for in the Civil Administrative Code of
21 Illinois.

22 (d) A license that has been suspended or revoked shall be
23 considered nonrenewed for purposes of restoration and a
24 licensee restoring his or her license from suspension or
25 revocation must comply with the requirements for restoration as

1 set forth in Section 70 of this Act and any related rules
2 adopted.

3 (Source: P.A. 96-682, eff. 8-25-09.)

4 (225 ILCS 125/200)

5 (Section scheduled to be repealed on January 1, 2020)

6 Sec. 200. Temporary ~~Summary~~ suspension of a license. The
7 Secretary may temporarily ~~summarily~~ suspend the license of a
8 perfusionist without a hearing, simultaneously with the
9 institution of proceedings for a hearing provided for in
10 Section 120 of this Act, if the Secretary finds that evidence
11 in the Secretary's possession indicates that continuation in
12 practice would constitute an imminent danger to the public. If
13 ~~In the event~~ the Secretary suspends a license of a licensed
14 perfusionist without a hearing, a hearing must be commenced
15 within 30 days after the suspension has occurred and shall be
16 concluded as expeditiously as may be practical.

17 (Source: P.A. 96-682, eff. 8-25-09.)

18 (225 ILCS 125/210)

19 (Section scheduled to be repealed on January 1, 2020)

20 Sec. 210. Administrative review ~~Review Law~~.

21 (a) All final administrative decisions of the Department
22 are subject to judicial review under the Administrative Review
23 Law and its rules. The term "administrative decision" is
24 defined as in Section 3-101 of the Code of Civil Procedure.

1 (b) Proceedings for judicial review shall be commenced in
2 the circuit court of the county in which the party seeking
3 review resides. If the party seeking review is not a resident
4 of this State, venue shall be in Sangamon County.

5 (c) The Department shall not be required to certify any
6 record to the court or file any answer in court, or to
7 otherwise appear in any court in a judicial review proceeding,
8 unless and until the Department has received from the plaintiff
9 payment of the costs of furnishing and certifying the record,
10 which costs shall be determined by the Department.

11 (d) Failure on part of the plaintiff to file a receipt in
12 court shall be grounds for dismissal of the action.

13 (e) During the pendency and hearing of any and all judicial
14 proceedings incident to a disciplinary action, the sanctions
15 imposed upon the applicant or licensee by the Department shall
16 remain in full force and effect.

17 (Source: P.A. 91-580, eff. 1-1-00.)

18 (225 ILCS 125/220)

19 (Section scheduled to be repealed on January 1, 2020)

20 Sec. 220. Unlicensed practice; violations; civil
21 penalties.

22 (a) Any ~~No~~ person who practices shall practice, offers
23 ~~offer~~ to practice, attempts attempt to practice, or holds hold
24 himself or herself out to practice as a perfusionist without
25 being licensed or exempt a license issued by the Department to

1 ~~that person~~ under this Act shall, in ~~.(b) In~~ addition to any
2 other penalty provided by law, ~~a person who violates subsection~~
3 ~~(a) of this Section shall~~ pay a civil penalty to the Department
4 in an amount not to exceed \$10,000 for each offense as
5 determined by the Department. The civil penalty shall be
6 assessed by the Department after a hearing is held in
7 accordance with the provisions set forth in this Act regarding
8 the provisions of a hearing for the discipline of a licensee ~~of~~
9 ~~this Act.~~

10 (b) ~~(e)~~ The Department may ~~has the authority and power to~~
11 investigate any actual, alleged, or suspected ~~and all~~
12 unlicensed activity.

13 (c) ~~(d)~~ The civil penalty ~~assessed under this Act~~ shall be
14 paid within 60 days after the effective date of the order
15 imposing the civil penalty. The order shall constitute a final
16 judgment and may be filed and execution had thereon in the same
17 manner as a judgment from a court of record.

18 (d) A person or entity not licensed under this Act who has
19 violated any provision of this Act or its rules is guilty of a
20 Class A misdemeanor for the first offense and a Class 4 felony
21 for a second and subsequent offenses. ~~(e) All moneys collected~~
22 ~~under this Section shall be deposited into the General~~
23 ~~Professions Dedicated Fund.~~

24 (Source: P.A. 96-682, eff. 8-25-09.)

25 (225 ILCS 125/95 rep.)

1 (225 ILCS 125/100 rep.)

2 (225 ILCS 125/135 rep.)

3 (225 ILCS 125/145 rep.)

4 (225 ILCS 125/155 rep.)

5 (225 ILCS 125/212 rep.)

6 (225 ILCS 125/215 rep.)

7 (225 ILCS 125/225 rep.)

8 (225 ILCS 125/227 rep.)

9 Section 15. The Perfusionist Practice Act is amended by
10 repealing Sections 95, 100, 135, 145, 155, 212, 215, 225, and
11 227.

12 Section 99. Effective date. This Act takes effect upon
13 becoming law.