

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 3. The Freedom of Information Act is amended by
5 changing Section 7 as follows:

6 (5 ILCS 140/7)

7 (Text of Section before amendment by P.A. 102-982)

8 Sec. 7. Exemptions.

9 (1) When a request is made to inspect or copy a public
10 record that contains information that is exempt from
11 disclosure under this Section, but also contains information
12 that is not exempt from disclosure, the public body may elect
13 to redact the information that is exempt. The public body
14 shall make the remaining information available for inspection
15 and copying. Subject to this requirement, the following shall
16 be exempt from inspection and copying:

17 (a) Information specifically prohibited from
18 disclosure by federal or State law or rules and
19 regulations implementing federal or State law.

20 (b) Private information, unless disclosure is required
21 by another provision of this Act, a State or federal law,
22 or a court order.

23 (b-5) Files, documents, and other data or databases

1 maintained by one or more law enforcement agencies and
2 specifically designed to provide information to one or
3 more law enforcement agencies regarding the physical or
4 mental status of one or more individual subjects.

5 (c) Personal information contained within public
6 records, the disclosure of which would constitute a
7 clearly unwarranted invasion of personal privacy, unless
8 the disclosure is consented to in writing by the
9 individual subjects of the information. "Unwarranted
10 invasion of personal privacy" means the disclosure of
11 information that is highly personal or objectionable to a
12 reasonable person and in which the subject's right to
13 privacy outweighs any legitimate public interest in
14 obtaining the information. The disclosure of information
15 that bears on the public duties of public employees and
16 officials shall not be considered an invasion of personal
17 privacy.

18 (d) Records in the possession of any public body
19 created in the course of administrative enforcement
20 proceedings, and any law enforcement or correctional
21 agency for law enforcement purposes, but only to the
22 extent that disclosure would:

23 (i) interfere with pending or actually and
24 reasonably contemplated law enforcement proceedings
25 conducted by any law enforcement or correctional
26 agency that is the recipient of the request;

1 (ii) interfere with active administrative
2 enforcement proceedings conducted by the public body
3 that is the recipient of the request;

4 (iii) create a substantial likelihood that a
5 person will be deprived of a fair trial or an impartial
6 hearing;

7 (iv) unavoidably disclose the identity of a
8 confidential source, confidential information
9 furnished only by the confidential source, or persons
10 who file complaints with or provide information to
11 administrative, investigative, law enforcement, or
12 penal agencies; except that the identities of
13 witnesses to traffic accidents, traffic accident
14 reports, and rescue reports shall be provided by
15 agencies of local government, except when disclosure
16 would interfere with an active criminal investigation
17 conducted by the agency that is the recipient of the
18 request;

19 (v) disclose unique or specialized investigative
20 techniques other than those generally used and known
21 or disclose internal documents of correctional
22 agencies related to detection, observation, or
23 investigation of incidents of crime or misconduct, and
24 disclosure would result in demonstrable harm to the
25 agency or public body that is the recipient of the
26 request;

1 (vi) endanger the life or physical safety of law
2 enforcement personnel or any other person; or

3 (vii) obstruct an ongoing criminal investigation
4 by the agency that is the recipient of the request.

5 (d-5) A law enforcement record created for law
6 enforcement purposes and contained in a shared electronic
7 record management system if the law enforcement agency
8 that is the recipient of the request did not create the
9 record, did not participate in or have a role in any of the
10 events which are the subject of the record, and only has
11 access to the record through the shared electronic record
12 management system.

13 (d-6) Records contained in the Officer Professional
14 Conduct Database under Section 9.2 of the Illinois Police
15 Training Act, except to the extent authorized under that
16 Section. This includes the documents supplied to the
17 Illinois Law Enforcement Training Standards Board from the
18 Illinois State Police and Illinois State Police Merit
19 Board.

20 (e) Records that relate to or affect the security of
21 correctional institutions and detention facilities.

22 (e-5) Records requested by persons committed to the
23 Department of Corrections, Department of Human Services
24 Division of Mental Health, or a county jail if those
25 materials are available in the library of the correctional
26 institution or facility or jail where the inmate is

1 confined.

2 (e-6) Records requested by persons committed to the
3 Department of Corrections, Department of Human Services
4 Division of Mental Health, or a county jail if those
5 materials include records from staff members' personnel
6 files, staff rosters, or other staffing assignment
7 information.

8 (e-7) Records requested by persons committed to the
9 Department of Corrections or Department of Human Services
10 Division of Mental Health if those materials are available
11 through an administrative request to the Department of
12 Corrections or Department of Human Services Division of
13 Mental Health.

14 (e-8) Records requested by a person committed to the
15 Department of Corrections, Department of Human Services
16 Division of Mental Health, or a county jail, the
17 disclosure of which would result in the risk of harm to any
18 person or the risk of an escape from a jail or correctional
19 institution or facility.

20 (e-9) Records requested by a person in a county jail
21 or committed to the Department of Corrections or
22 Department of Human Services Division of Mental Health,
23 containing personal information pertaining to the person's
24 victim or the victim's family, including, but not limited
25 to, a victim's home address, home telephone number, work
26 or school address, work telephone number, social security

1 number, or any other identifying information, except as
2 may be relevant to a requester's current or potential case
3 or claim.

4 (e-10) Law enforcement records of other persons
5 requested by a person committed to the Department of
6 Corrections, Department of Human Services Division of
7 Mental Health, or a county jail, including, but not
8 limited to, arrest and booking records, mug shots, and
9 crime scene photographs, except as these records may be
10 relevant to the requester's current or potential case or
11 claim.

12 (f) Preliminary drafts, notes, recommendations,
13 memoranda, and other records in which opinions are
14 expressed, or policies or actions are formulated, except
15 that a specific record or relevant portion of a record
16 shall not be exempt when the record is publicly cited and
17 identified by the head of the public body. The exemption
18 provided in this paragraph (f) extends to all those
19 records of officers and agencies of the General Assembly
20 that pertain to the preparation of legislative documents.

21 (g) Trade secrets and commercial or financial
22 information obtained from a person or business where the
23 trade secrets or commercial or financial information are
24 furnished under a claim that they are proprietary,
25 privileged, or confidential, and that disclosure of the
26 trade secrets or commercial or financial information would

1 cause competitive harm to the person or business, and only
2 insofar as the claim directly applies to the records
3 requested.

4 The information included under this exemption includes
5 all trade secrets and commercial or financial information
6 obtained by a public body, including a public pension
7 fund, from a private equity fund or a privately held
8 company within the investment portfolio of a private
9 equity fund as a result of either investing or evaluating
10 a potential investment of public funds in a private equity
11 fund. The exemption contained in this item does not apply
12 to the aggregate financial performance information of a
13 private equity fund, nor to the identity of the fund's
14 managers or general partners. The exemption contained in
15 this item does not apply to the identity of a privately
16 held company within the investment portfolio of a private
17 equity fund, unless the disclosure of the identity of a
18 privately held company may cause competitive harm.

19 Nothing contained in this paragraph (g) shall be
20 construed to prevent a person or business from consenting
21 to disclosure.

22 (h) Proposals and bids for any contract, grant, or
23 agreement, including information which if it were
24 disclosed would frustrate procurement or give an advantage
25 to any person proposing to enter into a contractor
26 agreement with the body, until an award or final selection

1 is made. Information prepared by or for the body in
2 preparation of a bid solicitation shall be exempt until an
3 award or final selection is made.

4 (i) Valuable formulae, computer geographic systems,
5 designs, drawings, and research data obtained or produced
6 by any public body when disclosure could reasonably be
7 expected to produce private gain or public loss. The
8 exemption for "computer geographic systems" provided in
9 this paragraph (i) does not extend to requests made by
10 news media as defined in Section 2 of this Act when the
11 requested information is not otherwise exempt and the only
12 purpose of the request is to access and disseminate
13 information regarding the health, safety, welfare, or
14 legal rights of the general public.

15 (j) The following information pertaining to
16 educational matters:

17 (i) test questions, scoring keys, and other
18 examination data used to administer an academic
19 examination;

20 (ii) information received by a primary or
21 secondary school, college, or university under its
22 procedures for the evaluation of faculty members by
23 their academic peers;

24 (iii) information concerning a school or
25 university's adjudication of student disciplinary
26 cases, but only to the extent that disclosure would

1 unavoidably reveal the identity of the student; and
2 (iv) course materials or research materials used
3 by faculty members.

4 (k) Architects' plans, engineers' technical
5 submissions, and other construction related technical
6 documents for projects not constructed or developed in
7 whole or in part with public funds and the same for
8 projects constructed or developed with public funds,
9 including, but not limited to, power generating and
10 distribution stations and other transmission and
11 distribution facilities, water treatment facilities,
12 airport facilities, sport stadiums, convention centers,
13 and all government owned, operated, or occupied buildings,
14 but only to the extent that disclosure would compromise
15 security.

16 (l) Minutes of meetings of public bodies closed to the
17 public as provided in the Open Meetings Act until the
18 public body makes the minutes available to the public
19 under Section 2.06 of the Open Meetings Act.

20 (m) Communications between a public body and an
21 attorney or auditor representing the public body that
22 would not be subject to discovery in litigation, and
23 materials prepared or compiled by or for a public body in
24 anticipation of a criminal, civil, or administrative
25 proceeding upon the request of an attorney advising the
26 public body, and materials prepared or compiled with

1 respect to internal audits of public bodies.

2 (n) Records relating to a public body's adjudication
3 of employee grievances or disciplinary cases; however,
4 this exemption shall not extend to the final outcome of
5 cases in which discipline is imposed.

6 (o) Administrative or technical information associated
7 with automated data processing operations, including, but
8 not limited to, software, operating protocols, computer
9 program abstracts, file layouts, source listings, object
10 modules, load modules, user guides, documentation
11 pertaining to all logical and physical design of
12 computerized systems, employee manuals, and any other
13 information that, if disclosed, would jeopardize the
14 security of the system or its data or the security of
15 materials exempt under this Section.

16 (p) Records relating to collective negotiating matters
17 between public bodies and their employees or
18 representatives, except that any final contract or
19 agreement shall be subject to inspection and copying.

20 (q) Test questions, scoring keys, and other
21 examination data used to determine the qualifications of
22 an applicant for a license or employment.

23 (r) The records, documents, and information relating
24 to real estate purchase negotiations until those
25 negotiations have been completed or otherwise terminated.
26 With regard to a parcel involved in a pending or actually

1 and reasonably contemplated eminent domain proceeding
2 under the Eminent Domain Act, records, documents, and
3 information relating to that parcel shall be exempt except
4 as may be allowed under discovery rules adopted by the
5 Illinois Supreme Court. The records, documents, and
6 information relating to a real estate sale shall be exempt
7 until a sale is consummated.

8 (s) Any and all proprietary information and records
9 related to the operation of an intergovernmental risk
10 management association or self-insurance pool or jointly
11 self-administered health and accident cooperative or pool.
12 Insurance or self-insurance ~~self-insurance~~ (including any
13 intergovernmental risk management association or
14 self-insurance ~~self-insurance~~ pool) claims, loss or risk
15 management information, records, data, advice, or
16 communications.

17 (t) Information contained in or related to
18 examination, operating, or condition reports prepared by,
19 on behalf of, or for the use of a public body responsible
20 for the regulation or supervision of financial
21 institutions, insurance companies, or pharmacy benefit
22 managers, unless disclosure is otherwise required by State
23 law.

24 (u) Information that would disclose or might lead to
25 the disclosure of secret or confidential information,
26 codes, algorithms, programs, or private keys intended to

1 be used to create electronic signatures under the Uniform
2 Electronic Transactions Act.

3 (v) Vulnerability assessments, security measures, and
4 response policies or plans that are designed to identify,
5 prevent, or respond to potential attacks upon a
6 community's population or systems, facilities, or
7 installations, but only to the extent that disclosure
8 could reasonably be expected to expose the vulnerability
9 or jeopardize the effectiveness of the measures, policies,
10 or plans, or the safety of the personnel who implement
11 them or the public. Information exempt under this item may
12 include such things as details pertaining to the
13 mobilization or deployment of personnel or equipment, to
14 the operation of communication systems or protocols, to
15 cybersecurity vulnerabilities, or to tactical operations.

16 (w) (Blank).

17 (x) Maps and other records regarding the location or
18 security of generation, transmission, distribution,
19 storage, gathering, treatment, or switching facilities
20 owned by a utility, by a power generator, or by the
21 Illinois Power Agency.

22 (y) Information contained in or related to proposals,
23 bids, or negotiations related to electric power
24 procurement under Section 1-75 of the Illinois Power
25 Agency Act and Section 16-111.5 of the Public Utilities
26 Act that is determined to be confidential and proprietary

1 by the Illinois Power Agency or by the Illinois Commerce
2 Commission.

3 (z) Information about students exempted from
4 disclosure under Section ~~Sections~~ 10-20.38 or 34-18.29 of
5 the School Code, and information about undergraduate
6 students enrolled at an institution of higher education
7 exempted from disclosure under Section 25 of the Illinois
8 Credit Card Marketing Act of 2009.

9 (aa) Information the disclosure of which is exempted
10 under the Viatical Settlements Act of 2009.

11 (bb) Records and information provided to a mortality
12 review team and records maintained by a mortality review
13 team appointed under the Department of Juvenile Justice
14 Mortality Review Team Act.

15 (cc) Information regarding interments, entombments, or
16 inurnments of human remains that are submitted to the
17 Cemetery Oversight Database under the Cemetery Care Act or
18 the Cemetery Oversight Act, whichever is applicable.

19 (dd) Correspondence and records (i) that may not be
20 disclosed under Section 11-9 of the Illinois Public Aid
21 Code or (ii) that pertain to appeals under Section 11-8 of
22 the Illinois Public Aid Code.

23 (ee) The names, addresses, or other personal
24 information of persons who are minors and are also
25 participants and registrants in programs of park
26 districts, forest preserve districts, conservation

1 districts, recreation agencies, and special recreation
2 associations.

3 (ff) The names, addresses, or other personal
4 information of participants and registrants in programs of
5 park districts, forest preserve districts, conservation
6 districts, recreation agencies, and special recreation
7 associations where such programs are targeted primarily to
8 minors.

9 (gg) Confidential information described in Section
10 1-100 of the Illinois Independent Tax Tribunal Act of
11 2012.

12 (hh) The report submitted to the State Board of
13 Education by the School Security and Standards Task Force
14 under item (8) of subsection (d) of Section 2-3.160 of the
15 School Code and any information contained in that report.

16 (ii) Records requested by persons committed to or
17 detained by the Department of Human Services under the
18 Sexually Violent Persons Commitment Act or committed to
19 the Department of Corrections under the Sexually Dangerous
20 Persons Act if those materials: (i) are available in the
21 library of the facility where the individual is confined;
22 (ii) include records from staff members' personnel files,
23 staff rosters, or other staffing assignment information;
24 or (iii) are available through an administrative request
25 to the Department of Human Services or the Department of
26 Corrections.

1 (jj) Confidential information described in Section
2 5-535 of the Civil Administrative Code of Illinois.

3 (kk) The public body's credit card numbers, debit card
4 numbers, bank account numbers, Federal Employer
5 Identification Number, security code numbers, passwords,
6 and similar account information, the disclosure of which
7 could result in identity theft or impression or defrauding
8 of a governmental entity or a person.

9 (ll) Records concerning the work of the threat
10 assessment team of a school district, including, but not
11 limited to, any threat assessment procedure under the
12 School Safety Drill Act and any information contained in
13 the procedure.

14 (mm) Information prohibited from being disclosed under
15 subsections (a) and (b) of Section 15 of the Student
16 Confidential Reporting Act.

17 (nn) ~~(mm)~~ Proprietary information submitted to the
18 Environmental Protection Agency under the Drug Take-Back
19 Act.

20 (oo) ~~(mm)~~ Records described in subsection (f) of
21 Section 3-5-1 of the Unified Code of Corrections.

22 (pp) Reports described in subsection (e) of Section
23 16-15 of the Abortion Care Clinical Training Program Act.

24 (1.5) Any information exempt from disclosure under the
25 Judicial Privacy Act shall be redacted from public records
26 prior to disclosure under this Act.

1 (2) A public record that is not in the possession of a
2 public body but is in the possession of a party with whom the
3 agency has contracted to perform a governmental function on
4 behalf of the public body, and that directly relates to the
5 governmental function and is not otherwise exempt under this
6 Act, shall be considered a public record of the public body,
7 for purposes of this Act.

8 (3) This Section does not authorize withholding of
9 information or limit the availability of records to the
10 public, except as stated in this Section or otherwise provided
11 in this Act.

12 (Source: P.A. 101-434, eff. 1-1-20; 101-452, eff. 1-1-20;
13 101-455, eff. 8-23-19; 101-652, eff. 1-1-22; 102-38, eff.
14 6-25-21; 102-558, eff. 8-20-21; 102-694, eff. 1-7-22; 102-752,
15 eff. 5-6-22; 102-753, eff. 1-1-23; 102-776, eff. 1-1-23;
16 102-791, eff. 5-13-22; 102-1055, eff. 6-10-22; revised
17 12-13-22.)

18 (Text of Section after amendment by P.A. 102-982)

19 Sec. 7. Exemptions.

20 (1) When a request is made to inspect or copy a public
21 record that contains information that is exempt from
22 disclosure under this Section, but also contains information
23 that is not exempt from disclosure, the public body may elect
24 to redact the information that is exempt. The public body
25 shall make the remaining information available for inspection

1 and copying. Subject to this requirement, the following shall
2 be exempt from inspection and copying:

3 (a) Information specifically prohibited from
4 disclosure by federal or State law or rules and
5 regulations implementing federal or State law.

6 (b) Private information, unless disclosure is required
7 by another provision of this Act, a State or federal law,
8 or a court order.

9 (b-5) Files, documents, and other data or databases
10 maintained by one or more law enforcement agencies and
11 specifically designed to provide information to one or
12 more law enforcement agencies regarding the physical or
13 mental status of one or more individual subjects.

14 (c) Personal information contained within public
15 records, the disclosure of which would constitute a
16 clearly unwarranted invasion of personal privacy, unless
17 the disclosure is consented to in writing by the
18 individual subjects of the information. "Unwarranted
19 invasion of personal privacy" means the disclosure of
20 information that is highly personal or objectionable to a
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22 privacy outweighs any legitimate public interest in
23 obtaining the information. The disclosure of information
24 that bears on the public duties of public employees and
25 officials shall not be considered an invasion of personal
26 privacy.

1 (d) Records in the possession of any public body
2 created in the course of administrative enforcement
3 proceedings, and any law enforcement or correctional
4 agency for law enforcement purposes, but only to the
5 extent that disclosure would:

6 (i) interfere with pending or actually and
7 reasonably contemplated law enforcement proceedings
8 conducted by any law enforcement or correctional
9 agency that is the recipient of the request;

10 (ii) interfere with active administrative
11 enforcement proceedings conducted by the public body
12 that is the recipient of the request;

13 (iii) create a substantial likelihood that a
14 person will be deprived of a fair trial or an impartial
15 hearing;

16 (iv) unavoidably disclose the identity of a
17 confidential source, confidential information
18 furnished only by the confidential source, or persons
19 who file complaints with or provide information to
20 administrative, investigative, law enforcement, or
21 penal agencies; except that the identities of
22 witnesses to traffic crashes, traffic crash reports,
23 and rescue reports shall be provided by agencies of
24 local government, except when disclosure would
25 interfere with an active criminal investigation
26 conducted by the agency that is the recipient of the

1 request;

2 (v) disclose unique or specialized investigative
3 techniques other than those generally used and known
4 or disclose internal documents of correctional
5 agencies related to detection, observation, or
6 investigation of incidents of crime or misconduct, and
7 disclosure would result in demonstrable harm to the
8 agency or public body that is the recipient of the
9 request;

10 (vi) endanger the life or physical safety of law
11 enforcement personnel or any other person; or

12 (vii) obstruct an ongoing criminal investigation
13 by the agency that is the recipient of the request.

14 (d-5) A law enforcement record created for law
15 enforcement purposes and contained in a shared electronic
16 record management system if the law enforcement agency
17 that is the recipient of the request did not create the
18 record, did not participate in or have a role in any of the
19 events which are the subject of the record, and only has
20 access to the record through the shared electronic record
21 management system.

22 (d-6) Records contained in the Officer Professional
23 Conduct Database under Section 9.2 of the Illinois Police
24 Training Act, except to the extent authorized under that
25 Section. This includes the documents supplied to the
26 Illinois Law Enforcement Training Standards Board from the

1 Illinois State Police and Illinois State Police Merit
2 Board.

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4 correctional institutions and detention facilities.

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8 materials are available in the library of the correctional
9 institution or facility or jail where the inmate is
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14 materials include records from staff members' personnel
15 files, staff rosters, or other staffing assignment
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17 (e-7) Records requested by persons committed to the
18 Department of Corrections or Department of Human Services
19 Division of Mental Health if those materials are available
20 through an administrative request to the Department of
21 Corrections or Department of Human Services Division of
22 Mental Health.

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24 Department of Corrections, Department of Human Services
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26 disclosure of which would result in the risk of harm to any

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2 institution or facility.

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15 Corrections, Department of Human Services Division of
16 Mental Health, or a county jail, including, but not
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22 memoranda, and other records in which opinions are
23 expressed, or policies or actions are formulated, except
24 that a specific record or relevant portion of a record
25 shall not be exempt when the record is publicly cited and
26 identified by the head of the public body. The exemption

1 provided in this paragraph (f) extends to all those
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3 that pertain to the preparation of legislative documents.

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6 trade secrets or commercial or financial information are
7 furnished under a claim that they are proprietary,
8 privileged, or confidential, and that disclosure of the
9 trade secrets or commercial or financial information would
10 cause competitive harm to the person or business, and only
11 insofar as the claim directly applies to the records
12 requested.

13 The information included under this exemption includes
14 all trade secrets and commercial or financial information
15 obtained by a public body, including a public pension
16 fund, from a private equity fund or a privately held
17 company within the investment portfolio of a private
18 equity fund as a result of either investing or evaluating
19 a potential investment of public funds in a private equity
20 fund. The exemption contained in this item does not apply
21 to the aggregate financial performance information of a
22 private equity fund, nor to the identity of the fund's
23 managers or general partners. The exemption contained in
24 this item does not apply to the identity of a privately
25 held company within the investment portfolio of a private
26 equity fund, unless the disclosure of the identity of a

1 privately held company may cause competitive harm.

2 Nothing contained in this paragraph (g) shall be
3 construed to prevent a person or business from consenting
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25 educational matters:

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5 procedures for the evaluation of faculty members by
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15 documents for projects not constructed or developed in
16 whole or in part with public funds and the same for
17 projects constructed or developed with public funds,
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19 distribution stations and other transmission and
20 distribution facilities, water treatment facilities,
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22 and all government owned, operated, or occupied buildings,
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16 with automated data processing operations, including, but
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19 management association or self-insurance pool or jointly
20 self-administered health and accident cooperative or pool.
21 Insurance or self-insurance ~~self-insurance~~ (including any
22 intergovernmental risk management association or
23 self-insurance ~~self-insurance~~ pool) claims, loss or risk
24 management information, records, data, advice, or
25 communications.

26 (t) Information contained in or related to

1 examination, operating, or condition reports prepared by,
2 on behalf of, or for the use of a public body responsible
3 for the regulation or supervision of financial
4 institutions, insurance companies, or pharmacy benefit
5 managers, unless disclosure is otherwise required by State
6 law.

7 (u) Information that would disclose or might lead to
8 the disclosure of secret or confidential information,
9 codes, algorithms, programs, or private keys intended to
10 be used to create electronic signatures under the Uniform
11 Electronic Transactions Act.

12 (v) Vulnerability assessments, security measures, and
13 response policies or plans that are designed to identify,
14 prevent, or respond to potential attacks upon a
15 community's population or systems, facilities, or
16 installations, but only to the extent that disclosure
17 could reasonably be expected to expose the vulnerability
18 or jeopardize the effectiveness of the measures, policies,
19 or plans, or the safety of the personnel who implement
20 them or the public. Information exempt under this item may
21 include such things as details pertaining to the
22 mobilization or deployment of personnel or equipment, to
23 the operation of communication systems or protocols, to
24 cybersecurity vulnerabilities, or to tactical operations.

25 (w) (Blank).

26 (x) Maps and other records regarding the location or

1 security of generation, transmission, distribution,
2 storage, gathering, treatment, or switching facilities
3 owned by a utility, by a power generator, or by the
4 Illinois Power Agency.

5 (y) Information contained in or related to proposals,
6 bids, or negotiations related to electric power
7 procurement under Section 1-75 of the Illinois Power
8 Agency Act and Section 16-111.5 of the Public Utilities
9 Act that is determined to be confidential and proprietary
10 by the Illinois Power Agency or by the Illinois Commerce
11 Commission.

12 (z) Information about students exempted from
13 disclosure under Section ~~Sections~~ 10-20.38 or 34-18.29 of
14 the School Code, and information about undergraduate
15 students enrolled at an institution of higher education
16 exempted from disclosure under Section 25 of the Illinois
17 Credit Card Marketing Act of 2009.

18 (aa) Information the disclosure of which is exempted
19 under the Viatical Settlements Act of 2009.

20 (bb) Records and information provided to a mortality
21 review team and records maintained by a mortality review
22 team appointed under the Department of Juvenile Justice
23 Mortality Review Team Act.

24 (cc) Information regarding interments, entombments, or
25 inurnments of human remains that are submitted to the
26 Cemetery Oversight Database under the Cemetery Care Act or

1 the Cemetery Oversight Act, whichever is applicable.

2 (dd) Correspondence and records (i) that may not be
3 disclosed under Section 11-9 of the Illinois Public Aid
4 Code or (ii) that pertain to appeals under Section 11-8 of
5 the Illinois Public Aid Code.

6 (ee) The names, addresses, or other personal
7 information of persons who are minors and are also
8 participants and registrants in programs of park
9 districts, forest preserve districts, conservation
10 districts, recreation agencies, and special recreation
11 associations.

12 (ff) The names, addresses, or other personal
13 information of participants and registrants in programs of
14 park districts, forest preserve districts, conservation
15 districts, recreation agencies, and special recreation
16 associations where such programs are targeted primarily to
17 minors.

18 (gg) Confidential information described in Section
19 1-100 of the Illinois Independent Tax Tribunal Act of
20 2012.

21 (hh) The report submitted to the State Board of
22 Education by the School Security and Standards Task Force
23 under item (8) of subsection (d) of Section 2-3.160 of the
24 School Code and any information contained in that report.

25 (ii) Records requested by persons committed to or
26 detained by the Department of Human Services under the

1 Sexually Violent Persons Commitment Act or committed to
2 the Department of Corrections under the Sexually Dangerous
3 Persons Act if those materials: (i) are available in the
4 library of the facility where the individual is confined;
5 (ii) include records from staff members' personnel files,
6 staff rosters, or other staffing assignment information;
7 or (iii) are available through an administrative request
8 to the Department of Human Services or the Department of
9 Corrections.

10 (jj) Confidential information described in Section
11 5-535 of the Civil Administrative Code of Illinois.

12 (kk) The public body's credit card numbers, debit card
13 numbers, bank account numbers, Federal Employer
14 Identification Number, security code numbers, passwords,
15 and similar account information, the disclosure of which
16 could result in identity theft or impression or defrauding
17 of a governmental entity or a person.

18 (ll) Records concerning the work of the threat
19 assessment team of a school district, including, but not
20 limited to, any threat assessment procedure under the
21 School Safety Drill Act and any information contained in
22 the procedure.

23 (mm) Information prohibited from being disclosed under
24 subsections (a) and (b) of Section 15 of the Student
25 Confidential Reporting Act.

26 (nn) ~~(mm)~~ Proprietary information submitted to the

1 Environmental Protection Agency under the Drug Take-Back
2 Act.

3 (oo) ~~(mm)~~ Records described in subsection (f) of
4 Section 3-5-1 of the Unified Code of Corrections.

5 (pp) Reports described in subsection (e) of Section
6 16-15 of the Abortion Care Clinical Training Program Act.

7 (1.5) Any information exempt from disclosure under the
8 Judicial Privacy Act shall be redacted from public records
9 prior to disclosure under this Act.

10 (2) A public record that is not in the possession of a
11 public body but is in the possession of a party with whom the
12 agency has contracted to perform a governmental function on
13 behalf of the public body, and that directly relates to the
14 governmental function and is not otherwise exempt under this
15 Act, shall be considered a public record of the public body,
16 for purposes of this Act.

17 (3) This Section does not authorize withholding of
18 information or limit the availability of records to the
19 public, except as stated in this Section or otherwise provided
20 in this Act.

21 (Source: P.A. 101-434, eff. 1-1-20; 101-452, eff. 1-1-20;
22 101-455, eff. 8-23-19; 101-652, eff. 1-1-22; 102-38, eff.
23 6-25-21; 102-558, eff. 8-20-21; 102-694, eff. 1-7-22; 102-752,
24 eff. 5-6-22; 102-753, eff. 1-1-23; 102-776, eff. 1-1-23;
25 102-791, eff. 5-13-22; 102-982, eff. 7-1-23; 102-1055, eff.
26 6-10-22; revised 12-13-22.)

1 Section 5. The Illinois Insurance Code is amended by
2 changing Section 356z.60 as follows:

3 (215 ILCS 5/356z.60)

4 Sec. 356z.60. Coverage for abortifacients, hormonal
5 therapy, and human immunodeficiency virus pre-exposure
6 prophylaxis and post-exposure prophylaxis.

7 (a) As used in this Section:

8 "Abortifacients" means any medication administered to
9 terminate a pregnancy as prescribed or ordered by a health
10 care professional.

11 "Health care professional" means a physician licensed to
12 practice medicine in all of its branches, licensed advanced
13 practice registered nurse, or physician assistant.

14 "Hormonal therapy medication" means hormonal treatment
15 administered to treat gender dysphoria.

16 "Therapeutic equivalent version" means drugs, devices, or
17 products that can be expected to have the same clinical effect
18 and safety profile when administered to patients under the
19 conditions specified in the labeling and that satisfy the
20 following general criteria:

21 (1) it is approved as safe and effective;

22 (2) it is a pharmaceutical equivalent in that it:

23 (A) contains identical amounts of the same active
24 drug ingredient in the same dosage form and route of

1 administration; and

2 (B) meets compendial or other applicable standards
3 of strength, quality, purity, and identity;

4 (3) it is bioequivalent in that:

5 (A) it does not present a known or potential
6 bioequivalence problem and it meets an acceptable in
7 vitro standard; or

8 (B) if it does present such a known or potential
9 problem, it is shown to meet an appropriate
10 bioequivalence standard;

11 (4) it is adequately labeled; and

12 (5) it is manufactured in compliance with Current Good
13 Manufacturing Practice regulations adopted by the United
14 States Food and Drug Administration.

15 (b) An individual or group policy of accident and health
16 insurance amended, delivered, issued, or renewed in this State
17 on or after January 1, 2024 shall provide coverage for all
18 abortifacients, hormonal therapy medication, human
19 immunodeficiency virus pre-exposure prophylaxis, and
20 post-exposure prophylaxis drugs approved by the United States
21 Food and Drug Administration, and follow-up services related
22 to that coverage, including, but not limited to, management of
23 side effects, medication self-management or adherence
24 counseling, risk reduction strategies, and mental health
25 counseling. This coverage shall include drugs approved by the
26 United States Food and Drug Administration that are prescribed

1 or ordered for off-label use for the purposes described in
2 this Section.

3 (c) The coverage required under subsection (b) is subject
4 to the following conditions:

5 (1) If the United States Food and Drug Administration
6 has approved one or more therapeutic equivalent versions
7 of an abortifacient drug, a policy is not required to
8 include all such therapeutic equivalent versions in its
9 formulary so long as at least one is included and covered
10 without cost sharing and in accordance with this Section.

11 (2) If an individual's attending provider recommends a
12 particular drug approved by the United States Food and
13 Drug Administration based on a determination of medical
14 necessity with respect to that individual, the plan or
15 issuer must defer to the determination of the attending
16 provider and must cover that service or item without cost
17 sharing.

18 (3) If a drug is not covered, plans and issuers must
19 have an easily accessible, transparent, and sufficiently
20 expedient process that is not unduly burdensome on the
21 individual or a provider or other individual acting as a
22 patient's authorized representative to ensure coverage
23 without cost sharing.

24 The conditions listed under this subsection (c) also apply
25 to drugs prescribed for off-label use as abortifacients.

26 (d) Except as otherwise provided in this Section, a policy

1 subject to this Section shall not impose a deductible,
2 coinsurance, copayment, or any other cost-sharing requirement
3 on the coverage provided. The provisions of this subsection do
4 not apply to coverage of procedures to the extent such
5 coverage would disqualify a high-deductible health plan from
6 eligibility for a health savings account pursuant to the
7 federal Internal Revenue Code, 26 U.S.C. 223.

8 (e) Except as otherwise authorized under this Section, a
9 policy shall not impose any restrictions or delays on the
10 coverage required under this Section.

11 (f) The coverage requirements in this Section for
12 abortifacients do not, pursuant to 42 U.S.C. 18054(a)(6),
13 apply to a multistate plan that does not provide coverage for
14 abortion.

15 (g) If the Department concludes that enforcement of any
16 coverage requirement of this Section for abortifacients may
17 adversely affect the allocation of federal funds to this
18 State, the Department may grant an exemption to that
19 requirement, but only to the minimum extent necessary to
20 ensure the continued receipt of federal funds.

21 (Source: P.A. 102-1117, eff. 1-13-23.)

22 Section 10. The Nurse Practice Act is amended by changing
23 Sections 65-11 and 65-11.5 as follows:

24 (225 ILCS 65/65-11)

1 Sec. 65-11. Temporary permit for advanced practice
2 registered nurses for health care.

3 (a) The Department may issue a temporary permit to an
4 applicant who is licensed to practice as an advanced practice
5 registered nurse in another state. The temporary permit will
6 authorize the practice of providing health care to patients in
7 this State, with a collaborating physician in this State, if
8 all of the following apply:

9 (1) The Department determines that the applicant's
10 services will improve the welfare of Illinois residents
11 and non-residents requiring health care services.

12 (2) The applicant has obtained a graduate degree
13 appropriate for national certification in a clinical
14 advanced practice registered nursing specialty or a
15 graduate degree or post-master's certificate from a
16 graduate level program in a clinical advanced practice
17 registered nursing specialty; the applicant has submitted
18 verification of licensure status in good standing in the
19 applicant's current state or territory of licensure; and
20 the applicant can furnish the Department with a certified
21 letter upon request from that jurisdiction attesting to
22 the fact that the applicant has no pending action or
23 violations against the applicant's license.

24 The Department will not consider an advanced practice
25 registered nurse's license being revoked or otherwise
26 disciplined by any state or territory based solely on the

1 advanced practice registered nurse providing, authorizing,
2 recommending, aiding, assisting, referring for, or
3 otherwise participating in any health care service that is
4 unlawful or prohibited in that state or territory, if the
5 provision of, authorization of, or participation in that
6 health care, medical service, or procedure related to any
7 health care service is not unlawful or prohibited in this
8 State.

9 (3) The applicant has sufficient training and
10 possesses the appropriate core competencies to provide
11 health care services, and is physically, mentally, and
12 professionally capable of practicing as an advanced
13 practice registered nurse with reasonable judgment, skill,
14 and safety and in accordance with applicable standards of
15 care.

16 (4) The applicant has met the written collaborative
17 agreement requirements under Section 65-35.

18 (5) The applicant will be working pursuant to an
19 agreement with a sponsoring licensed hospital, medical
20 office, clinic, or other medical facility providing health
21 care services. Such agreement shall be executed by an
22 authorized representative of the licensed hospital,
23 medical office, clinic, or other medical facility,
24 certifying that the advanced practice registered nurse
25 holds an active license and is in good standing in the
26 state in which they are licensed. If an applicant for a

1 temporary permit has been previously disciplined by
2 another jurisdiction, except as described in paragraph (2)
3 of subsection (a), further review may be conducted
4 pursuant to the Civil Administrative Code of Illinois and
5 this Act. The application shall include the advanced
6 practice registered nurse's name, contact information,
7 state of licensure, and license number.

8 (6) Payment of a \$75 fee.

9 The sponsoring licensed hospital, medical office, clinic,
10 or other medical facility engaged in the agreement with the
11 applicant shall notify the Department should the applicant at
12 any point leave or become separate from the sponsor.

13 The Department may adopt rules to carry out this Section.

14 (b) A temporary permit under this Section shall expire 2
15 years after the date of issuance. The temporary permit may be
16 renewed for a \$45 fee for an additional 2 years. A holder of a
17 temporary permit may only renew one time.

18 (c) The temporary permit shall only permit the holder to
19 practice as an advanced practice registered nurse with a
20 collaborating physician who provides health care services at
21 the location or locations specified on the permit or via
22 telehealth.

23 (d) An application for the temporary permit shall be made
24 to the Department, in writing, on forms prescribed by the
25 Department, and shall be accompanied by a non-refundable fee
26 of \$75. The Department shall grant or deny an applicant a

1 temporary permit within 60 days of receipt of a completed
2 application. The Department shall notify the applicant of any
3 deficiencies in the applicant's application materials
4 requiring corrections in a timely manner.

5 (e) An applicant for temporary permit may be requested to
6 appear before the Board to respond to questions concerning the
7 applicant's qualifications to receive the permit. An
8 applicant's refusal to appear before the Board of Nursing may
9 be grounds for denial of the application by the Department.

10 (f) The Secretary may summarily cancel any temporary
11 permit issued pursuant to this Section, without a hearing, if
12 the Secretary finds that evidence in his or her possession
13 indicates that a permit holder's continuation in practice
14 would constitute an imminent danger to the public or violate
15 any provision of this Act or its rules.

16 If the Secretary summarily cancels a temporary permit
17 issued pursuant to this Section or Act, the permit holder may
18 petition the Department for a hearing in accordance with the
19 provisions of Section 70-125 to restore his or her permit,
20 unless the permit holder has exceeded his or her renewal
21 limit.

22 (g) In addition to terminating any temporary permit issued
23 pursuant to this Section or Act, the Department may issue a
24 monetary penalty not to exceed \$10,000 upon the temporary
25 permit holder and may notify any state in which the temporary
26 permit holder has been issued a permit that his or her Illinois

1 permit has been terminated and the reasons for the
2 termination. The monetary penalty shall be paid within 60 days
3 after the effective date of the order imposing the penalty.
4 The order shall constitute a judgment and may be filed, and
5 execution had thereon in the same manner as any judgment from
6 any court of record. It is the intent of the General Assembly
7 that a permit issued pursuant to this Section shall be
8 considered a privilege and not a property right.

9 (h) While working in Illinois, all temporary permit
10 holders are subject to all statutory and regulatory
11 requirements of this Act in the same manner as a licensee.
12 Failure to adhere to all statutory and regulatory requirements
13 may result in revocation or other discipline of the temporary
14 permit.

15 (i) If the Department becomes aware of a violation
16 occurring at the facility licensed by the Department of Public
17 Health, ~~licensed hospital, medical office, clinic, or other~~
18 ~~medical facility, or via telehealth service,~~ the Department
19 shall notify the Department of Public Health.

20 (j) The Department may adopt emergency rules pursuant to
21 this Section. The General Assembly finds that the adoption of
22 rules to implement a temporary permit for health care services
23 is deemed an emergency and necessary for the public interest,
24 safety, and welfare.

25 (Source: P.A. 102-1117, eff. 1-13-23.)

1 (225 ILCS 65/65-11.5)

2 Sec. 65-11.5. Temporary permit for full practice advanced
3 practice registered nurses for health care.

4 (a) The Department may issue a full practice advanced
5 practice registered nurse temporary permit to an applicant who
6 is licensed to practice as an advanced practice registered
7 nurse in another state. The temporary permit will authorize
8 the practice of providing health care to patients in this
9 State if all of the following apply:

10 (1) The Department determines that the applicant's
11 services will improve the welfare of Illinois residents
12 and non-residents requiring health care services.

13 (2) The applicant has obtained a graduate degree
14 appropriate for national certification in a clinical
15 advanced practice registered nursing specialty or a
16 graduate degree or post-master's certificate from a
17 graduate level program in a clinical advanced practice
18 registered nursing specialty; the applicant is certified
19 as a nurse practitioner, nurse midwife, or clinical nurse
20 specialist; the applicant has submitted verification of
21 licensure status in good standing in the applicant's
22 current state or territory of licensure; and the applicant
23 can furnish the Department with a certified letter upon
24 request from that jurisdiction attesting to the fact that
25 the applicant has no pending action or violations against
26 the applicant's license.

1 The Department shall not consider an advanced practice
2 registered nurse's license being revoked or otherwise
3 disciplined by any state or territory for the provision
4 of, authorization of, or participation in any health care,
5 medical service, or procedure related to an abortion on
6 the basis that such health care, medical service, or
7 procedure related to an abortion is unlawful or prohibited
8 in that state or territory, if the provision of,
9 authorization of, or participation in that health care,
10 medical service, or procedure related to an abortion is
11 not unlawful or prohibited in this State.

12 (3) The applicant has sufficient training and
13 possesses the appropriate core competencies to provide
14 health care services, and is physically, mentally, and
15 professionally capable of practicing as an advanced
16 practice registered nurse with reasonable judgment, skill,
17 and safety and in accordance with applicable standards of
18 care.

19 (4) The applicant will be working pursuant to an
20 agreement with a sponsoring licensed hospital, medical
21 office, clinic, or other medical facility providing health
22 care services. Such agreement shall be executed by an
23 authorized representative of the licensed hospital,
24 medical office, clinic, or other medical facility,
25 certifying that the advanced practice registered nurse
26 holds an active license and is in good standing in the

1 state in which they are licensed. If an applicant for a
2 temporary permit has been previously disciplined by
3 another jurisdiction, except as described in paragraph (2)
4 of subsection (a), further review may be conducted
5 pursuant to the Civil Administrative Code of Illinois and
6 this Act. The application shall include the advanced
7 practice registered nurse's name, contact information,
8 state of licensure, and license number.

9 (5) Payment of a \$75 fee.

10 The sponsoring licensed hospital, medical office, clinic,
11 or other medical facility engaged in the agreement with the
12 applicant shall notify the Department should the applicant at
13 any point leave or become separate from the sponsor.

14 The Department may adopt rules to carry out this Section.

15 (b) A temporary permit under this Section shall expire 2
16 years after the date of issuance. The temporary permit may be
17 renewed for a \$45 fee for an additional 2 years. A holder of a
18 temporary permit may only renew one time.

19 (c) The temporary permit shall only permit the holder to
20 practice as a full practice advanced practice registered nurse
21 within the scope of providing health care services at the
22 location or locations specified on the permit or via
23 telehealth service.

24 (d) An application for the temporary permit shall be made
25 to the Department, in writing, on forms prescribed by the
26 Department, and shall be accompanied by a non-refundable fee

1 of \$75.

2 (e) An applicant for temporary permit may be requested to
3 appear before the Board to respond to questions concerning the
4 applicant's qualifications to receive the permit. An
5 applicant's refusal to appear before the Board of Nursing may
6 be grounds for denial of the application by the Department.

7 (f) The Secretary may summarily cancel any temporary
8 permit issued pursuant to this Section, without a hearing, if
9 the Secretary finds that evidence in his or her possession
10 indicates that a permit holder's continuation in practice
11 would constitute an imminent danger to the public or violate
12 any provision of this Act or its rules.

13 If the Secretary summarily cancels a temporary permit
14 issued pursuant to this Section or Act, the permit holder may
15 petition the Department for a hearing in accordance with the
16 provisions of Section 70-125 of this Act to restore his or her
17 permit, unless the permit holder has exceeded his or her
18 renewal limit.

19 (g) In addition to terminating any temporary permit issued
20 pursuant to this Section or Act, the Department may issue a
21 monetary penalty not to exceed \$10,000 upon the temporary
22 permit holder and may notify any state in which the temporary
23 permit holder has been issued a permit that his or her Illinois
24 permit has been terminated and the reasons for the
25 termination. The monetary penalty shall be paid within 60 days
26 after the effective date of the order imposing the penalty.

1 The order shall constitute a judgment and may be filed, and
2 execution had thereon in the same manner as any judgment from
3 any court of record. It is the intent of the General Assembly
4 that a permit issued pursuant to this Section shall be
5 considered a privilege and not a property right.

6 (h) While working in Illinois, all temporary permit
7 holders are subject to all statutory and regulatory
8 requirements of this Act in the same manner as a licensee.
9 Failure to adhere to all statutory and regulatory requirements
10 may result in revocation or other discipline of the temporary
11 permit.

12 (i) If the Department becomes aware of a violation
13 occurring at the facility licensed by the Department of Public
14 Health, ~~licensed hospital, medical office, clinic, or other~~
15 ~~medical facility, or via telehealth service,~~ the Department
16 shall notify the Department of Public Health.

17 (j) The Department may adopt emergency rules pursuant to
18 this Section. The General Assembly finds that the adoption of
19 rules to implement a temporary permit for health care services
20 is deemed an emergency and necessary for the public interest,
21 safety, and welfare.

22 (Source: P.A. 102-1117, eff. 1-13-23.)

23 Section 15. The Pharmacy Practice Act is amended by
24 changing Section 43.5 as follows:

1 (225 ILCS 85/43.5)

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

3 Sec. 43.5. HIV prophylaxis. In accordance with a standing
4 order by a physician licensed to practice medicine in all its
5 branches or the medical director of a county or local health
6 department or a standing order by the Department of Public
7 Health, a pharmacist may provide patients with prophylaxis
8 drugs for human immunodeficiency virus pre-exposure
9 prophylaxis or post-exposure prophylaxis.

10 A pharmacist may provide initial assessment and dispensing
11 of prophylaxis drugs for human immunodeficiency virus
12 pre-exposure prophylaxis or post-exposure prophylaxis. If a
13 patient's HIV test results are reactive, the pharmacist shall
14 refer the patient to an appropriate health care professional
15 or clinic. If the patient's HIV test results are nonreactive,
16 the pharmacist may initiate human immunodeficiency virus
17 pre-exposure prophylaxis or post-exposure prophylaxis to
18 eligible patients.

19 The standing order must be consistent with the current
20 version of the guidelines of the Centers for Disease Control
21 and Prevention, guidelines of the United States Preventive
22 Services Task Force, or generally recognized evidence-based
23 clinical guidelines.

24 A pharmacist must communicate the services provided under
25 this Section to the patient and the patient's primary health
26 care provider or other health care professional or clinic, if

1 known. If there is no primary health care provider provided by
2 the patient, then the pharmacist shall give the patient a list
3 of primary health care providers, other health care
4 professionals, and clinics in the area.

5 The services provided under this Section shall be
6 appropriately documented and retained in a confidential manner
7 consistent with State HIV confidentiality requirements.

8 The services provided under this Section shall take place
9 in a private manner.

10 A pharmacist shall complete an educational training
11 program accredited by the Accreditation Council for Pharmacy
12 Education and approved by the Department that is related to
13 the initiation, dispensing, or administration of drugs,
14 laboratory tests, assessments, referrals, and consultations
15 for human immunodeficiency virus pre-exposure prophylaxis and
16 human immunodeficiency virus post-exposure prophylaxis.

17 (Source: P.A. 102-1051, eff. 1-1-23.)

18 Section 20. The Physician Assistant Practice Act of 1987
19 is amended by changing Section 9.7 as follows:

20 (225 ILCS 95/9.7)

21 Sec. 9.7. Temporary permit for health care.

22 (a) The Department may issue a temporary permit to an
23 applicant who is licensed to practice as a physician assistant
24 in another state. The temporary permit will authorize the

1 practice of providing health care to patients in this State,
2 with a collaborating physician in this State, if all of the
3 following apply:

4 (1) The Department determines that the applicant's
5 services will improve the welfare of Illinois residents
6 and non-residents requiring health care services.

7 (2) The applicant has obtained certification by the
8 National Commission on Certification of Physician
9 Assistants or its successor agency; the applicant has
10 submitted verification of licensure status in good
11 standing in the applicant's current state or territory of
12 licensure; and the applicant can furnish the Department
13 with a certified letter upon request from that
14 jurisdiction attesting to the fact that the applicant has
15 no pending action or violations against the applicant's
16 license.

17 The Department will not consider a physician
18 assistant's license being revoked or otherwise disciplined
19 by any state or territory based solely on the physician
20 providing, authorizing, recommending, aiding, assisting,
21 referring for, or otherwise participating in any health
22 care service that is unlawful or prohibited in that state
23 or territory, if the provision of, authorization of, or
24 participation in that health care service, medical
25 service, or procedure related to any health care service
26 is not unlawful or prohibited in this State.

1 (3) The applicant has sufficient training and
2 possesses the appropriate core competencies to provide
3 health care services, and is physically, mentally, and
4 professionally capable of practicing as a physician
5 assistant with reasonable judgment, skill, and safety and
6 in accordance with applicable standards of care.

7 (4) The applicant has met the written collaborative
8 agreement requirements under subsection (a) of Section
9 7.5.

10 (5) The applicant will be working pursuant to an
11 agreement with a sponsoring licensed hospital, medical
12 office, clinic, or other medical facility providing health
13 care services. Such agreement shall be executed by an
14 authorized representative of the licensed hospital,
15 medical office, clinic, or other medical facility,
16 certifying that the physician assistant holds an active
17 license and is in good standing in the state in which they
18 are licensed. If an applicant for a temporary permit has
19 been previously disciplined by another jurisdiction,
20 except as described in paragraph (2) of subsection (a),
21 further review may be conducted pursuant to the Civil
22 Administrative Code of Illinois and this Act. The
23 application shall include the physician assistant's name,
24 contact information, state of licensure, and license
25 number.

26 (6) Payment of a \$75 fee.

1 The sponsoring licensed hospital, medical office, clinic,
2 or other medical facility engaged in the agreement with the
3 applicant shall notify the Department should the applicant at
4 any point leave or become separate from the sponsor.

5 The Department may adopt rules to carry out this Section.

6 (b) A temporary permit under this Section shall expire 2
7 years after the date of issuance. The temporary permit may be
8 renewed for a \$45 fee for an additional 2 years. A holder of a
9 temporary permit may only renew one time.

10 (c) The temporary permit shall only permit the holder to
11 practice as a physician assistant with a collaborating
12 physician who provides health care services with the sponsor
13 specified on the permit.

14 (d) An application for the temporary permit shall be made
15 to the Department, in writing, on forms prescribed by the
16 Department, and shall be accompanied by a non-refundable fee
17 of \$75. The Department shall grant or deny an applicant a
18 temporary permit within 60 days of receipt of a completed
19 application. The Department shall notify the applicant of any
20 deficiencies in the applicant's application materials
21 requiring corrections in a timely manner.

22 (e) An applicant for a temporary permit may be requested
23 to appear before the Board to respond to questions concerning
24 the applicant's qualifications to receive the permit. An
25 applicant's refusal to appear before the Board may be grounds
26 for denial of the application by the Department.

1 (f) The Secretary may summarily cancel any temporary
2 permit issued pursuant to this Section, without a hearing, if
3 the Secretary finds that evidence in his or her possession
4 indicates that a permit holder's continuation in practice
5 would constitute an imminent danger to the public or violate
6 any provision of this Act or its rules. If the Secretary
7 summarily cancels a temporary permit issued pursuant to this
8 Section or Act, the permit holder may petition the Department
9 for a hearing in accordance with the provisions of Section
10 22.11 to restore his or her permit, unless the permit holder
11 has exceeded his or her renewal limit.

12 (g) In addition to terminating any temporary permit issued
13 pursuant to this Section or Act, the Department may issue a
14 monetary penalty not to exceed \$10,000 upon the temporary
15 permit holder and may notify any state in which the temporary
16 permit holder has been issued a permit that his or her Illinois
17 permit has been terminated and the reasons for that
18 termination. The monetary penalty shall be paid within 60 days
19 after the effective date of the order imposing the penalty.
20 The order shall constitute a judgment and may be filed, and
21 execution had thereon in the same manner as any judgment from
22 any court of record. It is the intent of the General Assembly
23 that a permit issued pursuant to this Section shall be
24 considered a privilege and not a property right.

25 (h) While working in Illinois, all temporary permit
26 holders are subject to all statutory and regulatory

1 requirements of this Act in the same manner as a licensee.
2 Failure to adhere to all statutory and regulatory requirements
3 may result in revocation or other discipline of the temporary
4 permit.

5 (i) If the Department becomes aware of a violation
6 occurring at the facility licensed by the Department of Public
7 Health, licensed hospital, medical office, clinic, or other
8 medical facility, or occurring via telehealth services, the
9 Department shall notify the Department of Public Health.

10 (j) The Department may adopt emergency rules pursuant to
11 this Section. The General Assembly finds that the adoption of
12 rules to implement a temporary permit for health care services
13 is deemed an emergency and necessary for the public interest,
14 safety, and welfare.

15 (Source: P.A. 102-1117, eff. 1-13-23.)

16 Section 25. The Abortion Care Clinical Training Program
17 Act is amended by changing Section 16-15 as follows:

18 (410 ILCS 185/16-15)

19 Sec. 16-15. Program administration and reporting.

20 (a) Subject to appropriation to the Fund, the Department
21 shall contract with at least one coordinating organization to
22 administer the Program. The Department shall use the Fund to
23 contract with the coordinating organization.

24 (b) A coordinating organization contracted by the

1 Department to administer the Program shall:

2 (1) submit an annual report to the Department
3 regarding Program performance, including the number of
4 participants enrolled, the demographics of Program
5 participants, the number of participants who successfully
6 complete the Program, the outcome of successful Program
7 participants, and the level of involvement of the
8 participants in providing abortion and other forms of
9 reproductive health care in Illinois; and

10 (2) meet any other requirements established by the
11 Department that are not inconsistent with this Act.

12 (c) The Department shall release the name of any
13 coordinating organization it coordinates with and any entity
14 receiving funds to assist in the implementation of this
15 Program through the coordinating organization. The Department
16 shall not release the name of any individual person or health
17 care professional administering services through or
18 participating in the Program. The Department shall, by rule,
19 establish procedures to ensure that sensitive Program
20 information, including any personal information and
21 information that, if released, could endanger the life or
22 physical safety of program participants, remains confidential.

23 (d) Any coordinating organization or other entity
24 receiving funds to implement this Program is subject to the
25 requirements of the Grant Accountability and Transparency Act.

26 (e) All reports received by the Department in accordance

1 with this Section shall be treated as confidential and exempt
2 from the Freedom of Information Act.

3 (Source: P.A. 102-1117, eff. 1-13-23.)

4 Section 95. No acceleration or delay. Where this Act makes
5 changes in a statute that is represented in this Act by text
6 that is not yet or no longer in effect (for example, a Section
7 represented by multiple versions), the use of that text does
8 not accelerate or delay the taking effect of (i) the changes
9 made by this Act or (ii) provisions derived from any other
10 Public Act.

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