



Sen. Celina Villanueva

Filed: 3/30/2023

10300SB1344sam002

LRB103 28584 LNS 60174 a

1 AMENDMENT TO SENATE BILL 1344

2 AMENDMENT NO. _____. Amend Senate Bill 1344 by replacing
3 everything after the enacting clause with the following:

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:

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

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

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

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

25 (d) Records in the possession of any public body
26 created in the course of administrative enforcement

1 proceedings, and any law enforcement or correctional
2 agency for law enforcement purposes, but only to the
3 extent that disclosure would:

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

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

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

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

26 (v) disclose unique or specialized investigative

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

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

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

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

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

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

3 (e-5) Records requested by persons committed to the
4 Department of Corrections, Department of Human Services
5 Division of Mental Health, or a county jail if those
6 materials are available in the library of the correctional
7 institution or facility or jail where the inmate is
8 confined.

9 (e-6) Records requested by persons committed to the
10 Department of Corrections, Department of Human Services
11 Division of Mental Health, or a county jail if those
12 materials include records from staff members' personnel
13 files, staff rosters, or other staffing assignment
14 information.

15 (e-7) Records requested by persons committed to the
16 Department of Corrections or Department of Human Services
17 Division of Mental Health if those materials are available
18 through an administrative request to the Department of
19 Corrections or Department of Human Services Division of
20 Mental Health.

21 (e-8) Records requested by a person committed to the
22 Department of Corrections, Department of Human Services
23 Division of Mental Health, or a county jail, the
24 disclosure of which would result in the risk of harm to any
25 person or the risk of an escape from a jail or correctional
26 institution or facility.

1 (e-9) Records requested by a person in a county jail
2 or committed to the Department of Corrections or
3 Department of Human Services Division of Mental Health,
4 containing personal information pertaining to the person's
5 victim or the victim's family, including, but not limited
6 to, a victim's home address, home telephone number, work
7 or school address, work telephone number, social security
8 number, or any other identifying information, except as
9 may be relevant to a requester's current or potential case
10 or claim.

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

19 (f) Preliminary drafts, notes, recommendations,
20 memoranda, and other records in which opinions are
21 expressed, or policies or actions are formulated, except
22 that a specific record or relevant portion of a record
23 shall not be exempt when the record is publicly cited and
24 identified by the head of the public body. The exemption
25 provided in this paragraph (f) extends to all those
26 records of officers and agencies of the General Assembly

1 that pertain to the preparation of legislative documents.

2 (g) Trade secrets and commercial or financial
3 information obtained from a person or business where the
4 trade secrets or commercial or financial information are
5 furnished under a claim that they are proprietary,
6 privileged, or confidential, and that disclosure of the
7 trade secrets or commercial or financial information would
8 cause competitive harm to the person or business, and only
9 insofar as the claim directly applies to the records
10 requested.

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

26 Nothing contained in this paragraph (g) shall be

1 construed to prevent a person or business from consenting
2 to disclosure.

3 (h) Proposals and bids for any contract, grant, or
4 agreement, including information which if it were
5 disclosed would frustrate procurement or give an advantage
6 to any person proposing to enter into a contractor
7 agreement with the body, until an award or final selection
8 is made. Information prepared by or for the body in
9 preparation of a bid solicitation shall be exempt until an
10 award or final selection is made.

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

22 (j) The following information pertaining to
23 educational matters:

24 (i) test questions, scoring keys, and other
25 examination data used to administer an academic
26 examination;

1 (ii) information received by a primary or
2 secondary school, college, or university under its
3 procedures for the evaluation of faculty members by
4 their academic peers;

5 (iii) information concerning a school or
6 university's adjudication of student disciplinary
7 cases, but only to the extent that disclosure would
8 unavoidably reveal the identity of the student; and

9 (iv) course materials or research materials used
10 by faculty members.

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

23 (1) Minutes of meetings of public bodies closed to the
24 public as provided in the Open Meetings Act until the
25 public body makes the minutes available to the public
26 under Section 2.06 of the Open Meetings Act.

1 (m) Communications between a public body and an
2 attorney or auditor representing the public body that
3 would not be subject to discovery in litigation, and
4 materials prepared or compiled by or for a public body in
5 anticipation of a criminal, civil, or administrative
6 proceeding upon the request of an attorney advising the
7 public body, and materials prepared or compiled with
8 respect to internal audits of public bodies.

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

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

23 (p) Records relating to collective negotiating matters
24 between public bodies and their employees or
25 representatives, except that any final contract or
26 agreement shall be subject to inspection and copying.

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

4 (r) The records, documents, and information relating
5 to real estate purchase negotiations until those
6 negotiations have been completed or otherwise terminated.
7 With regard to a parcel involved in a pending or actually
8 and reasonably contemplated eminent domain proceeding
9 under the Eminent Domain Act, records, documents, and
10 information relating to that parcel shall be exempt except
11 as may be allowed under discovery rules adopted by the
12 Illinois Supreme Court. The records, documents, and
13 information relating to a real estate sale shall be exempt
14 until a sale is consummated.

15 (s) Any and all proprietary information and records
16 related to the operation of an intergovernmental risk
17 management association or self-insurance pool or jointly
18 self-administered health and accident cooperative or pool.
19 Insurance or self-insurance ~~self-insurance~~ (including any
20 intergovernmental risk management association or
21 self-insurance ~~self-insurance~~ pool) claims, loss or risk
22 management information, records, data, advice, or
23 communications.

24 (t) Information contained in or related to
25 examination, operating, or condition reports prepared by,
26 on behalf of, or for the use of a public body responsible

1 for the regulation or supervision of financial
2 institutions, insurance companies, or pharmacy benefit
3 managers, unless disclosure is otherwise required by State
4 law.

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

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

23 (w) (Blank).

24 (x) Maps and other records regarding the location or
25 security of generation, transmission, distribution,
26 storage, gathering, treatment, or switching facilities

1 owned by a utility, by a power generator, or by the
2 Illinois Power Agency.

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

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

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

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

22 (cc) Information regarding interments, entombments, or
23 inurnments of human remains that are submitted to the
24 Cemetery Oversight Database under the Cemetery Care Act or
25 the Cemetery Oversight Act, whichever is applicable.

26 (dd) Correspondence and records (i) that may not be

1 disclosed under Section 11-9 of the Illinois Public Aid
2 Code or (ii) that pertain to appeals under Section 11-8 of
3 the Illinois Public Aid Code.

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

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

16 (gg) Confidential information described in Section
17 1-100 of the Illinois Independent Tax Tribunal Act of
18 2012.

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

23 (ii) Records requested by persons committed to or
24 detained by the Department of Human Services under the
25 Sexually Violent Persons Commitment Act or committed to
26 the Department of Corrections under the Sexually Dangerous

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

8 (jj) Confidential information described in Section
9 5-535 of the Civil Administrative Code of Illinois.

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

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

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

24 (nn) ~~(mm)~~ Proprietary information submitted to the
25 Environmental Protection Agency under the Drug Take-Back
26 Act.

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

3 (pp) Reports described in subsection (e) of Section
4 16-15 of the Abortion Care Clinical Training Program Act.

5 (1.5) Any information exempt from disclosure under the
6 Judicial Privacy Act shall be redacted from public records
7 prior to disclosure under this Act.

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

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

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

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

1 Sec. 7. Exemptions.

2 (1) When a request is made to inspect or copy a public
3 record that contains information that is exempt from
4 disclosure under this Section, but also contains information
5 that is not exempt from disclosure, the public body may elect
6 to redact the information that is exempt. The public body
7 shall make the remaining information available for inspection
8 and copying. Subject to this requirement, the following shall
9 be exempt from inspection and copying:

10 (a) Information specifically prohibited from
11 disclosure by federal or State law or rules and
12 regulations implementing federal or State law.

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

16 (b-5) Files, documents, and other data or databases
17 maintained by one or more law enforcement agencies and
18 specifically designed to provide information to one or
19 more law enforcement agencies regarding the physical or
20 mental status of one or more individual subjects.

21 (c) Personal information contained within public
22 records, the disclosure of which would constitute a
23 clearly unwarranted invasion of personal privacy, unless
24 the disclosure is consented to in writing by the
25 individual subjects of the information. "Unwarranted
26 invasion of personal privacy" means the disclosure of

1 information that is highly personal or objectionable to a
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3 privacy outweighs any legitimate public interest in
4 obtaining the information. The disclosure of information
5 that bears on the public duties of public employees and
6 officials shall not be considered an invasion of personal
7 privacy.

8 (d) Records in the possession of any public body
9 created in the course of administrative enforcement
10 proceedings, and any law enforcement or correctional
11 agency for law enforcement purposes, but only to the
12 extent that disclosure would:

13 (i) interfere with pending or actually and
14 reasonably contemplated law enforcement proceedings
15 conducted by any law enforcement or correctional
16 agency that is the recipient of the request;

17 (ii) interfere with active administrative
18 enforcement proceedings conducted by the public body
19 that is the recipient of the request;

20 (iii) create a substantial likelihood that a
21 person will be deprived of a fair trial or an impartial
22 hearing;

23 (iv) unavoidably disclose the identity of a
24 confidential source, confidential information
25 furnished only by the confidential source, or persons
26 who file complaints with or provide information to

1 administrative, investigative, law enforcement, or
2 penal agencies; except that the identities of
3 witnesses to traffic crashes, traffic crash reports,
4 and rescue reports shall be provided by agencies of
5 local government, except when disclosure would
6 interfere with an active criminal investigation
7 conducted by the agency that is the recipient of the
8 request;

9 (v) disclose unique or specialized investigative
10 techniques other than those generally used and known
11 or disclose internal documents of correctional
12 agencies related to detection, observation, or
13 investigation of incidents of crime or misconduct, and
14 disclosure would result in demonstrable harm to the
15 agency or public body that is the recipient of the
16 request;

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

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

21 (d-5) A law enforcement record created for law
22 enforcement purposes and contained in a shared electronic
23 record management system if the law enforcement agency
24 that is the recipient of the request did not create the
25 record, did not participate in or have a role in any of the
26 events which are the subject of the record, and only has

1 access to the record through the shared electronic record
2 management system.

3 (d-6) Records contained in the Officer Professional
4 Conduct Database under Section 9.2 of the Illinois Police
5 Training Act, except to the extent authorized under that
6 Section. This includes the documents supplied to the
7 Illinois Law Enforcement Training Standards Board from the
8 Illinois State Police and Illinois State Police Merit
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11 correctional institutions and detention facilities.

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13 Department of Corrections, Department of Human Services
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15 materials are available in the library of the correctional
16 institution or facility or jail where the inmate is
17 confined.

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19 Department of Corrections, Department of Human Services
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15 to, a victim's home address, home telephone number, work
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23 Mental Health, or a county jail, including, but not
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17 cause competitive harm to the person or business, and only
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19 requested.

20 The information included under this exemption includes
21 all trade secrets and commercial or financial information
22 obtained by a public body, including a public pension
23 fund, from a private equity fund or a privately held
24 company within the investment portfolio of a private
25 equity fund as a result of either investing or evaluating
26 a potential investment of public funds in a private equity

1 fund. The exemption contained in this item does not apply
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4 managers or general partners. The exemption contained in
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22 information relating to a real estate sale shall be exempt
23 until a sale is consummated.

24 (s) Any and all proprietary information and records
25 related to the operation of an intergovernmental risk
26 management association or self-insurance pool or jointly

1 self-administered health and accident cooperative or pool.
2 Insurance or self-insurance ~~self-insurance~~ (including any
3 intergovernmental risk management association or
4 self-insurance ~~self-insurance~~ pool) claims, loss or risk
5 management information, records, data, advice, or
6 communications.

7 (t) Information contained in or related to
8 examination, operating, or condition reports prepared by,
9 on behalf of, or for the use of a public body responsible
10 for the regulation or supervision of financial
11 institutions, insurance companies, or pharmacy benefit
12 managers, unless disclosure is otherwise required by State
13 law.

14 (u) Information that would disclose or might lead to
15 the disclosure of secret or confidential information,
16 codes, algorithms, programs, or private keys intended to
17 be used to create electronic signatures under the Uniform
18 Electronic Transactions Act.

19 (v) Vulnerability assessments, security measures, and
20 response policies or plans that are designed to identify,
21 prevent, or respond to potential attacks upon a
22 community's population or systems, facilities, or
23 installations, but only to the extent that disclosure
24 could reasonably be expected to expose the vulnerability
25 or jeopardize the effectiveness of the measures, policies,
26 or plans, or the safety of the personnel who implement

1 them or the public. Information exempt under this item may
2 include such things as details pertaining to the
3 mobilization or deployment of personnel or equipment, to
4 the operation of communication systems or protocols, to
5 cybersecurity vulnerabilities, or to tactical operations.

6 (w) (Blank).

7 (x) Maps and other records regarding the location or
8 security of generation, transmission, distribution,
9 storage, gathering, treatment, or switching facilities
10 owned by a utility, by a power generator, or by the
11 Illinois Power Agency.

12 (y) Information contained in or related to proposals,
13 bids, or negotiations related to electric power
14 procurement under Section 1-75 of the Illinois Power
15 Agency Act and Section 16-111.5 of the Public Utilities
16 Act that is determined to be confidential and proprietary
17 by the Illinois Power Agency or by the Illinois Commerce
18 Commission.

19 (z) Information about students exempted from
20 disclosure under Section ~~Sections~~ 10-20.38 or 34-18.29 of
21 the School Code, and information about undergraduate
22 students enrolled at an institution of higher education
23 exempted from disclosure under Section 25 of the Illinois
24 Credit Card Marketing Act of 2009.

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

1 (bb) Records and information provided to a mortality
2 review team and records maintained by a mortality review
3 team appointed under the Department of Juvenile Justice
4 Mortality Review Team Act.

5 (cc) Information regarding interments, entombments, or
6 inurnments of human remains that are submitted to the
7 Cemetery Oversight Database under the Cemetery Care Act or
8 the Cemetery Oversight Act, whichever is applicable.

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

13 (ee) The names, addresses, or other personal
14 information of persons who are minors and are also
15 participants and registrants in programs of park
16 districts, forest preserve districts, conservation
17 districts, recreation agencies, and special recreation
18 associations.

19 (ff) The names, addresses, or other personal
20 information of participants and registrants in programs of
21 park districts, forest preserve districts, conservation
22 districts, recreation agencies, and special recreation
23 associations where such programs are targeted primarily to
24 minors.

25 (gg) Confidential information described in Section
26 1-100 of the Illinois Independent Tax Tribunal Act of

1 2012.

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

6 (ii) Records requested by persons committed to or
7 detained by the Department of Human Services under the
8 Sexually Violent Persons Commitment Act or committed to
9 the Department of Corrections under the Sexually Dangerous
10 Persons Act if those materials: (i) are available in the
11 library of the facility where the individual is confined;
12 (ii) include records from staff members' personnel files,
13 staff rosters, or other staffing assignment information;
14 or (iii) are available through an administrative request
15 to the Department of Human Services or the Department of
16 Corrections.

17 (jj) Confidential information described in Section
18 5-535 of the Civil Administrative Code of Illinois.

19 (kk) The public body's credit card numbers, debit card
20 numbers, bank account numbers, Federal Employer
21 Identification Number, security code numbers, passwords,
22 and similar account information, the disclosure of which
23 could result in identity theft or impersonation or defrauding
24 of a governmental entity or a person.

25 (ll) Records concerning the work of the threat
26 assessment team of a school district, including, but not

1 limited to, any threat assessment procedure under the
2 School Safety Drill Act and any information contained in
3 the procedure.

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

7 (nn) ~~(mm)~~ Proprietary information submitted to the
8 Environmental Protection Agency under the Drug Take-Back
9 Act.

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

12 (pp) Reports described in subsection (e) of Section
13 16-15 of the Abortion Care Clinical Training Program Act.

14 (1.5) Any information exempt from disclosure under the
15 Judicial Privacy Act shall be redacted from public records
16 prior to disclosure under this Act.

17 (2) A public record that is not in the possession of a
18 public body but is in the possession of a party with whom the
19 agency has contracted to perform a governmental function on
20 behalf of the public body, and that directly relates to the
21 governmental function and is not otherwise exempt under this
22 Act, shall be considered a public record of the public body,
23 for purposes of this Act.

24 (3) This Section does not authorize withholding of
25 information or limit the availability of records to the
26 public, except as stated in this Section or otherwise provided

1 in this Act.

2 (Source: P.A. 101-434, eff. 1-1-20; 101-452, eff. 1-1-20;
3 101-455, eff. 8-23-19; 101-652, eff. 1-1-22; 102-38, eff.
4 6-25-21; 102-558, eff. 8-20-21; 102-694, eff. 1-7-22; 102-752,
5 eff. 5-6-22; 102-753, eff. 1-1-23; 102-776, eff. 1-1-23;
6 102-791, eff. 5-13-22; 102-982, eff. 7-1-23; 102-1055, eff.
7 6-10-22; revised 12-13-22.)

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

10 (215 ILCS 5/356z.60)

11 Sec. 356z.60. Coverage for abortifacients, hormonal
12 therapy, and human immunodeficiency virus pre-exposure
13 prophylaxis and post-exposure prophylaxis.

14 (a) As used in this Section:

15 "Abortifacients" means any medication administered to
16 terminate a pregnancy as prescribed or ordered by a health
17 care professional.

18 "Health care professional" means a physician licensed to
19 practice medicine in all of its branches, licensed advanced
20 practice registered nurse, or physician assistant.

21 "Hormonal therapy medication" means hormonal treatment
22 administered to treat gender dysphoria.

23 "Therapeutic equivalent version" means drugs, devices, or
24 products that can be expected to have the same clinical effect

1 and safety profile when administered to patients under the
2 conditions specified in the labeling and that satisfy the
3 following general criteria:

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

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

6 (A) contains identical amounts of the same active
7 drug ingredient in the same dosage form and route of
8 administration; and

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

11 (3) it is bioequivalent in that:

12 (A) it does not present a known or potential
13 bioequivalence problem and it meets an acceptable in
14 vitro standard; or

15 (B) if it does present such a known or potential
16 problem, it is shown to meet an appropriate
17 bioequivalence standard;

18 (4) it is adequately labeled; and

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

22 (b) An individual or group policy of accident and health
23 insurance amended, delivered, issued, or renewed in this State
24 on or after January 1, 2024 shall provide coverage for all
25 abortifacients, hormonal therapy medication, human
26 immunodeficiency virus pre-exposure prophylaxis, and

1 post-exposure prophylaxis drugs approved by the United States
2 Food and Drug Administration, and follow-up services related
3 to that coverage, including, but not limited to, management of
4 side effects, medication self-management or adherence
5 counseling, risk reduction strategies, and mental health
6 counseling. This coverage shall include drugs approved by the
7 United States Food and Drug Administration that are prescribed
8 or ordered for off-label use for the purposes described in
9 this Section.

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

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

18 (2) If an individual's attending provider recommends a
19 particular drug approved by the United States Food and
20 Drug Administration based on a determination of medical
21 necessity with respect to that individual, the plan or
22 issuer must defer to the determination of the attending
23 provider and must cover that service or item without cost
24 sharing.

25 (3) If a drug is not covered, plans and issuers must
26 have an easily accessible, transparent, and sufficiently

1 expedient process that is not unduly burdensome on the
2 individual or a provider or other individual acting as a
3 patient's authorized representative to ensure coverage
4 without cost sharing.

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

7 (d) Except as otherwise provided in this Section, a policy
8 subject to this Section shall not impose a deductible,
9 coinsurance, copayment, or any other cost-sharing requirement
10 on the coverage provided. The provisions of this subsection do
11 not apply to coverage of procedures to the extent such
12 coverage would disqualify a high-deductible health plan from
13 eligibility for a health savings account pursuant to the
14 federal Internal Revenue Code, 26 U.S.C. 223.

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

18 (f) The coverage requirements in this Section for
19 abortifacients do not, pursuant to 42 U.S.C. 18054(a)(6),
20 apply to a multistate plan that does not provide coverage for
21 abortion.

22 (g) If the Department concludes that enforcement of any
23 coverage requirement of this Section for abortifacients may
24 adversely affect the allocation of federal funds to this
25 State, the Department may grant an exemption to that
26 requirement, but only to the minimum extent necessary to

1 ensure the continued receipt of federal funds.

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

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

5 (225 ILCS 65/65-11)

6 Sec. 65-11. Temporary permit for advanced practice
7 registered nurses for health care.

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

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

17 (2) The applicant has obtained a graduate degree
18 appropriate for national certification in a clinical
19 advanced practice registered nursing specialty or a
20 graduate degree or post-master's certificate from a
21 graduate level program in a clinical advanced practice
22 registered nursing specialty; the applicant has submitted
23 verification of licensure status in good standing in the
24 applicant's current state or territory of licensure; and

1 the applicant can furnish the Department with a certified
2 letter upon request from that jurisdiction attesting to
3 the fact that the applicant has no pending action or
4 violations against the applicant's license.

5 The Department will not consider an advanced practice
6 registered nurse's license being revoked or otherwise
7 disciplined by any state or territory based solely on the
8 advanced practice registered nurse providing, authorizing,
9 recommending, aiding, assisting, referring for, or
10 otherwise participating in any health care service that is
11 unlawful or prohibited in that state or territory, if the
12 provision of, authorization of, or participation in that
13 health care, medical service, or procedure related to any
14 health care service is not unlawful or prohibited in this
15 State.

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

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

25 (5) The applicant will be working pursuant to an
26 agreement with a sponsoring licensed hospital, medical

1 office, clinic, or other medical facility providing health
2 care services. Such agreement shall be executed by an
3 authorized representative of the licensed hospital,
4 medical office, clinic, or other medical facility,
5 certifying that the advanced practice registered nurse
6 holds an active license and is in good standing in the
7 state in which they are licensed. If an applicant for a
8 temporary permit has been previously disciplined by
9 another jurisdiction, except as described in paragraph (2)
10 of subsection (a), further review may be conducted
11 pursuant to the Civil Administrative Code of Illinois and
12 this Act. The application shall include the advanced
13 practice registered nurse's name, contact information,
14 state of licensure, and license number.

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

16 The sponsoring licensed hospital, medical office, clinic,
17 or other medical facility engaged in the agreement with the
18 applicant shall notify the Department should the applicant at
19 any point leave or become separate from the sponsor.

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

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

25 (c) The temporary permit shall only permit the holder to
26 practice as an advanced practice registered nurse with a

1 collaborating physician who provides health care services at
2 the location or locations specified on the permit or via
3 telehealth.

4 (d) An application for the temporary permit shall be made
5 to the Department, in writing, on forms prescribed by the
6 Department, and shall be accompanied by a non-refundable fee
7 of \$75. The Department shall grant or deny an applicant a
8 temporary permit within 60 days of receipt of a completed
9 application. The Department shall notify the applicant of any
10 deficiencies in the applicant's application materials
11 requiring corrections in a timely manner.

12 (e) An applicant for temporary permit may be requested to
13 appear before the Board to respond to questions concerning the
14 applicant's qualifications to receive the permit. An
15 applicant's refusal to appear before the Board of Nursing may
16 be grounds for denial of the application by the Department.

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

23 If the Secretary summarily cancels a temporary permit
24 issued pursuant to this Section or Act, the permit holder may
25 petition the Department for a hearing in accordance with the
26 provisions of Section 70-125 to restore his or her permit,

1 unless the permit holder has exceeded his or her renewal
2 limit.

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

16 (h) While working in Illinois, all temporary permit
17 holders are subject to all statutory and regulatory
18 requirements of this Act in the same manner as a licensee.
19 Failure to adhere to all statutory and regulatory requirements
20 may result in revocation or other discipline of the temporary
21 permit.

22 (i) If the Department becomes aware of a violation
23 occurring at the facility licensed by the Department of Public
24 Health, ~~licensed hospital, medical office, clinic, or other~~
25 ~~medical facility, or via telehealth service,~~ the Department
26 shall notify the Department of Public Health.

1 (j) The Department may adopt emergency rules pursuant to
2 this Section. The General Assembly finds that the adoption of
3 rules to implement a temporary permit for health care services
4 is deemed an emergency and necessary for the public interest,
5 safety, and welfare.

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

7 (225 ILCS 65/65-11.5)

8 Sec. 65-11.5. Temporary permit for full practice advanced
9 practice registered nurses for health care.

10 (a) The Department may issue a full practice advanced
11 practice registered nurse temporary permit to an applicant who
12 is licensed to practice as an advanced practice registered
13 nurse in another state. The temporary permit will authorize
14 the practice of providing health care to patients in this
15 State if all of the following apply:

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

19 (2) The applicant has obtained a graduate degree
20 appropriate for national certification in a clinical
21 advanced practice registered nursing specialty or a
22 graduate degree or post-master's certificate from a
23 graduate level program in a clinical advanced practice
24 registered nursing specialty; the applicant is certified
25 as a nurse practitioner, nurse midwife, or clinical nurse

1 specialist; the applicant has submitted verification of
2 licensure status in good standing in the applicant's
3 current state or territory of licensure; and the applicant
4 can furnish the Department with a certified letter upon
5 request from that jurisdiction attesting to the fact that
6 the applicant has no pending action or violations against
7 the applicant's license.

8 The Department shall not consider an advanced practice
9 registered nurse's license being revoked or otherwise
10 disciplined by any state or territory for the provision
11 of, authorization of, or participation in any health care,
12 medical service, or procedure related to an abortion on
13 the basis that such health care, medical service, or
14 procedure related to an abortion is unlawful or prohibited
15 in that state or territory, if the provision of,
16 authorization of, or participation in that health care,
17 medical service, or procedure related to an abortion is
18 not unlawful or prohibited in this State.

19 (3) The applicant has sufficient training and
20 possesses the appropriate core competencies to provide
21 health care services, and is physically, mentally, and
22 professionally capable of practicing as an advanced
23 practice registered nurse with reasonable judgment, skill,
24 and safety and in accordance with applicable standards of
25 care.

26 (4) The applicant will be working pursuant to an

1 agreement with a sponsoring licensed hospital, medical
2 office, clinic, or other medical facility providing health
3 care services. Such agreement shall be executed by an
4 authorized representative of the licensed hospital,
5 medical office, clinic, or other medical facility,
6 certifying that the advanced practice registered nurse
7 holds an active license and is in good standing in the
8 state in which they are licensed. If an applicant for a
9 temporary permit has been previously disciplined by
10 another jurisdiction, except as described in paragraph (2)
11 of subsection (a), further review may be conducted
12 pursuant to the Civil Administrative Code of Illinois and
13 this Act. The application shall include the advanced
14 practice registered nurse's name, contact information,
15 state of licensure, and license number.

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

17 The sponsoring licensed hospital, medical office, clinic,
18 or other medical facility engaged in the agreement with the
19 applicant shall notify the Department should the applicant at
20 any point leave or become separate from the sponsor.

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

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

26 (c) The temporary permit shall only permit the holder to

1 practice as a full practice advanced practice registered nurse
2 within the scope of providing health care services at the
3 location or locations specified on the permit or via
4 telehealth service.

5 (d) An application for the temporary permit shall be made
6 to the Department, in writing, on forms prescribed by the
7 Department, and shall be accompanied by a non-refundable fee
8 of \$75.

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

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

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

26 (g) In addition to terminating any temporary permit issued

1 pursuant to this Section or Act, the Department may issue a
2 monetary penalty not to exceed \$10,000 upon the temporary
3 permit holder and may notify any state in which the temporary
4 permit holder has been issued a permit that his or her Illinois
5 permit has been terminated and the reasons for the
6 termination. The monetary penalty shall be paid within 60 days
7 after the effective date of the order imposing the penalty.
8 The order shall constitute a judgment and may be filed, and
9 execution had thereon in the same manner as any judgment from
10 any court of record. It is the intent of the General Assembly
11 that a permit issued pursuant to this Section shall be
12 considered a privilege and not a property right.

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

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

24 (j) The Department may adopt emergency rules pursuant to
25 this Section. The General Assembly finds that the adoption of
26 rules to implement a temporary permit for health care services

1 is deemed an emergency and necessary for the public interest,
2 safety, and welfare.

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

4 Section 15. The Pharmacy Practice Act is amended by
5 changing Section 43.5 as follows:

6 (225 ILCS 85/43.5)

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

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

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

24 The standing order must be consistent with the current

1 version of the guidelines of the Centers for Disease Control
2 and Prevention, guidelines of the United States Preventive
3 Services Task Force, or generally recognized evidence-based
4 clinical guidelines.

5 A pharmacist must communicate the services provided under
6 this Section to the patient and the patient's primary health
7 care provider or other health care professional or clinic, if
8 known. If there is no primary health care provider provided by
9 the patient, then the pharmacist shall give the patient a list
10 of primary health care providers, other health care
11 professionals, and clinics in the area.

12 The services provided under this Section shall be
13 appropriately documented and retained in a confidential manner
14 consistent with State HIV confidentiality requirements.

15 The services provided under this Section shall take place
16 in a private manner.

17 A pharmacist shall complete an educational training
18 program accredited by the Accreditation Council for Pharmacy
19 Education and approved by the Department that is related to
20 the initiation, dispensing, or administration of drugs,
21 laboratory tests, assessments, referrals, and consultations
22 for human immunodeficiency virus pre-exposure prophylaxis and
23 human immunodeficiency virus post-exposure prophylaxis.

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

25 Section 20. The Physician Assistant Practice Act of 1987

1 is amended by changing Section 9.7 as follows:

2 (225 ILCS 95/9.7)

3 Sec. 9.7. Temporary permit for health care.

4 (a) The Department may issue a temporary permit to an
5 applicant who is licensed to practice as a physician assistant
6 in another state. The temporary permit will authorize the
7 practice of providing health care to patients in this State,
8 with a collaborating physician in this State, if all of the
9 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 certification by the
14 National Commission on Certification of Physician
15 Assistants or its successor agency; the applicant has
16 submitted verification of licensure status in good
17 standing in the applicant's current state or territory of
18 licensure; and the applicant can furnish the Department
19 with a certified letter upon request from that
20 jurisdiction attesting to the fact that the applicant has
21 no pending action or violations against the applicant's
22 license.

23 The Department will not consider a physician
24 assistant's license being revoked or otherwise disciplined
25 by any state or territory based solely on the physician

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

8 (3) The applicant has sufficient training and
9 possesses the appropriate core competencies to provide
10 health care services, and is physically, mentally, and
11 professionally capable of practicing as a physician
12 assistant with reasonable judgment, skill, and safety and
13 in accordance with applicable standards of care.

14 (4) The applicant has met the written collaborative
15 agreement requirements under subsection (a) of Section
16 7.5.

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

1 except as described in paragraph (2) of subsection (a),
2 further review may be conducted pursuant to the Civil
3 Administrative Code of Illinois and this Act. The
4 application shall include the physician assistant's name,
5 contact information, state of licensure, and license
6 number.

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

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

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

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

17 (c) The temporary permit shall only permit the holder to
18 practice as a physician assistant with a collaborating
19 physician who provides health care services with the sponsor
20 specified on the permit.

21 (d) An application for the temporary permit shall be made
22 to the Department, in writing, on forms prescribed by the
23 Department, and shall be accompanied by a non-refundable fee
24 of \$75. The Department shall grant or deny an applicant a
25 temporary permit within 60 days of receipt of a completed
26 application. The Department shall notify the applicant of any

1 deficiencies in the applicant's application materials
2 requiring corrections in a timely manner.

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

8 (f) The Secretary may summarily cancel any temporary
9 permit issued pursuant to this Section, without a hearing, if
10 the Secretary finds that evidence in his or her possession
11 indicates that a permit holder's continuation in practice
12 would constitute an imminent danger to the public or violate
13 any provision of this Act or its rules. If the Secretary
14 summarily cancels a temporary permit issued pursuant to this
15 Section or Act, the permit holder may petition the Department
16 for a hearing in accordance with the provisions of Section
17 22.11 to restore his or her permit, unless the permit holder
18 has exceeded his or her 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 that
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 occurring via telehealth services,~~ the
16 Department 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 25. The Abortion Care Clinical Training Program
24 Act is amended by changing Section 16-15 as follows:

1 (410 ILCS 185/16-15)

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

3 (a) Subject to appropriation to the Fund, the Department
4 shall contract with at least one coordinating organization to
5 administer the Program. The Department shall use the Fund to
6 contract with the coordinating organization.

7 (b) A coordinating organization contracted by the
8 Department to administer the Program shall:

9 (1) submit an annual report to the Department
10 regarding Program performance, including the number of
11 participants enrolled, the demographics of Program
12 participants, the number of participants who successfully
13 complete the Program, the outcome of successful Program
14 participants, and the level of involvement of the
15 participants in providing abortion and other forms of
16 reproductive health care in Illinois; and

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

19 (c) The Department shall release the name of any
20 coordinating organization it coordinates with and any entity
21 receiving funds to assist in the implementation of this
22 Program through the coordinating organization. The Department
23 shall not release the name of any individual person or health
24 care professional administering services through or
25 participating in the Program. The Department shall, by rule,
26 establish procedures to ensure that sensitive Program

1 information, including any personal information and
2 information that, if released, could endanger the life or
3 physical safety of program participants, remains confidential.

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

7 (e) All reports received by the Department in accordance
8 with this Section shall be treated as confidential and exempt
9 from the Freedom of Information Act.

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

11 Section 95. No acceleration or delay. Where this Act makes
12 changes in a statute that is represented in this Act by text
13 that is not yet or no longer in effect (for example, a Section
14 represented by multiple versions), the use of that text does
15 not accelerate or delay the taking effect of (i) the changes
16 made by this Act or (ii) provisions derived from any other
17 Public Act.

18 Section 99. Effective date. This Act takes effect upon
19 becoming law."