

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Perfusionist Practice Act is amended by  
5 changing Sections 45 and 70 and by adding Section 75 as  
6 follows:

7 (225 ILCS 125/45)

8 (Section scheduled to be repealed on January 1, 2010)

9 Sec. 45. Application of Act. This Act shall not be  
10 construed to prohibit the following:

11 (1) a person licensed in this State under any other Act  
12 from engaging in the practice for which he or she is licensed;

13 (2) a student enrolled in an accredited perfusion education  
14 program from performing perfusion services if perfusion  
15 services performed by the student:

16 (A) are an integral part of the student's course of  
17 study; and

18 (B) are performed under the direct supervision of a  
19 licensed perfusionist who is assigned to supervise the  
20 student and who is on duty and immediately available in the  
21 assigned patient care area;

22 (3) a new graduate from performing perfusion services for a  
23 period of 14 months after the date of his or her graduation

1 from a Commission on Accreditation of Allied Health Education  
2 Programs accredited perfusion education program, if perfusion  
3 services performed by the new graduate perfusionist: ~~(A) are~~  
4 ~~necessary to fulfill the eligibility requirements for the ABCP~~  
5 ~~certification examination required under subsection (3) of~~  
6 ~~Section 30; and (B) are performed under the direct supervision~~  
7 ~~and responsibility~~ of a licensed perfusionist or a physician  
8 licensed to practice medicine in all of its branches who is  
9 assigned to supervise the new graduate perfusionist and who is  
10 ~~on duty and~~ immediately available in the assigned patient care  
11 area;

12 (4) any legally qualified perfusionist employed by the  
13 United States government from engaging in the practice of  
14 perfusion while in the discharge of his or her official duties;  
15 or

16 (5) one or more licensed perfusionists from forming a  
17 professional service corporation in accordance with the  
18 Professional Service Corporation Act.

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

20 (225 ILCS 125/70)

21 (Section scheduled to be repealed on January 1, 2010)

22 Sec. 70. Renewal, reinstatement or restoration of license;  
23 ~~continuing education;~~ military service. The expiration date  
24 ~~and renewal period~~ for each license issued under this Act shall  
25 be set by the Department by rule. The renewal period for

1 licenses issued under this Act shall be every 2 years. A  
2 licensee may renew his or her license during the month  
3 preceding the expiration date of the license by paying the  
4 required fee. It is the responsibility of the licensee to  
5 notify the Department in writing of a change of address. As a  
6 condition of renewal, a licensee must show proof of continued  
7 and current national certification. ~~Renewal shall be~~  
8 ~~conditioned on paying the required fee and meeting other~~  
9 ~~requirements as may be established by rule.~~

10 A licensee who has permitted his or her license to expire  
11 or who has had his or her license on inactive status may have  
12 the license restored by making application to the Department,  
13 by filing proof acceptable to the Department of his or her  
14 fitness to have the license restored, and by paying the  
15 required fees. Proof of fitness may include sworn evidence  
16 certifying to active lawful practice in another jurisdiction.

17 If the licensee has not maintained an active practice in  
18 another jurisdiction satisfactory to the Department, the  
19 Department shall determine, by an evaluation program  
20 established by rule, his or her fitness for restoration of the  
21 license and shall establish procedures and requirements for  
22 restoration. However, a licensee whose license expired while he  
23 or she was (1) in federal service on active duty with the Armed  
24 Forces of the United States or the State Militia called into  
25 service or training or (2) in training or education under the  
26 supervision of the United States before induction into the

1 military service, may have the license restored without paying  
2 any lapsed renewal fees if within 2 years after honorable  
3 termination of the service, training, or education he or she  
4 furnishes the Department with satisfactory evidence to the  
5 effect that he or she has been so engaged and that his or her  
6 service, training, or education has been so terminated.

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

8 (225 ILCS 125/75 new)

9 Sec. 75. Continued education. Each licensee must complete  
10 30 hours of continuing education during each 2-year license  
11 renewal period. The Department may, but is not required to,  
12 approve continuing education programs offered, provided, and  
13 approved by the American Board of Cardiovascular Perfusion or  
14 its successor agency to meet the 30-hour continuing education  
15 requirement set forth in this Section.

16 All licensees must maintain records of completion of the  
17 required continuing education hours set forth under this  
18 Section and be prepared to produce such records upon request by  
19 the Department.

20 Notwithstanding any other rulemaking authority that may  
21 exist, neither the Governor nor any agency or agency head under  
22 the jurisdiction of the Governor has any authority to make or  
23 promulgate rules to implement or enforce the provisions of this  
24 amendatory Act of the 95th General Assembly. If, however, the  
25 Governor believes that rules are necessary to implement or

1 enforce the provisions of this amendatory Act of the 95th  
2 General Assembly, the Governor may suggest rules to the General  
3 Assembly by filing them with the Clerk of the House and the  
4 Secretary of the Senate and by requesting that the General  
5 Assembly authorize such rulemaking by law, enact those  
6 suggested rules into law, or take any other appropriate action  
7 in the General Assembly's discretion. Nothing contained in this  
8 amendatory Act of the 95th General Assembly shall be  
9 interpreted to grant rulemaking authority under any other  
10 Illinois statute where such authority is not otherwise  
11 explicitly given. For the purposes of this amendatory Act of  
12 the 95th General Assembly, "rules" is given the meaning  
13 contained in Section 1-70 of the Illinois Administrative  
14 Procedure Act, and "agency" and "agency head" are given the  
15 meanings contained in Sections 1-20 and 1-25 of the Illinois  
16 Administrative Procedure Act to the extent that such  
17 definitions apply to agencies or agency heads under the  
18 jurisdiction of the Governor.

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