



Health Care Availability and Access Committee

Filed: 3/4/2008

09500HB4777ham001

LRB095 15666 RAS 46950 a

1 AMENDMENT TO HOUSE BILL 4777

2 AMENDMENT NO. _____. Amend House Bill 4777 by replacing
3 everything after the enacting clause with the following:

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8 (Section scheduled to be repealed on January 1, 2010)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

1 study; and

2 (B) are performed under the direct supervision of a
3 licensed perfusionist who is assigned to supervise the
4 student and who is on duty and immediately available in the
5 assigned patient care area;

6 (3) a new graduate from performing perfusion services, if
7 perfusion services performed by the new graduate perfusionist;
8 ~~(A) are necessary to fulfill the eligibility requirements for~~
9 ~~the ABCP certification examination required under subsection~~
10 ~~(3) of Section 30; and (B) are performed under the direct~~
11 ~~supervision and responsibility~~ of a licensed perfusionist who
12 is assigned to supervise the graduate perfusionist or a
13 physician licensed to practice medicine in all of its branches
14 ~~and who is on duty and~~ immediately available in the assigned
15 patient care area;

16 (4) any legally qualified perfusionist employed by the
17 United States government from engaging in the practice of
18 perfusion while in the discharge of his or her official duties;
19 or

20 (5) one or more licensed perfusionists from forming a
21 professional service corporation in accordance with the
22 Professional Service Corporation Act.

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

24 (225 ILCS 125/70)

25 (Section scheduled to be repealed on January 1, 2010)

1 Sec. 70. Renewal, reinstatement or restoration of license;
2 ~~continuing education;~~ military service. The expiration date
3 ~~and renewal period~~ for each license issued under this Act shall
4 be set by the Department by rule. The renewal period for
5 licenses issued under this Act shall be every 2 years. A
6 licensee may renew his or her license during the month
7 preceding the expiration date of the license by paying the
8 required fee. It is the responsibility of the licensee to
9 notify the Department in writing of a change of address. As a
10 condition of renewal, a licensee must show proof of continued
11 and current national certification. Renewal shall be
12 ~~conditioned on paying the required fee and meeting other~~
13 ~~requirements as may be established by rule.~~

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

21 If the licensee has not maintained an active practice in
22 another jurisdiction satisfactory to the Department, the
23 Department shall determine, by an evaluation program
24 established by rule, his or her fitness for restoration of the
25 license and shall establish procedures and requirements for
26 restoration. However, a licensee whose license expired while he

1 or she was (1) in federal service on active duty with the Armed
2 Forces of the United States or the State Militia called into
3 service or training or (2) in training or education under the
4 supervision of the United States before induction into the
5 military service, may have the license restored without paying
6 any lapsed renewal fees if within 2 years after honorable
7 termination of the service, training, or education he or she
8 furnishes the Department with satisfactory evidence to the
9 effect that he or she has been so engaged and that his or her
10 service, training, or education has been so terminated.

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

12 (225 ILCS 125/75 new)

13 Sec. 75. Continued education. Each licensee must complete
14 30 hours of continuing education during each 2-year license
15 renewal period.

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."