



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB5308

Introduced 2/3/2010, by Rep. David R. Leitch

SYNOPSIS AS INTRODUCED:

225 ILCS 60/17

from Ch. 111, par. 4400-17

Amends the Medical Practice Act of 1987. In a provision concerning temporary licenses, provides that persons meeting certain requirements may receive without examination a 3-year temporary license (removes "in the discretion of the Department"). Provides that a pre-residency or post-residency fellowship may qualify as specialty training or a training program. Makes other changes.

LRB096 15730 ASK 30969 b

1 AN ACT concerning professional regulation.

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

4 Section 5. The Medical Practice Act of 1987 is amended by
5 changing Section 17 as follows:

6 (225 ILCS 60/17) (from Ch. 111, par. 4400-17)

7 (Section scheduled to be repealed on December 31, 2010)

8 Sec. 17. Temporary license. Persons holding the degree of
9 Doctor of Medicine, persons holding the degree of Doctor of
10 Osteopathy or Doctor of Osteopathic Medicine, and persons
11 holding the degree of Doctor of Chiropractic or persons who
12 have satisfied the requirements therefor and are eligible to
13 receive such degree from a medical, osteopathic, or
14 chiropractic school, who wish to pursue programs of graduate or
15 specialty training in this State, may receive without
16 examination, ~~in the discretion of the Department,~~ a 3-year
17 temporary license. In order to receive a 3-year temporary
18 license hereunder, an applicant shall furnish satisfactory
19 proof to the Department that the applicant:

20 (A) Is of good moral character. In determining moral
21 character under this Section, the Department may take into
22 consideration whether the applicant has engaged in conduct
23 or activities which would constitute grounds for

1 discipline under this Act. The Department may also request
2 the applicant to submit, and may consider as evidence of
3 moral character, endorsements from 2 or 3 individuals
4 licensed under this Act;

5 (B) Has been accepted or appointed for specialty or
6 residency training by a hospital situated in this State or
7 a training program in a hospital or facility ~~hospitals or~~
8 ~~facilities~~ maintained by the State of Illinois or
9 affiliated training facility ~~facilities~~ which is approved
10 by the Department for the purpose of such training under
11 this Act. For the purposes of this Section, a pre-residency
12 or post-residency fellowship may qualify as specialty
13 training or a training program. The applicant shall
14 indicate the beginning and ending dates of the period for
15 which the applicant has been accepted or appointed;

16 (C) Has or will satisfy the professional education
17 requirements of Section 11 of this Act which are effective
18 at the date of application except for postgraduate clinical
19 training;

20 (D) Is physically, mentally, and professionally
21 capable of practicing medicine or treating human ailments
22 without the use of drugs or operative surgery with
23 reasonable judgment, skill, and safety. In determining
24 physical, mental and professional capacity under this
25 Section, the Medical Licensing Board may, upon a showing of
26 a possible incapacity, compel an applicant to submit to a

1 mental or physical examination, or both, and may condition
2 or restrict any temporary license, subject to the same
3 terms and conditions as are provided for the Medical
4 Disciplinary Board under Section 22 of this Act. Any such
5 condition of restricted temporary license shall provide
6 that the Chief Medical Coordinator or Deputy Medical
7 Coordinator shall have the authority to review the subject
8 physician's compliance with such conditions or
9 restrictions, including, where appropriate, the
10 physician's record of treatment and counseling regarding
11 the impairment, to the extent permitted by applicable
12 federal statutes and regulations safeguarding the
13 confidentiality of medical records of patients.

14 Three-year temporary licenses issued pursuant to this
15 Section shall be valid only for the period of time designated
16 therein, and may be extended or renewed pursuant to the rules
17 of the Department, and if a temporary license is thereafter
18 extended, it shall not extend beyond completion of the
19 residency program. The holder of a valid 3-year temporary
20 license shall be entitled thereby to perform only such acts as
21 may be prescribed by and incidental to their program of
22 residency training; they shall not be entitled to otherwise
23 engage in the practice of medicine in this State unless fully
24 licensed in this State.

25 A 3-year temporary license may be revoked by the Department
26 upon proof that the holder thereof has engaged in the practice

1 of medicine in this State outside of the program of their
2 residency or specialty training, or if the holder shall fail to
3 supply the Department, within 10 days of its request, with
4 information as to their current status and activities in their
5 specialty training program.

6 (Source: P.A. 89-702, eff. 7-1-97; 90-54, eff. 7-3-97.)