



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB5691

Introduced 2/9/2010, by Rep. Greg Harris

SYNOPSIS AS INTRODUCED:

225 ILCS 15/6	from Ch. 111, par. 5356
225 ILCS 15/7	from Ch. 111, par. 5357
225 ILCS 15/10.5 new	
225 ILCS 15/13	from Ch. 111, par. 5363

Amends the Clinical Psychologist Licensing Act. Provides that a licensee shall complete at least 23 credit hours of continuing education for every 2-year period of licensure, except for his or her initial 2-year period of licensure. Sets forth additional provisions concerning continuing education, including postponements or waivers of the requirement, exemptions, military service, license renewals or restorations, and Department duties and powers. Also makes technical changes.

LRB096 20223 ASK 35796 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 Clinical Psychologist Licensing Act is
5 amended by changing Sections 6, 7, and 13 and by adding Section
6 10.5 as follows:

7 (225 ILCS 15/6) (from Ch. 111, par. 5356)

8 (Section scheduled to be repealed on January 1, 2017)

9 Sec. 6. Subject to the provisions of this Act, the
10 Department shall:

11 (1) Authorize examinations to ascertain the qualifications
12 and fitness of applicants for licensure as clinical
13 psychologists, approve of continuing education programs or
14 courses, and pass upon the qualifications of applicants for
15 reciprocal licensure.

16 (2) Conduct hearings on proceedings to refuse to issue or
17 renew or to revoke licenses or suspend, place on probation,
18 censure or reprimand persons licensed under the provisions of
19 this Act, and to refuse to issue or to suspend or to revoke or
20 to refuse to renew licenses or to place on probation, censure
21 or reprimand such persons licensed under the provisions of this
22 Act.

23 (3) Formulate rules and regulations required for the

1 administration of this Act.

2 (Source: P.A. 85-947.)

3 (225 ILCS 15/7) (from Ch. 111, par. 5357)

4 (Section scheduled to be repealed on January 1, 2017)

5 Sec. 7. Board. The Secretary shall appoint a Board that
6 shall serve in an advisory capacity to the Secretary.

7 The Board shall consist of 7 persons, 4 of whom are
8 licensed clinical psychologists, and actively engaged in the
9 practice of clinical psychology, 2 of whom are licensed
10 clinical psychologists and are full time faculty members of
11 accredited colleges or universities who are engaged in training
12 clinical psychologists, and one of whom is a public member who
13 is not a licensed health care provider. In appointing members
14 of the Board, the Secretary shall give due consideration to the
15 adequate representation of the various fields of health care
16 psychology such as clinical psychology, school psychology and
17 counseling psychology. In appointing members of the Board, the
18 Secretary shall give due consideration to recommendations by
19 members of the profession of clinical psychology and by the
20 State-wide organizations representing the interests of
21 clinical psychologists and organizations representing the
22 interests of academic programs as well as recommendations by
23 approved doctoral level psychology programs in the State of
24 Illinois. The members shall be appointed for a term of 4 years.
25 No member shall be eligible to serve for more than 2 full

1 terms. Any appointment to fill a vacancy shall be for the
2 unexpired portion of the term. A member appointed to fill a
3 vacancy for an unexpired term for a duration of 2 years or more
4 may be reappointed for a maximum of one term and a member
5 appointed to fill a vacancy for an unexpired term for a
6 duration of less than 2 years may be reappointed for a maximum
7 of 2 terms. The Secretary may remove any member for cause at
8 any time prior to the expiration of his or her term.

9 The Board shall annually elect one of its members as
10 chairperson and vice chairperson.

11 The members of the Board shall be reimbursed for all
12 authorized legitimate and necessary expenses incurred in
13 attending the meetings of the Board.

14 The Secretary shall give due consideration to all
15 recommendations of the Board. In the event the Secretary
16 disagrees with or takes action contrary to the recommendation
17 of the Board, he or she shall provide the Board with a written
18 and specific explanation of his or her actions.

19 The Board may approve any program or course that it
20 believes should be credited towards the continuing education
21 requirement for licensees under this Act.

22 A majority of the Board members currently appointed shall
23 constitute a quorum. A vacancy in the membership of the Board
24 shall not impair the right of a quorum to perform all of the
25 duties of the Board.

26 Members of the Board shall have no liability in any action

1 based upon any disciplinary proceeding or other activity
2 performed in good faith as a member of the Board.

3 The Secretary may terminate the appointment of any member
4 for cause which in the opinion of the Secretary reasonably
5 justifies such termination.

6 (Source: P.A. 93-745, eff. 7-15-04; 94-870, eff. 6-16-06.)

7 (225 ILCS 15/10.5 new)

8 Sec. 10.5. Continuing education.

9 (a) A licensee shall complete at least 23 credit hours of
10 continuing education for every 2-year period of licensure,
11 except for his or her initial 2-year period of licensure. At
12 least 3 of the 23 credit hours of continuing education must be
13 on the topics of professional ethics and risk management.
14 Continuing education hours may only apply to the 2-year period
15 in which the hours were completed, except that the Department
16 may allow a licensee whose license has lapsed due to the
17 failure to meet the 23 credit hour requirement to apply
18 continuing education hours that he or she completed after the
19 lapse of his or her license to that previous 2-year period of
20 licensure.

21 (b) The Department may request that the licensee submit to
22 the Department a certificate of attendance as proof of
23 completing any continuing education program or course that he
24 or she has attended. The Department shall conduct a random
25 audit of 10% of all licensees every 2 years for compliance with

1 continuing education requirements and shall audit any licensee
2 who is under investigation for alleged misconduct under the
3 Act.

4 (c) Upon submitting a request to the Department, a licensee
5 may receive a postponement or waiver of the continuing
6 education requirement on the grounds of prolonged illness,
7 disability, or extreme hardship. The Department shall consider
8 each application individually on its merits, and the Department
9 may grant a postponement, partial waiver, or total waiver as
10 deemed appropriate. The license of any renewal applicant who,
11 prior to the date of the license renewal, applies to the
12 Department for a postponement or waiver of the continuing
13 education requirement shall be deemed to be in good standing
14 until the Department has reached a final decision on his or her
15 request.

16 (d) Any renewal applicant who served as a full-time, active
17 member of any branch of the United States armed forces or the
18 Illinois National Guard for at least 6 months during the 2-year
19 period immediately prior to his or her license renewal date
20 shall be exempt from the continuing education requirement for
21 that 2-year period.

22 (e) The Department may grant an exemption from the
23 requirements of this Section to a licensee who certifies to the
24 Department that he or she has permanently retired from the
25 active practice of clinical psychology. A licensee who has been
26 granted such an exemption may not return to the active practice

1 of clinical psychology unless he or she submits evidence
2 satisfactory to the Department of having completed at least 23
3 credit hours of continuing education for each 2-year period for
4 which the licensee was retired.

5 (f) The Department shall allow credit for any continuing
6 education program or course that is sponsored or co-sponsored
7 by a presenter that:

8 (1) is approved by the Committee for the Approval of
9 Continuing Education of the American Psychological
10 Association;

11 (2) is approved by the Accreditation Council of
12 Continuing Medical Education, if deemed relevant to the
13 professional practice of clinical psychology;

14 (3) is approved by a clinical psychologist licensing
15 board of another state in which the licensee is also
16 licensed as a clinical psychologist; or

17 (4) is approved by the Department or the Clinical
18 Psychologists Licensing and Disciplinary Board.

19 (g) The Department shall not grant more than 12 hours of
20 credit in a 2-year period for any specific continuing education
21 program or course.

22 (225 ILCS 15/13) (from Ch. 111, par. 5363)

23 (Section scheduled to be repealed on January 1, 2017)

24 Sec. 13. License renewal; restoration. The expiration date
25 and renewal period for each license issued under this Act shall

1 be set by rule. Every holder of a license under this Act may
2 renew such license during the 90-day period immediately
3 preceding the expiration date thereof upon payment of the
4 required renewal fees.

5 A clinical psychologist who has permitted his or her
6 license to expire or who has had his or her license on inactive
7 status may have his or her license restored by (i) making
8 application to the Department, ~~(ii) and~~ filing proof
9 acceptable to the Department of his or her fitness to have his
10 or her license restored, which may include including evidence
11 certifying to active practice in another jurisdiction
12 satisfactory to the Department or proof of completing 23 credit
13 hours of continuing education during the 2-year period prior to
14 application, and (iii) by paying the required restoration fee.

15 If the clinical psychologist has not maintained an active
16 practice in another jurisdiction satisfactory to the
17 Department, the Board shall determine, by an evaluation program
18 established by rule, his or her fitness to resume active status
19 and may require the clinical psychologist to complete a period
20 of supervised professional experience and may require
21 successful completion of an examination.

22 However, any clinical psychologist whose license expired
23 while he or she was (1) in Federal Service on active duty with
24 the Armed Forces of the United States, or the State Militia
25 called into service or training, or (2) in training or
26 education under the supervision of the United States

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

8 Unless the Department grants a postponement or waiver of
9 the continuing education requirement pursuant to Section 10.5
10 of this Act, a licensee who fails to meet the continuing
11 education requirements by the expiration date shall
12 immediately cease and desist from practice.

13 (Source: P.A. 94-870, eff. 6-16-06.)