



Health Care Licenses Committee

Filed: 2/24/2010

09600HB5691ham001

LRB096 20223 ASK 37408 a

1 AMENDMENT TO HOUSE BILL 5691

2 AMENDMENT NO. _____. Amend House Bill 5691 by replacing
3 everything after the enacting clause with the following:

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8 (Section scheduled to be repealed on January 1, 2017)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

1 renew or to revoke licenses or suspend, place on probation,
2 censure or reprimand persons licensed under the provisions of
3 this Act, and to refuse to issue or to suspend or to revoke or
4 to refuse to renew licenses or to place on probation, censure
5 or reprimand such persons licensed under the provisions of this
6 Act.

7 (3) Formulate rules and regulations required for the
8 administration of this Act.

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

10 (225 ILCS 15/7) (from Ch. 111, par. 5357)

11 (Section scheduled to be repealed on January 1, 2017)

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

14 The Board shall consist of 7 persons, 4 of whom are
15 licensed clinical psychologists, and actively engaged in the
16 practice of clinical psychology, 2 of whom are licensed
17 clinical psychologists and are full time faculty members of
18 accredited colleges or universities who are engaged in training
19 clinical psychologists, and one of whom is a public member who
20 is not a licensed health care provider. In appointing members
21 of the Board, the Secretary shall give due consideration to the
22 adequate representation of the various fields of health care
23 psychology such as clinical psychology, school psychology and
24 counseling psychology. In appointing members of the Board, the
25 Secretary shall give due consideration to recommendations by

1 members of the profession of clinical psychology and by the
2 State-wide organizations representing the interests of
3 clinical psychologists and organizations representing the
4 interests of academic programs as well as recommendations by
5 approved doctoral level psychology programs in the State of
6 Illinois. The members shall be appointed for a term of 4 years.
7 No member shall be eligible to serve for more than 2 full
8 terms. Any appointment to fill a vacancy shall be for the
9 unexpired portion of the term. A member appointed to fill a
10 vacancy for an unexpired term for a duration of 2 years or more
11 may be reappointed for a maximum of one term and a member
12 appointed to fill a vacancy for an unexpired term for a
13 duration of less than 2 years may be reappointed for a maximum
14 of 2 terms. The Secretary may remove any member for cause at
15 any time prior to the expiration of his or her term.

16 The Board shall annually elect one of its members as
17 chairperson and vice chairperson.

18 The members of the Board shall be reimbursed for all
19 authorized legitimate and necessary expenses incurred in
20 attending the meetings of the Board.

21 The Secretary shall give due consideration to all
22 recommendations of the Board. In the event the Secretary
23 disagrees with or takes action contrary to the recommendation
24 of the Board, he or she shall provide the Board with a written
25 and specific explanation of his or her actions.

26 The Board may approve any program or course that it

1 believes should be credited towards the continuing education
2 requirement for licensees under this Act.

3 A majority of the Board members currently appointed shall
4 constitute a quorum. A vacancy in the membership of the Board
5 shall not impair the right of a quorum to perform all of the
6 duties of the Board.

7 Members of the Board shall have no liability in any action
8 based upon any disciplinary proceeding or other activity
9 performed in good faith as a member of the Board.

10 The Secretary may terminate the appointment of any member
11 for cause which in the opinion of the Secretary reasonably
12 justifies such termination.

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

14 (225 ILCS 15/10.5 new)

15 Sec. 10.5. Continuing education.

16 (a) A licensee shall complete at least 23 credit hours of
17 continuing education for every 2-year period of licensure,
18 except for his or her initial 2-year period of licensure. At
19 least 3 of the 23 credit hours of continuing education must be
20 on the topics of professional ethics and risk management. At
21 least 12 of the 23 credit hours of continuing education must be
22 obtained in a live, face-to-face format in which a participant
23 has an opportunity to interact in real-time with the presenter
24 or, if a live video feed, an on-site facilitator.

25 Continuing education hours may only apply to the 2-year

1 period in which the hours were completed, except that the
2 Department may allow a licensee whose license has lapsed due to
3 the failure to meet the 23 credit hour requirement to apply
4 continuing education hours that he or she completed after the
5 lapse of his or her license to that previous 2-year period of
6 licensure.

7 (b) The Department may request that the licensee submit to
8 the Department a certificate of attendance as proof of
9 completing any continuing education program or course that he
10 or she has attended. The Department shall conduct a random
11 audit of 10% of all licensees every 2 years for compliance with
12 continuing education requirements and shall audit any licensee
13 who is under investigation for alleged misconduct under the
14 Act.

15 (c) Upon submitting a request to the Department, a licensee
16 may receive a postponement or waiver of the continuing
17 education requirement on the grounds of prolonged illness,
18 disability, or extreme hardship. The Department shall consider
19 each application individually on its merits, and the Department
20 may grant a postponement, partial waiver, or total waiver as
21 deemed appropriate. The license of any renewal applicant who,
22 prior to the date of the license renewal, applies to the
23 Department for a postponement or waiver of the continuing
24 education requirement shall be deemed to be in good standing
25 until the Department has reached a final decision on his or her
26 request.

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

7 (e) The Department may grant an exemption from the
8 requirements of this Section to a licensee who certifies to the
9 Department that he or she has permanently retired from the
10 active practice of clinical psychology. A licensee who has been
11 granted such an exemption may not return to the active practice
12 of clinical psychology unless he or she submits evidence
13 satisfactory to the Department of having completed at least 23
14 credit hours of continuing education for each 2-year period for
15 which the licensee was retired.

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

19 (1) is approved by the Committee for the Approval of
20 Continuing Education of the American Psychological
21 Association;

22 (2) is approved by the Accreditation Council of
23 Continuing Medical Education, if deemed relevant to the
24 professional practice of clinical psychology;

25 (3) is approved by a clinical psychologist licensing
26 board of another state in which the licensee is also

1 licensed as a clinical psychologist; or

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

4 (g) The Department shall grant credit for any continuing
5 education program or course taught by distance learning,
6 independent learning, self-study, or home study that:

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

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

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

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

18 (h) The Department shall not grant more than 12 hours of
19 credit in a 2-year period for any specific continuing education
20 program or course. The Department shall not grant credit for
21 any personal psychotherapy, service to a professional
22 organization, research, workshop on personal growth or the
23 business aspects of psychology, or any mentoring, teaching, or
24 supervising of students.

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

2 Sec. 13. License renewal; restoration. The expiration date
3 and renewal period for each license issued under this Act shall
4 be set by rule. Every holder of a license under this Act may
5 renew such license during the 90-day period immediately
6 preceding the expiration date thereof upon payment of the
7 required renewal fees.

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

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

25 However, any clinical psychologist whose license expired
26 while he or she was (1) in Federal Service on active duty with

1 the Armed Forces of the United States, or the State Militia
2 called into service or training, or (2) in training or
3 education under the supervision of the United States
4 preliminary to induction into the military service, may have
5 his or her license renewed or restored without paying any
6 lapsed renewal fees if within 2 years after honorable
7 termination of such 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 Unless the Department grants a postponement or waiver of
12 the continuing education requirement pursuant to Section 10.5
13 of this Act, a licensee who fails to meet the continuing
14 education requirements by the expiration date shall
15 immediately cease and desist from practice.

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