



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB3802

by Rep. Adam Brown

SYNOPSIS AS INTRODUCED:

See Index

Amends the Regulatory Sunset Act. Removes a provision repealing the Illinois Athletic Trainers Practice Act on January 1, 2016. Amends the Illinois Athletic Trainers Practice Act. Provides that the maximum fine for violating the Act is \$10,000 (currently, \$5,000). Provides that the Department may summarily suspend the licenses of athletic trainers upon specified evidence; provides for expedited hearings for licenses summarily suspended. Provides that the Illinois Board of Athletic Trainers may (currently, shall) be consulted by the Secretary in disciplining licensees. Makes omnibus changes and corrections to the Act reflecting the practices of the Department of Financial and Professional Regulation in administering the Act. Changes references from "Director" to "Secretary". Defines terms. Provides that the Act is repealed on January 1, 2026. Effective immediately.

LRB099 05883 JWD 31507 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

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 3. The Regulatory Sunset Act is amended by changing
5 Section 4.26 as follows:

6 (5 ILCS 80/4.26)

7 Sec. 4.26. Acts repealed on January 1, 2016. The following
8 Acts are repealed on January 1, 2016:

9 ~~The Illinois Athletic Trainers Practice Act.~~

10 The Illinois Roofing Industry Licensing Act.

11 The Illinois Dental Practice Act.

12 The Collection Agency Act.

13 The Barber, Cosmetology, Esthetics, Hair Braiding, and
14 Nail Technology Act of 1985.

15 The Respiratory Care Practice Act.

16 The Hearing Instrument Consumer Protection Act.

17 The Illinois Physical Therapy Act.

18 The Professional Geologist Licensing Act.

19 (Source: P.A. 95-331, eff. 8-21-07; 95-876, eff. 8-21-08;
20 96-1246, eff. 1-1-11.)

21 Section 5. The Illinois Athletic Trainers Practice Act is
22 amended by changing Sections 3, 4, 5, 6, 7, 8, 9, 10, 11, 12,

1 13, 14, 16, 17, 17.5, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27,
2 28, 29, 30, and 31 and by adding Sections 7.5, 18.5, 19.5, and
3 36 as follows:

4 (225 ILCS 5/3) (from Ch. 111, par. 7603)

5 (Section scheduled to be repealed on January 1, 2016)

6 Sec. 3. Definitions. As used in this Act:

7 (1) "Department" means the Department of Professional
8 Regulation.

9 (2) "Secretary" ~~"Director"~~ means the Secretary ~~Director~~ of
10 Financial and Professional Regulation.

11 (3) "Board" means the Illinois Board of Athletic Trainers
12 appointed by the Secretary ~~Director~~.

13 (4) "Licensed athletic trainer" means a person licensed to
14 practice athletic training as defined in this Act and with the
15 specific qualifications set forth in Section 9 of this Act who,
16 upon the direction of his or her team physician or consulting
17 physician, carries out the practice of prevention/emergency
18 care or physical reconditioning of injuries incurred by
19 athletes participating in an athletic program conducted by an
20 educational institution, professional athletic organization,
21 or sanctioned amateur athletic organization employing the
22 athletic trainer; or a person who, under the direction of a
23 physician, carries out comparable functions for a health
24 organization-based extramural program of athletic training
25 services for athletes. Specific duties of the athletic trainer

1 include but are not limited to:

2 A. Supervision of the selection, fitting, and
3 maintenance of protective equipment;

4 B. Provision of assistance to the coaching staff in the
5 development and implementation of conditioning programs;

6 C. Counseling of athletes on nutrition and hygiene;

7 D. Supervision of athletic training facility and
8 inspection of playing facilities;

9 E. Selection and maintenance of athletic training
10 equipment and supplies;

11 F. Instruction and supervision of student trainer
12 staff;

13 G. Coordination with a team physician to provide:

14 (i) pre-competition physical exam and health
15 history updates,

16 (ii) game coverage or phone access to a physician
17 or paramedic,

18 (iii) follow-up injury care,

19 (iv) reconditioning programs, and

20 (v) assistance on all matters pertaining to the
21 health and well-being of athletes.

22 H. Provision of on-site injury care and evaluation as
23 well as appropriate transportation, follow-up treatment
24 and rehabilitation as necessary for all injuries sustained
25 by athletes in the program;

26 I. With a physician, determination of when an athlete

1 may safely return to full participation post-injury; and

2 J. Maintenance of complete and accurate records of all
3 athletic injuries and treatments rendered.

4 To carry out these functions the athletic trainer is
5 authorized to utilize modalities, including, but not limited
6 to, heat, light, sound, cold, electricity, exercise, or
7 mechanical devices related to care and reconditioning.

8 (5) "Referral" means the guidance and direction given by
9 the physician, who shall maintain supervision of the athlete.

10 (6) "Athletic trainer aide" means a person who has received
11 on-the-job training specific to the facility in which he or she
12 is employed, on either a paid or volunteer basis, but is not
13 enrolled in an accredited athletic training curriculum.

14 (7) "Address of record" means the designated address
15 recorded by the Department in the applicant's or licensee's
16 application file or license file as maintained by the
17 Department's licensure maintenance unit. It is the duty of the
18 applicant or licensee to inform the Department of any change of
19 address, and those changes must be made either through the
20 Department's website or by contacting the Department.

21 (Source: P.A. 94-246, eff. 1-1-06.)

22 (225 ILCS 5/4) (from Ch. 111, par. 7604)

23 (Section scheduled to be repealed on January 1, 2016)

24 Sec. 4. Licensure requirement - Exempt activities. No
25 ~~After the effective date of this Act, no~~ person shall provide

1 any of the services set forth in subsection (4) of Section 3 of
2 this Act, or use the title "athletic trainer" or "certified
3 athletic trainer" or "athletic trainer certified" or "licensed
4 athletic trainer" or the letters "A.T.", "C.A.T.", "A.T.C.",
5 "A.C.T.", or "I.A.T.L." after his or her name, unless licensed
6 under this Act.

7 Nothing in this Act shall be construed as preventing or
8 restricting the practice, services, or activities of:

9 (1) Any person licensed or registered in this State by
10 any other law from engaging in the profession or occupation
11 for which he or she is licensed or registered.

12 (2) Any person employed as an athletic trainer by the
13 Government of the United States, if such person provides
14 athletic training solely under the direction or control of
15 the organization by which he or she is employed.

16 (3) Any person pursuing a course of study leading to a
17 degree or certificate in athletic training at an accredited
18 educational program if such activities and services
19 constitute a part of a supervised course of study involving
20 daily personal or verbal contact at the site of supervision
21 between the athletic training student and the licensed
22 athletic trainer who plans, directs, advises, and
23 evaluates the student's athletic training clinical
24 education. The supervising licensed athletic trainer must
25 be on-site where the athletic training clinical education
26 is being obtained. A person meeting the criteria under this

1 paragraph (3) must be designated by a title which clearly
2 indicates his or her status as a student or trainee.

3 (4) (Blank).

4 (5) The practice of athletic training under the
5 supervision of a licensed athletic trainer by one who has
6 applied in writing to the Department for licensure and has
7 complied with all the provisions of Section 9 except the
8 passing of the examination to be eligible to receive such
9 license. This temporary right to act as an athletic trainer
10 shall expire 3 months after the filing of his or her
11 written application to the Department; when the applicant
12 has been notified of his or her failure to pass the
13 examination authorized by the Department; when the
14 applicant has withdrawn his or her application; when the
15 applicant has received a license from the Department after
16 successfully passing the examination authorized by the
17 Department; or when the applicant has been notified by the
18 Department to cease and desist from practicing, whichever
19 occurs first. This provision shall not apply to an
20 applicant ~~In no event shall this exemption extend to any~~
21 ~~person for longer than 3 months. Anyone who has previously~~
22 ~~failed the examination, or who fails the examination during~~
23 ~~this 3-month period, shall immediately cease practice as an~~
24 ~~athletic trainer and shall not engage in the practice of~~
25 ~~athletic training again until he or she passes the~~
26 ~~examination.~~

1 (6) Any person in a coaching position from rendering
2 emergency care on an as needed basis to the athletes under
3 his or her supervision when a licensed athletic trainer is
4 not available.

5 (7) Any person who is an athletic trainer from another
6 state or territory of the United states or another nation,
7 state, or territory acting as an athletic trainer while
8 performing his or her duties for his or her respective
9 non-Illinois based team or organization, so long as he or
10 she restricts his or her duties to his or her team or
11 organization during the course of his or her team's or
12 organization's stay in this State. For the purposes of this
13 Act, a team shall be considered based in Illinois if its
14 home contests are held in Illinois, regardless of the
15 location of the team's administrative offices.

16 (8) The practice of athletic training by persons
17 licensed in another state who have applied in writing to
18 the Department for licensure by endorsement. This
19 temporary right to act as an athletic trainer shall expire
20 6 months after the filing of his or her written application
21 to the Department; upon the withdrawal of the application
22 for licensure under this Act; upon delivery of a notice of
23 intent to deny the application from the Department; or upon
24 the denial of the application by the Department, whichever
25 occurs first. ~~for no longer than 6 months or until~~
26 ~~notification has been given that licensure has been granted~~

1 ~~or denied, whichever period of time is lesser.~~

2 (9) The practice of athletic training by one who has
3 applied in writing to the Department for licensure and has
4 complied with all the provisions of Section 9. This
5 temporary right to act as an athletic trainer shall expire
6 6 months after the filing of his or her written application
7 to the Department; upon the withdrawal of the application
8 for licensure under this Act; upon delivery of a notice of
9 intent to deny the application from the Department; or upon
10 the denial of the application by the Department, whichever
11 occurs first. ~~for no longer than 6 months or until~~
12 ~~notification has been given that licensure has been granted~~
13 ~~or denied, whichever period of time is lesser.~~

14 (10) The practice of athletic training by persons
15 actively licensed as an athletic trainer in another state
16 or territory of the United states or another country, or
17 currently certified by the National Athletic Trainers
18 Association Board of Certification, Inc., or its successor
19 entity, at a special athletic tournament or event conducted
20 by a sanctioned amateur athletic organization, including,
21 but not limited to, the Prairie State Games and the Special
22 Olympics, for no more than 14 days. This shall not include
23 contests or events that are part of a scheduled series of
24 regular season events.

25 (11) Athletic trainer aides from performing patient
26 care activities under the on-site supervision of a licensed

1 athletic trainer. These patient care activities shall not
2 include interpretation of referrals or evaluation
3 procedures, planning or major modifications of patient
4 programs, administration of medication, or solo practice
5 or event coverage without immediate access to a licensed
6 athletic trainer.

7 (12) Persons or entities practicing the specified
8 occupations set forth in subsection (a) of, and pursuant to
9 a licensing exemption granted in subsection (b) or (d) of,
10 Section 2105-350 of the Department of Professional
11 Regulation Law of the Civil Administrative Code of
12 Illinois, but only for so long as the 2016 Olympic and
13 Paralympic Games Professional Licensure Exemption Law is
14 operable.

15 (Source: P.A. 96-7, eff. 4-3-09.)

16 (225 ILCS 5/5) (from Ch. 111, par. 7605)

17 (Section scheduled to be repealed on January 1, 2016)

18 Sec. 5. Administration of Act; ~~Licensure~~ Rules and Forms
19 ~~Reports~~.

20 (a) The Department shall exercise the powers and duties
21 prescribed by the Civil Administrative Code of Illinois for the
22 administration of Licensure Acts and shall exercise such other
23 powers and duties necessary for effectuating the purposes of
24 this Act.

25 (b) The Secretary ~~Director~~ may promulgate rules consistent

1 with the provisions of this Act for the administration and
2 enforcement thereof, and for the payment of fees connected
3 therewith, and may prescribe forms which shall be issued in
4 connection therewith. The rules may ~~shall~~ include standards and
5 criteria for licensure, certification, and ~~for~~ professional
6 conduct and discipline. The Department may ~~shall~~ consult with
7 the Board in promulgating rules. ~~Notice of proposed rulemaking~~
8 ~~shall be transmitted to the Board, and the Department shall~~
9 ~~review the Board's response and any recommendations made~~
10 ~~therein. The Department shall notify the Board in writing with~~
11 ~~proper explanation of deviations from the Board's~~
12 ~~recommendations and responses.~~

13 (c) The Department may at any time seek the advice and the
14 expert knowledge of the Board on any matter relating to the
15 administration of this Act.

16 (d) (Blank). ~~The Department shall issue a quarterly report~~
17 ~~to the Board of the status of all complaints related to the~~
18 ~~profession filed with the Department.~~

19 (Source: P.A. 89-216, eff. 1-1-96.)

20 (225 ILCS 5/6) (from Ch. 111, par. 7606)

21 (Section scheduled to be repealed on January 1, 2016)

22 Sec. 6. ~~Athletic Training Board~~ ~~Appointment~~ ~~Membership~~
23 ~~Term~~ ~~Duties~~. The Secretary ~~Director~~ shall appoint an
24 Illinois Board of Athletic Trainers as follows: 7 persons who
25 shall be appointed by and shall serve in an advisory capacity

1 to the Secretary ~~Director~~. Two members must be licensed
2 physicians in good standing in this State; 4 members must be
3 licensed athletic trainers in good standing, and actively
4 engaged in the practice or teaching of athletic training in
5 this State; and 1 member must be a public member who is not
6 licensed under this Act, or a similar Act of another
7 jurisdiction, and is not a provider of athletic health care
8 service.

9 Members shall serve 4 year terms and until their successors
10 are appointed and qualified. No member shall be reappointed to
11 the Board for more than 2 consecutive terms. Appointments to
12 fill vacancies shall be made in the same manner as original
13 appointments, for the unexpired portion of the vacated term.

14 ~~The membership of the Board should reasonably reflect~~
15 ~~representation from the geographic areas in this State.~~

16 The Secretary shall have the authority to remove or suspend
17 any member of the Board for cause at any time before the
18 expiration of his or her term. The Secretary shall be the sole
19 arbiter of cause ~~Director may terminate the appointment of any~~
20 ~~member for cause~~ which in the opinion of the Secretary ~~Director~~
21 reasonably justifies such termination.

22 The Secretary may ~~Director shall~~ consider the
23 recommendation of the Board on questions involving standards of
24 professional conduct, discipline, and qualifications of
25 candidates and license holders under this Act.

26 Four members of the Board shall constitute a quorum. A

1 quorum is required for all Board decisions. Members of the
2 Board have no liability in any action based upon any
3 disciplinary proceeding or other activity performed in good
4 faith as a member of the Board. Members of the Board shall be
5 reimbursed for all legitimate, necessary, and authorized
6 expenses incurred in attending the meetings of the Board, from
7 funds appropriated for that purpose.

8 (Source: P.A. 94-246, eff. 1-1-06.)

9 (225 ILCS 5/7) (from Ch. 111, par. 7607)

10 (Section scheduled to be repealed on January 1, 2016)

11 Sec. 7. Applications for original licensure. Applications
12 for original licensure shall be made to the Department in
13 writing on forms prescribed by the Department and shall be
14 accompanied by the required fee, which shall not be returnable.
15 Any such application shall require such information as in the
16 judgment of the Department will enable the Department to pass
17 on the qualifications of the applicant for licensure.
18 Applicants have 3 years from the date of application to
19 complete the application process. If the process has not been
20 completed within 3 years, the application shall be denied, the
21 fee forfeited, and the applicant must reapply and meet the
22 requirements in effect at the time of reapplication.

23 ~~The applicant is entitled to licensure as an athletic~~
24 ~~trainer if he or she possesses the qualifications set forth in~~
25 ~~Section 9 hereof, and satisfactorily completes the examination~~

1 ~~administered by the National Athletic Trainers Association~~
2 ~~Board of Certification, Inc.~~

3 (Source: P.A. 89-216, eff. 1-1-96.)

4 (225 ILCS 5/7.5 new)

5 Sec. 7.5. Social Security Number on license application. In
6 addition to any other information required to be contained in
7 the application, every application for an original license
8 under this Act shall include the applicant's Social Security
9 Number, which shall be retained in the Department's records
10 pertaining to the license. As soon as practical, the Department
11 shall assign a customer's identification number to each
12 applicant for a license. Every application for a renewal or
13 restored license shall require the applicant's customer
14 identification number.

15 (225 ILCS 5/8) (from Ch. 111, par. 7608)

16 (Section scheduled to be repealed on January 1, 2016)

17 Sec. 8. Examinations.

18 If an applicant neglects, fails, or refuses to take an
19 examination or fails to pass an examination for licensure under
20 this Act within 3 years after filing his or her application,
21 the application shall be denied. The applicant may thereafter
22 make a new application accompanied by the required fee;
23 however, the applicant shall meet all requirements in effect at
24 the time of subsequent application before obtaining licensure.

1 ~~However, such applicant may thereafter file a new application~~
2 ~~accompanied by the required fee.~~

3 The Department may employ ~~engage the National Athletic~~
4 ~~Trainers Association Board of Certification, Inc. as~~
5 consultants for the purposes of preparing and conducting
6 examinations.

7 (Source: P.A. 89-216, eff. 1-1-96.)

8 (225 ILCS 5/9) (from Ch. 111, par. 7609)

9 (Section scheduled to be repealed on January 1, 2016)

10 Sec. 9. Qualifications for licensure ~~Educational and~~
11 ~~Professional Requirements~~. A person ~~having the qualifications~~
12 ~~prescribed in this Section~~ shall be qualified for licensure ~~to~~
13 ~~receive a license~~ as an athletic trainer if he or she fulfills
14 all of the following:

15 (a) Has graduated from a curriculum in athletic
16 training accredited by the Commission on Accreditation of
17 Athletic Training Education (CAATE) ~~Joint Review Committee~~
18 ~~on Athletic Training (JRC AT) of the Commission on~~
19 ~~Accreditation of Allied Health Education Programs~~
20 ~~(CAAHEP)~~, its successor entity, or its equivalent, as
21 approved by the Department.

22 (b) Gives proof of current certification, on the date
23 of application, in cardiopulmonary resuscitation (CPR) and
24 automated external defibrillators (AED) ~~CPR/AED~~ for ~~the~~
25 Healthcare Providers and Professional Rescuers or its

1 equivalent based on American Red Cross or American Heart
2 Association standards.

3 (b-5) Has graduated and ~~graduation~~ from a 4 year
4 accredited college or university.

5 (c) Has passed an examination approved by the
6 Department to determine his or her fitness for practice as
7 an athletic trainer, or is entitled to be licensed without
8 examination as provided in Sections 7 and 8 of this Act.

9 ~~The Department may request a personal interview of an~~
10 ~~applicant before the Board to further evaluate his or her~~
11 ~~qualifications for a license.~~

12 ~~An applicant has 3 years from the date of his or her~~
13 ~~application to complete the application process. If the process~~
14 ~~has not been completed in 3 years, the application shall be~~
15 ~~denied, the fee forfeited, and the applicant must reapply and~~
16 ~~meet the requirements in effect at the time of reapplication.~~

17 (Source: P.A. 94-246, eff. 1-1-06.)

18 (225 ILCS 5/10) (from Ch. 111, par. 7610)

19 (Section scheduled to be repealed on January 1, 2016)

20 Sec. 10. Expiration and ~~License expiration;~~ renewal;
21 continuing education requirement. The expiration date and
22 renewal period for ~~of~~ licenses issued under this Act shall be
23 set by rule. As a condition for renewal of a license, licensees
24 shall be required to complete continuing education in athletic
25 training in accordance with rules established by the

1 ~~Department. Licenses shall be renewed according to procedures~~
2 ~~established by the Department and upon payment of the renewal~~
3 ~~fee established herein and proof of completion of approved~~
4 ~~continuing education relating to the performance and practice~~
5 ~~of athletic training. The number of hours required and their~~
6 ~~composition shall be set by rule.~~

7 (Source: P.A. 94-246, eff. 1-1-06.)

8 (225 ILCS 5/11) (from Ch. 111, par. 7611)

9 (Section scheduled to be repealed on January 1, 2016)

10 Sec. 11. Inactive licenses; restoration. Any athletic
11 trainer who notifies the Department in writing on forms
12 prescribed by the Department, may elect to place his or her
13 license on an inactive status and shall, subject to rules of
14 the Department, be excused from payment of renewal fees until
15 he or she notifies the Department in writing of his or her
16 desire to resume active status.

17 Any athletic trainer requesting restoration from inactive
18 status shall be required to pay the current renewal fee, shall
19 demonstrate compliance with continuing education requirements,
20 if any, and shall be required to restore his or her license as
21 provided in Section 12.

22 Any athletic trainer whose license is in expired or
23 inactive status shall not practice athletic training in the
24 State of Illinois.

25 (Source: P.A. 89-216, eff. 1-1-96.)

1 (225 ILCS 5/12) (from Ch. 111, par. 7612)

2 (Section scheduled to be repealed on January 1, 2016)

3 Sec. 12. Restoration of expired licenses. An athletic
4 trainer who has permitted his or her license ~~registration~~ to
5 expire or who has had his or her license on inactive status may
6 have his or her license restored by making application to the
7 Department and filing proof acceptable to the Department of his
8 or her fitness to have his or her license restored, ~~including~~
9 ~~sworn evidence certifying to active practice in another~~
10 ~~jurisdiction satisfactory to the Department~~ and by paying the
11 required fees ~~restoration fee~~. Proof of fitness may include
12 sworn evidence certifying active lawful practice in another
13 jurisdiction.

14 If the athletic trainer has not maintained an active
15 practice in another jurisdiction satisfactory to the
16 Department, the Department shall determine, by an evaluation
17 program established by rule, ~~with the advice of the Board~~ his
18 or her fitness for restoration of the license and shall
19 establish procedures and requirements for restoration ~~to~~
20 ~~resume active status and may require the athletic trainer to~~
21 ~~complete a period of evaluated clinical experience and may~~
22 ~~require successful completion of an examination.~~

23 Any athletic trainer whose license has been expired for
24 more than 5 years may have his or her license restored by
25 making application to the Department and filing proof

1 acceptable to the Department of his or her fitness to have his
2 or her license restored, including sworn evidence certifying to
3 active practice in another jurisdiction and by paying the
4 required restoration fee. However, any athletic trainer whose
5 license has expired while he or she has been engaged (1) in the
6 federal service in active duty with the Army of the United
7 States, the United States Navy, the Marine Corps, the Air
8 Force, the Coast Guard, or the State Militia called into the
9 service or training of the United States of America, or (2) in
10 training or education under the supervision of the United
11 States preliminary to induction into the military service, may
12 have his or her license restored without paying any lapsed
13 renewal fees or restoration fee, if within 2 years after
14 termination of such service, training, or education, other than
15 by dishonorable discharge, he or she furnished the Department
16 with an affidavit to the effect that he or she has been so
17 engaged and that his or her service, training, or education has
18 been so terminated.

19 (Source: P.A. 89-216, eff. 1-1-96.)

20 (225 ILCS 5/13) (from Ch. 111, par. 7613)

21 (Section scheduled to be repealed on January 1, 2016)

22 Sec. 13. Endorsement. The Department may, at its
23 discretion, license as an athletic trainer, without
24 examination, on payment of the required fee, an applicant for
25 licensure who is an athletic trainer registered or licensed

1 under the laws of another jurisdiction ~~state~~ if the
2 requirements pertaining to athletic trainers in such
3 jurisdiction ~~state~~ were at the date of his or her registration
4 or licensure substantially equal to the requirements in force
5 in Illinois on that date or equivalent to the requirements of
6 this Act. ~~If the requirements of that state are not~~
7 ~~substantially equal to the Illinois requirements, or if at the~~
8 ~~time of application the state in which the applicant has been~~
9 ~~practicing does not regulate the practice of athletic training,~~
10 ~~and the applicant began practice in that state prior to January~~
11 ~~1, 2004, a person having the qualifications prescribed in this~~
12 ~~Section may be qualified to receive a license as an athletic~~
13 ~~trainer if he or she:~~

14 ~~(1) has passed an examination approved by the~~
15 ~~Department to determine his or her fitness for practice as~~
16 ~~an athletic trainer; and~~

17 ~~(2) gives proof of current certification, on the date~~
18 ~~of application, in CPR/AED for the Healthcare Professional~~
19 ~~or equivalent based on American Red Cross or American Heart~~
20 ~~Association standards.~~

21 ~~The Department may request a personal interview of an~~
22 ~~applicant before the Board to further evaluate his or her~~
23 ~~qualifications for a license.~~

24 Applicants have 3 years from the date of application to
25 complete the application process. If the process has not been
26 completed in 3 years, the application shall be denied, the fee

1 forfeited and the applicant must reapply and meet the
2 requirements in effect at the time of reapplication.

3 (Source: P.A. 94-246, eff. 1-1-06.)

4 (225 ILCS 5/14) (from Ch. 111, par. 7614)

5 (Section scheduled to be repealed on January 1, 2016)

6 Sec. 14. Fees; returned checks. The fees for administration
7 and enforcement of this Act, including but not limited to
8 original licensure, renewal, and restoration shall be set by
9 rule. The fees shall be non-refundable.

10 Any person who delivers a check or other payment to the
11 Department that is returned to the Department unpaid by the
12 financial institution upon which it is drawn shall pay to the
13 Department, in addition to the amount already owed to the
14 Department, a fine of \$50.

15 The fines imposed by this Section are in addition to any
16 other discipline provided under this Act for unlicensed
17 practice or practice on a nonrenewed license. The Department
18 shall notify the person that payment of fees and fines shall be
19 paid to the Department by certified check or money order within
20 30 calendar days of the notification. If, after the expiration
21 of 30 days from the date of the notification, the person has
22 failed to submit the necessary remittance, the Department shall
23 automatically terminate the license or certificate or deny the
24 application, without hearing. If, after termination or denial,
25 the person seeks a license or certificate, he or she shall

1 apply to the Department for restoration or issuance of the
2 license or certificate and pay all fees and fines due to the
3 Department. The Department may establish a fee for the
4 processing of an application for restoration of a license or
5 certificate to pay all expenses of processing this application.
6 The Director may waive the fines due under this Section in
7 individual cases where the Director finds that the fines would
8 be unreasonable or unnecessarily burdensome.

9 (Source: P.A. 92-146, eff. 1-1-02.)

10 (225 ILCS 5/16) (from Ch. 111, par. 7616)

11 (Section scheduled to be repealed on January 1, 2016)

12 Sec. 16. Grounds for discipline ~~Refusal to issue,~~
13 ~~suspension, or revocation of license.~~ (1) The Department
14 may refuse to issue or renew, or may revoke, suspend, place on
15 probation, reprimand, or take other disciplinary action as the
16 Department may deem proper, including fines not to exceed
17 \$10,000 ~~\$5,000~~ for each violation, with regard to any licensee
18 for any one or combination of the following:

19 (A) Material misstatement in furnishing information to
20 the Department;

21 (B) Violations ~~Negligent or intentional disregard~~ of
22 this Act, or of the rules or regulations promulgated
23 hereunder;

24 (C) Conviction of or plea of guilty to any crime under
25 the Criminal Code of 2012 or the laws of any jurisdiction

1 of the United States ~~or any state or territory thereof~~ that
2 is (i) a felony, (ii) a misdemeanor, an essential element
3 of which is dishonesty, or (iii) of any crime that is
4 directly related to the practice of the profession;

5 (D) Fraud or ~~Making~~ any misrepresentation in applying
6 for or procuring a license under this Act, or in connection
7 with applying for renewal of a license under this Act ~~for~~
8 ~~the purpose of obtaining registration, or violating any~~
9 ~~provision of this Act;~~

10 (E) Professional incompetence or gross negligence;

11 (F) Malpractice;

12 (G) Aiding or assisting another person, firm,
13 partnership, or corporation in violating any provision of
14 this Act or rules;

15 (H) Failing, within 60 days, to provide information in
16 response to a written request made by the Department;

17 (I) Engaging in dishonorable, unethical, or
18 unprofessional conduct of a character likely to deceive,
19 defraud or harm the public;

20 (J) Habitual or excessive use or abuse ~~intoxication or~~
21 ~~addiction to the use~~ of drugs defined in law as controlled
22 substances, alcohol, or any other substance that results in
23 the inability to practice with reasonable judgment, skill,
24 or safety;

25 (K) Discipline by another state, unit of government,
26 government agency, the District of Columbia, territory, or

1 foreign nation, if at least one of the grounds for the
2 discipline is the same or substantially equivalent to those
3 set forth herein;

4 (L) Directly or indirectly giving to or receiving from
5 any person, firm, corporation, partnership, or association
6 any fee, commission, rebate, or other form of compensation
7 for any professional services not actually or personally
8 rendered. Nothing in this subparagraph (L) affects any bona
9 fide independent contractor or employment arrangements
10 among health care professionals, health facilities, health
11 care providers, or other entities, except as otherwise
12 prohibited by law. Any employment arrangements may include
13 provisions for compensation, health insurance, pension, or
14 other employment benefits for the provision of services
15 within the scope of the licensee's practice under this Act.
16 Nothing in this subparagraph (L) shall be construed to
17 require an employment arrangement to receive professional
18 fees for services rendered;

19 (M) A finding by the Department that the licensee after
20 having his or her license disciplined ~~placed on~~
21 ~~probationary status~~ has violated the terms of probation;

22 (N) Abandonment of an athlete;

23 (O) Willfully making or filing false records or reports
24 in his or her practice, including but not limited to false
25 records filed with State agencies or departments;

26 (P) Willfully failing to report an instance of

1 suspected child abuse or neglect as required by the Abused
2 and Neglected Child Reporting Act;

3 (Q) Physical illness, including but not limited to
4 deterioration through the aging process, or loss of motor
5 skill that results in the inability to practice the
6 profession with reasonable judgment, skill, or safety;

7 (R) Solicitation of professional services other than
8 by permitted institutional policy;

9 (S) The use of any words, abbreviations, figures or
10 letters with the intention of indicating practice as an
11 athletic trainer without a valid license as an athletic
12 trainer under this Act;

13 (T) The evaluation or treatment of ailments of human
14 beings other than by the practice of athletic training as
15 defined in this Act or the treatment of injuries of
16 athletes by a licensed athletic trainer except by the
17 referral of a physician, podiatric physician, or dentist;

18 (U) Willfully violating or knowingly assisting in the
19 violation of any law of this State relating to the use of
20 habit-forming drugs;

21 (V) Willfully violating or knowingly assisting in the
22 violation of any law of this State relating to the practice
23 of abortion;

24 (W) Continued practice by a person knowingly having an
25 infectious communicable or contagious disease;

26 (X) Being named as a perpetrator in an indicated report

1 by the Department of Children and Family Services pursuant
2 to the Abused and Neglected Child Reporting Act and upon
3 proof by clear and convincing evidence that the licensee
4 has caused a child to be an abused child or neglected child
5 as defined in the Abused and Neglected Child Reporting Act;

6 (Y) (Blank) ~~Failure to file a return, or to pay the~~
7 ~~tax, penalty, or interest shown in a filed return, or to~~
8 ~~pay any final assessment of tax, penalty, or interest, as~~
9 ~~required by any tax Act administered by the Illinois~~
10 ~~Department of Revenue, until such time as the requirements~~
11 ~~of any such tax Act are satisfied; or~~

12 (Z) Failure to fulfill continuing education
13 requirements; ~~as prescribed in Section 10 of this Act.~~

14 (AA) Allowing one's license under this Act to be
15 used by an unlicensed person in violation of this Act;

16 (BB) Practicing under a false or, except as
17 provided by law, assumed name;

18 (CC) Promotion of the sale of drugs, devices,
19 appliances, or goods provided in any manner to exploit
20 the client for the financial gain of the licensee;

21 (DD) Gross, willful, or continued overcharging for
22 professional services;

23 (EE) Mental illness or disability that results in
24 the inability to practice under this Act with
25 reasonable judgment, skill, or safety; or

26 (FF) Cheating on or attempting to subvert the

1 licensing examination administered under this Act.

2 All fines imposed under this Section shall be paid within
3 60 days after the effective date of the order imposing the fine
4 or in accordance with the terms set forth in the order imposing
5 the fine.

6 (2) The determination by a circuit court that a licensee is
7 subject to involuntary admission or judicial admission as
8 provided in the Mental Health and Developmental Disabilities
9 Code operates as an automatic suspension. Such suspension will
10 end only upon a finding by a court that the licensee athletic
11 ~~trainer~~ is no longer subject to involuntary admission or
12 judicial admission and issuance of issues an order so finding
13 and discharging the licensee athlete; ~~and upon the~~
14 ~~recommendation of the Board to the Director that the licensee~~
15 ~~be allowed to resume his or her practice.~~

16 (3) The Department may refuse to issue or may suspend
17 without hearing, as provided for in the Code of Civil
18 Procedure, the license of any person who fails to file a
19 return, to pay the tax, penalty, or interest shown in a filed
20 return, or to pay any final assessment of tax, penalty, or
21 interest as required by any tax Act administered by the
22 Illinois Department of Revenue, until such time as the
23 requirements of any such tax Act are satisfied in accordance
24 with subsection (a) of Section 2105-15 of the Department of
25 Professional Regulation Law of the Civil Administrative Code of
26 Illinois.

1 (4) In enforcing this Section, the Department, upon a
2 showing of a possible violation, may compel any individual who
3 is licensed under this Act or any individual who has applied
4 for licensure to submit to a mental or physical examination or
5 evaluation, or both, which may include a substance abuse or
6 sexual offender evaluation, at the expense of the Department.
7 The Department shall specifically designate the examining
8 physician licensed to practice medicine in all of its branches
9 or, if applicable, the multidisciplinary team involved in
10 providing the mental or physical examination and evaluation.
11 The multidisciplinary team shall be led by a physician licensed
12 to practice medicine in all of its branches and may consist of
13 one or more or a combination of physicians licensed to practice
14 medicine in all of its branches, licensed chiropractic
15 physicians, licensed clinical psychologists, licensed clinical
16 social workers, licensed clinical professional counselors, and
17 other professional and administrative staff. Any examining
18 physician or member of the multidisciplinary team may require
19 any person ordered to submit to an examination and evaluation
20 pursuant to this Section to submit to any additional
21 supplemental testing deemed necessary to complete any
22 examination or evaluation process, including, but not limited
23 to, blood testing, urinalysis, psychological testing, or
24 neuropsychological testing.

25 The Department may order the examining physician or any
26 member of the multidisciplinary team to provide to the

1 Department any and all records, including business records,
2 that relate to the examination and evaluation, including any
3 supplemental testing performed. The Department may order the
4 examining physician or any member of the multidisciplinary team
5 to present testimony concerning this examination and
6 evaluation of the licensee or applicant, including testimony
7 concerning any supplemental testing or documents relating to
8 the examination and evaluation. No information, report,
9 record, or other documents in any way related to the
10 examination and evaluation shall be excluded by reason of any
11 common law or statutory privilege relating to communication
12 between the licensee or applicant and the examining physician
13 or any member of the multidisciplinary team. No authorization
14 is necessary from the licensee or applicant ordered to undergo
15 an evaluation and examination for the examining physician or
16 any member of the multidisciplinary team to provide
17 information, reports, records, or other documents or to provide
18 any testimony regarding the examination and evaluation. The
19 individual to be examined may have, at his or her own expense,
20 another physician of his or her choice present during all
21 aspects of the examination.

22 Failure of any individual to submit to a mental or physical
23 examination or evaluation, or both, when directed, shall result
24 in an automatic suspension without hearing, until such time as
25 the individual submits to the examination. If the Department
26 finds a licensee unable to practice because of the reasons set

1 forth in this Section, the Department shall require the
2 licensee to submit to care, counseling, or treatment by
3 physicians approved or designated by the Department as a
4 condition for continued, reinstated, or renewed licensure.

5 When the Secretary immediately suspends a license under
6 this Section, a hearing upon such person's license must be
7 convened by the Department within 15 days after the suspension
8 and completed without appreciable delay. The Department shall
9 have the authority to review the licensee's record of treatment
10 and counseling regarding the impairment to the extent permitted
11 by applicable federal statutes and regulations safeguarding
12 the confidentiality of medical records.

13 Individuals licensed under this Act who are affected under
14 this Section shall be afforded an opportunity to demonstrate to
15 the Department that they can resume practice in compliance with
16 acceptable and prevailing standards under the provisions of
17 their license.

18 (5) The Department shall deny a license or renewal
19 authorized by this Act to a person who has defaulted on an
20 educational loan or scholarship provided or guaranteed by the
21 Illinois Student Assistance Commission or any governmental
22 agency of this State in accordance with paragraph (5) of
23 subsection (a) of Section 2105-15 of the Department of
24 Professional Regulation Law of the Civil Administrative Code of
25 Illinois.

26 (6) In cases where the Department of Healthcare and Family

1 Services has previously determined a licensee or a potential
2 licensee is more than 30 days delinquent in the payment of
3 child support and has subsequently certified the delinquency to
4 the Department, the Department may refuse to issue or renew or
5 may revoke or suspend that person's license or may take other
6 disciplinary action against that person based solely upon the
7 certification of delinquency made by the Department of
8 Healthcare and Family Services in accordance with paragraph (5)
9 of subsection (a) of Section 2105-15 of the Department of
10 Professional Regulation Law of the Civil Administrative Code of
11 Illinois.

12 (Source: P.A. 98-214, eff. 8-9-13.)

13 (225 ILCS 5/17) (from Ch. 111, par. 7617)

14 (Section scheduled to be repealed on January 1, 2016)

15 Sec. 17. Violations; injunction; cease and desist order -
16 ~~Injunction - Cease and desist order.~~

17 (a) If any person violates a ~~the~~ provision of this Act, the
18 Secretary ~~Director~~ may, in the name of the People of the State
19 of Illinois, through the Attorney General of the State of
20 Illinois or the State's Attorney of the county in which the
21 violation is alleged to have occurred, petition for an order
22 enjoining such violation or for an order enforcing compliance
23 with this Act. Upon the filing of a verified petition in such
24 court, the court may issue a temporary restraining order,
25 without notice or bond, and may preliminarily and permanently

1 enjoin such violation, and if it is established that such
2 person has violated or is violating the injunction, the court
3 may punish the offender for contempt of court. Proceedings
4 under this Section shall be in addition to, and not in lieu of,
5 all other remedies and penalties provided by this Act.

6 (b) If any person shall hold himself or herself out in a
7 manner prohibited by this Act, any interested party or any
8 person injured thereby may, in addition to the Secretary
9 ~~Director~~, petition for relief as provided in subsection (a) of
10 this Section.

11 (c) Whenever in the opinion of the Department any person
12 violates any provision of this Act, the Department may issue a
13 rule to show cause why an order to cease and desist should not
14 be entered against him or her. The rule shall clearly set forth
15 the grounds relied upon by the Department and shall provide a
16 period of 7 days from the date of the rule to file an answer to
17 the satisfaction of the Department. Failure to answer to the
18 satisfaction of the Department shall cause an order to cease
19 and desist to be issued forthwith.

20 (Source: P.A. 84-1080.)

21 (225 ILCS 5/17.5)

22 (Section scheduled to be repealed on January 1, 2016)

23 Sec. 17.5. Unlicensed practice; violation; civil penalty.

24 (a) In addition to any other penalty provided by law, any
25 ~~Any~~ person who practices, offers to practice, attempts to

1 practice, or holds oneself out to practice as a licensed
2 athletic trainer without being licensed under this Act shall,
3 in addition to any other penalty provided by law, pay a civil
4 penalty to the Department in an amount not to exceed \$10,000
5 ~~\$5,000~~ for each offense as determined by the Department. The
6 civil penalty shall be assessed by the Department after a
7 hearing is held in accordance with the provisions set forth in
8 this Act regarding the provision of a hearing for the
9 discipline of a licensee.

10 (b) The Department has the authority and power to
11 investigate any and all unlicensed activity.

12 (c) The civil penalty shall be paid within 60 days after
13 the effective date of the order imposing the civil penalty or
14 in accordance with the order imposing the civil penalty. The
15 order shall constitute a judgment and may be filed and
16 execution had thereon in the same manner as any judgment from
17 any court of record.

18 (Source: P.A. 94-246, eff. 1-1-06.)

19 (225 ILCS 5/18) (from Ch. 111, par. 7618)

20 (Section scheduled to be repealed on January 1, 2016)

21 Sec. 18. Investigations; notice and hearing. The
22 Department may investigate the actions of any applicant or of
23 any person or persons holding or claiming to hold a license.
24 The Department shall, before refusing to issue or to renew a
25 license or disciplining a registrant, at least 30 days prior to

1 the date set for the hearing, notify in writing the applicant
2 or licensee ~~for, or holder of, a license~~ of the nature of the
3 charges and the time and place that a hearing will be held on
4 the charges ~~date designated~~. The Department shall direct the
5 applicant or licensee to file a written answer ~~to the Board~~
6 under oath within 20 days after the service of the notice ~~and~~
7 ~~inform the applicant or licensee that failure to file an answer~~
8 ~~will result in default being taken against the applicant or~~
9 ~~licensee and that the license or certificate may be suspended,~~
10 ~~revoked, placed on probationary status, or other disciplinary~~
11 ~~action may be taken, including limiting the scope, nature, or~~
12 ~~extent of practice, as the Director may deem proper. Written~~
13 ~~notice may be served by personal delivery or certified or~~
14 ~~registered mail to the respondent at the address of his or her~~
15 ~~last notification to the Department.~~ In case the person fails
16 to file an answer after receiving notice, his or her license or
17 certificate may, in the discretion of the Department, be
18 suspended, revoked, or placed on probationary status, or the
19 Department may take whatever disciplinary action deemed
20 proper, including limiting the scope, nature, or extent of the
21 person's practice or the imposition of a fine, without a
22 hearing, if the act or acts charged constitute sufficient
23 grounds for such action under this Act. At the time and place
24 fixed in the notice, the Department ~~Board~~ shall proceed to hear
25 the charges, and the parties or their counsel shall be accorded
26 ample opportunity to present such statements, testimony,

1 evidence, and argument as may be pertinent to the charges or to
2 their defense. The Department Board may continue a hearing from
3 time to time. The written notice and any notice in the
4 subsequent proceeding may be served by registered or certified
5 mail to the licensee's address of record.

6 (Source: P.A. 89-216, eff. 1-1-96.)

7 (225 ILCS 5/18.5 new)

8 Sec. 18.5. Confidentiality. All information collected by
9 the Department in the course of an examination or investigation
10 of a licensee or applicant, including, but not limited to, any
11 complaint against a licensee filed with the Department and
12 information collected to investigate any such complaint, shall
13 be maintained for the confidential use of the Department and
14 shall not be disclosed. The Department may not disclose the
15 information to anyone other than law enforcement officials,
16 other regulatory agencies that have an appropriate regulatory
17 interest as determined by the Secretary, or a party presenting
18 a lawful subpoena to the Department. Information and documents
19 disclosed to a federal, State, county, or local law enforcement
20 agency shall not be disclosed by the agency for any purpose to
21 any other agency or person. A formal complaint filed against a
22 licensee by the Department or any order issued by the
23 Department against a licensee or applicant shall be a public
24 record, except as otherwise prohibited by law.

1 (225 ILCS 5/19) (from Ch. 111, par. 7619)

2 (Section scheduled to be repealed on January 1, 2016)

3 Sec. 19. Record of proceedings ~~Stenographer — Transcript.~~

4 The Department, at its expense, shall preserve a record of all
5 proceedings at the formal hearing of any case ~~involving the~~
6 ~~refusal to issue or renew a license or the discipline of a~~
7 ~~licensee~~. The notice of hearing, complaint and all other
8 documents in the nature of pleadings and written motions filed
9 in the proceedings, the transcript of testimony, the report of
10 the Board and order of the Department shall be the record of
11 such proceeding. Any licensee who is found to have violated
12 this Act or who fails to appear for a hearing to refuse to
13 issue, restore, or renew a license or to discipline a licensee
14 may be required by the Department to pay for the costs of the
15 proceeding. These costs are limited to costs for court
16 reporters, transcripts, and witness attendance and mileage
17 fees. All costs imposed under this Section shall be paid within
18 60 days after the effective date of the order imposing the fine
19 or in accordance with the terms set forth in the order imposing
20 the fine.

21 (Source: P.A. 89-216, eff. 1-1-96.)

22 (225 ILCS 5/19.5 new)

23 Sec. 19.5. Subpoenas; oaths. The Department may subpoena
24 and bring before it any person and may take the oral or written
25 testimony of any person or compel the production of any books,

1 papers, records, or any other documents that the Secretary or
2 his or her designee deems relevant or material to an
3 investigation or hearing conducted by the Department with the
4 same fees and mileage and in the same manner as prescribed by
5 law in judicial procedure in civil cases in courts of this
6 State.

7 The Secretary, the designated hearing officer, any member
8 of the Board, or a certified shorthand court reporter may
9 administer oaths at any hearing which the Department conducts.
10 Notwithstanding any other statute or Department rule to the
11 contrary, all requests for testimony or production of documents
12 or records shall be in accordance with this Act.

13 (225 ILCS 5/20) (from Ch. 111, par. 7620)

14 (Section scheduled to be repealed on January 1, 2016)

15 Sec. 20. Attendance of witnesses; contempt ~~Compelling~~
16 ~~testimony~~. Any circuit court may, upon application of the
17 Department or its designee or of the applicant or licensee
18 against whom proceedings pursuant to Section 20 of this Act are
19 pending, enter an order requiring the attendance of witnesses
20 and their testimony, and the production of documents, papers,
21 files, books, and records in connection with any hearing or
22 investigation. The court may compel obedience to its order by
23 proceedings for contempt.

24 (Source: P.A. 89-216, eff. 1-1-96.)

1 (225 ILCS 5/21) (from Ch. 111, par. 7621)

2 (Section scheduled to be repealed on January 1, 2016)

3 Sec. 21. Findings of Board ~~and recommendations~~. At the
4 conclusion of the hearing the Board shall present to the
5 Secretary ~~Director~~ a written report of its findings of fact,
6 conclusions of law, and recommendations. The report shall
7 contain a finding of whether or not the accused person violated
8 this Act or failed to comply with the conditions required in
9 this Act. The Board shall specify the nature of the violation
10 or failure to comply, and shall make its recommendations to the
11 Secretary ~~Director~~.

12 The report of findings of fact, conclusions of law, and
13 recommendations of the Board shall be the basis for the
14 Department's order refusing to issue, restore, or renew a
15 license, or otherwise disciplining a licensee. If ~~of refusal or~~
16 ~~for the granting of licensure unless~~ the Secretary disagrees
17 ~~with the report of~~ Director shall determine that the Board,
18 ~~report is contrary to the manifest weight of the evidence, in~~
19 ~~which case~~ the Secretary ~~Director~~ may issue an order in
20 contravention of the Board report. The finding is not
21 admissible in evidence against the person in a criminal
22 prosecution brought for the violation of this Act, but the
23 hearing and finding are not a bar to a criminal prosecution
24 brought for the violation of this Act.

25 (Source: P.A. 89-216, eff. 1-1-96.)

1 (225 ILCS 5/22) (from Ch. 111, par. 7622)

2 (Section scheduled to be repealed on January 1, 2016)

3 Sec. 22. Report of Board; motion for rehearing ~~Rehearing.~~

4 In any case involving the refusal to issue or renew a license
5 or the discipline of a licensee, a copy of the Board's report
6 shall be served upon the respondent by the Department, ~~either~~
7 ~~personally or~~ as provided in this Act for the service of the
8 notice of hearing. Within 20 days after such service, the
9 respondent may present to the Department a motion in writing
10 for a rehearing, which motion shall specify the particular
11 grounds therefor. If no motion for rehearing is filed, then
12 upon the expiration of the time specified for filing such a
13 motion, or if a motion for rehearing is denied, then upon such
14 denial the Secretary ~~Director~~ may enter an order in accordance
15 with recommendations of the Board except as provided in Section
16 23 of this Act. If the respondent shall order from the
17 reporting service, and pay for a transcript of the record
18 within the time for filing a motion for rehearing, the 20 day
19 period within which such a motion may be filed shall commence
20 upon the delivery of the transcript to the respondent.

21 (Source: P.A. 89-216, eff. 1-1-96.)

22 (225 ILCS 5/23) (from Ch. 111, par. 7623)

23 (Section scheduled to be repealed on January 1, 2016)

24 Sec. 23. ~~Director~~ Rehearing. Whenever the Secretary
25 ~~Director~~ is satisfied that substantial justice has not been

1 done in the revocation or suspension of a license or refusal to
2 issue or renew a license, the Secretary ~~Director~~ may order a
3 rehearing by the same or other examiners.

4 (Source: P.A. 89-216, eff. 1-1-96.)

5 (225 ILCS 5/24) (from Ch. 111, par. 7624)

6 (Section scheduled to be repealed on January 1, 2016)

7 Sec. 24. Hearing officer appointment. The Secretary
8 ~~Director~~ shall have the authority to appoint any attorney duly
9 licensed to practice law in the State of Illinois to serve as
10 the hearing officer in any action for refusal to issue or
11 renew a license, or for the taking of disciplinary action
12 against a license ~~discipline of a licensee~~. The hearing officer
13 shall have full authority to conduct the hearing. The hearing
14 officer shall report his or her findings of fact, conclusions
15 of law, and recommendations to the Board and the Secretary
16 ~~Director~~. The Board shall have 90 ~~60~~ days from receipt of the
17 report to review the report of the hearing officer and present
18 its ~~their~~ findings of fact, conclusions of law and
19 recommendation to the Secretary ~~Director~~. If the Board fails to
20 present its report within the 90 ~~60~~ day period, the Secretary
21 may ~~Director shall~~ issue an order based on the report of the
22 hearing officer. If the Secretary ~~Director~~ determines that the
23 Board's report is contrary to the manifest weight of the
24 evidence, he or she may issue an order in contravention of the
25 Board's report.

1 (Source: P.A. 89-216, eff. 1-1-96.)

2 (225 ILCS 5/25) (from Ch. 111, par. 7625)

3 (Section scheduled to be repealed on January 1, 2016)

4 Sec. 25. Order or certified copy thereof; prima ~~—Prima~~
5 facie proof. An order or a certified copy thereof, over the
6 seal of the Department and purporting to be signed by the
7 Secretary Director, shall be prima facie proof:

8 (a) That such signature is the genuine signature of the
9 Secretary Director;

10 (b) That such Secretary Director is duly appointed and
11 qualified;

12 (c) (Blank) ~~That the Board and the members thereof are~~
13 ~~qualified to act.~~

14 (Source: P.A. 84-1080.)

15 (225 ILCS 5/26) (from Ch. 111, par. 7626)

16 (Section scheduled to be repealed on January 1, 2016)

17 Sec. 26. Restoration of ~~suspended or revoked~~ license from
18 discipline. At any time after the successful completion of a
19 term of indefinite probation, suspension or revocation of any
20 license, the Department may restore the license to the
21 licensee, unless, after an investigation and a hearing, the
22 Secretary determines that restoration is not in the public
23 interest or that the licensee has not been sufficiently
24 rehabilitated to warrant the public trust. No person or entity

1 whose license, certificate, or authority has been revoked as
2 authorized in this Act may apply for restoration of that
3 license, certificate, or authority until such time as provided
4 for in the Civil Administrative Code of Illinois ~~it to the~~
5 ~~accused person upon the written recommendation of the Board~~
6 ~~unless, after an investigation and a hearing, the Board~~
7 ~~determines that restoration is not in the public interest.~~

8 (Source: P.A. 89-216, eff. 1-1-96.)

9 (225 ILCS 5/27) (from Ch. 111, par. 7627)

10 (Section scheduled to be repealed on January 1, 2016)

11 Sec. 27. Surrender of license. Upon the revocation or
12 suspension of any license, the licensee shall forthwith
13 surrender the license or licenses to the Department, and if he
14 or she fails to do so, the Department shall have the right to
15 seize the license.

16 (Source: P.A. 89-216, eff. 1-1-96.)

17 (225 ILCS 5/28) (from Ch. 111, par. 7628)

18 (Section scheduled to be repealed on January 1, 2016)

19 Sec. 28. Summary ~~Temporary~~ suspension of a license. The
20 Secretary ~~Director~~ may summarily ~~temporarily~~ suspend the
21 license of an athletic trainer without a hearing,
22 simultaneously with the institution of proceedings for a
23 hearing provided for in Section 20 of this Act, if the
24 Secretary ~~Director~~ finds that evidence ~~in his or her possession~~

1 indicates that an athletic trainer's continuation in practice
2 would constitute an imminent danger to the public. In the event
3 that the Secretary ~~Director~~ suspends, summarily ~~temporarily~~,
4 the license of an athletic trainer without a hearing, a hearing
5 shall be commenced ~~by the Board must be held~~ within 30 days
6 after such suspension has occurred and shall be concluded as
7 expeditiously as possible.

8 (Source: P.A. 89-216, eff. 1-1-96.)

9 (225 ILCS 5/29) (from Ch. 111, par. 7629)

10 (Section scheduled to be repealed on January 1, 2016)

11 Sec. 29. Administrative review; - Venue. All final
12 administrative decisions of the Department are subject to
13 judicial review pursuant to the provisions of the
14 "Administrative Review Law", ~~as now or hereafter amended~~ and
15 all rules adopted pursuant thereto. The term "administrative
16 decision" is defined as in Section 3-101 of the Code of Civil
17 Procedure.

18 Proceedings for judicial review shall be commenced in the
19 circuit court of the county in which the party applying for
20 review ~~relief~~ resides; but if the party is not a resident of
21 this State, the venue shall be in Sangamon County.

22 (Source: P.A. 84-1080.)

23 (225 ILCS 5/30) (from Ch. 111, par. 7630)

24 (Section scheduled to be repealed on January 1, 2016)

1 Sec. 30. Certifications of record; costs. The Department
2 shall not be required to certify any record to the Court or
3 file any answer in court or otherwise appear in any court in a
4 judicial review proceeding, unless and until the Department has
5 received from the plaintiff payment of the costs of furnishing
6 and certifying the record, which costs shall be determined by
7 the Department. Exhibits shall be certified without cost ~~there~~
8 ~~is filed in the court, with the complaint, a receipt from the~~
9 ~~Department acknowledging payment of the costs of furnishing and~~
10 ~~certifying the record.~~ Failure on the part of the plaintiff to
11 file a receipt in court ~~Court~~ shall be grounds for dismissal of
12 the action.

13 (Source: P.A. 87-1031.)

14 (225 ILCS 5/31) (from Ch. 111, par. 7631)

15 (Section scheduled to be repealed on January 1, 2016)

16 Sec. 31. Criminal penalties ~~Violations~~. Any person who is
17 found to have violated any provision of this Act is guilty of a
18 Class A misdemeanor for a first offense. On conviction of a
19 second or subsequent offense, the violator shall be guilty of a
20 Class 4 felony.

21 (Source: P.A. 84-1080.)

22 (225 ILCS 5/36 new)

23 Sec. 36. Repealer. This Act is repealed on January 1, 2026.

24 Section 99. Effective date. This Act takes effect upon

1 becoming law.

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19	225 ILCS 5/17.5	
20	225 ILCS 5/18	from Ch. 111, par. 7618
21	225 ILCS 5/18.5 new	
22	225 ILCS 5/19	from Ch. 111, par. 7619
23	225 ILCS 5/19.5 new	
24	225 ILCS 5/20	from Ch. 111, par. 7620
25	225 ILCS 5/21	from Ch. 111, par. 7621

- 1 225 ILCS 5/22 from Ch. 111, par. 7622
- 2 225 ILCS 5/23 from Ch. 111, par. 7623
- 3 225 ILCS 5/24 from Ch. 111, par. 7624
- 4 225 ILCS 5/25 from Ch. 111, par. 7625
- 5 225 ILCS 5/26 from Ch. 111, par. 7626
- 6 225 ILCS 5/27 from Ch. 111, par. 7627
- 7 225 ILCS 5/28 from Ch. 111, par. 7628
- 8 225 ILCS 5/29 from Ch. 111, par. 7629
- 9 225 ILCS 5/30 from Ch. 111, par. 7630
- 10 225 ILCS 5/31 from Ch. 111, par. 7631
- 11 225 ILCS 5/36 new