

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 5. The Regulatory Sunset Act is amended by changing
5 Section 4.28 and by adding Section 4.38 as follows:

6 (5 ILCS 80/4.28)

7 Sec. 4.28. Acts repealed on January 1, 2018. The following
8 Acts are repealed on January 1, 2018:

9 The Illinois Petroleum Education and Marketing Act.

10 The Podiatric Medical Practice Act of 1987.

11 The Acupuncture Practice Act.

12 ~~The Illinois Speech Language Pathology and Audiology~~
13 ~~Practice Act.~~

14 The Interpreter for the Deaf Licensure Act of 2007.

15 The Nurse Practice Act.

16 The Clinical Social Work and Social Work Practice Act.

17 The Pharmacy Practice Act.

18 The Home Medical Equipment and Services Provider License
19 Act.

20 The Marriage and Family Therapy Licensing Act.

21 The Nursing Home Administrators Licensing and Disciplinary
22 Act.

23 The Physician Assistant Practice Act of 1987.

1 (Source: P.A. 95-187, eff. 8-16-07; 95-235, eff. 8-17-07;
2 95-450, eff. 8-27-07; 95-465, eff. 8-27-07; 95-617, eff.
3 9-12-07; 95-639, eff. 10-5-07; 95-687, eff. 10-23-07; 95-689,
4 eff. 10-29-07; 95-703, eff. 12-31-07; 95-876, eff. 8-21-08;
5 96-328, eff. 8-11-09.)

6 (5 ILCS 80/4.38 new)

7 Sec. 4.38. Act repealed on January 1, 2028. The following
8 Act is repealed on January 1, 2028:

9 The Illinois Speech-Language Pathology and Audiology
10 Practice Act.

11 Section 10. The Illinois Speech-Language Pathology and
12 Audiology Practice Act is amended by changing Sections 3, 3.5,
13 5, 7, 8, 8.1, 8.5, 8.8, 11, 14, 16, 17, 22, 23, 24.1, 31a, and
14 34 and by adding Sections 4.5, 8.2, 8.3, and 34.1 as follows:

15 (225 ILCS 110/3) (from Ch. 111, par. 7903)

16 (Section scheduled to be repealed on January 1, 2018)

17 Sec. 3. Definitions. The following words and phrases shall
18 have the meaning ascribed to them in this Section unless the
19 context clearly indicates otherwise:

20 (a) "Department" means the Department of Financial and
21 Professional Regulation.

22 (b) "Secretary" means the Secretary of Financial and
23 Professional Regulation.

1 (c) "Board" means the Board of Speech-Language Pathology
2 and Audiology established under Section 5 of this Act.

3 (d) "Speech-Language Pathologist" means a person who has
4 received a license pursuant to this Act and who engages in the
5 practice of speech-language pathology.

6 (e) "Audiologist" means a person who has received a license
7 pursuant to this Act and who engages in the practice of
8 audiology.

9 (f) "Public member" means a person who is not a health
10 professional. For purposes of board membership, any person with
11 a significant financial interest in a health service or
12 profession is not a public member.

13 (g) "The practice of audiology" is the application of
14 nonsurgical ~~nonmedical~~ methods and procedures for the
15 screening, identification, measurement, monitoring, testing,
16 appraisal, prediction, interpretation, habilitation,
17 rehabilitation, or instruction related to audiologic or
18 vestibular disorders, including hearing and disorders of
19 hearing. These procedures are for the purpose of counseling,
20 consulting and rendering or offering to render services or for
21 participating in the planning, directing or conducting of
22 programs that are designed to modify communicative disorders
23 involving speech, language, ~~or~~ auditory, or vestibular
24 function related to hearing loss. The practice of audiology may
25 include, but shall not be limited to, the following:

26 (1) any task, procedure, act, or practice that is

1 necessary for the evaluation and management of audiologic,
2 hearing, or vestibular function, including, but not
3 limited to, neurophysiologic intraoperative monitoring of
4 the seventh or eighth cranial nerve function;

5 (2) training in the use of amplification devices;

6 (3) the evaluation, fitting, dispensing, or servicing
7 of hearing instruments and auditory prosthetic devices,
8 such as cochlear implants, auditory osseointegrated
9 devices, and brainstem implants;

10 (4) cerumen removal; ~~and~~

11 (5) ~~(4)~~ performing basic speech and language screening
12 tests and procedures consistent with audiology training;
13 and-

14 (6) performing basic health screenings in accordance
15 with Section 8.3 of this Act.

16 "The practice of audiology" does not include testing and
17 interpretation of test results using electrodiagnostic
18 modalities to monitor the spinal cord, peripheral nerves (other
19 than the seventh and eighth cranial nerve), cerebral
20 hemispheres, or brainstem.

21 (h) "The practice of speech-language pathology" is the
22 application of nonmedical methods and procedures for the
23 identification, measurement, testing, appraisal, prediction,
24 habilitation, rehabilitation, and modification related to
25 communication development, and disorders or disabilities of
26 speech, language, voice, swallowing, and other speech,

1 language and voice related disorders. These procedures are for
2 the purpose of counseling, consulting and rendering or offering
3 to render services, or for participating in the planning,
4 directing or conducting of programs that are designed to modify
5 communicative disorders and conditions in individuals or
6 groups of individuals involving speech, language, voice and
7 swallowing function.

8 "The practice of speech-language pathology" shall include,
9 but shall not be limited to, the following:

10 (1) hearing screening tests and aural rehabilitation
11 procedures consistent with speech-language pathology
12 training;

13 (2) tasks, procedures, acts or practices that are
14 necessary for the evaluation of, and training in the use
15 of, augmentative communication systems, communication
16 variation, cognitive rehabilitation, non-spoken language
17 production and comprehension; ~~and~~

18 (3) the use of rigid or flexible laryngoscopes for the
19 sole purpose of observing and obtaining images of the
20 pharynx and larynx in accordance with Section 9.3 of this
21 Act; and -

22 (4) performing basic health screenings in accordance
23 with Section 8.3 of this Act.

24 (i) "Speech-language pathology assistant" means a person
25 who has received a license pursuant to this Act to assist a
26 speech-language pathologist in the manner provided in this Act.

1 (j) "Physician" means a physician licensed to practice
2 medicine in all its branches under the Medical Practice Act of
3 1987.

4 (k) "Email address of record" means the designated email
5 address recorded by the Department in the applicant's
6 application file or the licensee's license file, as maintained
7 by the Department's licensure maintenance unit.

8 (l) "Address of record" means the designated address
9 recorded by the Department in the applicant's or licensee's
10 application file or license file as maintained by the
11 Department's licensure maintenance unit.

12 (m) "Neurophysiologic intraoperative monitoring" means the
13 process of continual testing and interpretation of test results
14 using electrodiagnostic modalities to monitor the seventh and
15 eighth cranial nerve function during a surgical procedure.
16 Neurophysiologic intraoperative monitoring may be performed by
17 an audiologist only if authorized by the physician performing
18 the surgical procedure.

19 (Source: P.A. 95-465, eff. 8-27-07; 96-719, eff. 8-25-09.)

20 (225 ILCS 110/3.5)

21 (Section scheduled to be repealed on January 1, 2018)

22 Sec. 3.5. Exemptions. This Act does not prohibit:

23 (a) The practice of speech-language pathology or
24 audiology by students in their course of study in programs
25 approved by the Department when acting under the direction

1 and supervision of licensed speech-language pathologists
2 or audiologists.

3 (b) The performance of any speech-language pathology
4 service by a speech-language pathology assistant ~~or a~~
5 ~~speech-language pathology paraprofessional~~ if such service
6 is performed under the supervision and full responsibility
7 of a licensed speech-language pathologist. A speech
8 language pathology assistant may perform only those duties
9 authorized by Section 8.7 under the supervision of a
10 speech-language pathologist as provided in Section 8.8.

11 (b-5) The performance of an audiology service by an
12 appropriately trained person if that service is performed
13 under the supervision and full responsibility of a licensed
14 audiologist.

15 (c) The performance of audiometric testing for the
16 purpose of industrial hearing conservation by an
17 audiometric technician certified by the Council of
18 Accreditation for Occupational Hearing Conservation
19 (CAOHC).

20 (d) The performance of an audiometric screening by an
21 audiometric screenings technician certified by the
22 Department of Public Health.

23 (e) The selling or practice of fitting, dispensing, or
24 servicing hearing instruments by a hearing instrument
25 dispenser licensed under the Hearing Instrument Consumer
26 Protection Act.

1 (f) A person licensed in this State under any other Act
2 from engaging in the practice for which he or she is
3 licensed.

4 (g) The performance of vestibular function testing by
5 an appropriately trained person under the supervision of a
6 physician licensed to practice medicine in all its
7 branches.

8 (Source: P.A. 92-510, eff. 6-1-02.)

9 (225 ILCS 110/4.5 new)

10 Sec. 4.5. Address of record; email address of record. All
11 applicants and licensees shall:

12 (1) provide a valid address and email address to the
13 Department, which shall serve as the address of record and
14 email address of record, respectively, at the time of
15 application for licensure or renewal of a license; and

16 (2) inform the Department of any change of address of
17 record or email address of record within 14 days after such
18 change either through the Department's website or by
19 contacting the Department's licensure maintenance unit.

20 (225 ILCS 110/5) (from Ch. 111, par. 7905)

21 (Section scheduled to be repealed on January 1, 2018)

22 Sec. 5. Board of Speech-Language Pathology and Audiology.
23 There is created a Board of Speech-Language Pathology and
24 Audiology to be composed of persons designated from time to

1 time by the Secretary, as follows:

2 (a) Five persons, 2 of whom have been licensed
3 speech-language pathologists for a period of 5 years or
4 more, 2 of whom have been licensed audiologists for a
5 period of 5 years or more, and one public member. The board
6 shall annually elect a chairperson and a vice-chairperson.

7 (b) Terms for all members shall be for 3 years. A
8 member shall serve until his or her successor is appointed
9 and qualified. Partial terms over 2 years in length shall
10 be considered as full terms. A member may be reappointed
11 for a successive term, but no member shall serve more than
12 2 full terms.

13 (c) The membership of the Board should reasonably
14 reflect representation from the various geographic areas
15 of the State.

16 (d) In making appointments to the Board, the Secretary
17 shall give due consideration to recommendations by
18 organizations of the speech-language pathology and
19 audiology professions in Illinois, including the Illinois
20 Speech-Language-Hearing Association and the Illinois
21 Academy of Audiology, and shall promptly give due notice to
22 such organizations of any vacancy in the membership of the
23 Board. The Secretary may terminate the appointment of any
24 member for any cause, which in the opinion of the
25 Secretary, reasonably justifies such termination.

26 (e) A majority of the Board members currently appointed

1 shall constitute a quorum. A vacancy in the membership of
2 the Board shall not impair the right of a quorum to
3 exercise all the rights and perform all the duties of the
4 Board.

5 (f) The members of the Board may each receive as
6 compensation a reasonable sum as determined by the
7 Secretary for each day actually engaged in the duties of
8 the office, and all legitimate and necessary expenses
9 incurred in attending the meetings of the Board.

10 (g) Members of the Board shall have no liability ~~be~~
11 ~~immune from suit~~ in any action based upon any disciplinary
12 proceedings or other activity ~~activities~~ performed in good
13 faith as members of the Board.

14 (h) The Secretary may consider the recommendations of
15 the Board in establishing guidelines for professional
16 conduct, the conduct of formal disciplinary proceedings
17 brought under this Act, and qualifications of applicants.
18 Notice of proposed rulemaking shall be transmitted to the
19 Board and the Department shall review the response of the
20 Board and any recommendations made in the response. The
21 Department, at any time, may seek the expert advice and
22 knowledge of the Board on any matter relating to the
23 administration or enforcement of this Act.

24 (i) Whenever the Secretary is satisfied that
25 substantial justice has not been done either in an
26 examination or in the revocation, suspension, or refusal of

1 a license, or other disciplinary action relating to a
2 license, the Secretary may order a reexamination or
3 rehearing.

4 (Source: P.A. 94-528, eff. 8-10-05; 95-465, eff. 8-27-07.)

5 (225 ILCS 110/7) (from Ch. 111, par. 7907)

6 (Section scheduled to be repealed on January 1, 2018)

7 Sec. 7. Licensure requirement.

8 (a) Except as provided in subsection (b), on or after June
9 1, 1989, no person shall practice speech-language pathology or
10 audiology without first applying for and obtaining a license
11 for such purpose from the Department. Except as provided in
12 this Section, on or after January 1, 2002, no person shall
13 perform the functions and duties of a speech-language pathology
14 assistant without first applying for and obtaining a license
15 for that purpose from the Department.

16 (b) A person holding a regular license to practice
17 speech-language pathology or audiology under the laws of
18 another state, a territory of the United States, or the
19 District of Columbia who has made application to the Department
20 for a license to practice speech-language pathology or
21 audiology may practice speech-language pathology or audiology
22 without a license for 90 days from the date of application or
23 until disposition of the license application by the Department,
24 whichever is sooner, if the person (i) in the case of a
25 speech-language pathologist, holds a Certificate of Clinical

1 Competence from the American Speech-Language-Hearing
2 Association in speech-language pathology ~~or audiology or, in~~
3 ~~the case of an audiologist, a certificate from the American~~
4 ~~Board of Audiology~~ and (ii) has not been disciplined and has no
5 disciplinary matters pending in a state, a territory, or the
6 District of Columbia.

7 A person applying for an initial license to practice
8 audiology who is a recent graduate of a Department-approved
9 audiology program may practice as an audiologist for a period
10 of 60 days after the date of application or until disposition
11 of the license application by the Department, whichever is
12 sooner, provided that he or she meets the applicable
13 requirements of Section 8 of this Act.

14 (Source: P.A. 95-465, eff. 8-27-07.)

15 (225 ILCS 110/8) (from Ch. 111, par. 7908)

16 (Section scheduled to be repealed on January 1, 2018)

17 Sec. 8. Qualifications for licenses to practice
18 speech-language pathology or audiology. The Department shall
19 require that each applicant for a license to practice
20 speech-language pathology or audiology shall:

21 (a) (blank);

22 (b) be at least 21 years of age;

23 (c) not have violated any provisions of Section 16 of
24 this Act;

25 (d) for a license as a speech-language pathologist,

1 present satisfactory evidence of receiving a master's or
2 doctoral degree in speech-language pathology from a
3 program approved by the Department. Nothing in this Act
4 shall be construed to prevent any program from establishing
5 higher standards than specified in this Act;

6 (d-5) for a license as an audiologist, present
7 satisfactory evidence of having received a master's or
8 doctoral degree in audiology from a program approved by the
9 Department; however, an applicant for licensure as an
10 audiologist whose degree was conferred on or after January
11 1, 2008, must present satisfactory evidence of having
12 received a doctoral degree in audiology from a program
13 approved by the Department;

14 (e) pass a national examination recognized by the
15 Department in the theory and practice of the profession;

16 (f) for a license as a speech-language pathologist,
17 have completed the equivalent of 9 months of supervised
18 experience; and

19 (g) for a license as an audiologist, have completed a
20 minimum of 1,500 clock hours of supervised experience or
21 present evidence of a Doctor of Audiology (AuD) degree.

22 An applicant for licensure as a speech-language
23 pathologist who received education and training at a
24 speech-language pathology program located outside of the
25 United States must meet the requirements of this Section,
26 including, but not limited to, substantially complying with the

1 minimum requirements of an approved program as set forth by
2 rule.

3 Applicants have 3 years from the date of application to
4 complete the application process. If the process has not been
5 completed within 3 years, the application shall be denied, the
6 fee shall be forfeited, and the applicant must reapply and meet
7 the requirements in effect at the time of reapplication.

8 (Source: P.A. 94-528, eff. 8-10-05; 95-465, eff. 8-27-07.)

9 (225 ILCS 110/8.1)

10 (Section scheduled to be repealed on January 1, 2018)

11 Sec. 8.1. Temporary license. On and after July 1, 2005, a
12 person who has met the requirements of items (a) through (e) of
13 Section 8 and intends to undertake supervised professional
14 experience as a speech-language pathologist, as required by
15 subsection (f) of Section 8 and the rules adopted by the
16 Department, must first obtain a temporary license from the
17 Department. A temporary license may be issued by the Department
18 only to an applicant pursuing licensure as a speech-language
19 pathologist in this State. A temporary license shall be issued
20 to an applicant upon receipt of the required fee as set forth
21 by rule and documentation on forms prescribed by the Department
22 certifying that his or her professional experience will be
23 supervised by a licensed speech-language pathologist. A
24 temporary license shall be issued for a period of 18 ~~12~~ months
25 and may be renewed only once for good cause shown.

1 A person who has completed the course and clinical
2 curriculum required to receive a master's degree in
3 speech-language pathology, as minimally required under
4 subsection (d) of Section 8 of this Act for a license to
5 practice speech-language pathology, but who has not yet been
6 conferred the master's degree, may make application to the
7 Department for a temporary license under this Section and may
8 begin his or her supervised professional experience as a
9 speech-language pathologist without a temporary license for
10 120 days from the date of application or until disposition of
11 the license application by the Department, whichever is sooner.
12 (Source: P.A. 93-112, eff. 1-1-04; 93-1060, eff. 12-23-04;
13 94-1082, eff. 1-19-07.)

14 (225 ILCS 110/8.2 new)

15 Sec. 8.2. Remote practice of audiology and speech-language
16 pathology.

17 (a) An audiologist licensed under this Act may conduct the
18 practice of audiology remotely subject to the following
19 conditions:

20 (1) the practice of audiology may be conducted remotely
21 using video conferencing;

22 (2) the use of telephone, email, instant messaging,
23 store and forward technology, or facsimile must be in
24 conjunction with or supplementary to the use of video
25 conferencing;

1 (3) an audiologist who practices audiology remotely
2 must follow all applicable Health Insurance Portability
3 and Accountability Act privacy and security regulations;

4 (4) an audiologist who practices audiology remotely is
5 subject to the same standard of care required of an
6 audiologist who practices audiology in a clinic or office
7 setting; and

8 (5) services delivered remotely by an audiologist must
9 be equivalent to the quality of services delivered in
10 person in a clinic or office setting.

11 (b) A speech-language pathologist licensed under this Act
12 may conduct the practice of speech-language pathology remotely
13 subject to the following conditions:

14 (1) the practice of speech-language pathology may be
15 conducted remotely using video conferencing;

16 (2) the use of telephone, email, instant messaging,
17 store and forward technology, or facsimile must be in
18 conjunction with or supplementary to the use of video
19 conferencing;

20 (3) a speech-language pathologist who practices
21 speech-language pathology remotely must follow all
22 applicable Health Insurance Portability and Accountability
23 Act privacy and security regulations;

24 (4) a speech-language pathologist who practices
25 speech-language pathology remotely is subject to the same
26 standard of care required of a speech-language pathologist

1 who practices speech-language pathology in a clinic or
2 office setting; and

3 (5) services delivered remotely by a speech-language
4 pathologist must be equivalent to the quality of services
5 delivered in person in a clinic setting.

6 (c) An out-of-state person providing speech-language
7 pathology or audiology services to a person residing in
8 Illinois without a license issued pursuant to this Act submits
9 himself or herself to the jurisdiction of the Department and
10 the courts of this State.

11 (225 ILCS 110/8.3 new)

12 Sec. 8.3. Basic health screenings. A speech-language
13 pathologist or an audiologist may perform basic health
14 screenings and create the resulting plans of care if: (1) the
15 elements of the plan of care are within the scope of practice
16 of a speech-language pathologist or an audiologist and (2) the
17 speech-language pathologist or audiologist is trained in the
18 performance of basic health screenings as set forth by rule
19 from one of the following: (A) as part of the curriculum of an
20 approved program, (B) through worksite training, or (C) through
21 continuing education. A plan of care that includes elements
22 that are outside the scope of practice of a speech-language
23 pathologist or an audiologist must be referred to appropriate
24 medical personnel for further evaluation or management.

1 (225 ILCS 110/8.5)

2 (Section scheduled to be repealed on January 1, 2018)

3 Sec. 8.5. Qualifications for licenses as a speech-language
4 pathology assistant. A person is qualified to be licensed as a
5 speech-language pathology assistant if that person has applied
6 in writing or electronically on forms prescribed by the
7 Department, has paid the required fees, and meets both of the
8 following criteria:

9 (1) Is of good moral character. In determining moral
10 character, the Department may take into consideration any
11 felony conviction or plea of guilty or nolo contendere of
12 the applicant, but such a conviction or plea shall not
13 operate automatically as a complete bar to licensure.

14 (2) Has received either (i) an associate degree from a
15 speech-language pathology assistant program that has been
16 approved by the Department and that meets the minimum
17 requirements set forth in Section 8.6 or (ii) a bachelor's
18 degree and has completed course work from an accredited
19 college or university that meets the minimum requirements
20 set forth in Section 8.6.

21 (Source: P.A. 94-869, eff. 6-16-06; 95-465, eff. 8-27-07.)

22 (225 ILCS 110/8.8)

23 (Section scheduled to be repealed on January 1, 2018)

24 Sec. 8.8. Supervision of speech-language pathology
25 assistants.

1 (a) A speech-language pathology assistant shall practice
2 only under the supervision of a speech-language pathologist who
3 has at least 2 years experience in addition to the supervised
4 professional experience required under subsection (f) of
5 Section 8 of this Act. A speech-language pathologist who
6 supervises a speech-language pathology assistant (i) must have
7 completed at least 6 ~~10~~ clock hours of training in ~~the~~
8 supervision related to speech-language pathology, and (ii)
9 must complete at least 2 clock hours of continuing education in
10 supervision related to speech-language pathology in each new
11 licensing cycle after completion of the initial training
12 required under item (i) of speech-language pathology
13 ~~assistants~~. The Department shall promulgate rules describing
14 the supervision training requirements. The rules may allow a
15 speech-language pathologist to apply to the Board for an
16 exemption from this training requirement based upon prior
17 supervisory experience.

18 (b) A speech-language pathology assistant must be under the
19 direct supervision of a speech-language pathologist at least
20 30% of the speech-language pathology assistant's actual
21 patient or client contact time per patient or client during the
22 first 90 days of initial employment as a speech-language
23 pathology assistant. Thereafter, a speech-language pathology
24 assistant must be under the direct supervision of a
25 speech-language pathologist at least 20% of the
26 speech-language pathology assistant's actual patient or client

1 contact time per patient or client. Supervision of a
2 speech-language pathology assistant beyond the minimum
3 requirements of this subsection may be imposed at the
4 discretion of the supervising speech-language pathologist. A
5 supervising speech-language pathologist must be available to
6 communicate with a speech-language pathology assistant
7 whenever the assistant is in contact with a patient or client.

8 (c) A speech-language pathologist that supervises a
9 speech-language pathology assistant must document direct
10 supervision activities. At a minimum, supervision
11 documentation must provide (i) information regarding the
12 quality of the speech-language pathology assistant's
13 performance of assigned duties, and (ii) verification that
14 clinical activity is limited to duties specified in Section
15 8.7.

16 (d) A full-time speech-language pathologist may supervise
17 no more than 2 speech-language pathology assistants. A
18 speech-language pathologist that does not work full-time may
19 supervise no more than one speech-language pathology
20 assistant.

21 (e) For purposes of this Section, "direct supervision"
22 means on-site, in-view observation and guidance by a
23 speech-language pathologist while an assigned activity is
24 performed by the speech-language pathology assistant.

25 (Source: P.A. 92-510, eff. 6-1-02.)

1 (225 ILCS 110/11) (from Ch. 111, par. 7911)

2 (Section scheduled to be repealed on January 1, 2018)

3 Sec. 11. Expiration, renewal and restoration of licenses.

4 (a) The expiration date and renewal period for each license
5 issued under this Act shall be set by rule. A speech-language
6 pathologist, speech-language pathology assistant, or
7 audiologist may renew such license during the month preceding
8 the expiration date thereof by paying the required fee.

9 (a-5) An audiologist renewing his or her license ~~All~~
10 ~~renewal applicants~~ shall provide proof as determined by the
11 Department of having met the continuing education requirements
12 set forth in the rules of the Department. At a minimum, the
13 rules shall require a renewal applicant for licensure as an ~~a~~
14 ~~speech-language pathologist or~~ audiologist to provide proof of
15 completing at least 20 clock hours of continuing education
16 during the 2-year licensing cycle for which he or she is
17 currently licensed, no more than 10 hours of which may be
18 obtained through programs sponsored by hearing instrument or
19 auditory prosthetic device manufacturers. An audiologist must
20 provide proof that at least 2 clock hours of training in ethics
21 or legal requirements pertaining to the practice of audiology
22 was completed during the 2-year licensing cycle for which he or
23 she is currently licensed. An audiologist who has met the
24 ~~continuing education requirements of the Hearing Instrument~~
25 ~~Consumer Protection Act during an equivalent licensing cycle~~
26 ~~under this Act shall be deemed to have met the continuing~~

1 ~~education requirements of this Act. At a minimum, the rules~~
2 ~~shall require a renewal applicant for licensure as a~~
3 ~~speech-language pathology assistant to provide proof of~~
4 ~~completing at least 10 clock hours of continuing education~~
5 ~~during the 2 year period for which he or she currently holds a~~
6 ~~license.~~

7 (a-10) A speech-language pathologist or a speech-language
8 pathology assistant renewing his or her license shall provide
9 proof as determined by the Department of having met the
10 continuing education requirements set forth in the rules of the
11 Department. At a minimum, the rules shall require a renewal
12 applicant for license as a speech-language pathologist to
13 provide proof of completing at least 20 clock hours of
14 continuing education during the 2-year licensing cycle for
15 which he or she is currently licensed. A speech language
16 pathologist must provide proof that at least one clock hour of
17 ethics training was completed during the 2-year licensing cycle
18 for which he or she is currently licensed. At a minimum, the
19 rules shall require a renewal applicant for licensure as a
20 speech-language pathology assistant to provide proof of
21 completing at least 10 clock hours of continuing education
22 during the 2-year period for which he or she currently holds a
23 license.

24 (b) Inactive status.

25 (1) Any licensee who notifies the Department in writing
26 on forms prescribed by the Department may elect to place

1 his or her license on an inactive status and shall, subject
2 to rules of the Department, be excused from payment of
3 renewal fees until he or she notifies the Department in
4 writing of his or her desire to resume active status.

5 (2) Any licensee requesting restoration from inactive
6 status shall be required to (i) pay the current renewal
7 fee; and (ii) demonstrate that he or she has completed a
8 minimum of 20 hours of continuing education and met any
9 additional continuing education requirements established
10 by the Department by rule.

11 (3) Any licensee whose license is in an inactive status
12 shall not practice in the State of Illinois without first
13 restoring his or her license.

14 (4) Any licensee who shall engage in the practice while
15 the license is lapsed or inactive shall be considered to be
16 practicing without a license which shall be grounds for
17 discipline under Section 16 of this Act.

18 (c) Any speech-language pathologist, speech-language
19 pathology assistant, or audiologist whose license has expired
20 may have his or her license restored at any time within 5 years
21 after the expiration thereof, upon payment of the required fee.

22 (d) Any person whose license has been expired or inactive
23 for 5 years or more may have his or her license restored by
24 making application to the Department and filing proof
25 acceptable to the Department of his or her fitness to have his
26 or her license restored, including sworn evidence certifying to

1 active lawful practice in another jurisdiction, and by paying
2 the required restoration fee. A person practicing on an expired
3 license is deemed to be practicing without a license.

4 (e) If a person whose license has expired has not
5 maintained active practice in another jurisdiction, the
6 Department shall determine, by an evaluation process
7 established by rule, his or her fitness to resume active status
8 and may require the person to complete a period of evaluated
9 clinical experience, and may require successful completion of
10 an examination.

11 (f) Any person whose license has expired while he or she
12 has been engaged (1) in federal or State service on active
13 duty, or (2) in training or education under the supervision of
14 the United States preliminary to induction into the military
15 service, may have his or her license restored without paying
16 any lapsed renewal or restoration fee, if within 2 years after
17 termination of such service, training or education he or she
18 furnishes the Department with satisfactory proof that he or she
19 has been so engaged and that his or her service, training or
20 education has been so terminated.

21 (Source: P.A. 95-465, eff. 8-27-07.)

22 (225 ILCS 110/14) (from Ch. 111, par. 7914)

23 (Section scheduled to be repealed on January 1, 2018)

24 Sec. 14. Fees.

25 (a) The Department shall provide by rule for a schedule of

1 fees to be paid for licenses by all applicants. The Department
2 shall consult with the Board and consider its recommendations
3 when establishing the schedule of fees and any increase in fees
4 to be paid by license applicants.

5 (b) Except as provided in subsection (c) below, the fees
6 for the administration and enforcement of this Act, including
7 but not limited to original licensure, renewal, and
8 restoration, shall be set by rule and shall be nonrefundable.

9 (b-5) In addition to any fees set by the Department through
10 administrative rule, the Department shall, at the time of
11 licensure and renewal, collect from each licensed audiologist a
12 Hearing Instrument Consumer Protection Fee of \$45.

13 (c) (Blank). ~~Applicants for examination shall be required~~
14 ~~to pay, either to the Department or the designated testing~~
15 ~~service, a fee covering the cost of initial screening to~~
16 ~~determine eligibility and to provide the examination. Failure~~
17 ~~to appear for the examination on the scheduled date at the time~~
18 ~~and place specified, after the application for examination has~~
19 ~~been received and acknowledged by the Department or the~~
20 ~~designated testing service, shall result in the forfeiture of~~
21 ~~the examination fee.~~

22 (Source: P.A. 90-69, eff. 7-8-97; 91-932, eff. 1-1-01.)

23 (225 ILCS 110/16) (from Ch. 111, par. 7916)

24 (Section scheduled to be repealed on January 1, 2018)

25 Sec. 16. Refusal, revocation or suspension of licenses.

1 (1) The Department may refuse to issue or renew, or may
2 revoke, suspend, place on probation, censure, reprimand or take
3 other disciplinary or non-disciplinary action as the
4 Department may deem proper, including fines not to exceed
5 \$10,000 for each violation, with regard to any license for any
6 one or combination of the following causes:

7 (a) Fraud in procuring the license.

8 (b) (Blank).

9 (c) Willful or repeated violations of the rules of the
10 Department of Public Health.

11 (d) Division of fees or agreeing to split or divide the
12 fees received for speech-language pathology or audiology
13 services with any person for referring an individual, or
14 assisting in the care or treatment of an individual,
15 without the knowledge of the individual or his or her legal
16 representative. Nothing in this paragraph (d) affects any
17 bona fide independent contractor or employment
18 arrangements among health care professionals, health
19 facilities, health care providers, or other entities,
20 except as otherwise prohibited by law. Any employment
21 arrangements may include provisions for compensation,
22 health insurance, pension, or other employment benefits
23 for the provision of services within the scope of the
24 licensee's practice under this Act. Nothing in this
25 paragraph (d) shall be construed to require an employment
26 arrangement to receive professional fees for services

1 rendered.

2 (e) Employing, procuring, inducing, aiding or abetting
3 a person not licensed as a speech-language pathologist or
4 audiologist to engage in the unauthorized practice of
5 speech-language pathology or audiology.

6 (e-5) Employing, procuring, inducing, aiding, or
7 abetting a person not licensed as a speech-language
8 pathology assistant to perform the functions and duties of
9 a speech-language pathology assistant.

10 (f) Making any misrepresentations or false promises,
11 directly or indirectly, to influence, persuade or induce
12 patronage.

13 (g) Professional connection or association with, or
14 lending his or her name to another for the illegal practice
15 of speech-language pathology or audiology by another, or
16 professional connection or association with any person,
17 firm or corporation holding itself out in any manner
18 contrary to this Act.

19 (h) Obtaining or seeking to obtain checks, money, or
20 any other things of value by false or fraudulent
21 representations, including but not limited to, engaging in
22 such fraudulent practice to defraud the medical assistance
23 program of the Department of Healthcare and Family Services
24 (formerly Department of Public Aid).

25 (i) Practicing under a name other than his or her own.

26 (j) Improper, unprofessional or dishonorable conduct

1 of a character likely to deceive, defraud or harm the
2 public.

3 (k) Conviction by plea of guilty or nolo contendere,
4 finding of guilt, jury verdict, or entry of judgment or
5 sentencing, including, but not limited to, convictions,
6 preceding sentences of supervision, conditional discharge,
7 or first offender probation, under the laws of any
8 jurisdiction of the United States that is (i) a felony or
9 (ii) a misdemeanor, an essential element of which is
10 dishonesty, or that is directly related to the practice of
11 the profession. ~~Conviction of or entry of a plea of guilty~~
12 ~~or nolo contendere to any crime that is a felony under the~~
13 ~~laws of the United States or any state or territory~~
14 ~~thereof, or that is a misdemeanor of which an essential~~
15 ~~element is dishonesty, or that is directly related to the~~
16 ~~practice of the profession.~~

17 (l) Permitting a person under his or her supervision to
18 perform any function not authorized by this Act.

19 (m) A violation of any provision of this Act or rules
20 promulgated thereunder.

21 (n) Discipline by another state, the District of
22 Columbia, territory, or foreign nation of a license to
23 practice speech-language pathology or audiology or a
24 license to practice as a speech-language pathology
25 assistant in its jurisdiction if at least one of the
26 grounds for that discipline is the same as or the

1 equivalent of one of the grounds for discipline set forth
2 herein.

3 (o) Willfully failing to report an instance of
4 suspected child abuse or neglect as required by the Abused
5 and Neglected Child Reporting Act.

6 (p) Gross or repeated malpractice.

7 (q) Willfully making or filing false records or reports
8 in his or her practice as a speech-language pathologist,
9 speech-language pathology assistant, or audiologist,
10 including, but not limited to, false records to support
11 claims against the public assistance program of the
12 Department of Healthcare and Family Services (formerly
13 Illinois Department of Public Aid).

14 (r) Professional incompetence as manifested by poor
15 standards of care or mental incompetence as declared by a
16 court of competent jurisdiction.

17 (s) Repeated irregularities in billing a third party
18 for services rendered to an individual. For purposes of
19 this Section, "irregularities in billing" shall include:

20 (i) reporting excessive charges for the purpose of
21 obtaining a total payment in excess of that usually
22 received by the speech-language pathologist,
23 speech-language pathology assistant, or audiologist
24 for the services rendered;

25 (ii) reporting charges for services not rendered;

26 or

1 (iii) incorrectly reporting services rendered for
2 the purpose of obtaining payment not earned.

3 (t) (Blank).

4 (u) Violation of the Health Care Worker Self-Referral
5 Act.

6 (v) Inability to practice with reasonable judgment,
7 skill, or safety as a result of habitual or excessive use
8 of or addiction to alcohol, narcotics, or stimulants or any
9 other chemical agent or drug or as a result of physical
10 illness, including, but not limited to, deterioration
11 through the aging process or loss of motor skill, mental
12 illness, or disability.

13 (w) Violation of the Hearing Instrument Consumer
14 Protection Act.

15 (x) Failure by a speech-language pathology assistant
16 and supervising speech-language pathologist to comply with
17 the supervision requirements set forth in Section 8.8.

18 (y) Willfully ~~Wilfully~~ exceeding the scope of duties
19 customarily undertaken by speech-language pathology
20 assistants set forth in Section 8.7 that results in, or may
21 result in, harm to the public.

22 (z) Willfully failing to report an instance of
23 suspected abuse, neglect, financial exploitation, or
24 self-neglect of an eligible adult as defined in and
25 required by the Adult Protective Services Act.

26 (aa) Being named as a perpetrator in an indicated

1 report by the Department on Aging under the Adult
2 Protective Services Act, and upon proof by clear and
3 convincing evidence that the licensee has caused an
4 eligible adult to be abused, neglected, or financially
5 exploited as defined in the Adult Protective Services Act.

6 (bb) Willfully violating Section 8.2 of this Act.

7 (2) The Department shall deny a license or renewal
8 authorized by this Act to any person who has defaulted on an
9 educational loan guaranteed by the Illinois State Scholarship
10 Commission; however, the Department may issue a license or
11 renewal if the aforementioned persons have established a
12 satisfactory repayment record as determined by the Illinois
13 State Scholarship Commission.

14 (3) The entry of an order by a circuit court establishing
15 that any person holding a license under this Act is subject to
16 involuntary admission or judicial admission as provided for in
17 the Mental Health and Developmental Disabilities Code,
18 operates as an automatic suspension of that license. That
19 person may have his or her license restored only upon the
20 determination by a circuit court that the patient is no longer
21 subject to involuntary admission or judicial admission and the
22 issuance of an order so finding and discharging the patient,
23 and upon the Board's recommendation to the Department that the
24 license be restored. Where the circumstances so indicate, the
25 Board may recommend to the Department that it require an
26 examination prior to restoring any license automatically

1 suspended under this subsection.

2 (4) The Department may refuse to issue or may suspend the
3 license of any person who fails to file a return, or to pay the
4 tax, penalty, or interest shown in a filed return, or to pay
5 any final assessment of the tax penalty or interest, as
6 required by any tax Act administered by the Department of
7 Revenue, until such time as the requirements of any such tax
8 Act are satisfied.

9 (5) In enforcing this Section, the Board upon a showing of
10 a possible violation may compel an individual licensed to
11 practice under this Act, or who has applied for licensure
12 pursuant to this Act, to submit to a mental or physical
13 examination, or both, as required by and at the expense of the
14 Department. The examining physicians or clinical psychologists
15 shall be those specifically designated by the Board. The
16 individual to be examined may have, at his or her own expense,
17 another physician or clinical psychologist of his or her choice
18 present during all aspects of this examination. Failure of any
19 individual to submit to a mental or physical examination, when
20 directed, shall be grounds for suspension of his or her license
21 until the individual submits to the examination if the Board
22 finds, after notice and hearing, that the refusal to submit to
23 the examination was without reasonable cause.

24 If the Board finds an individual unable to practice because
25 of the reasons set forth in this Section, the Board may require
26 that individual to submit to care, counseling, or treatment by

1 physicians or clinical psychologists approved or designated by
2 the Board, as a condition, term, or restriction for continued,
3 restored ~~reinstated~~, or renewed licensure to practice; or, in
4 lieu of care, counseling, or treatment, the Board may recommend
5 to the Department to file a complaint to immediately suspend,
6 revoke, or otherwise discipline the license of the individual.
7 Any individual whose license was granted, continued, restored
8 ~~reinstated~~, renewed, disciplined or supervised subject to such
9 terms, conditions, or restrictions, and who fails to comply
10 with such terms, conditions, or restrictions, shall be referred
11 to the Secretary for a determination as to whether the
12 individual shall have his or her license suspended immediately,
13 pending a hearing by the Board.

14 In instances in which the Secretary immediately suspends a
15 person's license under this Section, a hearing on that person's
16 license must be convened by the Board within 15 days after the
17 suspension and completed without appreciable delay. The Board
18 shall have the authority to review the subject individual's
19 record of treatment and counseling regarding the impairment to
20 the extent permitted by applicable federal statutes and
21 regulations safeguarding the confidentiality of medical
22 records.

23 An individual licensed under this Act and affected under
24 this Section shall be afforded an opportunity to demonstrate to
25 the Board that he or she can resume practice in compliance with
26 acceptable and prevailing standards under the provisions of his

1 or her license.

2 (Source: P.A. 95-331, eff. 8-21-07; 95-465, eff. 8-27-07;
3 96-1482, eff. 11-29-10.)

4 (225 ILCS 110/17) (from Ch. 111, par. 7917)

5 (Section scheduled to be repealed on January 1, 2018)

6 Sec. 17. Investigations; notice; hearings. Licenses may be
7 refused, revoked, or suspended in the manner provided by this
8 Act and not otherwise. The Department may upon its own motion
9 and shall upon the verified complaint in writing of any person
10 setting forth facts that if proven would constitute grounds for
11 refusal to issue, suspend, or revoke under this Act,
12 investigate the actions of any person applying for, holding, or
13 claiming to hold a license.

14 The Department shall, before refusing to issue or renew or
15 suspending or revoking any license or taking other disciplinary
16 action pursuant to Section 16 of this Act, and at least 30 days
17 prior to the date set for the hearing, notify, in writing, the
18 applicant for or the holder of such license of any charges
19 made, afford the accused person an opportunity to be heard in
20 person or by counsel in reference thereto, and direct the
21 applicant or licensee to file a written answer to the Board
22 under oath within 20 days after the service of the notice and
23 inform the applicant or licensee that failure to file an answer
24 will result in default being taken against the applicant or
25 licensee and that the license or certificate may be suspended,

1 revoked, placed on probationary status, or other disciplinary
2 action may be taken, including limiting the scope, nature, or
3 extent of practice, as the Secretary may deem proper. Written
4 or electronic notice may be served by personal delivery, ~~of the~~
5 ~~same personally to the accused person or by mailing the same by~~
6 ~~certified mail,~~ or email to the applicant or licensee at his or
7 her address of record or email address of record ~~his or her~~
8 ~~last known place of residence or to the place of business last~~
9 ~~specified by the accused person in his or her last notification~~
10 ~~to the Department.~~ In case the person fails to file an answer
11 after receiving notice, his or her license or certificate may,
12 in the discretion of the Department, be suspended, revoked, or
13 placed on probationary status or the Department may take
14 whatever disciplinary action deemed proper, including limiting
15 the scope, nature, or extent of the person's practice or the
16 imposition of a fine, without a hearing, if the act or acts
17 charged constitute sufficient grounds for such action under
18 this Act.

19 At the time and place fixed in the notice, the Board shall
20 proceed to hearing of the charges and both the accused person
21 and the Department ~~complainant~~ shall be accorded ample
22 opportunity to present, in person or by counsel, any
23 statements, testimony, evidence, and arguments as may be
24 pertinent to the charges or to their defense. The Board may
25 continue such hearing from time to time. If the Board is not
26 sitting at the time and place fixed in the notice or at the

1 time and place to which the hearing shall have been continued,
2 the Department shall continue such hearing for a period not to
3 exceed 30 days.

4 (Source: P.A. 95-465, eff. 8-27-07.)

5 (225 ILCS 110/22) (from Ch. 111, par. 7922)

6 (Section scheduled to be repealed on January 1, 2018)

7 Sec. 22. Appointment of a hearing officer. The Secretary
8 has ~~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 for any action for refusal to issue,
11 restore, or renew a license or discipline of a license. The
12 hearing officer shall have full authority to conduct the
13 hearing. Board members may attend hearings. The hearing officer
14 shall report his or her findings and recommendations to the
15 Board and the Secretary. The Board shall review the report of
16 the hearing officer and present its findings of fact,
17 conclusions of law and recommendations to the Secretary and to
18 all parties to the proceedings. If the Secretary disagrees in
19 any regard with the Board's report, he or she may issue an
20 order in contravention of the Board's report.

21 (Source: P.A. 95-465, eff. 8-27-07.)

22 (225 ILCS 110/23) (from Ch. 111, par. 7923)

23 (Section scheduled to be repealed on January 1, 2018)

24 Sec. 23. Restoration. At any time after suspension,

1 revocation, placement on probationary status, or the taking of
2 any other disciplinary action with regard to any license, the
3 Department may restore the license, or take any other action to
4 restore ~~reinstate~~ the license to good standing upon the written
5 recommendation of the Board, unless after an investigation and
6 a hearing, the Board determines that restoration is not in the
7 public interest. No person whose license has been revoked as
8 authorized in this Act may apply for restoration of that
9 license until such time as provided for in the Civil
10 Administrative Code of Illinois.

11 A license that has been suspended or revoked shall be
12 considered nonrenewed for purposes of restoration and a person
13 restoring his or her license from suspension or revocation must
14 comply with the requirements for restoration of a nonrenewed
15 license as set forth in Section 11 of this Act and any related
16 rules adopted.

17 (Source: P.A. 95-465, eff. 8-27-07.)

18 (225 ILCS 110/24.1)

19 (Section scheduled to be repealed on January 1, 2018)

20 Sec. 24.1. Certifications of record; costs. The Department
21 shall not be required to certify any record to the court, to
22 file an answer in court, or to otherwise appear in any court in
23 a judicial review proceeding unless and until the Department
24 has received from the plaintiff ~~there is filed in the court,~~
25 ~~with the complaint, a receipt from the Department acknowledging~~

1 payment of the costs of furnishing and certifying the record,
2 which costs shall be determined by the Department. Exhibits
3 shall be certified without cost. Failure on the part of the
4 plaintiff to file the receipt in court is grounds for dismissal
5 of the action.

6 (Source: P.A. 95-465, eff. 8-27-07.)

7 (225 ILCS 110/31a)

8 (Section scheduled to be repealed on January 1, 2018)

9 Sec. 31a. Advertising services.

10 (a) A speech-language pathologist or audiologist shall
11 include in every advertisement for services regulated under
12 this Act his or her title as it appears on the license or the
13 initials authorized under this Act.

14 (b) The terms, "audiologist", "clinical audiologist",
15 "licensed audiologist", "speech-language pathology",
16 "speech-language pathologist", "clinical speech-language
17 pathologist", "licensed speech-language pathologist", or any
18 other similar term, title, abbreviation, or symbol may not be
19 used by any person in any communication that advertises
20 services regulated under this Act unless he or she is licensed
21 under this Act as a speech-language pathologist or an
22 audiologist. A person who is not a licensed audiologist under
23 this Act may use the term "audiology" in a communication that
24 advertises services regulated under this Act only if that
25 person employs or otherwise retains the services of an

1 audiologist who is licensed under this Act. An audiologist may
2 use the term "doctor" if it also stated that he or she is a
3 "doctor of audiology". This subsection does not apply to a
4 person who is exempt from licensure under this Act because he
5 or she holds a professional educator license issued pursuant to
6 the School Code with a special education endorsement as a
7 teaching speech-language pathologist or with a school support
8 personnel endorsement as a non-teaching speech-language
9 pathologist issued prior to January 1, 2004.

10 (Source: P.A. 91-310, eff. 1-1-00; 92-510, eff. 6-1-02.)

11 (225 ILCS 110/34) (from Ch. 111, par. 7934)

12 (Section scheduled to be repealed on January 1, 2018)

13 Sec. 34. Illinois Administrative Procedure Act. The
14 Illinois Administrative Procedure Act is hereby expressly
15 adopted and incorporated herein as if all of the provisions of
16 that Act were included in this Act, except that the provision
17 of subsection (d) of Section 10-65 of the Illinois
18 Administrative Procedure Act that provides that at hearings the
19 speech-language pathologist or audiologist has the right to
20 show compliance with all lawful requirements for retention,
21 continuation or renewal of the license is specifically
22 excluded. For the purposes of this Act, the notice required
23 under Section 10-25 of the Illinois Administrative Procedure
24 Act is deemed sufficient when mailed or emailed to the
25 applicant or licensee at his or her last known address of

1 record or email address of record a party.

2 (Source: P.A. 88-45.)

3 (225 ILCS 110/34.1 new)

4 Sec. 34.1. Confidentiality. All information collected by
5 the Department in the course of an examination or investigation
6 of a licensee or applicant, including, but not limited to, any
7 complaint against a licensee filed with the Department and
8 information collected to investigate any such complaint, shall
9 be maintained for the confidential use of the Department and
10 shall not be disclosed. The Department may not disclose the
11 information to anyone other than law enforcement officials,
12 other regulatory agencies that have an appropriate regulatory
13 interest as determined by the Secretary, or a party presenting
14 a lawful subpoena to the Department. Information and documents
15 disclosed to a federal, State, county, or local law enforcement
16 agency shall not be disclosed by the agency for any purpose to
17 any other agency or person. A formal complaint filed against a
18 licensee by the Department or any order issued by the
19 Department against a licensee or applicant shall be a public
20 record, except as otherwise prohibited by law.

21 (225 ILCS 110/10 rep.)

22 Section 15. The Illinois Speech-Language Pathology and
23 Audiology Practice Act is amended by repealing Section 10.

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

1 becoming law, except that Sections 10 and 15 take effect on
2 January 1, 2018.