

1 AMENDMENT TO HOUSE BILL 464

2 AMENDMENT NO. _____. Amend House Bill 464 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Regulatory Sunset Act is amended by
5 changing Sections 4.14 and 4.24 as follows:

6 (5 ILCS 80/4.14) (from Ch. 127, par. 1904.14)

7 Sec. 4.14. Acts repealed.

8 (a) The following Acts are repealed December 31, 2003:

9 The Private Detective, Private Alarm, and Private
10 Security Act of 1993.

11 The Illinois Occupational Therapy Practice Act.

12 (b) The following Acts are repealed January 1, 2004:

13 The Illinois Certified Shorthand Reporters Act of
14 1984.

15 ~~The Veterinary Medicine and Surgery Practice Act of~~
16 ~~1994.~~

17 (Source: P.A. 92-457, eff 8-21-01.)

18 (5 ILCS 80/4.24)

19 Sec. 4.24. Acts repealed on January 1, 2014. The
20 following Acts are repealed on January 1, 2014:

21 The Electrologist Licensing Act.

1 The Illinois Public Accounting Act.

2 The Veterinary Medicine and Surgery Practice Act of 2004.

3 (Source: P.A. 92-457, eff. 8-21-01; 92-750, eff. 1-1-03.)

4 Section 10. The Environmental Health Practitioner
5 Licensing Act is amended by changing Section 16 as follows:

6 (225 ILCS 37/16)

7 (Section scheduled to be repealed on January 1, 2007)

8 Sec. 16. Exemptions. This Act does not prohibit or
9 restrict any of the following:

10 (1) A person performing the functions and duties of an
11 environmental health practitioner under the general
12 supervision of a licensed environmental health practitioner
13 or licensed professional engineer if that person (i) is not
14 responsible for the administration or supervision of one or
15 more employees engaged in an environmental health program,
16 (ii) establishes a method of verbal communication with the
17 licensed environmental health practitioner or licensed
18 professional engineer to whom they can refer and report
19 questions, problems, and emergency situations encountered in
20 environmental health practice, and (iii) has his or her
21 written reports reviewed monthly by a licensed environmental
22 health practitioner or licensed professional engineer.

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

26 (3) A person working in laboratories licensed by,
27 registered with, or operated by the State of Illinois.

28 (4) A person employed by a State-licensed health care
29 facility who engages in the practice of environmental health
30 or whose job responsibilities include ensuring that the
31 environment in the health care facility is healthy and safe
32 for employees, patients, and visitors.

1 (5) A person employed with the Illinois Department of
2 Agriculture who engages in meat and poultry inspections or
3 environmental inspections under the authority of the
4 Department of Agriculture.

5 (6) A person holding a degree of Doctor of Veterinary
6 Medicine and Surgery and licensed under the Veterinary
7 Medicine and Surgery Practice Act of 2004.

8 (Source: P.A. 92-837, eff. 8-22-02.)

9 Section 15. The Veterinary Medicine and Surgery Practice
10 Act of 1994 is amended by changing Sections 2, 3, 4, 5, 8,
11 8.1, 11, 12, 15, 24.1, and 25 and adding Section 25.19 as
12 follows:

13 (225 ILCS 115/2) (from Ch. 111, par. 7002)

14 (Section scheduled to be repealed on January 1, 2004)

15 Sec. 2. This Act may be cited as the Veterinary Medicine
16 and Surgery Practice Act of 2004 ~~1994~~.

17 (Source: P.A. 88-424.)

18 (225 ILCS 115/3) (from Ch. 111, par. 7003)

19 (Section scheduled to be repealed on January 1, 2004)

20 Sec. 3. Definitions: ~~---unlicensed---practice---prohibited.~~
21 ~~{a}~~ The following terms have the meanings indicated, unless
22 the context requires otherwise:

23 "Accredited college of veterinary medicine" means a
24 veterinary college, school, or division of a university or
25 college that offers the degree of Doctor of Veterinary
26 Medicine or its equivalent and that is accredited by the
27 Council on Education of the American Veterinary Medical
28 Association.

29 "Animal" means any animal, vertebrate or invertebrate,
30 other than a human.

31 "Board" means the Veterinary Licensing and Disciplinary

1 Board.

2 "Certified veterinary technician" means a person who has
3 graduated from a veterinary technology program accredited by
4 the Committee on Veterinary Technician Education and
5 Activities of the American Veterinary Medical Association who
6 has filed an application with the Department, paid the fee,
7 passed the examination as prescribed by rule, and works under
8 a supervising veterinarian.

9 "Client" means an entity, person, group, or corporation
10 that has entered into an agreement with a veterinarian for
11 the purposes of obtaining veterinary medical services.

12 "Complementary, alternative, and integrative therapies"
13 means preventative, diagnostic, and therapeutic practices
14 that, at the time they are performed, may differ from current
15 scientific knowledge or for which the theoretical basis and
16 techniques may diverge from veterinary medicine routinely
17 taught in approved veterinary medical programs. This
18 includes but is not limited to veterinary acupuncture,
19 acupuncture, acupressure, veterinary homeopathy, veterinary
20 manual or manipulative therapy (i.e. therapies based on
21 techniques practiced in osteopathy, chiropractic medicine, or
22 physical medicine and therapy), veterinary nutraceutical
23 therapy, veterinary phytotherapy, or other therapies as
24 defined by rule.

25 "Consultation" means when a veterinarian receives advice
26 in person, telephonically, electronically, or by any other
27 method of communication from a veterinarian licensed in this
28 or any other state or other person whose expertise, in the
29 opinion of the veterinarian, would benefit a patient. Under
30 any circumstance, the responsibility for the welfare of the
31 patient remains with the veterinarian receiving consultation.

32 "Department" means the Department of Professional
33 Regulation.

34 "Direct supervision" means the supervising veterinarian

1 is on the premises where the animal is being treated.

2 "Director" means the Director of Professional Regulation.

3 "Impaired veterinarian" means a veterinarian who is
4 unable to practice veterinary medicine with reasonable skill
5 and safety because of a physical or mental disability as
6 evidenced by a written determination or written consent based
7 on clinical evidence, including deterioration through the
8 aging process, loss of motor skills, or abuse of drugs or
9 alcohol of sufficient degree to diminish a person's ability
10 to deliver competent patient care.

11 "Indirect supervision" means the supervising veterinarian
12 need not be on the premises, but has given either written or
13 oral instructions for the treatment of the animal and is
14 available by telephone or other form of communication.

15 "Patient" means an animal that is examined or treated by
16 a veterinarian.

17 "Person" means an individual, firm, partnership (general,
18 limited, or limited liability), association, joint venture,
19 cooperative, corporation, limited liability company, or any
20 other group or combination acting in concert, whether or not
21 acting as a principal, partner, member, trustee, fiduciary,
22 receiver, or any other kind of legal or personal
23 representative, or as the successor in interest, assignee,
24 agent, factor, servant, employee, director, officer, or any
25 other representative of such person.

26 "Practice of veterinary medicine" means the performance
27 of one or more of the following:

28 (1) Directly or indirectly consulting, diagnosing,
29 prognosing, correcting, supervising, or recommending
30 treatment of an animal for the prevention, cure, or
31 relief of a wound, fracture, bodily injury, defect,
32 disease, or physical or mental condition by any method or
33 mode.

34 (2) Prescribing, dispensing, or administering a

1 drug, medicine, biologic appliance, application, or
2 treatment of whatever nature.

3 (3) Performing upon an animal a surgical or dental
4 operation or a complementary, alternative, or integrative
5 veterinary medical procedure.

6 (4) Performing upon an animal any manual procedure
7 for the diagnoses or treatment of pregnancy, sterility,
8 or infertility.

9 (5) Determining the health and fitness of an
10 animal.

11 (6) Representing oneself, directly or indirectly,
12 as engaging in the practice of veterinary medicine.

13 (7) Using any word, letters, or title under such
14 circumstances as to induce the belief that the person
15 using them is qualified to engage in the practice of
16 veterinary medicine or any of its branches. Such use
17 shall be prima facie evidence of the intention to
18 represent oneself as engaging in the practice of
19 veterinary medicine.

20 "Supervising veterinarian" means a veterinarian who
21 assumes responsibility for the professional care given to an
22 animal by a person working under his or her direction. The
23 supervising veterinarian must have examined the animal at
24 such time as acceptable veterinary medical practices requires
25 consistent with the particular delegated animal health care
26 task.

27 "Veterinarian-client-patient relationship" means:

28 (1) The veterinarian has assumed the responsibility
29 for making clinical judgments regarding the health of an
30 animal and the need for medical treatment and the client,
31 owner, or other caretaker has agreed to follow the
32 instructions of the veterinarian;

33 (2) There is sufficient knowledge of an animal by
34 the veterinarian to initiate at least a general or

1 preliminary diagnosis of the medical condition of the
 2 animal. This means that the veterinarian has recently
 3 seen and is personally acquainted with the keeping and
 4 care of the animal by virtue of an examination of the
 5 animal or by medically appropriate and timely visits to
 6 the premises where the animal is kept; and

7 (3) The practicing veterinarian is readily
 8 available for follow-up in case of adverse reactions or
 9 failure of the regimen of therapy.

10 "Veterinary technology" means the performance of services
 11 within the field of veterinary medicine by a person who, for
 12 compensation or personal profit, is employed by a licensed
 13 veterinarian to perform duties that require an understanding
 14 of veterinary medicine necessary to carry out the orders of
 15 the veterinarian. Those services, however, shall not include
 16 diagnosing, prognosing, writing prescriptions, or surgery.

17 (A) --"Department"--means--the--Department--of--Professional
 18 Regulation.

19 (B) --"Board"---means---the---Veterinary---Licensing---and
 20 Disciplinary-Board.

21 (C) --"Director"--means--the--Director--of--the--Department--of
 22 Professional-Regulation.

23 (D) --"Veterinarian"--means--a--person--holding--the--degree--of
 24 Doctor--of--Veterinary--Medicine--and--Surgery--and--licensed--under
 25 this--Act.

26 (E) --The--practice--of--veterinary--medicine--and--surgery
 27 occurs--when--a--person:

28 (1) --Directly--or--indirectly--diagnoses,--prognoses,
 29 treats,--administers--to,--prescribes--for,--operates--on,
 30 manipulates--or--applies--any--apparatus--or--appliance--for--any
 31 disease,--pain,--deformity,--defect,--injury,--wound---or
 32 physical--or--mental--condition--of--any--animal--or--bird--or--for
 33 the--prevention--of,--or--to--test--for--the--presence--of--any
 34 disease--of--any--animal--or--bird.---The---practice---of

1 veterinary--medicine--and--surgery--includes--veterinarian
2 dentistry.

3 (2)--Represents--himself--or--herself--as--engaged--in--the
4 practice--of--veterinary--medicine--and--surgery--as--defined--in
5 paragraph--(1)--of--this--subsection,--or--uses--any--words,
6 letters--or--titles--in--such--connection--and--under--such
7 circumstances--as--to--induce--the--belief--that--the--person
8 using--them--is--engaged--in--the--practice--of--veterinary
9 medicine--and--surgery--in--any--of--its--branches,--or--that--such
10 person--is--a--Doctor--of--Veterinary--Medicine.

11 (F)--"Animal"--means--any--bird,--fish,--reptile,--or--mammal
12 other--than--man.

13 (G)--"Veterinarian--client--patient--relationship"--means:

14 (1)--The--veterinarian--has--assumed--the--responsibility
15 for--making--medical--judgments--regarding--the--health--of--an
16 animal--and--the--need--for--medical--treatment--and--the--client,
17 owner,--or--other--caretaker--has--agreed--to--follow--the
18 instructions--of--the--veterinarian.

19 (2)--There--is--sufficient--knowledge--of--an--animal--by
20 the--veterinarian--to--initiate--at--least--a--general--or
21 preliminary--diagnosis--of--the--medical--condition--of--the
22 animal.--This--means--that--the--veterinarian--has--recently
23 seen--and--is--personally--acquainted--with--the--keeping--and
24 care--of--the--animal--by--virtue--of--an--examination--of--the
25 animal--or--by--medically--appropriate--and--timely--visits--to
26 the--premises--where--the--animal--is--kept.

27 (3)--The--practicing--veterinarian--is--readily
28 available--for--follow-up--in--case--of--adverse--reactions--or
29 failure--of--the--regimen--of--therapy.

30 (b)--Subject--to--the--exemptions--in--Section--4--of--this--Act,
31 no--person--shall--practice--veterinary--medicine--and--surgery--in
32 any--of--its--branches--without--a--valid--license--to--do--so.

33 (Source: P.A. 90-655, eff. 7-30-98.)

1 (225 ILCS 115/4) (from Ch. 111, par. 7004)

2 (Section scheduled to be repealed on January 1, 2004)

3 Sec. 4. Exemptions. Nothing in this Act shall apply to
4 any of the following:

5 (1) Veterinarians employed by the federal or State
6 government ~~Federal-Government~~ while actually engaged in
7 their official duties.

8 (2) Licensed veterinarians from other states who
9 are invited to Illinois for consultation or lecturing.

10 (3) Veterinarians employed by colleges or
11 universities ~~or--by-state-agencies,~~ while engaged in the
12 performance of their official duties, or faculty engaged
13 in animal husbandry or animal management programs of
14 colleges or universities.

15 (4) A veterinarian employed by an accredited
16 college of veterinary medicine providing assistance
17 requested by a veterinarian licensed in Illinois, acting
18 with informed consent from the client and acting under
19 the direct or indirect supervision and control of the
20 licensed veterinarian. Providing assistance involves
21 hands-on active participation in the treatment and care
22 of the patient. The licensed veterinarian shall maintain
23 responsibility for the veterinarian-client-patient
24 relationship.

25 (5)(4) Veterinary students in an accredited
26 approved college, university, department of a university,
27 or other institution of veterinary medicine and surgery
28 engaged in ~~while-in-the-performance-of~~ duties assigned by
29 their instructors.

30 (6)(5) Any person engaged in bona fide scientific
31 research which requires the use of animals.

32 (7) An owner of livestock and any of the owner's
33 employees or the owner and employees of a service and
34 care provider of livestock caring for and treating

1 livestock belonging to the owner or under a provider's
2 care, including but not limited to, the performance of
3 husbandry and livestock management practices such as
4 dehorning, castration, emasculation, or docking of
5 cattle, horses, sheep, goats, and swine, artificial
6 insemination, and drawing of semen. Nor shall this Act be
7 construed to prohibit any person from administering in a
8 humane manner medicinal or surgical treatment to any
9 livestock in the care of such person. However, any such
10 services shall comply with the Humane Care for Animals
11 Act.

12 (8) An owner of a companion animal caring for and
13 treating an animal belonging to such owner. Such
14 services shall comply with the Humane Care for Animals
15 Act.

16 (9) A member in good standing of another licensed
17 or regulated profession within any state or a member of
18 an organization or group approved by the Department by
19 rule providing assistance requested by a veterinarian
20 licensed in this State acting with informed consent from
21 the client and acting under the direct or indirect
22 supervision and control of the licensed veterinarian.
23 Providing assistance involves hands-on active
24 participation in the treatment and care of the patient,
25 as defined by rule. The licensed veterinarian shall
26 maintain responsibility for the
27 veterinarian-client-patient relationship.

28 (10) A graduate of a non-accredited college of
29 veterinary medicine who is in the process of obtaining a
30 certificate of educational equivalence and is performing
31 duties or actions assigned by instructors in an approved
32 college of veterinary medicine.

33 (11) A certified euthanasia technician who is
34 authorized to perform euthanasia in the course and scope

1 of his or her employment.

2 (12) A person who, without expectation of
3 compensation, provides emergency veterinary care in an
4 emergency or disaster situation so long as he or she does
5 not represent himself or herself as a veterinarian or use
6 a title or degree pertaining to the practice veterinary
7 medicine and surgery.

8 (13) An employee of a licensed veterinarian
9 performing duties other than diagnosis, prognosis,
10 prescription, or surgery under the direction and
11 supervision of the veterinarian, who shall be responsible
12 for the performance of the employee.

13 (14) An approved humane investigator regulated
14 under the Humane Care for Animals Act or employee of a
15 shelter licensed under the Animal Welfare Act, working
16 under the indirect supervision of a licensed
17 veterinarian.

18 (15) Private treaty sale of animals unless
19 otherwise provided by law. (6)--The---dehorning,
20 castration,--emasculation--or--docking-of-cattle,-horses,
21 sheep,-goats-and-swine-in-the-course-or-exchange-of--work
22 for---which--no--monetary--compensation--is--paid--or--to
23 artificial-insemination-and-the--drawing--of--semen.--Nor
24 shall--this--Act-be-construed-to-prohibit-any-person-from
25 administering,-in-a-humane-manner,-medicinal-or--surgical
26 treatment--to-any-animal-belonging-to-such-person,-unless
27 title--has--been---transferred---for---the---purpose---of
28 circumventing-this-Act.--However,-any-such-services-shall
29 comply-with-the-Humane-Care-for-Animals-Act.

30 (7)--Members--of--other--licensed-professions-or-any
31 other--individuals--when--called--for--consultation---and
32 assistance--by--a--veterinarian--licensed-in-the-State-of
33 Illinois-and-who-act-under--the--supervision,-direction,
34 and--control--of--the-veterinarian,-as-further-defined-by

~~rule-of-the-Department.~~

~~(8)--Certified-euthanasia-technicians.~~

(Source: P.A. 92-449, eff. 1-1-02.)

(225 ILCS 115/5) (from Ch. 111, par. 7005)

(Section scheduled to be repealed on January 1, 2004)

Sec. 5. No person shall practice veterinary medicine and surgery in any of its branches without a valid license to do so. Any person not licensed under this Act who performs any of the functions described as the practice of veterinary medicine or surgery as defined in this Act, who announces to the public in any way an intention to practice veterinary medicine and surgery, who uses the title Doctor of Veterinary Medicine or the initials D.V.M. or V.M.D., or who opens an office, hospital, or clinic for such purposes is considered to have violated this Act and may be subject to all the penalties provided for such violations.

It shall be unlawful for any person who is not licensed in this State to provide veterinary medical services from any state to a client or patient in this State through telephonic, electronic, or other means, except where a bonafide veterinarian-client-patient relationship exists.

Nothing in this Act shall be construed to prevent members of other professions from performing functions for which they are duly licensed. Other professionals may not, however, hold themselves out or refer to themselves by any title or descriptions stating or implying that they are engaged in the practice of veterinary medicine or that they are licensed to engage in the practice of veterinary medicine.

(Source: P.A. 83-1016.)

(225 ILCS 115/8) (from Ch. 111, par. 7008)

(Section scheduled to be repealed on January 1, 2004)

Sec. 8. Qualifications. A person is qualified to receive

1 a license if he or she: (1) is of good moral character; (2)
 2 has graduated from an accredited college or school of
 3 veterinary medicine ~~has--received--at--least--2--years--of~~
 4 ~~preveterinary-collegiate-training;-(3)-has-graduated--from--a~~
 5 ~~veterinary--school--that-requires-for-graduation-a-4-year,-or~~
 6 ~~equivalent,-course--in--veterinary--medicine---and---surgery~~
 7 ~~approved--by--the--Department;~~ and (3) (4) has passed the
 8 examination authorized by the Department to determine fitness
 9 to hold a license.

10 Applicants for licensure from non-accredited veterinary
 11 schools are required to successfully complete a program of
 12 educational equivalency as established by rule. At a
 13 minimum, this program shall include all of the following:

14 (1) A certified transcript indicating graduation
 15 from such college.

16 (2) Successful completion of a communication
 17 ability examination designed to assess communication
 18 skills, including a command of the English language.

19 (3) Successful completion of an examination or
 20 assessment mechanism designed to evaluate educational
 21 equivalence, including both preclinical and clinical
 22 competencies.

23 (4) Any other reasonable assessment mechanism
 24 designed to ensure an applicant possesses the educational
 25 background necessary to protect the public health and
 26 safety.

27 Successful completion of the criteria set forth in this
 28 Section shall establish education equivalence as one of the
 29 criteria for licensure set forth in this Act. Applicants
 30 under this Section must also meet all other statutory
 31 criteria for licensure prior to the issuance of any such
 32 license, including graduation from veterinary school.

33 ~~With--respect--to--graduates--of--unapproved---veterinary~~
 34 ~~programs,-the--Department--shall--determine-if-such-programs~~

1 meet-standards-equivalent-to-those-set-forth-in-clauses--(2),
2 (3),-and-(4)-of-Section-9-of-this-Act.

3 Graduates-of-non-approved-veterinary-schools-are-required
4 to-pass-a-proficiency-examination-specified-by-the-Department
5 or-to-provide-one-year-of-evaluated-clinical-experience-as-an
6 employee--of--a--licensed-veterinarian.--Prior-to-hiring-such
7 person, the-licensed-veterinarian-shall-notify-the-Board,--in
8 writing,--and-shall-employ-such-persons-only-upon-the-written
9 approval-of-the-Board.--Such-approval-shall-be-for--one--year
10 only--and--is--not--renewable.--Such-clinical-employees-shall
11 treat-animals--only--under--the--direct--supervision--of--the
12 licensed-veterinarian.

13 In determining moral character under this Section, the
14 Department may take into consideration any felony conviction
15 of the applicant, but such a conviction shall not operate as
16 a bar to obtaining a license. The Department may also
17 request the applicant to submit and may consider as evidence
18 of moral character, endorsements from 2 individuals licensed
19 under this Act.

20 (Source: P.A. 89-387, eff. 8-20-95; 90-52, eff. 7-3-97.)

21 (225 ILCS 115/8.1) (from Ch. 111, par. 7008.1)

22 (Section scheduled to be repealed on January 1, 2004)

23 Sec. 8.1. Certified veterinary technician. "Certified
24 veterinary-technician"-means-a-person-who-has-graduated--from
25 a--veterinary--technology--program-accredited-by-the-American
26 Veterinary-Medical-Association-who-has-filed--an--application
27 with-the-Department, paid-the-fee, and-passed-the-examination
28 as--prescribed--by-rule.--Veterinary-technology-is-defined-as
29 the-performance-of-services-within-the--field--of--veterinary
30 medicine-by-a-person-who-for-compensation-or-personal-profit,
31 is-employed-by-a-licensed-veterinarian-to-perform-duties-that
32 require--an--understanding-of-veterinary-medicine-as-required
33 in-carrying-out-the-orders--of--the--veterinarian.---However,

1 ~~these--services--shall--not--include--diagnosing,--prescribing,~~
2 ~~writing--prescriptions,--or--surgery.~~ A person who is a
3 certified as a veterinary technician who performs veterinary
4 technology contrary to this Act is guilty of a Class A
5 misdemeanor and shall be subject to the revocation of his or
6 her certificate. However, these penalties and restrictions
7 shall not apply to a student while performing activities
8 required as a part of his or her training.

9 The Department and the Board are authorized to hold
10 hearings, reprimand, suspend, revoke, or refuse to issue or
11 renew a certificate and to perform any other acts that may be
12 necessary to regulate certified veterinary technicians in a
13 manner consistent with the provisions of the Act applicable
14 to veterinarians.

15 The title "Certified veterinary technician" and the
16 initials "CVT" may only be used by persons certified by the
17 Department. A person who uses these titles without the
18 certification as provided in this Section is guilty of a
19 Class A misdemeanor.

20 Certified veterinary technicians shall be required to
21 complete continuing education as prescribed by rule to renew
22 their certification.

23 (Source: P.A. 88-91; 88-424; 88-670, eff. 12-2-94.)

24 (225 ILCS 115/11) (from Ch. 111, par. 7011)

25 (Section scheduled to be repealed on January 1, 2004)

26 Sec. 11. Temporary permits. A person holding the degree
27 of Doctor of Veterinary Medicine, or its equivalent, from an
28 accredited college of veterinary medicine approved-veterinary
29 program, and who has applied in writing to the Department for
30 a license to practice veterinary medicine and surgery in any
31 of its branches, and who has fulfilled the requirements of
32 Section 8 of this Act, with the exception of receipt of
33 notification of his or her examination results, may receive,

1 at the discretion of the Department, a temporary permit to
2 practice under the direct supervision of a specified
3 veterinarian who is licensed in this State, until: (1) the
4 applicant has been notified of the results of the examination
5 authorized by the Department; or (2) the applicant has
6 withdrawn his or her application.

7 A temporary permit may be issued by the Department to a
8 person who is a veterinarian licensed under the laws of
9 another state, a territory of the United States, or a foreign
10 country, upon application in writing to the Department for a
11 license under this Act if he or she is qualified to receive a
12 license and until: (1) the expiration of 6 months after the
13 filing of the written application, (2) the withdrawal of the
14 application or (3) the denial of the application by the
15 Department.

16 A temporary permit issued under this Section shall not be
17 extended or renewed. The holder of a temporary permit shall
18 perform only those acts that may be prescribed by and
19 incidental to his or her employment and that act shall be
20 performed under the direction of a supervising specified
21 licensed veterinarian who is licensed in this State. The
22 holder of the temporary permit He shall not be entitled to
23 otherwise engage in the practice of veterinary medicine until
24 fully licensed in this State.

25 Upon the revocation of a temporary permit, the Department
26 shall immediately notify, by certified mail, the supervising
27 specified veterinarian employing the holder of a temporary
28 permit and the holder of the permit. A temporary permit
29 shall be revoked by the Department upon proof that the holder
30 of the permit has engaged in the practice of veterinary
31 medicine in this State outside his or her employment under a
32 licensed veterinarian.

33 (Source: P.A. 90-655, eff. 7-30-98.)

1 (225 ILCS 115/12) (from Ch. 111, par. 7012)
2 (Section scheduled to be repealed on January 1, 2004)

3 Sec. 12. Inactive status. Any veterinarian or certified
4 veterinary technician who notifies the Department in writing
5 on the prescribed form may place his or her license or
6 certification on an inactive status and shall, subject to
7 rule, be exempt from payment of the renewal fee and
8 compliance with the continuing education requirements until
9 he or she notifies the Department in writing of his or her
10 intention to resume active status.

11 Any veterinarian or certified veterinary technician
12 requesting restoration from inactive status shall be required
13 to complete the continuing education requirements for a
14 single license or certificate renewal period, pursuant to
15 rule, and pay the current renewal fee to restore his or her
16 license or certification as provided in this Act.

17 Any veterinarian whose license is in inactive status
18 shall not practice veterinary medicine and surgery in this
19 State.

20 (Source: P.A. 88-424.)

21 (225 ILCS 115/15) (from Ch. 111, par. 7015)
22 (Section scheduled to be repealed on January 1, 2004)

23 Sec. 15. Expiration and renewal of license. The
24 expiration date and renewal period for each license or
25 certificate shall be set by rule. A veterinarian or
26 certified veterinary technician whose license or certificate
27 has expired may reinstate his or her license or certificate
28 at any time within 5 years after the expiration thereof, by
29 making a renewal application and by paying the required fee
30 and submitting proof of the required continuing education.
31 However, any veterinarian or certified veterinary technician
32 whose license or certificate expired while he or she was (1)
33 on active duty with the Armed Forces of the United States or

1 called into service or training by the State militia or (2)
2 in training or education under the supervision of the United
3 States preliminary to induction into the military service,
4 may have his license or certificate renewed, reinstated, or
5 restored without paying any lapsed renewal fees if within 2
6 years after termination of the service, training, or
7 education the veterinarian furnishes the Department with
8 satisfactory evidence of service, training, or education and
9 it has been terminated under honorable conditions.

10 Any veterinarian or certified veterinary technician whose
11 license or certificate has expired for more than 5 years may
12 have it restored by making application to the Department and
13 filing acceptable proof of fitness to have the license or
14 certificate restored. The proof may include sworn evidence
15 certifying active practice in another jurisdiction. The
16 veterinarian or certified veterinary technician shall also
17 pay the required restoration fee and submit proof of the
18 required continuing education. If the veterinarian or
19 certified veterinary technician has not practiced for 5 years
20 or more, the Board shall determine by an evaluation program
21 established by rule, whether the individual is fit to resume
22 active status and may require the veterinarian to complete a
23 period of evaluated clinical experience and may require
24 successful completion of a clinical examination.

25 (Source: P.A. 92-84, eff. 7-1-02.)

26 (225 ILCS 115/24.1)

27 (Section scheduled to be repealed on January 1, 2004)

28 Sec. 24.1. Impaired veterinarians. "Impaired
29 veterinarian"-means-a-veterinarian-who-is-unable-to--practice
30 veterinary--medicine-with-reasonable-skill-and-safety-because
31 of-a-physical-or-mental-disability-as-evidenced-by-a--written
32 determination--or-written-consent-based-on-clinical-evidence,
33 including-deterioration-through-the-aging--process,--loss--of

1 ~~meter--skills,--or--abuse--of--drugs-or-alcohol-of-sufficient~~
 2 ~~degree-to-diminish-a-person's-ability--to--deliver--competent~~
 3 ~~patient--care.~~ The Department shall establish by rule a
 4 program of care, counseling, or treatment for the impaired
 5 veterinarians veterinarian.

6 "Program of care, counseling, or treatment" means a
 7 written schedule of organized treatment, care, counseling,
 8 activities, or education satisfactory to the Board, designed
 9 for the purpose of restoring an impaired person to a
 10 condition whereby the impaired person can practice veterinary
 11 medicine with reasonable skill and safety of a sufficient
 12 degree to deliver competent patient care.

13 (Source: P.A. 88-424.)

14 (225 ILCS 115/25) (from Ch. 111, par. 7025)
 15 (Section scheduled to be repealed on January 1, 2004)
 16 Sec. 25. Disciplinary actions.

17 1. The Department may refuse to issue or renew, or may
 18 revoke, suspend, place on probation, reprimand, or take other
 19 disciplinary action as the Department may deem appropriate,
 20 including fines not to exceed \$1,000 for each violation, with
 21 regard to any license or certificate for any one or
 22 combination of the following:

23 A. Material misstatement in furnishing information
 24 to the Department.

25 B. Violations of this Act, or of the rules
 26 promulgated under this Act.

27 C. Conviction of any crime under the laws of the
 28 United States or any state or territory of the United
 29 States that is a felony or that is a misdemeanor, an
 30 essential element of which is dishonesty, or of any
 31 crime that is directly related to the practice of the
 32 profession.

33 D. Making any misrepresentation for the purpose of

1 obtaining licensure or certification, or violating any
2 provision of this Act or the rules promulgated under this
3 Act pertaining to advertising.

4 E. Professional incompetence.

5 F. Gross malpractice.

6 G. Aiding or assisting another person in violating
7 any provision of this Act or rules.

8 H. Failing, within 60 days, to provide information
9 in response to a written request made by the Department.

10 I. Engaging in dishonorable, unethical, or
11 unprofessional conduct of a character likely to deceive,
12 defraud or harm the public.

13 J. Habitual or excessive use or addiction to
14 alcohol, narcotics, stimulants, or any other chemical
15 agent or drug that results in the inability to practice
16 with reasonable judgment, skill, or safety.

17 K. Discipline by another state, District of
18 Columbia, territory, or foreign nation, if at least one
19 of the grounds for the discipline is the same or
20 substantially equivalent to those set forth herein.

21 L. Directly or indirectly giving to or receiving
22 from any person, firm, corporation, partnership or
23 association any fee, commission, rebate or other form of
24 compensation for professional services not actually or
25 personally rendered.

26 M. A finding by the Board that the licensee or
27 certificate holder, after having his license or
28 certificate placed on probationary status, has violated
29 the terms of probation.

30 N. Willfully making or filing false records or
31 reports in his practice, including but not limited to
32 false records filed with State agencies or departments.

33 O. Physical illness, including but not limited to,
34 deterioration through the aging process, or loss of motor

1 skill which results in the inability to practice the
2 profession with reasonable judgement, skill or safety.

3 P. Solicitation of professional services other than
4 permitted advertising.

5 Q. Having professional connection with or lending
6 one's name, directly or indirectly, to any illegal
7 practitioner of veterinary medicine and surgery and the
8 various branches thereof.

9 R. Conviction of or cash compromise of a charge or
10 violation of the Harrison Act or the Illinois Controlled
11 Substances Act, regulating narcotics.

12 S. Fraud or dishonesty in applying, treating, or
13 reporting on tuberculin or other biological tests.

14 T. Failing to report, as required by law, or making
15 false report of any contagious or infectious diseases.

16 U. Fraudulent use or misuse of any health
17 certificate, shipping certificate, brand inspection
18 certificate, or other blank forms used in practice that
19 might lead to the dissemination of disease or the
20 transportation of diseased animals dead or alive; or
21 dilatory methods, willful neglect, or misrepresentation
22 in the inspection of milk, meat, poultry, and the
23 by-products thereof.

24 V. Conviction on a charge of cruelty to animals.

25 W. Failure to keep one's premises and all equipment
26 therein in a clean and sanitary condition.

27 X. Failure to provide satisfactory proof of having
28 participated in approved continuing education programs.

29 Y. Failure to (i) file a return, (ii) pay the tax,
30 penalty, or interest shown in a filed return, or (iii)
31 pay any final assessment of tax, penalty, or interest, as
32 required by any tax Act administered by the Illinois
33 Department of Revenue, until the requirements of that tax
34 Act are satisfied.

1 Z. Conviction by any court of competent
2 jurisdiction, either within or outside this State, of any
3 violation of any law governing the practice of veterinary
4 medicine, if the Department determines, after
5 investigation, that the person has not been sufficiently
6 rehabilitated to warrant the public trust.

7 AA. Promotion of the sale of drugs, devices,
8 appliances, or goods provided for a patient in any manner
9 to exploit the client for financial gain of the
10 veterinarian.

11 BB. Gross, willful, or continued overcharging for
12 professional services, including filing false statements
13 for collection of fees for which services are not
14 rendered.

15 CC. Practicing under a false or, except as provided
16 by law, an assumed name.

17 DD. Fraud or misrepresentation in applying for, or
18 procuring, a license under this Act or in connection with
19 applying for renewal of a license under this Act.

20 EE. Cheating on or attempting to subvert the
21 licensing examination administered under this Act.

22 FF. Using, prescribing, or selling a prescription
23 drug or the extra-label use of a prescription drug by any
24 means in the absence of a valid
25 veterinarian-client-patient relationship.

26 GG. Failing to report a case of suspected
27 aggravated cruelty, torture, or animal fighting pursuant
28 to Section 3.07 or 4.01 of the Humane Care for Animals
29 Act or Section 26-5 of the Criminal Code of 1961.

30 2. The determination by a circuit court that a licensee
31 or certificate holder is subject to involuntary admission or
32 judicial admission as provided in the Mental Health and
33 Developmental Disabilities Code operates as an automatic
34 suspension. The suspension will end only upon a finding by

1 a court that the patient is no longer subject to involuntary
2 admission or judicial admission and issues an order so
3 finding and discharging the patient; and upon the
4 recommendation of the Board to the Director that the licensee
5 or certificate holder be allowed to resume his practice.

6 3. All proceedings to suspend, revoke, place on
7 probationary status, or take any other disciplinary action as
8 the Department may deem proper, with regard to a license or
9 certificate on any of the foregoing grounds, must be
10 commenced within 3 years after receipt by the Department of a
11 complaint alleging the commission of or notice of the
12 conviction order for any of the acts described in this
13 Section. Except for proceedings brought for violations of
14 items (CC), (DD), or (EE), no action shall be commenced more
15 than 5 years after the date of the incident or act alleged to
16 have violated this Section. In the event of the settlement
17 of any claim or cause of action in favor of the claimant or
18 the reduction to final judgment of any civil action in favor
19 of the plaintiff, the claim, cause of action, or civil action
20 being grounded on the allegation that a person licensed or
21 certified under this Act was negligent in providing care, the
22 Department shall have an additional period of one year from
23 the date of the settlement or final judgment in which to
24 investigate and begin formal disciplinary proceedings under
25 Section 25.2 of this Act, except as otherwise provided by
26 law. The time during which the holder of the license or
27 certificate was outside the State of Illinois shall not be
28 included within any period of time limiting the commencement
29 of disciplinary action by the Department.

30 (Source: P.A. 88-424.)

31 (225 ILCS 115/25.19 new)

32 (Section scheduled to be repealed on January 1, 2004)

33 Sec. 25.19. Mandatory reporting. Nothing in this Act

1 exempts a licensee from the mandatory reporting requirements
2 regarding suspected acts of aggravated cruelty, torture, and
3 animal fighting imposed under Sections 3.07 and 4.01 of the
4 Humane Care for Animals Act and Section 26-5 of the Criminal
5 Code of 1961.

6 (225 ILCS 115/9 rep.)

7 Section 18. The Veterinary Medicine and Surgery Practice
8 Act of 1994 is amended by repealing Section 9.

9 Section 20. The Animal Welfare Act is amended by
10 changing Section 2 as follows:

11 (225 ILCS 605/2) (from Ch. 8, par. 302)

12 Sec. 2. Definitions. As used in this Act unless the
13 context otherwise requires:

14 "Department" means the Illinois Department of
15 Agriculture.

16 "Director" means the Director of the Illinois Department
17 of Agriculture.

18 "Pet shop operator" means any person who sells, offers to
19 sell, exchange, or offers for adoption with or without charge
20 or donation dogs, cats, birds, fish, reptiles, or other
21 animals customarily obtained as pets in this State. However,
22 a person who sells only such animals that he has produced and
23 raised shall not be considered a pet shop operator under this
24 Act, and a veterinary hospital or clinic operated by a
25 veterinarian or veterinarians licensed under the Veterinary
26 Medicine and Surgery Practice Act of 2004 ~~1994~~ shall not be
27 considered a pet shop operator under this Act.

28 "Dog dealer" means any person who sells, offers to sell,
29 exchange, or offers for adoption with or without charge or
30 donation dogs in this State. However, a person who sells only
31 dogs that he has produced and raised shall not be considered

1 a dog dealer under this Act, and a veterinary hospital or
2 clinic operated by a veterinarian or veterinarians licensed
3 under the Veterinary Medicine and Surgery Practice Act of
4 2004 ~~1994~~ shall not be considered a dog dealer under this
5 Act.

6 "Secretary of Agriculture" or "Secretary" means the
7 Secretary of Agriculture of the United States Department of
8 Agriculture.

9 "Person" means any person, firm, corporation,
10 partnership, association or other legal entity, any public or
11 private institution, the State of Illinois, or any municipal
12 corporation or political subdivision of the State.

13 "Kennel operator" means any person who operates an
14 establishment, other than an animal control facility,
15 veterinary hospital, or animal shelter, where dogs or dogs
16 and cats are maintained for boarding, training or similar
17 purposes for a fee or compensation; or who sells, offers to
18 sell, exchange, or offers for adoption with or without charge
19 dogs or dogs and cats which he has produced and raised. A
20 person who owns, has possession of, or harbors 5 or less
21 females capable of reproduction shall not be considered a
22 kennel operator.

23 "Cattery operator" means any person who operates an
24 establishment, other than an animal control facility or
25 animal shelter, where cats are maintained for boarding,
26 training or similar purposes for a fee or compensation; or
27 who sells, offers to sell, exchange, or offers for adoption
28 with or without charges cats which he has produced and
29 raised. A person who owns, has possession of, or harbors 5
30 or less females capable of reproduction shall not be
31 considered a cattery operator.

32 "Animal control facility" means any facility operated by
33 or under contract for the State, county, or any municipal
34 corporation or political subdivision of the State for the

1 purpose of impounding or harboring seized, stray, homeless,
2 abandoned or unwanted dogs, cats, and other animals. "Animal
3 control facility" also means any veterinary hospital or
4 clinic operated by a veterinarian or veterinarians licensed
5 under the Veterinary Medicine and Surgery Practice Act of
6 2004 ~~1994~~ which operates for the above mentioned purpose in
7 addition to its customary purposes.

8 "Animal shelter" means a facility operated, owned, or
9 maintained by a duly incorporated humane society, animal
10 welfare society, or other non-profit organization for the
11 purpose of providing for and promoting the welfare,
12 protection, and humane treatment of animals. "Animal
13 shelter" also means any veterinary hospital or clinic
14 operated by a veterinarian or veterinarians licensed under
15 the Veterinary Medicine and Surgery Practice Act of 2004 ~~1994~~
16 which operates for the above mentioned purpose in addition to
17 its customary purposes.

18 "Foster home" means an entity that accepts the
19 responsibility for stewardship of animals that are the
20 obligation of an animal shelter, not to exceed 4 animals at
21 any given time. Permits to operate as a "foster home" shall
22 be issued through the animal shelter.

23 "Guard dog service" means an entity that, for a fee,
24 furnishes or leases guard or sentry dogs for the protection
25 of life or property. A person is not a guard dog service
26 solely because he or she owns a dog and uses it to guard his
27 or her home, business, or farmland.

28 "Guard dog" means a type of dog used primarily for the
29 purpose of defending, patrolling, or protecting property or
30 life at a commercial establishment other than a farm. "Guard
31 dog" does not include stock dogs used primarily for handling
32 and controlling livestock or farm animals, nor does it
33 include personally owned pets that also provide security.

34 "Sentry dog" means a dog trained to work without

1 supervision in a fenced facility other than a farm, and to
2 deter or detain unauthorized persons found within the
3 facility.

4 (Source: P.A. 89-178, eff. 7-19-95; 90-385, eff. 8-15-97;
5 90-403, eff. 8-15-97.)

6 Section 25. The Elder Abuse and Neglect Act is amended
7 by changing Section 2 as follows:

8 (320 ILCS 20/2) (from Ch. 23, par. 6602)

9 Sec. 2. Definitions. As used in this Act, unless the
10 context requires otherwise:

11 (a) "Abuse" means causing any physical, mental or sexual
12 injury to an eligible adult, including exploitation of such
13 adult's financial resources.

14 Nothing in this Act shall be construed to mean that an
15 eligible adult is a victim of abuse or neglect for the sole
16 reason that he or she is being furnished with or relies upon
17 treatment by spiritual means through prayer alone, in
18 accordance with the tenets and practices of a recognized
19 church or religious denomination.

20 Nothing in this Act shall be construed to mean that an
21 eligible adult is a victim of abuse because of health care
22 services provided or not provided by licensed health care
23 professionals.

24 (a-5) "Abuser" means a person who abuses, neglects, or
25 financially exploits an eligible adult.

26 (a-7) "Caregiver" means a person who either as a result
27 of a family relationship, voluntarily, or in exchange for
28 compensation has assumed responsibility for all or a portion
29 of the care of an eligible adult who needs assistance with
30 activities of daily living.

31 (b) "Department" means the Department on Aging of the
32 State of Illinois.

1 (c) "Director" means the Director of the Department.

2 (d) "Domestic living situation" means a residence where
3 the eligible adult lives alone or with his or her family or a
4 caregiver, or others, or a board and care home or other
5 community-based unlicensed facility, but is not:

6 (1) A licensed facility as defined in Section 1-113
7 of the Nursing Home Care Act;

8 (2) A "life care facility" as defined in the Life
9 Care Facilities Act;

10 (3) A home, institution, or other place operated by
11 the federal government or agency thereof or by the State
12 of Illinois;

13 (4) A hospital, sanitarium, or other institution,
14 the principal activity or business of which is the
15 diagnosis, care, and treatment of human illness through
16 the maintenance and operation of organized facilities
17 therefor, which is required to be licensed under the
18 Hospital Licensing Act;

19 (5) A "community living facility" as defined in the
20 Community Living Facilities Licensing Act;

21 (6) A "community residential alternative" as
22 defined in the Community Residential Alternatives
23 Licensing Act; and

24 (7) A "community-integrated living arrangement" as
25 defined in the Community-Integrated Living Arrangements
26 Licensure and Certification Act.

27 (e) "Eligible adult" means a person 60 years of age or
28 older who resides in a domestic living situation and is, or
29 is alleged to be, abused, neglected, or financially exploited
30 by another individual.

31 (f) "Emergency" means a situation in which an eligible
32 adult is living in conditions presenting a risk of death or
33 physical, mental or sexual injury and the provider agency has
34 reason to believe the eligible adult is unable to consent to

1 services which would alleviate that risk.

2 (f-5) "Mandated reporter" means any of the following
3 persons while engaged in carrying out their professional
4 duties:

5 (1) a professional or professional's delegate while
6 engaged in: (i) social services, (ii) law enforcement,
7 (iii) education, (iv) the care of an eligible adult or
8 eligible adults, or (v) any of the occupations required
9 to be licensed under the Clinical Psychologist Licensing
10 Act, the Clinical Social Work and Social Work Practice
11 Act, the Illinois Dental Practice Act, the Dietetic and
12 Nutrition Services Practice Act, the Marriage and Family
13 Therapy Licensing Act, the Medical Practice Act of 1987,
14 the Naprapathic Practice Act, the Nursing and Advanced
15 Practice Nursing Act, the Nursing Home Administrators
16 Licensing and Disciplinary Act, the Illinois Occupational
17 Therapy Practice Act, the Illinois Optometric Practice
18 Act of 1987, the Pharmacy Practice Act of 1987, the
19 Illinois Physical Therapy Act, the Physician Assistant
20 Practice Act of 1987, the Podiatric Medical Practice Act
21 of 1987, the Respiratory Care Practice Act, the
22 Professional Counselor and Clinical Professional
23 Counselor Licensing Act, the Illinois Speech-Language
24 Pathology and Audiology Practice Act, the Veterinary
25 Medicine and Surgery Practice Act of 2004 ~~1994~~, and the
26 Illinois Public Accounting Act;

27 (2) an employee of a vocational rehabilitation
28 facility prescribed or supervised by the Department of
29 Human Services;

30 (3) an administrator, employee, or person providing
31 services in or through an unlicensed community based
32 facility;

33 (4) a Christian Science Practitioner;

34 (5) field personnel of the Department of Public

1 Aid, Department of Public Health, and Department of Human
2 Services, and any county or municipal health department;

3 (6) personnel of the Department of Human Services,
4 the Guardianship and Advocacy Commission, the State Fire
5 Marshal, local fire departments, the Department on Aging
6 and its subsidiary Area Agencies on Aging and provider
7 agencies, and the Office of State Long Term Care
8 Ombudsman;

9 (7) any employee of the State of Illinois not
10 otherwise specified herein who is involved in providing
11 services to eligible adults, including professionals
12 providing medical or rehabilitation services and all
13 other persons having direct contact with eligible adults;

14 or

15 (8) a person who performs the duties of a coroner
16 or medical examiner.

17 (g) "Neglect" means another individual's failure to
18 provide an eligible adult with or willful withholding from an
19 eligible adult the necessities of life including, but not
20 limited to, food, clothing, shelter or medical care. This
21 subsection does not create any new affirmative duty to
22 provide support to eligible adults. Nothing in this Act
23 shall be construed to mean that an eligible adult is a victim
24 of neglect because of health care services provided or not
25 provided by licensed health care professionals.

26 (h) "Provider agency" means any public or nonprofit
27 agency in a planning and service area appointed by the
28 regional administrative agency with prior approval by the
29 Department on Aging to receive and assess reports of alleged
30 or suspected abuse, neglect, or financial exploitation.

31 (i) "Regional administrative agency" means any public or
32 nonprofit agency in a planning and service area so designated
33 by the Department, provided that the designated Area Agency
34 on Aging shall be designated the regional administrative

1 agency if it so requests. The Department shall assume the
2 functions of the regional administrative agency for any
3 planning and service area where another agency is not so
4 designated.

5 (j) "Substantiated case" means a reported case of
6 alleged or suspected abuse, neglect, or financial
7 exploitation in which a provider agency, after assessment,
8 determines that there is reason to believe abuse, neglect, or
9 financial exploitation has occurred.

10 (Source: P.A. 91-259, eff. 1-1-00; 91-357, eff. 7-29-99;
11 91-533, eff. 8-13-99; 92-16, eff. 6-28-01.)

12 Section 30. The Illinois Food, Drug and Cosmetic Act is
13 amended by changing Section 3.21 as follows:

14 (410 ILCS 620/3.21) (from Ch. 56 1/2, par. 503.21)

15 Sec. 3.21. Except as authorized by this Act, the
16 Controlled Substances Act, the Pharmacy Practice Act of 1987,
17 the Dental Practice Act, the Medical Practice Act of 1987,
18 the Veterinary Medicine and Surgery Practice Act of 2004
19 ~~1994~~, or the Podiatric Medical Practice Act of 1987, to sell
20 or dispense a prescription drug without a prescription.

21 (Source: P.A. 88-424.)

22 Section 35. The Humane Care for Animals Act is amended
23 by changing Section 2.01h as follows:

24 (510 ILCS 70/2.01h)

25 Sec. 2.01h. Animal shelter. "Animal shelter" means a
26 facility operated, owned, or maintained by a duly
27 incorporated humane society, animal welfare society, or other
28 non-profit organization for the purpose of providing for and
29 promoting the welfare, protection, and humane treatment of
30 animals. "Animal shelter" also means any veterinary hospital

1 or clinic operated by a veterinarian or veterinarians
2 licensed under the Veterinary Medicine and Surgery Practice
3 Act of 2004 ~~1994~~ which operates for the above mentioned
4 purpose in addition to its customary purposes.

5 (Source: P.A. 92-454, eff. 1-1-02.)

6 Section 40. The Humane Euthanasia in Animal Shelters Act
7 is amended by changing Section 5 as follows:

8 (510 ILCS 72/5)

9 Sec. 5. Definitions.

10 The following terms have the meanings indicated, unless the
11 context requires otherwise:

12 "Animal" means any bird, fish, reptile, or mammal other
13 than man.

14 "DEA" means the United States Department of Justice Drug
15 Enforcement Administration.

16 "Department" means the Department of Professional
17 Regulation.

18 "Director" means the Director of the Department of
19 Professional Regulation.

20 "Euthanasia agency" means an entity certified by the
21 Department for the purpose of animal euthanasia that holds an
22 animal control facility or animal shelter license under the
23 Animal Welfare Act.

24 "Euthanasia drugs" means Schedule II or Schedule III
25 substances (nonnarcotic controlled substances) as set forth
26 in the Illinois Controlled Substances Act that are used by a
27 euthanasia agency for the purpose of animal euthanasia.

28 "Euthanasia technician" or "technician" means a person
29 employed by a euthanasia agency or working under the direct
30 supervision of a veterinarian and who is certified by the
31 Department to administer euthanasia drugs to euthanize
32 animals.

1 "Veterinarian" means a person holding the degree of
2 Doctor of Veterinary Medicine who is licensed under the
3 Veterinary Medicine and Surgery Practice Act of 2004 ~~1994~~.

4 (Source: P.A. 92-449, eff. 1-1-02.)

5 Section 45. The Good Samaritan Act is amended by
6 changing Section 60 as follows:

7 (745 ILCS 49/60)

8 Sec. 60. Veterinarians; exemption from civil liability
9 for emergency care to humans. Any person licensed under the
10 Veterinary Medicine and Surgery Practice Act of 2004 ~~1994~~ or
11 any person licensed as a veterinarian in any other state or
12 territory of the United States who in good faith provides
13 emergency care to a human victim of an accident, at the scene
14 of an accident or in a catastrophe shall not be liable for
15 civil damages as a result of his or her acts or omissions,
16 except for willful or wanton misconduct on the part of the
17 person in providing the care.

18 (Source: P.A. 89-607, eff. 1-1-97; 90-742, eff. 8-13-98.)

19 Section 99. Effective date. This Act takes effect on
20 December 31, 2003."