

1 AMENDMENT TO SENATE BILL 105

2 AMENDMENT NO. _____. Amend Senate Bill 105, AS AMENDED,
3 by replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Medical Practice Act of 1987 is amended
6 by adding Section 7.5 as follows:

7 (225 ILCS 60/7.5 new)

8 (Section scheduled to be repealed on January 1, 2007)

9 Sec. 7.5. Complaint Committee.

10 (a) There shall be a Complaint Committee of the
11 Disciplinary Board composed of at least one of the medical
12 coordinators established by subsection (g) of Section 7 of
13 this Act, The Chief of Medical Investigations (person
14 employed by the Department who is in charge of investigating
15 complaints against physicians and physician assistants), and
16 at least 3 voting members of the Disciplinary Board (at least
17 2 of whom shall be physicians) designated by the Chairman of
18 the Medical Disciplinary Board with the approval of the
19 Disciplinary Board. The Disciplinary Board members so
20 appointed shall serve one-year terms and may be eligible for
21 reappointment for subsequent terms.

22 (b) The Complaint Committee shall meet at least twice a

1 month to exercise its functions and duties set forth in
2 subsection (c) below. At least 2 members of the Disciplinary
3 Board shall be in attendance in order for any business to be
4 transacted by the Complaint Committee. The Complaint
5 Committee shall make every effort to consider expeditiously
6 and take prompt action on each item on its agenda.

7 (c) The Complaint Committee shall have the following
8 duties and functions:

9 (1) To recommend to the Disciplinary Board that a
10 complaint file be closed.

11 (2) To refer a complaint file to the office of the
12 Chief of Medical Prosecutions (person employed by the
13 Department who is in charge of prosecuting formal
14 complaints against licensees) for review.

15 (3) To make a decision in conjunction with the
16 Chief of Medical Prosecutions regarding action to be
17 taken on a complaint file, including whether to proceed
18 with an informal conference or a formal hearing.

19 (d) In determining what action to take or whether to
20 proceed with prosecution of a complaint, the Complaint
21 Committee shall consider, but not be limited to, the
22 following factors: sufficiency of the evidence presented,
23 prosecutorial merit under Section 22 of this Act, and
24 insufficient cooperation from complaining parties."