



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

SB2921

Introduced 1/20/2006, by Sen. Mattie Hunter

SYNOPSIS AS INTRODUCED:

20 ILCS 2105/2105-400
20 ILCS 2310/2310-625

Amends the Department of Professional Regulation Law of the Civil Administrative Code of Illinois and the Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois. In a Section allowing the Director of Professional Regulation to suspend certain licensing requirements after the proclamation of a disaster by the Governor for persons working under the direction of and emergency services and disaster agency accredited by the Illinois Emergency Management Agency (IEMA) and the Department of Public Health, provides that persons working under the direction of an emergency services and disaster agency accredited by the Illinois Emergency Management Agency and a local public health department pursuant to a declared disaster shall be deemed to be working under the direction of the Illinois Emergency Management Agency and the Department of Public Health. Makes the same change to a Section allowing similar license suspension powers to the Director of Public Health. Effective immediately.

LRB094 19057 RSP 54557 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning State government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Department of Professional Regulation Law of
5 the Civil Administrative Code of Illinois is amended by
6 changing Section 2105-400 as follows:

7 (20 ILCS 2105/2105-400)

8 Sec. 2105-400. Emergency Powers.

9 (a) Upon proclamation of a disaster by the Governor, as
10 provided for in the Illinois Emergency Management Agency Act,
11 the Director of Professional Regulation shall have the
12 following powers, which shall be exercised only in coordination
13 with the Illinois Emergency Management Agency and the
14 Department of Public Health:

15 (1) The power to suspend the requirements for permanent
16 or temporary licensure of persons who are licensed in
17 another state and are working under the direction of the
18 Illinois Emergency Management Agency and the Department of
19 Public Health pursuant to a declared disaster.

20 (2) The power to modify the scope of practice
21 restrictions under any licensing act administered by the
22 Department for any person working under the direction of
23 the Illinois Emergency Management Agency and the Illinois
24 Department of Public Health pursuant to the declared
25 disaster.

26 (3) The power to expand the exemption in Section 4(a)
27 of the Pharmacy Practice Act of 1987 to those licensed
28 professionals whose scope of practice has been modified,
29 under paragraph (2) of subsection (a) of this Section, to
30 include any element of the practice of pharmacy as defined
31 in the Pharmacy Practice Act of 1987 for any person working
32 under the direction of the Illinois Emergency Management

1 Agency and the Illinois Department of Public Health
2 pursuant to the declared disaster.

3 (b) Persons exempt from licensure under paragraph (1) of
4 subsection (a) of this Section and persons operating under
5 modified scope of practice provisions under paragraph (2) of
6 subsection (a) of this Section shall be exempt from licensure
7 or be subject to modified scope of practice only until the
8 declared disaster has ended as provided by law. For purposes of
9 this Section, persons working under the direction of an
10 emergency services and disaster agency accredited by the
11 Illinois Emergency Management Agency and a local public health
12 department pursuant to a declared disaster shall be deemed to
13 be working under the direction of the Illinois Emergency
14 Management Agency and the Department of Public Health.

15 (c) The Director shall exercise these powers by way of
16 proclamation.

17 (Source: P.A. 93-829, eff. 7-28-04.)

18 Section 10. The Department of Public Health Powers and
19 Duties Law of the Civil Administrative Code of Illinois is
20 amended by changing Section 2310-625 as follows:

21 (20 ILCS 2310/2310-625)

22 Sec. 2310-625. Emergency Powers.

23 (a) Upon proclamation of a disaster by the Governor, as
24 provided for in the Illinois Emergency Management Agency Act,
25 the Director of Public Health shall have the following powers,
26 which shall be exercised only in coordination with the Illinois
27 Emergency Management Agency and the Department of Professional
28 Regulation:

29 (1) The power to suspend the requirements for temporary
30 or permanent licensure or certification of persons who are
31 licensed or certified in another state and are working
32 under the direction of the Illinois Emergency Management
33 Agency and the Illinois Department of Public Health
34 pursuant to the declared disaster.

1 (2) The power to modify the scope of practice
2 restrictions under the Emergency Medical Services (EMS)
3 Systems Act for any persons who are licensed under that Act
4 for any person working under the direction of the Illinois
5 Emergency Management Agency and the Illinois Department of
6 Public Health pursuant to the declared disaster.

7 (3) The power to modify the scope of practice
8 restrictions under the Nursing Home Care Act for Certified
9 Nursing Assistants for any person working under the
10 direction of the Illinois Emergency Management Agency and
11 the Illinois Department of Public Health pursuant to the
12 declared disaster.

13 (b) Persons exempt from licensure or certification under
14 paragraph (1) of subsection (a) and persons operating under
15 modified scope of practice provisions under paragraph (2) of
16 subsection (a) and paragraph (3) of subsection (a) shall be
17 exempt from licensure or certification or subject to modified
18 scope of practice only until the declared disaster has ended as
19 provided by law. For purposes of this Section, persons working
20 under the direction of an emergency services and disaster
21 agency accredited by the Illinois Emergency Management Agency
22 and a local public health department pursuant to a declared
23 disaster shall be deemed to be working under the direction of
24 the Illinois Emergency Management Agency and the Department of
25 Public Health.

26 (c) The Director shall exercise these powers by way of
27 proclamation.

28 (Source: P.A. 93-829, eff. 7-28-04.)

29 Section 99. Effective date. This Act takes effect upon
30 becoming law.