



Adopted in House Comm. on Mar 10, 2010

09600HB4975ham001

LRB096 17969 ASK 38048 a

1 AMENDMENT TO HOUSE BILL 4975

2 AMENDMENT NO. _____. Amend House Bill 4975 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Department of Professional Regulation Law
5 of the Civil Administrative Code of Illinois is amended by
6 adding Section 2105-207 as follows:

7 (20 ILCS 2105/2105-207 new)

8 Sec. 2105-207. Records of Department Actions.

9 (a) Any licensee subject to a licensing Act administered by
10 the Division of Professional Regulation and who has been
11 subject to disciplinary action by the Department may file an
12 application with the Department on forms provided by the
13 Department, along with the required fee of \$200, to have the
14 records classified as confidential, not for public release and
15 considered expunged for reporting purposes if:

16 (1) the application is submitted more than 7 years

1 after the disciplinary offense occurred;

2 (2) the licensee has had no incidents of discipline
3 under the licensing Act since the disciplinary offense
4 identified in the application occurred;

5 (3) the Department has no pending investigations
6 against the licensee; and

7 (4) the licensee is not currently in a disciplinary
8 status.

9 (b) An application to make disciplinary records
10 confidential shall only be considered by the Department for an
11 offense or action relating to:

12 (1) failure to pay taxes, child support, or student
13 loans;

14 (2) continuing education;

15 (3) failure to renew a license on time;

16 (4) failure to obtain or renew a certificate of
17 registration or ancillary license;

18 (5) advertising; or

19 (6) any grounds for discipline removed from the
20 licensing Act.

21 (c) An application shall be submitted to and considered by
22 the Director of the Division of Professional Regulation upon
23 submission of an application and the required non-refundable
24 fee. The Department may establish additional requirements by
25 rule. The Department is not required to report the removal of
26 any disciplinary record to any national database. Nothing in

1 this Section shall prohibit the Department from using a
2 previous discipline for any regulatory purpose or from
3 releasing records of a previous discipline upon request from
4 law enforcement, or other governmental body as permitted by
5 law. Classification of records as confidential shall result in
6 removal of records of discipline from records kept pursuant to
7 Sections 2105-200 and 2105-205 of this Act.

8 Section 10. The Health Care Professional Credentials Data
9 Collection Act is amended by adding Section 51 as follows:

10 (410 ILCS 517/51 new)

11 Sec. 51. Licensure records. Licensure records designated
12 confidential and considered expunged for reporting purposes by
13 the licensee under Section 2105-207 of the Civil Administrative
14 Code are not reportable under this Act.

15 Section 99. Effective date. This Act takes effect upon
16 becoming law."