



1 the Department that is returned to the Department unpaid by  
2 the financial institution upon which it is drawn shall pay to  
3 the Department, in addition to the amount already owed to the  
4 Department, a fine of \$50. The fines imposed by this Section  
5 are in addition to any other discipline provided under this  
6 Act for unlicensed practice or practice on a nonrenewed  
7 license. The Department shall notify the person that fees and  
8 fines shall be paid to the Department by certified check or  
9 money order within 30 calendar days of the notification. If,  
10 after the expiration of 30 days from the date of the  
11 notification, the person has failed to submit the necessary  
12 remittance, the Department shall automatically terminate the  
13 license or deny the application without a hearing. If the  
14 person seeks a license after termination or denial, he or she  
15 shall apply to the Department for restoration or issuance of  
16 the license and pay all fees and fines due to the Department.  
17 The Department may establish a fee for the processing of an  
18 application for restoration of a license to defray the  
19 expenses of processing the application. The Director may  
20 waive the fines due under this Section in individual cases if  
21 the Director finds that the fines would be unreasonable or  
22 unnecessarily burdensome."; and

23 on page 8, by replacing lines 31 and 32 with the following:

24 "(15) Gross negligence in his or her practice under  
25 this Act."; and

26 on page 9, immediately below line 24, by inserting the  
27 following:

28 "(d) In enforcing this Section, the Department upon a  
29 showing of a possible violation may compel any person  
30 licensed to practice under this Act or who has applied for  
31 licensure or certification pursuant to this Act to submit to  
32 a mental or physical examination, or both, as required by and  
33 at the expense of the Department. The examining physicians

1 shall be those specifically designated by the Department. The  
2 Department may order the examining physician to present  
3 testimony concerning this mental or physical examination of  
4 the licensee or applicant. No information shall be excluded  
5 by reason of any common law or statutory privilege relating  
6 to communications between the licensee or applicant and the  
7 examining physician. The person to be examined may have, at  
8 his or her own expense, another physician of his or her  
9 choice present during all aspects of the examination. Failure  
10 of any person to submit to a mental or physical examination,  
11 when directed, shall be grounds for suspension of a license  
12 until the person submits to the examination if the Department  
13 finds, after notice and hearing, that the refusal to submit  
14 to the examination was without reasonable cause.

15 If the Department finds an individual unable to practice  
16 because of the reasons set forth in this Section, the  
17 Department may require that individual to submit to care,  
18 counseling, or treatment by physicians approved or designated  
19 by the Department, as a condition, term, or restriction for  
20 continued, reinstated, or renewed licensure to practice; or,  
21 in lieu of care, counseling, or treatment, the Department may  
22 file a complaint to immediately suspend, revoke, or otherwise  
23 discipline the license of the individual.

24 Any person whose license was granted, continued,  
25 reinstated, renewed, disciplined or supervised subject to  
26 such terms, conditions or restrictions, and who fails to  
27 comply with such terms, conditions or restrictions, shall be  
28 referred to the Director for a determination as to whether  
29 the person shall have his or her license suspended  
30 immediately, pending a hearing by the Department.

31 In instances in which the Director immediately suspends a  
32 person's license under this Section, a hearing on that  
33 person's license must be convened by the Department within 15  
34 days after the suspension and completed without appreciable

1 delay. The Department shall have the authority to review the  
2 subject person's record of treatment and counseling regarding  
3 the impairment, to the extent permitted by applicable federal  
4 statutes and regulations safeguarding the confidentiality of  
5 medical records.

6 A person licensed under this Act and affected under this  
7 Section shall be afforded an opportunity to demonstrate to  
8 the Department that he or she can resume practice in  
9 compliance with acceptable and prevailing standards under the  
10 provisions of his or her license."; and

11 on page 9, by deleting lines 25 through 33; and

12 on page 10, by deleting lines 1 through 21; and

13 on page 11, line 23, after "electrologist", by inserting  
14 "pursuant to Section 75 of this Act"; and

15 on page 12, line 30, by replacing "70" with "75"; and

16 on page 16, immediately below line 21, by inserting the  
17 following:

18 "Section 162. Unlicensed practice; violation; civil  
19 penalty.

20 (a) Any person who practices, offers to practice,  
21 attempts to practice, or holds oneself out to practice  
22 electrology without being licensed under this Act shall, in  
23 addition to any other penalty provided by law, pay a civil  
24 penalty to the Department in an amount not to exceed \$5,000  
25 for each offense as determined by the Department. The civil  
26 penalty shall be assessed by the Department after a hearing  
27 is held in accordance with the provisions set forth in this  
28 Act regarding the provision of a hearing for the discipline  
29 of a licensee.

30 (b) The Department has the authority and power to  
31 investigate any and all unlicensed activity.

1 (c) The civil penalty shall be paid within 60 days after  
2 the effective date of the order imposing the civil penalty.  
3 The order shall constitute a judgment and may be filed and  
4 execution had thereon in the same manner as any judgment from  
5 any court of record."; and

6 on page 17, immediately below line 8, by inserting the  
7 following:

8 "Section 905. The Medical Practice Act of 1987 is  
9 amended by changing Section 20 as follows:

10 (225 ILCS 60/20) (from Ch. 111, par. 4400-20)

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

12 Sec. 20. Continuing education. The Department shall  
13 promulgate rules of continuing education for persons licensed  
14 under this Act that require 150 hours of continuing education  
15 per license renewal cycle. These rules shall be consistent  
16 with requirements of relevant professional associations,  
17 speciality societies, or boards. The rules shall also  
18 address variances in part or in whole for good cause,  
19 including but not limited to ~~for~~ illness or hardship. In  
20 establishing these rules, the Department shall consider  
21 educational requirements for medical staffs, requirements for  
22 specialty society board certification or for continuing  
23 education requirements as a condition of membership in  
24 societies representing the 2 categories of licensee under  
25 this Act. These rules shall assure that licensees are given  
26 the opportunity to participate in those programs sponsored by  
27 or through their professional associations or hospitals which  
28 are relevant to their practice. Each licensee is responsible  
29 for maintaining records of completion of continuing education  
30 and shall be prepared to produce the records when requested  
31 by the Department.

32 (Source: P.A. 89-702, eff. 7-1-97; 90-742, eff. 8-13-98.)

1 Section 910. The Nursing and Advanced Practice Nursing  
2 Act is amended by changing Section 15-45 as follows:

3 (225 ILCS 65/15-45)

4 (Section scheduled to be repealed on January 1, 2008)

5 Sec. 15-45. Continuing education. The Department shall  
6 adopt rules of continuing education for persons licensed  
7 under this Title that require 50 hours of continuing  
8 education per 2-year license renewal cycle. The rules shall  
9 not be inconsistent with requirements of relevant national  
10 certifying bodies or State or national professional  
11 associations. The rules shall also address variances in part  
12 or in whole for good cause, including but not limited to ~~for~~  
13 illness or hardship. The continuing education rules shall  
14 assure that licensees are given the opportunity to  
15 participate in programs sponsored by or through their State  
16 or national professional associations, hospitals, or other  
17 providers of continuing education. Each licensee is  
18 responsible for maintaining records of completion of  
19 continuing education and shall be prepared to produce the  
20 records when requested by the Department.

21 (Source: P.A. 90-742, eff. 8-13-98.)

22 Section 915. The Illinois Optometric Practice Act of  
23 1987 is amended by changing Section 16 as follows:

24 (225 ILCS 80/16) (from Ch. 111, par. 3916)

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

26 Sec. 16. Renewal, reinstatement or restoration of  
27 licenses; military service. The expiration date and renewal  
28 period for each license and certificate issued under this Act  
29 shall be set by rule.

30 All renewal applicants shall provide proof of having met  
31 the requirements of continuing education set forth in the

1 rules of the Department. The Department shall, by rule,  
2 provide for an orderly process for the reinstatement of  
3 licenses which have not been renewed due to failure to meet  
4 the continuing education requirements. The continuing  
5 education requirement may be waived for such good cause,  
6 including but not limited to illness or in-eases-of-extreme  
7 hardship, as defined by rules of the Department.

8 The Department shall establish by rule a means for the  
9 verification of completion of the continuing education  
10 required by this Section. This verification may be  
11 accomplished through audits of records maintained by  
12 registrants; by requiring the filing of continuing education  
13 certificates with the Department; or by other means  
14 established by the Department.

15 Any optometrist who has permitted his or her license to  
16 expire or who has had his or her license on inactive status  
17 may have his or her license restored by making application to  
18 the Department and filing proof acceptable to the Department  
19 of his or her fitness to have his or her license restored and  
20 by paying the required fees. Such proof of fitness may  
21 include evidence certifying to active lawful practice in  
22 another jurisdiction and must include proof of the completion  
23 of the continuing education requirements specified in the  
24 rules for the preceding license renewal period for the  
25 applicant's level of certification that has been completed  
26 during the 2 years prior to the application for license  
27 restoration.

28 The Department shall determine, by an evaluation program  
29 established by rule, his or her fitness for restoration of  
30 his or her license and shall establish procedures and  
31 requirements for such restoration.

32 However, any optometrist whose license expired while he  
33 or she was (1) in Federal Service on active duty with the  
34 Armed Forces of the United States, or the State Militia

1 called into service or training, or (2) in training or  
2 education under the supervision of the United States  
3 preliminary to induction into the military service, may have  
4 his or her license restored without paying any lapsed renewal  
5 fees if within 2 years after honorable termination of such  
6 service, training, or education, he or she furnishes the  
7 Department with satisfactory evidence to the effect that he  
8 or she has been so engaged and that his or her service,  
9 training, or education has been so terminated.  
10 (Source: P.A. 92-451, eff. 8-21-01.)

11 Section 920. The Podiatric Medical Practice Act of 1987  
12 is amended by changing Section 14 as follows:

13 (225 ILCS 100/14) (from Ch. 111, par. 4814)  
14 (Section scheduled to be repealed on January 1, 2008)  
15 Sec. 14. Continuing education requirement. Podiatric  
16 physicians licensed to practice in Illinois shall, as a  
17 requirement for renewal of license, complete continuing  
18 education at the rate of at least 25 hours per year. Such  
19 hours shall be earned (1) from courses offered by sponsors  
20 validated by the Illinois Podiatric Medical Association  
21 Continuing Education Committee and approved by the Podiatric  
22 Medical Licensing Board; or (2) by continuing education  
23 activities as defined in the rules of the Department.  
24 Podiatric physicians shall, at the request of the Department,  
25 provide proof of having met the requirements of continuing  
26 education under this Section. The Department shall by rule  
27 provide an orderly process for the reinstatement of licenses  
28 which have not been renewed due to the licensee's failure to  
29 meet requirements of this Section. The requirements of  
30 continuing education may be waived by the Director, upon  
31 recommendation by the Board, in whole or in part for such  
32 good cause, including but not limited to illness or in--eases

1 ef---extreme hardship, as defined by the rules of the  
2 Department.

3 The Department shall establish by rule a means for the  
4 verification of completion of the continuing education  
5 required by this Section. This verification may be  
6 accomplished through audits of records maintained by  
7 registrants; by requiring the filing of continuing education  
8 certificates with the Department; or by other means  
9 established by the Department.

10 (Source: P.A. 86-596; 86-1472; 87-546.)".