

1 AN ACT concerning regulation.

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

4 Section 5. The Behavior Analyst Licensing Act is amended  
5 by changing Section 60 as follows:

6 (225 ILCS 6/60)

7 (Section scheduled to be repealed on January 1, 2028)

8 Sec. 60. Grounds for disciplinary action.

9 (a) The Department may refuse to issue or renew a license,  
10 or may suspend, revoke, place on probation, reprimand, or take  
11 any other disciplinary or nondisciplinary action deemed  
12 appropriate by the Department, including the imposition of  
13 fines not to exceed \$10,000 for each violation, with regard to  
14 any license issued under the provisions of this Act for any one  
15 or a combination of the following grounds:

16 (1) material misstatements in furnishing information  
17 to the Department or to any other State agency or in  
18 furnishing information to any insurance company with  
19 respect to a claim on behalf of a licensee or a client  
20 ~~patient~~;

21 (2) violations or negligent or intentional disregard  
22 of this Act or its rules;

23 (3) conviction of or entry of a plea of guilty or nolo

1           contendere, finding of guilt, jury verdict, or entry of  
2           judgment or sentencing, including, but not limited to,  
3           convictions, preceding sentences of supervision,  
4           conditional discharge, or first offender probation, under  
5           the laws of any jurisdiction of the United States that is  
6           (i) a felony or (ii) a misdemeanor, an essential element  
7           of which is dishonesty, or that is directly related to the  
8           practice of behavior analysis;

9           (4) fraud or misrepresentation in applying for or  
10          procuring a license under this Act or in connection with  
11          applying for renewal or restoration of a license under  
12          this Act;

13          (5) professional incompetence;

14          (6) gross negligence in practice under this Act;

15          (7) aiding or assisting another person in violating  
16          any provision of this Act or its rules;

17          (8) failing to provide information within 60 days in  
18          response to a written request made by the Department;

19          (9) engaging in dishonorable, unethical, or  
20          unprofessional conduct of a character likely to deceive,  
21          defraud, or harm the public as defined by the rules of the  
22          Department or violating the rules of professional conduct  
23          adopted by the Department;

24          (10) habitual or excessive use or abuse of drugs  
25          defined in law as controlled substances, of alcohol, or of  
26          any other substances that results in the inability to

1 practice with reasonable judgment, skill, or safety;

2 (11) adverse action taken by another state or  
3 jurisdiction if at least one of the grounds for the  
4 discipline is the same or substantially equivalent to  
5 those set forth in this Section;

6 (12) directly or indirectly giving to or receiving  
7 from any person, firm, corporation, partnership, or  
8 association any fee, commission, rebate, or other form of  
9 compensation for any professional service not actually  
10 rendered; nothing in this paragraph affects any bona fide  
11 independent contractor or employment arrangements among  
12 health care professionals, health facilities, health care  
13 providers, or other entities, except as otherwise  
14 prohibited by law; any employment arrangements may include  
15 provisions for compensation, health insurance, pension, or  
16 other employment benefits for the provision of services  
17 within the scope of the licensee's practice under this  
18 Act; nothing in this paragraph shall be construed to  
19 require an employment arrangement to receive professional  
20 fees for services rendered;

21 (13) a finding by the Department that the licensee,  
22 after having the license placed on probationary status,  
23 has violated the terms of probation or failed to comply  
24 with those terms;

25 (14) abandonment, without cause, of a client;

26 (15) willfully making or filing false records or

1 reports relating to a licensee's practice, including, but  
2 not limited to, false records filed with federal or State  
3 agencies or departments;

4 (16) willfully failing to report an instance of  
5 suspected child abuse or neglect as required by the Abused  
6 and Neglected Child Reporting Act;

7 (17) being named as a perpetrator in an indicated  
8 report by the Department of Children and Family Services  
9 under the Abused and Neglected Child Reporting Act, and  
10 upon proof by clear and convincing evidence that the  
11 licensee has caused a child to be an abused child or  
12 neglected child as defined in the Abused and Neglected  
13 Child Reporting Act;

14 (18) physical illness, mental illness, or any other  
15 impairment or disability, including, but not limited to,  
16 deterioration through the aging process, or loss of motor  
17 skills that results in the inability to practice the  
18 profession with reasonable judgment, skill, or safety;

19 (19) solicitation of professional services by using  
20 false or misleading advertising;

21 (20) violation of the Health Care Worker Self-Referral  
22 Act;

23 (21) willfully failing to report an instance of  
24 suspected abuse, neglect, financial exploitation, or  
25 self-neglect of an eligible adult as defined in and  
26 required by the Adult Protective Services Act; or

1           (22) being named as an abuser in a verified report by  
2           the Department on Aging under the Adult Protective  
3           Services Act, and upon proof by clear and convincing  
4           evidence that the licensee abused, neglected, or  
5           financially exploited an eligible adult as defined in the  
6           Adult Protective Services Act.

7           (b) The determination by a court that a licensee is  
8           subject to involuntary admission or judicial admission as  
9           provided in the Mental Health and Developmental Disabilities  
10          Code shall result in an automatic suspension of the licensee's  
11          license. The suspension shall end upon a finding by a court  
12          that the licensee is no longer subject to involuntary  
13          admission or judicial admission and issues an order so finding  
14          and discharging the patient, and upon the recommendation of  
15          the Board to the Secretary that the licensee be allowed to  
16          resume professional practice.

17          (c) The Department shall refuse to issue or renew or may  
18          suspend the license of a person who (i) fails to file a tax  
19          return, pay the tax, penalty, or interest shown in a filed tax  
20          return, or pay any final assessment of tax, penalty, or  
21          interest, as required by any tax Act administered by the  
22          Department of Revenue, until the requirements of the tax Act  
23          are satisfied or (ii) has failed to pay any court-ordered  
24          child support as determined by a court order or by referral  
25          from the Department of Healthcare and Family Services.

26          (c-1) The Department shall not revoke, suspend, place on

1 probation, reprimand, refuse to issue or renew, or take any  
2 other disciplinary or non-disciplinary action against a  
3 person's authorization to practice ~~the license or permit~~  
4 ~~issued~~ under this Act based solely upon the person licensed  
5 ~~behavior analyst~~ recommending, aiding, assisting, referring  
6 for, or participating in any health care service, so long as  
7 the care was not unlawful under the laws of this State,  
8 regardless of whether the client ~~patient~~ was a resident of  
9 this State or another state.

10 (c-2) The Department shall not revoke, suspend, place on  
11 prohibition, reprimand, refuse to issue or renew, or take any  
12 other disciplinary or non-disciplinary action against a  
13 person's authorization to practice ~~the license or permit~~  
14 ~~issued~~ under this Act ~~to practice as a licensed behavior~~  
15 ~~analyst~~ based upon the person's licensed behavior analyst's  
16 license, registration, or permit being revoked or suspended,  
17 or the person licensed behavior analyst being otherwise  
18 disciplined, by any other state, if that revocation,  
19 suspension, or other form of discipline was based solely on  
20 the person licensed behavior analyst violating another state's  
21 laws prohibiting the provision of, authorization of,  
22 recommendation of, aiding or assisting in, referring for, or  
23 participation in any health care service if that health care  
24 service as provided would not have been unlawful under the  
25 laws of this State and is consistent with the applicable  
26 standard ~~standards~~ of conduct for a person licensed behavior

1 ~~analyst~~ practicing in Illinois under this Act.

2 (c-3) The conduct specified in subsections (c-1) and (c-2)  
3 shall not constitute grounds for suspension under Section 125.

4 (c-4) The Department shall not revoke, suspend, summarily  
5 suspend, place on prohibition, reprimand, refuse to issue or  
6 renew, or take any other disciplinary or non-disciplinary  
7 action against a person's authorization to practice ~~the~~  
8 ~~license or permit issued~~ under this Act ~~to practice as a~~  
9 ~~licensed behavior analyst~~ based solely upon the person's  
10 license, registration, or permit ~~of a licensed behavior~~  
11 ~~analyst~~ being revoked or suspended, or the person ~~the licensed~~  
12 ~~behavior analyst~~ being otherwise disciplined, by any other  
13 state or territory other than Illinois for the referral for or  
14 having otherwise participated in any health care service, if  
15 the revocation, suspension, or disciplinary action was based  
16 solely on a violation of the other state's law prohibiting  
17 such health care services in the state, for a resident of the  
18 state, or in any other state.

19 (d) In enforcing this Section, the Department, upon a  
20 showing of a possible violation, may compel a person licensed  
21 to practice under this Act, or who has applied for licensure  
22 under this Act, to submit to a mental or physical examination,  
23 or both, which may include a substance abuse or sexual  
24 offender evaluation, as required by and at the expense of the  
25 Department.

26 (1) The Department shall specifically designate the

1 examining physician licensed to practice medicine in all  
2 of its branches or, if applicable, the multidisciplinary  
3 team involved in providing the mental or physical  
4 examination or both. The multidisciplinary team shall be  
5 led by a physician licensed to practice medicine in all of  
6 its branches and may consist of one or more or a  
7 combination of physicians licensed to practice medicine in  
8 all of its branches, licensed clinical psychologists,  
9 licensed clinical professional counselors, and other  
10 professional and administrative staff. Any examining  
11 physician or member of the multidisciplinary team may  
12 require any person ordered to submit to an examination  
13 pursuant to this Section to submit to any additional  
14 supplemental testing deemed necessary to complete any  
15 examination or evaluation process, including, but not  
16 limited to, blood testing, urinalysis, psychological  
17 testing, or neuropsychological testing.

18 (2) The Department may order the examining physician  
19 or any member of the multidisciplinary team to present  
20 testimony concerning this mental or physical examination  
21 of the licensee or applicant. No information, report,  
22 record, or other documents in any way related to the  
23 examination shall be excluded by reason of any common law  
24 or statutory privilege relating to communications between  
25 the licensee or applicant and the examining physician or  
26 any member of the multidisciplinary team. No authorization

1 is necessary from the licensee or applicant ordered to  
2 undergo an examination for the examining physician or any  
3 member of the multidisciplinary team to provide  
4 information, reports, records, or other documents or to  
5 provide any testimony regarding the examination and  
6 evaluation.

7 (3) The person to be examined may have, at the  
8 person's own expense, another physician of the person's  
9 choice present during all aspects of the examination.  
10 However, that physician shall be present only to observe  
11 and may not interfere in any way with the examination.

12 (4) The failure of any person to submit to a mental or  
13 physical examination without reasonable cause, when  
14 ordered, shall result in an automatic suspension of the  
15 person's license until the person submits to the  
16 examination.

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

1 person whose license was granted, continued, reinstated,  
2 renewed, disciplined, or supervised subject to the terms,  
3 conditions, or restrictions, and who fails to comply with the  
4 terms, conditions, or restrictions, shall be referred to the  
5 Secretary for a determination as to whether the person shall  
6 have the person's license suspended immediately, pending a  
7 hearing by the Department.

8 (f) All fines imposed shall be paid within 60 days after  
9 the effective date of the order imposing the fine or in  
10 accordance with the terms set forth in the order imposing the  
11 fine.

12 If the Secretary immediately suspends a person's license  
13 under this subsection, a hearing on that person's license must  
14 be convened by the Department within 30 days after the  
15 suspension and completed without appreciable delay. The  
16 Department and Board shall have the authority to review the  
17 subject person's record of treatment and counseling regarding  
18 the impairment, to the extent permitted by applicable federal  
19 statutes and regulations safeguarding the confidentiality of  
20 medical records.

21 A person licensed under this Act and affected under this  
22 Section shall be afforded an opportunity to demonstrate to the  
23 Department or Board that the person can resume practice in  
24 compliance with acceptable and prevailing standards under the  
25 provisions of the person's license.

26 (g) The Department may adopt rules to implement, l

1 administer, and enforce this Section ~~the changes made by this~~  
2 ~~amendatory Act of the 102nd General Assembly.~~

3 (Source: P.A. 102-953, eff. 5-27-22; 102-1117, eff. 1-13-23.)

4 Section 10. The Clinical Psychologist Licensing Act is  
5 amended by changing Section 15 as follows:

6 (225 ILCS 15/15) (from Ch. 111, par. 5365)

7 (Section scheduled to be repealed on January 1, 2027)

8 Sec. 15. Disciplinary action; grounds.

9 (a) The Department may refuse to issue, refuse to renew,  
10 suspend, or revoke any license, or may place on probation,  
11 reprimand, or take other disciplinary or non-disciplinary  
12 action deemed appropriate by the Department, including the  
13 imposition of fines not to exceed \$10,000 for each violation,  
14 with regard to any license issued under the provisions of this  
15 Act for any one or a combination of the following reasons:

16 (1) Conviction of, or entry of a plea of guilty or nolo  
17 contendere to, any crime that is a felony under the laws of  
18 the United States or any state or territory thereof or  
19 that is a misdemeanor of which an essential element is  
20 dishonesty, or any crime that is directly related to the  
21 practice of the profession.

22 (2) Gross negligence in the rendering of clinical  
23 psychological services.

24 (3) Using fraud or making any misrepresentation in

1 applying for a license or in passing the examination  
2 provided for in this Act.

3 (4) Aiding or abetting or conspiring to aid or abet a  
4 person, not a clinical psychologist licensed under this  
5 Act, in representing himself or herself as so licensed or  
6 in applying for a license under this Act.

7 (5) Violation of any provision of this Act or the  
8 rules promulgated thereunder.

9 (6) Professional connection or association with any  
10 person, firm, association, partnership or corporation  
11 holding himself, herself, themselves, or itself out in any  
12 manner contrary to this Act.

13 (7) Unethical, unauthorized, or unprofessional conduct  
14 as defined by rule. In establishing those rules, the  
15 Department shall consider, though is not bound by, the  
16 ethical standards for psychologists promulgated by  
17 recognized national psychology associations.

18 (8) Aiding or assisting another person in violating  
19 any provisions of this Act or the rules promulgated  
20 thereunder.

21 (9) Failing to provide, within 60 days, information in  
22 response to a written request made by the Department.

23 (10) Habitual or excessive use or addiction to  
24 alcohol, narcotics, stimulants, or any other chemical  
25 agent or drug that results in a clinical psychologist's  
26 inability to practice with reasonable judgment, skill, or

1 safety.

2 (11) Discipline by another state, territory, the  
3 District of Columbia, or foreign country, if at least one  
4 of the grounds for the discipline is the same or  
5 substantially equivalent to those set forth herein.

6 (12) Directly or indirectly giving or receiving from  
7 any person, firm, corporation, association, or partnership  
8 any fee, commission, rebate, or other form of compensation  
9 for any professional service not actually or personally  
10 rendered. Nothing in this paragraph (12) affects any bona  
11 fide independent contractor or employment arrangements  
12 among health care professionals, health facilities, health  
13 care providers, or other entities, except as otherwise  
14 prohibited by law. Any employment arrangements may include  
15 provisions for compensation, health insurance, pension, or  
16 other employment benefits for the provision of services  
17 within the scope of the licensee's practice under this  
18 Act. Nothing in this paragraph (12) shall be construed to  
19 require an employment arrangement to receive professional  
20 fees for services rendered.

21 (13) A finding that the licensee, after having his or  
22 her license placed on probationary status, has violated  
23 the terms of probation.

24 (14) Willfully making or filing false records or  
25 reports, including, but not limited to, false records or  
26 reports filed with State agencies or departments.

1           (15) Physical illness, including, but not limited to,  
2 deterioration through the aging process, mental illness,  
3 or disability that results in the inability to practice  
4 the profession with reasonable judgment, skill, and  
5 safety.

6           (16) Willfully failing to report an instance of  
7 suspected child abuse or neglect as required by the Abused  
8 and Neglected Child Reporting Act.

9           (17) Being named as a perpetrator in an indicated  
10 report by the Department of Children and Family Services  
11 pursuant to the Abused and Neglected Child Reporting Act,  
12 and upon proof by clear and convincing evidence that the  
13 licensee has caused a child to be an abused child or  
14 neglected child as defined in the Abused and Neglected  
15 Child Reporting Act.

16           (18) Violation of the Health Care Worker Self-Referral  
17 Act.

18           (19) Making a material misstatement in furnishing  
19 information to the Department, any other State or federal  
20 agency, or any other entity.

21           (20) Failing to report to the Department any adverse  
22 judgment, settlement, or award arising from a liability  
23 claim related to an act or conduct similar to an act or  
24 conduct that would constitute grounds for action as set  
25 forth in this Section.

26           (21) Failing to report to the Department any adverse

1 final action taken against a licensee or applicant by  
2 another licensing jurisdiction, including any other state  
3 or territory of the United States or any foreign state or  
4 country, or any peer review body, health care institution,  
5 professional society or association related to the  
6 profession, governmental agency, law enforcement agency,  
7 or court for an act or conduct similar to an act or conduct  
8 that would constitute grounds for disciplinary action as  
9 set forth in this Section.

10 (22) Prescribing, selling, administering,  
11 distributing, giving, or self-administering (A) any drug  
12 classified as a controlled substance (designated product)  
13 for other than medically accepted therapeutic purposes or  
14 (B) any narcotic drug.

15 (23) Violating State ~~state~~ or federal laws or  
16 regulations relating to controlled substances, legend  
17 drugs, or ephedra as defined in the Ephedra Prohibition  
18 Act.

19 (24) Exceeding the terms of a collaborative agreement  
20 or the prescriptive authority delegated to a licensee by  
21 his or her collaborating physician or established under a  
22 written collaborative agreement.

23 The entry of an order by any circuit court establishing  
24 that any person holding a license under this Act is subject to  
25 involuntary admission or judicial admission as provided for in  
26 the Mental Health and Developmental Disabilities Code,

1 operates as an automatic suspension of that license. That  
2 person may have his or her license restored only upon the  
3 determination by a circuit court that the patient is no longer  
4 subject to involuntary admission or judicial admission and the  
5 issuance of an order so finding and discharging the patient  
6 and upon the Board's recommendation to the Department that the  
7 license be restored. Where the circumstances so indicate, the  
8 Board may recommend to the Department that it require an  
9 examination prior to restoring any license so automatically  
10 suspended.

11 The Department shall refuse to issue or suspend the  
12 license of any person who fails to file a return, or to pay the  
13 tax, penalty, or interest shown in a filed return, or to pay  
14 any final assessment of the tax, penalty, or interest, as  
15 required by any tax Act administered by the Illinois  
16 Department of Revenue, until such time as the requirements of  
17 any such tax Act are satisfied.

18 In enforcing this Section, the Department or Board upon a  
19 showing of a possible violation may compel any person licensed  
20 to practice under this Act, or who has applied for licensure or  
21 certification pursuant to this Act, to submit to a mental or  
22 physical examination, or both, as required by and at the  
23 expense of the Department. The examining physicians or  
24 clinical psychologists shall be those specifically designated  
25 by the Department. The Board or the Department may order the  
26 examining physician or clinical psychologist to present

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

14 If the Department or Board finds a person unable to  
15 practice because of the reasons set forth in this Section, the  
16 Department or Board may require that person to submit to care,  
17 counseling, or treatment by physicians or clinical  
18 psychologists approved or designated by the Department, as a  
19 condition, term, or restriction for continued, reinstated, or  
20 renewed licensure to practice; or, in lieu of care,  
21 counseling, or treatment, the Board may recommend to the  
22 Department to file or the Department may file a complaint to  
23 immediately suspend, revoke, or otherwise discipline the  
24 license of the person. Any person whose license was granted,  
25 continued, reinstated, renewed, disciplined, or supervised  
26 subject to such terms, conditions, or restrictions, and who

1 fails to comply with such terms, conditions, or restrictions,  
2 shall be referred to the Secretary for a determination as to  
3 whether the person shall have his or her license suspended  
4 immediately, pending a hearing by the Board.

5 In instances in which the Secretary immediately suspends a  
6 person's license under this Section, a hearing on that  
7 person's license must be convened by the Board within 15 days  
8 after the suspension and completed without appreciable delay.  
9 The Board shall have the authority to review the subject  
10 person's record of treatment and counseling regarding the  
11 impairment, to the extent permitted by applicable federal  
12 statutes and regulations safeguarding the confidentiality of  
13 medical records.

14 A person licensed under this Act and affected under this  
15 Section shall be afforded an opportunity to demonstrate to the  
16 Board that he or she can resume practice in compliance with  
17 acceptable and prevailing standards under the provisions of  
18 his or her license.

19 (b) The Department shall not revoke, suspend, place on  
20 probation, reprimand, refuse to issue or renew, or take any  
21 other disciplinary or non-disciplinary action against a  
22 person's authorization to practice ~~the license or permit~~  
23 ~~issued~~ under this Act based solely upon the person ~~licensed~~  
24 ~~clinical psychologist~~ recommending, aiding, assisting,  
25 referring for, or participating in any health care service, so  
26 long as the care was not unlawful under the laws of this State,

1 regardless of whether the patient was a resident of this State  
2 or another state.

3 (c) The Department shall not revoke, suspend, place on  
4 prohibition, reprimand, refuse to issue or renew, or take any  
5 other disciplinary or non-disciplinary action against a  
6 person's authorization to practice ~~the license or permit~~  
7 ~~issued~~ under this Act ~~to practice as a licensed clinical~~  
8 ~~psychologist~~ based upon the person's ~~licensed clinical~~  
9 ~~psychologist's~~ license, registration, or permit being revoked  
10 or suspended, or the person ~~licensed clinical psychologist~~  
11 being otherwise disciplined, by any other state, if that  
12 revocation, suspension, or other form of discipline was based  
13 solely on the person ~~licensed clinical psychologist~~ violating  
14 another state's laws prohibiting the provision of,  
15 authorization of, recommendation of, aiding or assisting in,  
16 referring for, or participation in any health care service if  
17 that health care service as provided would not have been  
18 unlawful under the laws of this State and is consistent with  
19 the applicable standard ~~standards~~ of conduct for a person  
20 ~~licensed clinical psychologist~~ practicing in Illinois under  
21 this Act.

22 (d) The conduct specified in subsections (b) and (c) shall  
23 not constitute grounds for suspension under Section 21.6.

24 (e) The Department shall not revoke, suspend, summarily  
25 suspend, place on prohibition, reprimand, refuse to issue or  
26 renew, or take any other disciplinary or non-disciplinary

1 action against a person's authorization to practice the  
2 ~~license or permit issued~~ under this Act ~~to practice as a~~  
3 ~~licensed clinical psychologist~~ based solely upon the license,  
4 registration, or permit of the a person licensed clinical  
5 ~~psychologist~~ being suspended or revoked, or the person  
6 ~~licensed clinical psychologist~~ being otherwise disciplined, by  
7 any other state or territory other than Illinois for the  
8 referral for or having otherwise participated in any health  
9 care service, if the revocation, suspension, or other  
10 disciplinary action was based solely on a violation of the  
11 other state's law prohibiting such health care services in the  
12 state, for a resident of the state, or in any other state.

13 (f) The Department may adopt rules to implement,  
14 administer, and enforce this Section ~~the changes made by this~~  
15 ~~amendatory Act of the 102nd General Assembly.~~

16 (Source: P.A. 102-1117, eff. 1-13-23.)

17 Section 15. The Clinical Social Work and Social Work  
18 Practice Act is amended by changing Section 19 as follows:

19 (225 ILCS 20/19)

20 (Section scheduled to be repealed on January 1, 2028)

21 Sec. 19. Grounds for disciplinary action.

22 (1) The Department may refuse to issue or renew a license,  
23 or may suspend, revoke, place on probation, reprimand, or take  
24 any other disciplinary or non-disciplinary action deemed

1 appropriate by the Department, including the imposition of  
2 fines not to exceed \$10,000 for each violation, with regard to  
3 any license issued under the provisions of this Act for any one  
4 or a combination of the following grounds:

5 (a) material misstatements in furnishing information  
6 to the Department or to any other State agency or in  
7 furnishing information to any insurance company with  
8 respect to a claim on behalf of a licensee or a patient;

9 (b) violations or negligent or intentional disregard  
10 of this Act, or any of the rules promulgated hereunder;

11 (c) conviction of or entry of a plea of guilty or nolo  
12 contendere, finding of guilt, jury verdict, or entry of  
13 judgment or sentencing, including, but not limited to,  
14 convictions, preceding sentences of supervision,  
15 conditional discharge, or first offender probation, under  
16 the laws of any jurisdiction of the United States that is  
17 (i) a felony or (ii) a misdemeanor, an essential element  
18 of which is dishonesty, or that is directly related to the  
19 practice of the clinical social work or social work  
20 professions;

21 (d) fraud or misrepresentation in applying for or  
22 procuring a license under this Act or in connection with  
23 applying for renewal or restoration of a license under  
24 this Act;

25 (e) professional incompetence;

26 (f) gross negligence in practice under this Act;

1 (g) aiding or assisting another person in violating  
2 any provision of this Act or its rules;

3 (h) failing to provide information within 60 days in  
4 response to a written request made by the Department;

5 (i) engaging in dishonorable, unethical, or  
6 unprofessional conduct of a character likely to deceive,  
7 defraud, or harm the public as defined by the rules of the  
8 Department, or violating the rules of professional conduct  
9 adopted by the Department;

10 (j) habitual or excessive use or abuse of drugs  
11 defined in law as controlled substances, of alcohol, or of  
12 any other substances that results in the inability to  
13 practice with reasonable judgment, skill, or safety;

14 (k) adverse action taken by another state or  
15 jurisdiction, if at least one of the grounds for the  
16 discipline is the same or substantially equivalent to  
17 those set forth in this Section;

18 (l) directly or indirectly giving to or receiving from  
19 any person, firm, corporation, partnership, or association  
20 any fee, commission, rebate, or other form of compensation  
21 for any professional service not actually rendered.  
22 Nothing in this paragraph (l) affects any bona fide  
23 independent contractor or employment arrangements among  
24 health care professionals, health facilities, health care  
25 providers, or other entities, except as otherwise  
26 prohibited by law. Any employment arrangements may include

1 provisions for compensation, health insurance, pension, or  
2 other employment benefits for the provision of services  
3 within the scope of the licensee's practice under this  
4 Act. Nothing in this paragraph (l) shall be construed to  
5 require an employment arrangement to receive professional  
6 fees for services rendered;

7 (m) a finding by the Department that the licensee,  
8 after having the license placed on probationary status,  
9 has violated the terms of probation or failed to comply  
10 with such terms;

11 (n) abandonment, without cause, of a client;

12 (o) willfully making or filing false records or  
13 reports relating to a licensee's practice, including, but  
14 not limited to, false records filed with federal ~~Federal~~  
15 or State agencies or departments;

16 (p) willfully failing to report an instance of  
17 suspected child abuse or neglect as required by the Abused  
18 and Neglected Child Reporting Act;

19 (q) being named as a perpetrator in an indicated  
20 report by the Department of Children and Family Services  
21 under the Abused and Neglected Child Reporting Act, and  
22 upon proof by clear and convincing evidence that the  
23 licensee has caused a child to be an abused child or  
24 neglected child as defined in the Abused and Neglected  
25 Child Reporting Act;

26 (r) physical illness, mental illness, or any other

1 impairment or disability, including, but not limited to,  
2 deterioration through the aging process, or loss of motor  
3 skills that results in the inability to practice the  
4 profession with reasonable judgment, skill, or safety;

5 (s) solicitation of professional services by using  
6 false or misleading advertising;

7 (t) violation of the Health Care Worker Self-Referral  
8 Act;

9 (u) willfully failing to report an instance of  
10 suspected abuse, neglect, financial exploitation, or  
11 self-neglect of an eligible adult as defined in and  
12 required by the Adult Protective Services Act; or

13 (v) being named as an abuser in a verified report by  
14 the Department on Aging under the Adult Protective  
15 Services Act, and upon proof by clear and convincing  
16 evidence that the licensee abused, neglected, or  
17 financially exploited an eligible adult as defined in the  
18 Adult Protective Services Act.

19 (2) (Blank).

20 (3) The determination by a court that a licensee is  
21 subject to involuntary admission or judicial admission as  
22 provided in the Mental Health and Developmental Disabilities  
23 Code, will result in an automatic suspension of the licensee's  
24 license. Such suspension will end upon a finding by a court  
25 that the licensee is no longer subject to involuntary  
26 admission or judicial admission and issues an order so finding

1 and discharging the patient, and upon the recommendation of  
2 the Board to the Secretary that the licensee be allowed to  
3 resume professional practice.

4 (4) The Department shall refuse to issue or renew or may  
5 suspend the license of a person who (i) fails to file a return,  
6 pay the tax, penalty, or interest shown in a filed return, or  
7 pay any final assessment of tax, penalty, or interest, as  
8 required by any tax Act administered by the Department of  
9 Revenue, until the requirements of the tax Act are satisfied  
10 or (ii) has failed to pay any court-ordered child support as  
11 determined by a court order or by referral from the Department  
12 of Healthcare and Family Services.

13 (4.5) The Department shall not revoke, suspend, summarily  
14 suspend, place on prohibition, reprimand, refuse to issue or  
15 renew, or take any other disciplinary or non-disciplinary  
16 action against a person's authorization to practice ~~license or~~  
17 ~~permit issued~~ under this Act based solely upon the person  
18 ~~licensed clinical social worker~~ authorizing, recommending,  
19 aiding, assisting, referring for, or otherwise participating  
20 in any health care service, so long as the care was not  
21 unlawful under the laws of this State, regardless of whether  
22 the patient was a resident of this State or another state.

23 (4.10) The Department shall not revoke, suspend, summarily  
24 suspend, place on prohibition, reprimand, refuse to issue or  
25 renew, or take any other disciplinary or non-disciplinary  
26 action against a person's authorization to practice ~~the~~

1 ~~license or permit issued~~ under this Act ~~to practice as a~~  
2 ~~licensed clinical social worker~~ based upon the person's  
3 ~~licensed clinical social worker's~~ license, registration, or  
4 permit being revoked or suspended, or the person ~~licensed~~  
5 ~~clinical social worker~~ being otherwise disciplined, by any  
6 other state, if that revocation, suspension, or other form of  
7 discipline was based solely on the person ~~licensed clinical~~  
8 ~~social worker~~ violating another state's laws prohibiting the  
9 provision of, authorization of, recommendation of, aiding or  
10 assisting in, referring for, or participation in any health  
11 care service if that health care service as provided would not  
12 have been unlawful under the laws of this State and is  
13 consistent with the applicable standard ~~standards~~ of conduct  
14 for a person ~~licensed clinical social worker~~ practicing in  
15 Illinois under this Act.

16 (4.15) The conduct specified in subsection (4.5), (4.10),  
17 (4.25), or (4.30) shall not constitute grounds for suspension  
18 under Section 32.

19 (4.20) An applicant seeking licensure, certification, or  
20 authorization pursuant to this Act who has been subject to  
21 disciplinary action by a duly authorized professional  
22 disciplinary agency of another jurisdiction solely on the  
23 basis of having authorized, recommended, aided, assisted,  
24 referred for, or otherwise participated in health care shall  
25 not be denied such licensure, certification, or authorization,  
26 unless the Department determines that such action would have

1 constituted professional misconduct in this State; however,  
2 nothing in this Section shall be construed as prohibiting the  
3 Department from evaluating the conduct of such applicant and  
4 making a determination regarding the licensure, certification,  
5 or authorization to practice a profession under this Act.

6 (4.25) The Department may not revoke, suspend, summarily  
7 suspend, place on prohibition, reprimand, refuse to issue or  
8 renew, or take any other disciplinary or non-disciplinary  
9 action against a person's authorization to practice ~~license or~~  
10 ~~permit issued~~ under this Act based solely upon an immigration  
11 violation by the person ~~licensed clinical social worker~~.

12 (4.30) The Department may not revoke, suspend, summarily  
13 suspend, place on prohibition, reprimand, refuse to issue or  
14 renew, or take any other disciplinary or non-disciplinary  
15 action against a person's authorization to practice ~~the~~  
16 ~~license or permit issued~~ under this Act ~~to practice as a~~  
17 ~~licensed clinical social worker~~ based upon the person's  
18 ~~licensed clinical social worker's~~ license, registration, or  
19 permit being revoked or suspended, or the person ~~licensed~~  
20 ~~clinical social worker~~ being otherwise disciplined, by any  
21 other state, if that revocation, suspension, or other form of  
22 discipline was based solely upon an immigration violation by  
23 the person ~~licensed clinical social worker~~.

24 (5) (a) In enforcing this Section, the Department or Board,  
25 upon a showing of a possible violation, may compel a person  
26 licensed to practice under this Act, or who has applied for

1 licensure under this Act, to submit to a mental or physical  
2 examination, or both, which may include a substance abuse or  
3 sexual offender evaluation, as required by and at the expense  
4 of the Department.

5 (b) The Department shall specifically designate the  
6 examining physician licensed to practice medicine in all of  
7 its branches or, if applicable, the multidisciplinary team  
8 involved in providing the mental or physical examination or  
9 both. The multidisciplinary team shall be led by a physician  
10 licensed to practice medicine in all of its branches and may  
11 consist of one or more or a combination of physicians licensed  
12 to practice medicine in all of its branches, licensed clinical  
13 psychologists, licensed clinical social workers, licensed  
14 clinical professional counselors, and other professional and  
15 administrative staff. Any examining physician or member of the  
16 multidisciplinary team may require any person ordered to  
17 submit to an examination pursuant to this Section to submit to  
18 any additional supplemental testing deemed necessary to  
19 complete any examination or evaluation process, including, but  
20 not limited to, blood testing, urinalysis, psychological  
21 testing, or neuropsychological testing.

22 (c) The Board or the Department may order the examining  
23 physician or any member of the multidisciplinary team to  
24 present testimony concerning this mental or physical  
25 examination of the licensee or applicant. No information,  
26 report, record, or other documents in any way related to the

1 examination shall be excluded by reason of any common law or  
2 statutory privilege relating to communications between the  
3 licensee or applicant and the examining physician or any  
4 member of the multidisciplinary team. No authorization is  
5 necessary from the licensee or applicant ordered to undergo an  
6 examination for the examining physician or any member of the  
7 multidisciplinary team to provide information, reports,  
8 records, or other documents or to provide any testimony  
9 regarding the examination and evaluation.

10 (d) The person to be examined may have, at the person's own  
11 expense, another physician of the person's choice present  
12 during all aspects of the examination. However, that physician  
13 shall be present only to observe and may not interfere in any  
14 way with the examination.

15 (e) Failure of any person to submit to a mental or physical  
16 examination without reasonable cause, when ordered, shall  
17 result in an automatic suspension of the person's license  
18 until the person submits to the examination.

19 (f) If the Department or Board finds a person unable to  
20 practice because of the reasons set forth in this Section, the  
21 Department or Board may require that person to submit to care,  
22 counseling, or treatment by physicians approved or designated  
23 by the Department or Board, as a condition, term, or  
24 restriction for continued, reinstated, or renewed licensure to  
25 practice; or, in lieu of care, counseling or treatment, the  
26 Department may file, or the Board may recommend to the

1 Department to file, a complaint to immediately suspend,  
2 revoke, or otherwise discipline the license of the person. Any  
3 person whose license was granted, continued, reinstated,  
4 renewed, disciplined, or supervised subject to such terms,  
5 conditions, or restrictions, and who fails to comply with such  
6 terms, conditions, or restrictions, shall be referred to the  
7 Secretary for a determination as to whether the person's  
8 license shall be suspended immediately, pending a hearing by  
9 the Department.

10 (g) All fines imposed shall be paid within 60 days after  
11 the effective date of the order imposing the fine or in  
12 accordance with the terms set forth in the order imposing the  
13 fine.

14 In instances in which the Secretary immediately suspends a  
15 person's license under this Section, a hearing on that  
16 person's license must be convened by the Department within 30  
17 days after the suspension and completed without appreciable  
18 delay. The Department and Board shall have the authority to  
19 review the subject person's record of treatment and counseling  
20 regarding the impairment, to the extent permitted by  
21 applicable federal statutes and regulations safeguarding the  
22 confidentiality of medical records.

23 A person licensed under this Act and affected under this  
24 Section shall be afforded an opportunity to demonstrate to the  
25 Department or Board that the person can resume practice in  
26 compliance with acceptable and prevailing standards under the

1 provisions of the person's license.

2 (h) The Department may adopt rules to implement,  
3 administer, and enforce this Section ~~the changes made by this~~  
4 ~~amendatory Act of the 102nd General Assembly.~~

5 (Source: P.A. 102-1117, eff. 1-13-23; 103-715, eff. 1-1-25;  
6 103-1048, eff. 1-1-25; revised 11-26-24.)

7 Section 20. The Marriage and Family Therapy Licensing Act  
8 is amended by changing Section 85 as follows:

9 (225 ILCS 55/85) (from Ch. 111, par. 8351-85)

10 (Section scheduled to be repealed on January 1, 2027)

11 Sec. 85. Refusal, revocation, or suspension.

12 (a) The Department may refuse to issue or renew a license,  
13 or may revoke, suspend, reprimand, place on probation, or take  
14 any other disciplinary or non-disciplinary action as the  
15 Department may deem proper, including the imposition of fines  
16 not to exceed \$10,000 for each violation, with regard to any  
17 license issued under the provisions of this Act for any one or  
18 combination of the following grounds:

19 (1) Material misstatement in furnishing information to  
20 the Department.

21 (2) Violation of any provision of this Act or its  
22 rules.

23 (3) Conviction of or entry of a plea of guilty or nolo  
24 contendere, finding of guilt, jury verdict, or entry of

1 judgment or sentencing, including, but not limited to,  
2 convictions, preceding sentences of supervision,  
3 conditional discharge, or first offender probation, under  
4 the laws of any jurisdiction of the United States that is  
5 (i) a felony or (ii) a misdemeanor, an essential element  
6 of which is dishonesty or that is directly related to the  
7 practice of the profession.

8 (4) Fraud or misrepresentation in applying for or  
9 procuring a license under this Act or in connection with  
10 applying for renewal or restoration of a license under  
11 this Act or its rules.

12 (5) Professional incompetence.

13 (6) Gross negligence in practice under this Act.

14 (7) Aiding or assisting another person in violating  
15 any provision of this Act or its rules.

16 (8) Failing, within 60 days, to provide information in  
17 response to a written request made by the Department.

18 (9) Engaging in dishonorable, unethical, or  
19 unprofessional conduct of a character likely to deceive,  
20 defraud or harm the public as defined by the rules of the  
21 Department, or violating the rules of professional conduct  
22 adopted by the Department.

23 (10) Habitual or excessive use or abuse of drugs  
24 defined in law as controlled substances, of alcohol, or  
25 any other substance that results in the inability to  
26 practice with reasonable judgment, skill, or safety.

1           (11) Discipline by another jurisdiction if at least  
2 one of the grounds for the discipline is the same or  
3 substantially equivalent to those set forth in this Act.

4           (12) Directly or indirectly giving to or receiving  
5 from any person, firm, corporation, partnership, or  
6 association any fee, commission, rebate, or other form of  
7 compensation for any professional services not actually or  
8 personally rendered. Nothing in this paragraph (12)  
9 affects any bona fide independent contractor or employment  
10 arrangements among health care professionals, health  
11 facilities, health care providers, or other entities,  
12 except as otherwise prohibited by law. Any employment  
13 arrangements may include provisions for compensation,  
14 health insurance, pension, or other employment benefits  
15 for the provision of services within the scope of the  
16 licensee's practice under this Act. Nothing in this  
17 paragraph (12) shall be construed to require an employment  
18 arrangement to receive professional fees for services  
19 rendered.

20           (13) A finding by the Department that the licensee,  
21 after having his or her license placed on probationary  
22 status, has violated the terms of probation or failed to  
23 comply with the terms.

24           (14) Abandonment of a patient without cause.

25           (15) Willfully making or filing false records or  
26 reports relating to a licensee's practice, including, but

1 not limited to, false records filed with State agencies or  
2 departments.

3 (16) Willfully failing to report an instance of  
4 suspected child abuse or neglect as required by the Abused  
5 and Neglected Child Reporting Act.

6 (17) Being named as a perpetrator in an indicated  
7 report by the Department of Children and Family Services  
8 under the Abused and Neglected Child Reporting Act and  
9 upon proof by clear and convincing evidence that the  
10 licensee has caused a child to be an abused child or  
11 neglected child as defined in the Abused and Neglected  
12 Child Reporting Act.

13 (18) Physical illness or mental illness or impairment,  
14 including, but not limited to, deterioration through the  
15 aging process or loss of motor skill that results in the  
16 inability to practice the profession with reasonable  
17 judgment, skill, or safety.

18 (19) Solicitation of professional services by using  
19 false or misleading advertising.

20 (20) A pattern of practice or other behavior that  
21 demonstrates incapacity or incompetence to practice under  
22 this Act.

23 (21) Practicing under a false or assumed name, except  
24 as provided by law.

25 (22) Gross, willful, and continued overcharging for  
26 professional services, including filing false statements

1 for collection of fees or moneys for which services are  
2 not rendered.

3 (23) Failure to establish and maintain records of  
4 patient care and treatment as required by law.

5 (24) Cheating on or attempting to subvert the  
6 licensing examinations administered under this Act.

7 (25) Willfully failing to report an instance of  
8 suspected abuse, neglect, financial exploitation, or  
9 self-neglect of an eligible adult as defined in and  
10 required by the Adult Protective Services Act.

11 (26) Being named as an abuser in a verified report by  
12 the Department on Aging and under the Adult Protective  
13 Services Act and upon proof by clear and convincing  
14 evidence that the licensee abused, neglected, or  
15 financially exploited an eligible adult as defined in the  
16 Adult Protective Services Act.

17 (b) (Blank).

18 (c) The determination by a circuit court that a licensee  
19 is subject to involuntary admission or judicial admission, as  
20 provided in the Mental Health and Developmental Disabilities  
21 Code, operates as an automatic suspension. The suspension will  
22 terminate only upon a finding by a court that the patient is no  
23 longer subject to involuntary admission or judicial admission  
24 and the issuance of an order so finding and discharging the  
25 patient, and upon the recommendation of the Board to the  
26 Secretary that the licensee be allowed to resume his or her

1 practice as a licensed marriage and family therapist or an  
2 associate licensed marriage and family therapist.

3 (d) The Department shall refuse to issue or may suspend  
4 the license of any person who fails to file a return, pay the  
5 tax, penalty, or interest shown in a filed return or pay any  
6 final assessment of tax, penalty, or interest, as required by  
7 any tax Act administered by the Illinois Department of  
8 Revenue, until the time the requirements of the tax Act are  
9 satisfied.

10 (d-5) The Department shall not revoke, suspend, summarily  
11 suspend, place on prohibition, reprimand, refuse to issue or  
12 renew, or take any other disciplinary or non-disciplinary  
13 action against a person's authorization to practice ~~the~~  
14 ~~license or permit issued~~ under this Act ~~to practice as a~~  
15 ~~marriage and family therapist or associate licensed marriage~~  
16 ~~and family therapist~~ based solely upon the person ~~marriage and~~  
17 ~~family therapist or associate licensed marriage and family~~  
18 ~~therapist~~ authorizing, recommending, aiding, assisting,  
19 referring for, or otherwise participating in any health care  
20 service, so long as the care was not unlawful ~~Unlawful~~ under  
21 the laws of this State, regardless of whether the patient was a  
22 resident of this State or another state.

23 (d-10) The Department shall not revoke, suspend, summarily  
24 suspend, place on prohibition, reprimand, refuse to issue or  
25 renew, or take any other disciplinary or non-disciplinary  
26 action against a person's authorization to practice ~~the~~

1 ~~license or permit issued~~ under this Act ~~to practice as a~~  
2 ~~marriage and family therapist or associate licensed marriage~~  
3 ~~and family therapist~~ based upon the person's ~~marriage and~~  
4 ~~family therapist's or associate licensed marriage and family~~  
5 ~~therapist's~~ license, registration, or permit being revoked or  
6 suspended, or the person ~~marriage and family therapist or~~  
7 ~~associate licensed marriage and family therapist~~ being  
8 otherwise disciplined, by any other state, if that revocation,  
9 suspension, or other form of discipline was based solely on  
10 the person ~~marriage and family therapist or associate licensed~~  
11 ~~marriage and family therapist~~ violating another state's laws  
12 prohibiting the provision of, authorization of, recommendation  
13 of, aiding or assisting in, referring for, or participation in  
14 any health care service if that health care service as  
15 provided would not have been unlawful under the laws of this  
16 State and is consistent with the applicable standard ~~standards~~  
17 of conduct for a person ~~marriage and family therapist or an~~  
18 ~~associate licensed marriage and family therapist~~ practicing in  
19 Illinois under this Act.

20 (d-15) The conduct specified in subsection (d-5), (d-10),  
21 (d-25), or (d-30) shall not constitute grounds for suspension  
22 under Section 145.

23 (d-20) An applicant seeking licensure, certification, or  
24 authorization pursuant to this Act who has been subject to  
25 disciplinary action by a duly authorized professional  
26 disciplinary agency of another jurisdiction solely on the

1 basis of having authorized, recommended, aided, assisted,  
2 referred for, or otherwise participated in health care shall  
3 not be denied such licensure, certification, or authorization,  
4 unless the Department determines that such action would have  
5 constituted professional misconduct in this State; however,  
6 nothing in this Section shall be construed as prohibiting the  
7 Department from evaluating the conduct of such applicant and  
8 making a determination regarding the licensure, certification,  
9 or authorization to practice a profession under this Act.

10 (d-25) The Department may not revoke, suspend, summarily  
11 suspend, place on prohibition, reprimand, refuse to issue or  
12 renew, or take any other disciplinary or non-disciplinary  
13 action against a person's authorization to practice ~~the~~  
14 ~~license or permit~~ issued under this Act ~~to practice as a~~  
15 ~~marriage and family therapist or associate licensed marriage~~  
16 ~~and family therapist~~ based solely upon an immigration  
17 violation by the person ~~marriage and family therapist or~~  
18 ~~associate licensed marriage and family therapist~~.

19 (d-30) The Department may not revoke, suspend, summarily  
20 suspend, place on prohibition, reprimand, refuse to issue or  
21 renew, or take any other disciplinary or non-disciplinary  
22 action against a person's authorization to practice ~~the~~  
23 ~~license or permit~~ issued under this Act ~~to practice as a~~  
24 ~~marriage and family therapist or associate licensed marriage~~  
25 ~~and family therapist~~ based upon the person's ~~marriage and~~  
26 ~~family therapist's or associate licensed marriage and family~~

1 ~~therapist's~~ license, registration, or permit being revoked or  
2 suspended, or the person ~~marriage and family therapist or~~  
3 ~~associate licensed marriage and family therapist~~ being  
4 otherwise disciplined, by any other state, if that revocation,  
5 suspension, or other form of discipline was based solely upon  
6 an immigration violation by the person ~~marriage and family~~  
7 ~~therapist or associate licensed marriage and family therapist.~~

8 (e) In enforcing this Section, the Department or Board  
9 upon a showing of a possible violation may compel an  
10 individual licensed to practice under this Act, or who has  
11 applied for licensure under this Act, to submit to a mental or  
12 physical examination, or both, which may include a substance  
13 abuse or sexual offender evaluation, as required by and at the  
14 expense of the Department.

15 The Department shall specifically designate the examining  
16 physician licensed to practice medicine in all of its branches  
17 or, if applicable, the multidisciplinary team involved in  
18 providing the mental or physical examination or both. The  
19 multidisciplinary team shall be led by a physician licensed to  
20 practice medicine in all of its branches and may consist of one  
21 or more or a combination of physicians licensed to practice  
22 medicine in all of its branches, licensed clinical  
23 psychologists, licensed clinical social workers, licensed  
24 clinical professional counselors, licensed marriage and family  
25 therapists, and other professional and administrative staff.  
26 Any examining physician or member of the multidisciplinary

1 team may require any person ordered to submit to an  
2 examination and evaluation pursuant to this Section to submit  
3 to any additional supplemental testing deemed necessary to  
4 complete any examination or evaluation process, including, but  
5 not limited to, blood testing, urinalysis, psychological  
6 testing, or neuropsychological testing.

7 The Department may order the examining physician or any  
8 member of the multidisciplinary team to provide to the  
9 Department any and all records, including business records,  
10 that relate to the examination and evaluation, including any  
11 supplemental testing performed.

12 The Department or Board may order the examining physician  
13 or any member of the multidisciplinary team to present  
14 testimony concerning the mental or physical examination of the  
15 licensee or applicant. No information, report, record, or  
16 other documents in any way related to the examination shall be  
17 excluded by reason of any common law or statutory privilege  
18 relating to communications between the licensee or applicant  
19 and the examining physician or any member of the  
20 multidisciplinary team. No authorization is necessary from the  
21 licensee or applicant ordered to undergo an examination for  
22 the examining physician or any member of the multidisciplinary  
23 team to provide information, reports, records, or other  
24 documents or to provide any testimony regarding the  
25 examination and evaluation.

26 The individual to be examined may have, at his or her own

1 expense, another physician of his or her choice present during  
2 all aspects of this examination. However, that physician shall  
3 be present only to observe and may not interfere in any way  
4 with the examination.

5 Failure of an individual to submit to a mental or physical  
6 examination, when ordered, shall result in an automatic  
7 suspension of his or her license until the individual submits  
8 to the examination.

9 If the Department or Board finds an individual unable to  
10 practice because of the reasons set forth in this Section, the  
11 Department or Board may require that individual to submit to  
12 care, counseling, or treatment by physicians approved or  
13 designated by the Department or Board, as a condition, term,  
14 or restriction for continued, reinstated, or renewed licensure  
15 to practice; or, in lieu of care, counseling, or treatment,  
16 the Department may file, or the Board may recommend to the  
17 Department to file, a complaint to immediately suspend,  
18 revoke, or otherwise discipline the license of the individual.  
19 An individual whose license was granted, continued,  
20 reinstated, renewed, disciplined, or supervised subject to  
21 such terms, conditions, or restrictions, and who fails to  
22 comply with such terms, conditions, or restrictions, shall be  
23 referred to the Secretary for a determination as to whether  
24 the individual shall have his or her license suspended  
25 immediately, pending a hearing by the Department.

26 In instances in which the Secretary immediately suspends a

1 person's license under this Section, a hearing on that  
2 person's license must be convened by the Department within 30  
3 days after the suspension and completed without appreciable  
4 delay. The Department and Board shall have the authority to  
5 review the subject individual's record of treatment and  
6 counseling regarding the impairment to the extent permitted by  
7 applicable federal statutes and regulations safeguarding the  
8 confidentiality of medical records.

9 An individual licensed under this Act and affected under  
10 this Section shall be afforded an opportunity to demonstrate  
11 to the Department or Board that he or she can resume practice  
12 in compliance with acceptable and prevailing standards under  
13 the provisions of his or her license.

14 (f) A fine shall be paid within 60 days after the effective  
15 date of the order imposing the fine or in accordance with the  
16 terms set forth in the order imposing the fine.

17 (g) The Department may adopt rules to implement,  
18 administer, and enforce this Section ~~the changes made by this~~  
19 ~~amendatory Act of the 102nd General Assembly.~~

20 (Source: P.A. 102-1117, eff. 1-13-23; 103-715, eff. 1-1-25.)

21 Section 25. The Medical Practice Act of 1987 is amended by  
22 changing Sections 22 and 23 as follows:

23 (225 ILCS 60/22) (from Ch. 111, par. 4400-22)

24 (Section scheduled to be repealed on January 1, 2027)

1           Sec. 22. Disciplinary action.

2           (A) The Department may revoke, suspend, place on  
3 probation, reprimand, refuse to issue or renew, or take any  
4 other disciplinary or non-disciplinary action as the  
5 Department may deem proper with regard to the license or  
6 permit of any person issued under this Act, including imposing  
7 fines not to exceed \$10,000 for each violation, upon any of the  
8 following grounds:

9           (1) (Blank).

10          (2) (Blank).

11          (3) A plea of guilty or nolo contendere, finding of  
12 guilt, jury verdict, or entry of judgment or sentencing,  
13 including, but not limited to, convictions, preceding  
14 sentences of supervision, conditional discharge, or first  
15 offender probation, under the laws of any jurisdiction of  
16 the United States of any crime that is a felony.

17          (4) Gross negligence in practice under this Act.

18          (5) Engaging in dishonorable, unethical, or  
19 unprofessional conduct of a character likely to deceive,  
20 defraud, or harm the public.

21          (6) Obtaining any fee by fraud, deceit, or  
22 misrepresentation.

23          (7) Habitual or excessive use or abuse of drugs  
24 defined in law as controlled substances, of alcohol, or of  
25 any other substances which results in the inability to  
26 practice with reasonable judgment, skill, or safety.

1           (8) Practicing under a false or, except as provided by  
2 law, an assumed name.

3           (9) Fraud or misrepresentation in applying for, or  
4 procuring, a license under this Act or in connection with  
5 applying for renewal of a license under this Act.

6           (10) Making a false or misleading statement regarding  
7 their skill or the efficacy or value of the medicine,  
8 treatment, or remedy prescribed by them at their direction  
9 in the treatment of any disease or other condition of the  
10 body or mind.

11           (11) Allowing another person or organization to use  
12 their license, procured under this Act, to practice.

13           (12) Adverse action taken by another state or  
14 jurisdiction against a license or other authorization to  
15 practice as a medical doctor, doctor of osteopathy, doctor  
16 of osteopathic medicine, or doctor of chiropractic, a  
17 certified copy of the record of the action taken by the  
18 other state or jurisdiction being prima facie evidence  
19 thereof. This includes any adverse action taken by a State  
20 or federal agency that prohibits a medical doctor, doctor  
21 of osteopathy, doctor of osteopathic medicine, or doctor  
22 of chiropractic from providing services to the agency's  
23 participants.

24           (13) Violation of any provision of this Act or of the  
25 Medical Practice Act prior to the repeal of that Act, or  
26 violation of the rules, or a final administrative action

1 of the Secretary, after consideration of the  
2 recommendation of the Medical Board.

3 (14) Violation of the prohibition against fee  
4 splitting in Section 22.2 of this Act.

5 (15) A finding by the Medical Board that the  
6 registrant after having his or her license placed on  
7 probationary status or subjected to conditions or  
8 restrictions violated the terms of the probation or failed  
9 to comply with such terms or conditions.

10 (16) Abandonment of a patient.

11 (17) Prescribing, selling, administering,  
12 distributing, giving, or self-administering any drug  
13 classified as a controlled substance (designated product)  
14 or narcotic for other than medically accepted therapeutic  
15 purposes.

16 (18) Promotion of the sale of drugs, devices,  
17 appliances, or goods provided for a patient in such manner  
18 as to exploit the patient for financial gain of the  
19 physician.

20 (19) Offering, undertaking, or agreeing to cure or  
21 treat disease by a secret method, procedure, treatment, or  
22 medicine, or the treating, operating, or prescribing for  
23 any human condition by a method, means, or procedure which  
24 the licensee refuses to divulge upon demand of the  
25 Department.

26 (20) Immoral conduct in the commission of any act, l

1 including, but not limited to, commission of an act of  
2 sexual misconduct related to the licensee's practice.

3 (21) Willfully making or filing false records or  
4 reports in his or her practice as a physician, including,  
5 but not limited to, false records to support claims  
6 against the medical assistance program of the Department  
7 of Healthcare and Family Services (formerly Department of  
8 Public Aid) under the Illinois Public Aid Code.

9 (22) Willful omission to file or record, or willfully  
10 impeding the filing or recording, or inducing another  
11 person to omit to file or record, medical reports as  
12 required by law, or willfully failing to report an  
13 instance of suspected abuse or neglect as required by law.

14 (23) Being named as a perpetrator in an indicated  
15 report by the Department of Children and Family Services  
16 under the Abused and Neglected Child Reporting Act, and  
17 upon proof by clear and convincing evidence that the  
18 licensee has caused a child to be an abused child or  
19 neglected child as defined in the Abused and Neglected  
20 Child Reporting Act.

21 (24) Solicitation of professional patronage by any  
22 corporation, agents, or persons, or profiting from those  
23 representing themselves to be agents of the licensee.

24 (25) Gross and willful and continued overcharging for  
25 professional services, including filing false statements  
26 for collection of fees for which services are not

1 rendered, including, but not limited to, filing such false  
2 statements for collection of monies for services not  
3 rendered from the medical assistance program of the  
4 Department of Healthcare and Family Services (formerly  
5 Department of Public Aid) under the Illinois Public Aid  
6 Code.

7 (26) A pattern of practice or other behavior which  
8 demonstrates incapacity or incompetence to practice under  
9 this Act.

10 (27) Mental illness or disability which results in the  
11 inability to practice under this Act with reasonable  
12 judgment, skill, or safety.

13 (28) Physical illness, including, but not limited to,  
14 deterioration through the aging process, or loss of motor  
15 skill which results in a physician's inability to practice  
16 under this Act with reasonable judgment, skill, or safety.

17 (29) Cheating on or attempting to subvert the  
18 licensing examinations administered under this Act.

19 (30) Willfully or negligently violating the  
20 confidentiality between physician and patient except as  
21 required by law.

22 (31) The use of any false, fraudulent, or deceptive  
23 statement in any document connected with practice under  
24 this Act.

25 (32) Aiding and abetting an individual not licensed  
26 under this Act in the practice of a profession licensed

1 under this Act.

2 (33) Violating State or federal laws or regulations  
3 relating to controlled substances, legend drugs, or  
4 ephedra as defined in the Ephedra Prohibition Act.

5 (34) Failure to report to the Department any adverse  
6 final action taken against them by another licensing  
7 jurisdiction (any other state or any territory of the  
8 United States or any foreign state or country), by any  
9 peer review body, by any health care institution, by any  
10 professional society or association related to practice  
11 under this Act, by any governmental agency, by any law  
12 enforcement agency, or by any court for acts or conduct  
13 similar to acts or conduct which would constitute grounds  
14 for action as defined in this Section.

15 (35) Failure to report to the Department surrender of  
16 a license or authorization to practice as a medical  
17 doctor, a doctor of osteopathy, a doctor of osteopathic  
18 medicine, or doctor of chiropractic in another state or  
19 jurisdiction, or surrender of membership on any medical  
20 staff or in any medical or professional association or  
21 society, while under disciplinary investigation by any of  
22 those authorities or bodies, for acts or conduct similar  
23 to acts or conduct which would constitute grounds for  
24 action as defined in this Section.

25 (36) Failure to report to the Department any adverse  
26 judgment, settlement, or award arising from a liability

1 claim related to acts or conduct similar to acts or  
2 conduct which would constitute grounds for action as  
3 defined in this Section.

4 (37) Failure to provide copies of medical records as  
5 required by law.

6 (38) Failure to furnish the Department, its  
7 investigators or representatives, relevant information,  
8 legally requested by the Department after consultation  
9 with the Chief Medical Coordinator or the Deputy Medical  
10 Coordinator.

11 (39) Violating the Health Care Worker Self-Referral  
12 Act.

13 (40) (Blank).

14 (41) Failure to establish and maintain records of  
15 patient care and treatment as required by this law.

16 (42) Entering into an excessive number of written  
17 collaborative agreements with licensed advanced practice  
18 registered nurses resulting in an inability to adequately  
19 collaborate.

20 (43) Repeated failure to adequately collaborate with a  
21 licensed advanced practice registered nurse.

22 (44) Violating the Compassionate Use of Medical  
23 Cannabis Program Act.

24 (45) Entering into an excessive number of written  
25 collaborative agreements with licensed prescribing  
26 psychologists resulting in an inability to adequately

1 collaborate.

2 (46) Repeated failure to adequately collaborate with a  
3 licensed prescribing psychologist.

4 (47) Willfully failing to report an instance of  
5 suspected abuse, neglect, financial exploitation, or  
6 self-neglect of an eligible adult as defined in and  
7 required by the Adult Protective Services Act.

8 (48) Being named as an abuser in a verified report by  
9 the Department on Aging under the Adult Protective  
10 Services Act, and upon proof by clear and convincing  
11 evidence that the licensee abused, neglected, or  
12 financially exploited an eligible adult as defined in the  
13 Adult Protective Services Act.

14 (49) Entering into an excessive number of written  
15 collaborative agreements with licensed physician  
16 assistants resulting in an inability to adequately  
17 collaborate.

18 (50) Repeated failure to adequately collaborate with a  
19 physician assistant.

20 Except for actions involving the ground numbered (26), all  
21 proceedings to suspend, revoke, place on probationary status,  
22 or take any other disciplinary action as the Department may  
23 deem proper, with regard to a license on any of the foregoing  
24 grounds, must be commenced within 5 years next after receipt  
25 by the Department of a complaint alleging the commission of or  
26 notice of the conviction order for any of the acts described

1 herein. Except for the grounds numbered (8), (9), (26), and  
2 (29), no action shall be commenced more than 10 years after the  
3 date of the incident or act alleged to have violated this  
4 Section. For actions involving the ground numbered (26), a  
5 pattern of practice or other behavior includes all incidents  
6 alleged to be part of the pattern of practice or other behavior  
7 that occurred, or a report pursuant to Section 23 of this Act  
8 received, within the 10-year period preceding the filing of  
9 the complaint. In the event of the settlement of any claim or  
10 cause of action in favor of the claimant or the reduction to  
11 final judgment of any civil action in favor of the plaintiff,  
12 such claim, cause of action, or civil action being grounded on  
13 the allegation that a person licensed under this Act was  
14 negligent in providing care, the Department shall have an  
15 additional period of 2 years from the date of notification to  
16 the Department under Section 23 of this Act of such settlement  
17 or final judgment in which to investigate and commence formal  
18 disciplinary proceedings under Section 36 of this Act, except  
19 as otherwise provided by law. The time during which the holder  
20 of the license was outside the State of Illinois shall not be  
21 included within any period of time limiting the commencement  
22 of disciplinary action by the Department.

23 The entry of an order or judgment by any circuit court  
24 establishing that any person holding a license under this Act  
25 is a person in need of mental treatment operates as a  
26 suspension of that license. That person may resume his or her

1 practice only upon the entry of a Departmental order based  
2 upon a finding by the Medical Board that the person has been  
3 determined to be recovered from mental illness by the court  
4 and upon the Medical Board's recommendation that the person be  
5 permitted to resume his or her practice.

6 The Department may refuse to issue or take disciplinary  
7 action concerning the license of any person who fails to file a  
8 return, or to pay the tax, penalty, or interest shown in a  
9 filed return, or to pay any final assessment of tax, penalty,  
10 or interest, as required by any tax Act administered by the  
11 Illinois Department of Revenue, until such time as the  
12 requirements of any such tax Act are satisfied as determined  
13 by the Illinois Department of Revenue.

14 The Department, upon the recommendation of the Medical  
15 Board, shall adopt rules which set forth standards to be used  
16 in determining:

17 (a) when a person will be deemed sufficiently  
18 rehabilitated to warrant the public trust;

19 (b) what constitutes dishonorable, unethical, or  
20 unprofessional conduct of a character likely to deceive,  
21 defraud, or harm the public;

22 (c) what constitutes immoral conduct in the commission  
23 of any act, including, but not limited to, commission of  
24 an act of sexual misconduct related to the licensee's  
25 practice; and

26 (d) what constitutes gross negligence in the practice

1           of medicine.

2           However, no such rule shall be admissible into evidence in  
3 any civil action except for review of a licensing or other  
4 disciplinary action under this Act.

5           In enforcing this Section, the Medical Board, upon a  
6 showing of a possible violation, may compel any individual who  
7 is licensed to practice under this Act or holds a permit to  
8 practice under this Act, or any individual who has applied for  
9 licensure or a permit pursuant to this Act, to submit to a  
10 mental or physical examination and evaluation, or both, which  
11 may include a substance abuse or sexual offender evaluation,  
12 as required by the Medical Board and at the expense of the  
13 Department. The Medical Board shall specifically designate the  
14 examining physician licensed to practice medicine in all of  
15 its branches or, if applicable, the multidisciplinary team  
16 involved in providing the mental or physical examination and  
17 evaluation, or both. The multidisciplinary team shall be led  
18 by a physician licensed to practice medicine in all of its  
19 branches and may consist of one or more or a combination of  
20 physicians licensed to practice medicine in all of its  
21 branches, licensed chiropractic physicians, licensed clinical  
22 psychologists, licensed clinical social workers, licensed  
23 clinical professional counselors, and other professional and  
24 administrative staff. Any examining physician or member of the  
25 multidisciplinary team may require any person ordered to  
26 submit to an examination and evaluation pursuant to this

1 Section to submit to any additional supplemental testing  
2 deemed necessary to complete any examination or evaluation  
3 process, including, but not limited to, blood testing,  
4 urinalysis, psychological testing, or neuropsychological  
5 testing. The Medical Board or the Department may order the  
6 examining physician or any member of the multidisciplinary  
7 team to provide to the Department or the Medical Board any and  
8 all records, including business records, that relate to the  
9 examination and evaluation, including any supplemental testing  
10 performed. The Medical Board or the Department may order the  
11 examining physician or any member of the multidisciplinary  
12 team to present testimony concerning this examination and  
13 evaluation of the licensee, permit holder, or applicant,  
14 including testimony concerning any supplemental testing or  
15 documents relating to the examination and evaluation. No  
16 information, report, record, or other documents in any way  
17 related to the examination and evaluation shall be excluded by  
18 reason of any common law or statutory privilege relating to  
19 communication between the licensee, permit holder, or  
20 applicant and the examining physician or any member of the  
21 multidisciplinary team. No authorization is necessary from the  
22 licensee, permit holder, or applicant ordered to undergo an  
23 evaluation and examination for the examining physician or any  
24 member of the multidisciplinary team to provide information,  
25 reports, records, or other documents or to provide any  
26 testimony regarding the examination and evaluation. The

1 individual to be examined may have, at his or her own expense,  
2 another physician of his or her choice present during all  
3 aspects of the examination. Failure of any individual to  
4 submit to mental or physical examination and evaluation, or  
5 both, when directed, shall result in an automatic suspension,  
6 without hearing, until such time as the individual submits to  
7 the examination. If the Medical Board finds a physician unable  
8 to practice following an examination and evaluation because of  
9 the reasons set forth in this Section, the Medical Board shall  
10 require such physician to submit to care, counseling, or  
11 treatment by physicians, or other health care professionals,  
12 approved or designated by the Medical Board, as a condition  
13 for issued, continued, reinstated, or renewed licensure to  
14 practice. Any physician, whose license was granted pursuant to  
15 Section 9, 17, or 19 of this Act, or, continued, reinstated,  
16 renewed, disciplined, or supervised, subject to such terms,  
17 conditions, or restrictions who shall fail to comply with such  
18 terms, conditions, or restrictions, or to complete a required  
19 program of care, counseling, or treatment, as determined by  
20 the Chief Medical Coordinator or Deputy Medical Coordinators,  
21 shall be referred to the Secretary for a determination as to  
22 whether the licensee shall have his or her license suspended  
23 immediately, pending a hearing by the Medical Board. In  
24 instances in which the Secretary immediately suspends a  
25 license under this Section, a hearing upon such person's  
26 license must be convened by the Medical Board within 15 days

1 after such suspension and completed without appreciable delay.  
2 The Medical Board shall have the authority to review the  
3 subject physician's record of treatment and counseling  
4 regarding the impairment, to the extent permitted by  
5 applicable federal statutes and regulations safeguarding the  
6 confidentiality of medical records.

7 An individual licensed under this Act, affected under this  
8 Section, shall be afforded an opportunity to demonstrate to  
9 the Medical Board that he or she can resume practice in  
10 compliance with acceptable and prevailing standards under the  
11 provisions of his or her license.

12 The Medical Board, in determining mental capacity of an  
13 individual licensed under this Act, shall consider the latest  
14 recommendations of the Federation of State Medical Boards.

15 The Department may promulgate rules for the imposition of  
16 fines in disciplinary cases, not to exceed \$10,000 for each  
17 violation of this Act. Fines may be imposed in conjunction  
18 with other forms of disciplinary action, but shall not be the  
19 exclusive disposition of any disciplinary action arising out  
20 of conduct resulting in death or injury to a patient. Any funds  
21 collected from such fines shall be deposited in the Illinois  
22 State Medical Disciplinary Fund.

23 All fines imposed under this Section shall be paid within  
24 60 days after the effective date of the order imposing the fine  
25 or in accordance with the terms set forth in the order imposing  
26 the fine.

1 (B) The Department shall revoke the license or permit  
2 issued under this Act to practice medicine of ~~or~~ a  
3 chiropractic physician who has been convicted a second time of  
4 committing any felony under the Illinois Controlled Substances  
5 Act or the Methamphetamine Control and Community Protection  
6 Act, or who has been convicted a second time of committing a  
7 Class 1 felony under Sections 8A-3 and 8A-6 of the Illinois  
8 Public Aid Code. A person whose license or permit is revoked  
9 under this subsection (B) ~~B~~ shall be prohibited from  
10 practicing medicine or treating human ailments without the use  
11 of drugs and without operative surgery.

12 (C) The Department shall not revoke, suspend, place on  
13 probation, reprimand, refuse to issue or renew, or take any  
14 other disciplinary or non-disciplinary action against a  
15 person's authorization to practice ~~the license or permit~~  
16 ~~issued under this Act to practice medicine to a physician:~~

17 (1) based solely upon the recommendation of the person  
18 ~~physician~~ to an eligible patient regarding, or  
19 prescription for, or treatment with, an investigational  
20 drug, biological product, or device;

21 (2) for experimental treatment for Lyme disease or  
22 other tick-borne diseases, including, but not limited to,  
23 the prescription of or treatment with long-term  
24 antibiotics;

25 (3) based solely upon the person ~~physician~~ providing,  
26 authorizing, recommending, aiding, assisting, referring

1 for, or otherwise participating in any health care  
2 service, so long as the care was not unlawful under the  
3 laws of this State, regardless of whether the patient was  
4 a resident of this State or another state; or

5 (4) based upon the person's ~~physician's~~ license,  
6 registration, or permit being revoked or suspended, or the  
7 person ~~physician~~ being otherwise disciplined, by any other  
8 state, if that revocation, suspension, or other form of  
9 discipline was based solely on the person ~~physician~~  
10 violating another state's laws prohibiting the provision  
11 of, authorization of, recommendation of, aiding or  
12 assisting in, referring for, or participation in any  
13 health care service if that health care service as  
14 provided would not have been unlawful under the laws of  
15 this State and is consistent with the applicable standard  
16 ~~standards~~ of conduct for the person practicing in Illinois  
17 under this Act ~~physician if it occurred in Illinois.~~

18 (D) (Blank).

19 (E) The conduct specified in subsection (C) shall not  
20 trigger reporting requirements under Section 23, constitute  
21 grounds for suspension under Section 25, or be included on the  
22 physician's profile required under Section 10 of the Patients'  
23 Right to Know Act.

24 (F) An applicant seeking licensure, certification, or  
25 authorization pursuant to this Act and who has been subject to  
26 disciplinary action by a duly authorized professional

1 disciplinary agency of another jurisdiction solely on the  
2 basis of having provided, authorized, recommended, aided,  
3 assisted, referred for, or otherwise participated in health  
4 care shall not be denied such licensure, certification, or  
5 authorization, unless the Department determines that the  
6 action would have constituted professional misconduct in this  
7 State; however, nothing in this Section shall be construed as  
8 prohibiting the Department from evaluating the conduct of the  
9 applicant and making a determination regarding the licensure,  
10 certification, or authorization to practice a profession under  
11 this Act.

12 (G) The Department may adopt rules to implement,  
13 administer, and enforce this Section ~~the changes made by this~~  
14 ~~amendatory Act of the 102nd General Assembly.~~

15 (Source: P.A. 102-20, eff. 1-1-22; 102-558, eff. 8-20-21;  
16 102-813, eff. 5-13-22; 102-1117, eff. 1-13-23; 103-442, eff.  
17 1-1-24; revised 10-22-24.)

18 (225 ILCS 60/23) (from Ch. 111, par. 4400-23)

19 (Section scheduled to be repealed on January 1, 2027)

20 Sec. 23. Reports relating to professional conduct and  
21 capacity.

22 (A) Entities required to report.

23 (1) Health care institutions. The chief administrator  
24 or executive officer of any health care institution  
25 licensed by the Illinois Department of Public Health shall

1 report to the Medical Board when any person's clinical  
2 privileges are terminated or are restricted based on a  
3 final determination made in accordance with that  
4 institution's by-laws or rules and regulations that a  
5 person has either committed an act or acts which may  
6 directly threaten patient care or that a person may have a  
7 mental or physical disability that may endanger patients  
8 under that person's care. Such officer also shall report  
9 if a person accepts voluntary termination or restriction  
10 of clinical privileges in lieu of formal action based upon  
11 conduct related directly to patient care or in lieu of  
12 formal action seeking to determine whether a person may  
13 have a mental or physical disability that may endanger  
14 patients under that person's care. The Medical Board  
15 shall, by rule, provide for the reporting to it by health  
16 care institutions of all instances in which a person,  
17 licensed under this Act, who is impaired by reason of age,  
18 drug or alcohol abuse, or physical or mental impairment,  
19 is under supervision and, where appropriate, is in a  
20 program of rehabilitation. Such reports shall be strictly  
21 confidential and may be reviewed and considered only by  
22 the members of the Medical Board, or by authorized staff  
23 as provided by rules of the Medical Board. Provisions  
24 shall be made for the periodic report of the status of any  
25 such person not less than twice annually in order that the  
26 Medical Board shall have current information upon which to

1 determine the status of any such person. Such initial and  
2 periodic reports of impaired physicians shall not be  
3 considered records within the meaning of the State Records  
4 Act and shall be disposed of, following a determination by  
5 the Medical Board that such reports are no longer  
6 required, in a manner and at such time as the Medical Board  
7 shall determine by rule. The filing of such reports shall  
8 be construed as the filing of a report for purposes of  
9 subsection (C) of this Section. Such health care  
10 institution shall not take any adverse action, including,  
11 but not limited to, restricting or terminating any  
12 person's clinical privileges, as a result of an adverse  
13 action against a person's license, registration, permit,  
14 or clinical privileges or other disciplinary action by  
15 another state or health care institution that resulted  
16 from the person's provision of, authorization of,  
17 recommendation of, aiding or assistance with, referral  
18 for, or participation in any health care service if the  
19 adverse action was based solely on a violation of the  
20 other state's law prohibiting the provision of such health  
21 care and related services in the state or for a resident of  
22 the state if that health care service would not have been  
23 unlawful under the laws of this State and is consistent  
24 with the applicable standard ~~standards~~ of conduct for a  
25 person practicing in Illinois under this Act ~~physicians~~  
26 ~~practicing in Illinois.~~

1           (1.5) Clinical training programs. The program director  
2           of any post-graduate clinical training program shall  
3           report to the Medical Board if a person engaged in a  
4           post-graduate clinical training program at the  
5           institution, including, but not limited to, a residency or  
6           fellowship, separates from the program for any reason  
7           prior to its conclusion. The program director shall  
8           provide all documentation relating to the separation if,  
9           after review of the report, the Medical Board determines  
10          that a review of those documents is necessary to determine  
11          whether a violation of this Act occurred.

12          (2) Professional associations. The President or chief  
13          executive officer of any association or society, of  
14          persons licensed under this Act, operating within this  
15          State shall report to the Medical Board when the  
16          association or society renders a final determination that  
17          a person has committed unprofessional conduct related  
18          directly to patient care or that a person may have a mental  
19          or physical disability that may endanger patients under  
20          that person's care.

21          (3) Professional liability insurers. Every insurance  
22          company which offers policies of professional liability  
23          insurance to persons licensed under this Act, or any other  
24          entity which seeks to indemnify the professional liability  
25          of a person licensed under this Act, shall report to the  
26          Medical Board the settlement of any claim or cause of

1 action, or final judgment rendered in any cause of action,  
2 which alleged negligence in the furnishing of medical care  
3 by such licensed person when such settlement or final  
4 judgment is in favor of the plaintiff. Such insurance  
5 company shall not take any adverse action, including, but  
6 not limited to, denial or revocation of coverage, or rate  
7 increases, against a person authorized to practice  
8 ~~licensed~~ under this Act with respect to coverage for  
9 services provided in the State if based solely on the  
10 person providing, authorizing, recommending, aiding,  
11 assisting, referring for, or otherwise participating in  
12 health care services in this State in violation of another  
13 state's law, or a revocation or other adverse action  
14 against the person's license, registration, or permit in  
15 another state for violation of such law if that health  
16 care service as provided would have been lawful and  
17 consistent with the applicable standard ~~standards~~ of  
18 conduct for a person practicing in Illinois under this Act  
19 ~~physicians if it occurred in the State~~. Notwithstanding  
20 this provision, it is against public policy to require  
21 coverage for an illegal action.

22 (4) State's Attorneys. The State's Attorney of each  
23 county shall report to the Medical Board, within 5 days,  
24 any instances in which a person licensed under this Act is  
25 convicted of any felony or Class A misdemeanor.

26 (5) State agencies. All agencies, boards, commissions,

1 departments, or other instrumentalities of the government  
2 of the State of Illinois shall report to the Medical Board  
3 any instance arising in connection with the operations of  
4 such agency, including the administration of any law by  
5 such agency, in which a person licensed under this Act has  
6 either committed an act or acts which may be a violation of  
7 this Act or which may constitute unprofessional conduct  
8 related directly to patient care or which indicates that a  
9 person licensed under this Act may have a mental or  
10 physical disability that may endanger patients under that  
11 person's care.

12 (B) Mandatory reporting. All reports required by items  
13 (34), (35), and (36) of subsection (A) of Section 22 and by  
14 this Section 23 shall be submitted to the Medical Board in a  
15 timely fashion. Unless otherwise provided in this Section, the  
16 reports shall be filed in writing within 60 days after a  
17 determination that a report is required under this Act. All  
18 reports shall contain the following information:

19 (1) The name, address, and telephone number of the  
20 person making the report.

21 (2) The name, address, and telephone number of the  
22 person who is the subject of the report.

23 (3) The name and date of birth of any patient or  
24 patients whose treatment is a subject of the report, if  
25 available, or other means of identification if such  
26 information is not available, identification of the

1 hospital or other health care ~~healthcare~~ facility where  
2 the care at issue in the report was rendered, provided,  
3 however, no medical records may be revealed.

4 (4) A brief description of the facts which gave rise  
5 to the issuance of the report, including the dates of any  
6 occurrences deemed to necessitate the filing of the  
7 report.

8 (5) If court action is involved, the identity of the  
9 court in which the action is filed, along with the docket  
10 number and date of filing of the action.

11 (6) Any further pertinent information which the  
12 reporting party deems to be an aid in the evaluation of the  
13 report.

14 The Medical Board or Department may also exercise the  
15 power under Section 38 of this Act to subpoena copies of  
16 hospital or medical records in mandatory report cases alleging  
17 death or permanent bodily injury. Appropriate rules shall be  
18 adopted by the Department with the approval of the Medical  
19 Board.

20 When the Department has received written reports  
21 concerning incidents required to be reported in items (34),  
22 (35), and (36) of subsection (A) of Section 22, the licensee's  
23 failure to report the incident to the Department under those  
24 items shall not be the sole grounds for disciplinary action.

25 Nothing contained in this Section shall act to, in any  
26 way, waive or modify the confidentiality of medical reports

1 and committee reports to the extent provided by law. Any  
2 information reported or disclosed shall be kept for the  
3 confidential use of the Medical Board, the Medical  
4 Coordinators, the Medical Board's attorneys, the medical  
5 investigative staff, and authorized clerical staff, as  
6 provided in this Act, and shall be afforded the same status as  
7 is provided information concerning medical studies in Part 21  
8 of Article VIII of the Code of Civil Procedure, except that the  
9 Department may disclose information and documents to a  
10 federal, State, or local law enforcement agency pursuant to a  
11 subpoena in an ongoing criminal investigation or to a health  
12 care licensing body or medical licensing authority of this  
13 State or another state or jurisdiction pursuant to an official  
14 request made by that licensing body or medical licensing  
15 authority. Furthermore, information and documents disclosed to  
16 a federal, State, or local law enforcement agency may be used  
17 by that agency only for the investigation and prosecution of a  
18 criminal offense, or, in the case of disclosure to a health  
19 care licensing body or medical licensing authority, only for  
20 investigations and disciplinary action proceedings with regard  
21 to a license. Information and documents disclosed to the  
22 Department of Public Health may be used by that Department  
23 only for investigation and disciplinary action regarding the  
24 license of a health care institution licensed by the  
25 Department of Public Health.

26 (C) Immunity from prosecution. Any individual or

1 organization acting in good faith, and not in a wilful and  
2 wanton manner, in complying with this Act by providing any  
3 report or other information to the Medical Board or a peer  
4 review committee, or assisting in the investigation or  
5 preparation of such information, or by voluntarily reporting  
6 to the Medical Board or a peer review committee information  
7 regarding alleged errors or negligence by a person licensed  
8 under this Act, or by participating in proceedings of the  
9 Medical Board or a peer review committee, or by serving as a  
10 member of the Medical Board or a peer review committee, shall  
11 not, as a result of such actions, be subject to criminal  
12 prosecution or civil damages.

13 (D) Indemnification. Members of the Medical Board, the  
14 Medical Coordinators, the Medical Board's attorneys, the  
15 medical investigative staff, physicians retained under  
16 contract to assist and advise the medical coordinators in the  
17 investigation, and authorized clerical staff shall be  
18 indemnified by the State for any actions occurring within the  
19 scope of services on the Medical Board, done in good faith and  
20 not wilful and wanton in nature. The Attorney General shall  
21 defend all such actions unless he or she determines either  
22 that there would be a conflict of interest in such  
23 representation or that the actions complained of were not in  
24 good faith or were wilful and wanton.

25 Should the Attorney General decline representation, the  
26 member shall have the right to employ counsel of his or her

1 choice, whose fees shall be provided by the State, after  
2 approval by the Attorney General, unless there is a  
3 determination by a court that the member's actions were not in  
4 good faith or were wilful and wanton.

5 The member must notify the Attorney General within 7 days  
6 of receipt of notice of the initiation of any action involving  
7 services of the Medical Board. Failure to so notify the  
8 Attorney General shall constitute an absolute waiver of the  
9 right to a defense and indemnification.

10 The Attorney General shall determine within 7 days after  
11 receiving such notice, whether he or she will undertake to  
12 represent the member.

13 (E) Deliberations of Medical Board. Upon the receipt of  
14 any report called for by this Act, other than those reports of  
15 impaired persons licensed under this Act required pursuant to  
16 the rules of the Medical Board, the Medical Board shall notify  
17 in writing, by mail or email, the person who is the subject of  
18 the report. Such notification shall be made within 30 days of  
19 receipt by the Medical Board of the report.

20 The notification shall include a written notice setting  
21 forth the person's right to examine the report. Included in  
22 such notification shall be the address at which the file is  
23 maintained, the name of the custodian of the reports, and the  
24 telephone number at which the custodian may be reached. The  
25 person who is the subject of the report shall submit a written  
26 statement responding, clarifying, adding to, or proposing the

1 amending of the report previously filed. The person who is the  
2 subject of the report shall also submit with the written  
3 statement any medical records related to the report. The  
4 statement and accompanying medical records shall become a  
5 permanent part of the file and must be received by the Medical  
6 Board no more than 30 days after the date on which the person  
7 was notified by the Medical Board of the existence of the  
8 original report.

9 The Medical Board shall review all reports received by it,  
10 together with any supporting information and responding  
11 statements submitted by persons who are the subject of  
12 reports. The review by the Medical Board shall be in a timely  
13 manner but in no event, shall the Medical Board's initial  
14 review of the material contained in each disciplinary file be  
15 less than 61 days nor more than 180 days after the receipt of  
16 the initial report by the Medical Board.

17 When the Medical Board makes its initial review of the  
18 materials contained within its disciplinary files, the Medical  
19 Board shall, in writing, make a determination as to whether  
20 there are sufficient facts to warrant further investigation or  
21 action. Failure to make such determination within the time  
22 provided shall be deemed to be a determination that there are  
23 not sufficient facts to warrant further investigation or  
24 action.

25 Should the Medical Board find that there are not  
26 sufficient facts to warrant further investigation, or action,

1 the report shall be accepted for filing and the matter shall be  
2 deemed closed and so reported to the Secretary. The Secretary  
3 shall then have 30 days to accept the Medical Board's decision  
4 or request further investigation. The Secretary shall inform  
5 the Medical Board of the decision to request further  
6 investigation, including the specific reasons for the  
7 decision. The individual or entity filing the original report  
8 or complaint and the person who is the subject of the report or  
9 complaint shall be notified in writing by the Secretary of any  
10 final action on their report or complaint. The Department  
11 shall disclose to the individual or entity who filed the  
12 original report or complaint, on request, the status of the  
13 Medical Board's review of a specific report or complaint. Such  
14 request may be made at any time, including prior to the Medical  
15 Board's determination as to whether there are sufficient facts  
16 to warrant further investigation or action.

17 (F) Summary reports. The Medical Board shall prepare, on a  
18 timely basis, but in no event less than once every other month,  
19 a summary report of final disciplinary actions taken upon  
20 disciplinary files maintained by the Medical Board. The  
21 summary reports shall be made available to the public upon  
22 request and payment of the fees set by the Department. This  
23 publication may be made available to the public on the  
24 Department's website. Information or documentation relating to  
25 any disciplinary file that is closed without disciplinary  
26 action taken shall not be disclosed and shall be afforded the

1 same status as is provided by Part 21 of Article VIII of the  
2 Code of Civil Procedure.

3 (G) Any violation of this Section shall be a Class A  
4 misdemeanor.

5 (H) If any such person violates the provisions of this  
6 Section an action may be brought in the name of the People of  
7 the State of Illinois, through the Attorney General of the  
8 State of Illinois, for an order enjoining such violation or  
9 for an order enforcing compliance with this Section. Upon  
10 filing of a verified petition in such court, the court may  
11 issue a temporary restraining order without notice or bond and  
12 may preliminarily or permanently enjoin such violation, and if  
13 it is established that such person has violated or is  
14 violating the injunction, the court may punish the offender  
15 for contempt of court. Proceedings under this paragraph shall  
16 be in addition to, and not in lieu of, all other remedies and  
17 penalties provided for by this Section.

18 (I) The Department may adopt rules to implement,  
19 administer, and enforce this Section ~~the changes made by this~~  
20 ~~amendatory Act of the 102nd General Assembly.~~

21 (Source: P.A. 102-20, eff. 1-1-22; 102-687, eff. 12-17-21;  
22 102-1117, eff. 1-13-23.)

23 Section 30. The Licensed Certified Professional Midwife  
24 Practice Act is amended by changing Section 100 as follows:

1 (225 ILCS 64/100)

2 (Section scheduled to be repealed on January 1, 2027)

3 Sec. 100. Grounds for disciplinary action.

4 (a) The Department may refuse to issue or to renew, or may  
5 revoke, suspend, place on probation, reprimand, or take other  
6 disciplinary or non-disciplinary action with regard to any  
7 license issued under this Act as the Department may deem  
8 proper, including the issuance of fines not to exceed \$10,000  
9 for each violation, for any one or combination of the  
10 following causes:

11 (1) Material misstatement in furnishing information to  
12 the Department.

13 (2) Violations of this Act, or the rules adopted under  
14 this Act.

15 (3) Conviction by plea of guilty or nolo contendere,  
16 finding of guilt, jury verdict, or entry of judgment or  
17 sentencing, including, but not limited to, convictions,  
18 preceding sentences of supervision, conditional discharge,  
19 or first offender probation, under the laws of any  
20 jurisdiction of the United States that is: (i) a felony;  
21 or (ii) a misdemeanor, an essential element of which is  
22 dishonesty, or that is directly related to the practice of  
23 the profession.

24 (4) Making any misrepresentation for the purpose of  
25 obtaining licenses.

26 (5) Professional incompetence.

1           (6) Aiding or assisting another person in violating  
2 any provision of this Act or its rules.

3           (7) Failing, within 60 days, to provide information in  
4 response to a written request made by the Department.

5           (8) Engaging in dishonorable, unethical, or  
6 unprofessional conduct, as defined by rule, of a character  
7 likely to deceive, defraud, or harm the public.

8           (9) Habitual or excessive use or addiction to alcohol,  
9 narcotics, stimulants, or any other chemical agent or drug  
10 that results in a midwife's inability to practice with  
11 reasonable judgment, skill, or safety.

12           (10) Discipline by another U.S. jurisdiction or  
13 foreign nation, if at least one of the grounds for  
14 discipline is the same or substantially equivalent to  
15 those set forth in this Section.

16           (11) Directly or indirectly giving to or receiving  
17 from any person, firm, corporation, partnership, or  
18 association any fee, commission, rebate, or other form of  
19 compensation for any professional services not actually or  
20 personally rendered. Nothing in this paragraph affects any  
21 bona fide independent contractor or employment  
22 arrangements, including provisions for compensation,  
23 health insurance, pension, or other employment benefits,  
24 with persons or entities authorized under this Act for the  
25 provision of services within the scope of the licensee's  
26 practice under this Act.

1           (12) A finding by the Department that the licensee,  
2           after having his or her license placed on probationary  
3           status, has violated the terms of probation.

4           (13) Abandonment of a patient.

5           (14) Willfully making or filing false records or  
6           reports in his or her practice, including, but not limited  
7           to, false records filed with State ~~state~~ agencies or  
8           departments.

9           (15) Willfully failing to report an instance of  
10          suspected child abuse or neglect as required by the Abused  
11          and Neglected Child Reporting Act.

12          (16) Physical illness, or mental illness or impairment  
13          that results in the inability to practice the profession  
14          with reasonable judgment, skill, or safety, including, but  
15          not limited to, deterioration through the aging process or  
16          loss of motor skill.

17          (17) Being named as a perpetrator in an indicated  
18          report by the Department of Children and Family Services  
19          under the Abused and Neglected Child Reporting Act, and  
20          upon proof by clear and convincing evidence that the  
21          licensee has caused a child to be an abused child or  
22          neglected child as defined in the Abused and Neglected  
23          Child Reporting Act.

24          (18) Gross negligence resulting in permanent injury or  
25          death of a patient.

26          (19) Employment of fraud, deception, or any unlawful

1 means in applying for or securing a license as a licensed  
2 certified professional midwife.

3 (21) Immoral conduct in the commission of any act,  
4 including sexual abuse, sexual misconduct, or sexual  
5 exploitation related to the licensee's practice.

6 (22) Violation of the Health Care Worker Self-Referral  
7 Act.

8 (23) Practicing under a false or assumed name, except  
9 as provided by law.

10 (24) Making a false or misleading statement regarding  
11 his or her skill or the efficacy or value of the medicine,  
12 treatment, or remedy prescribed by him or her in the  
13 course of treatment.

14 (25) Allowing another person to use his or her license  
15 to practice.

16 (26) Prescribing, selling, administering,  
17 distributing, giving, or self-administering a drug  
18 classified as a controlled substance for purposes other  
19 than medically accepted therapeutic purposes.

20 (27) Promotion of the sale of drugs, devices,  
21 appliances, or goods provided for a patient in a manner to  
22 exploit the patient for financial gain.

23 (28) A pattern of practice or other behavior that  
24 demonstrates incapacity or incompetence to practice under  
25 this Act.

26 (29) Violating State or federal laws, rules, or

1 regulations relating to controlled substances or other  
2 legend drugs or ephedra as defined in the Ephedra  
3 Prohibition Act.

4 (30) Failure to establish and maintain records of  
5 patient care and treatment as required by law.

6 (31) Attempting to subvert or cheat on the examination  
7 of the North American Registry of Midwives or its  
8 successor agency.

9 (32) Willfully or negligently violating the  
10 confidentiality between licensed certified professional  
11 midwives and patient, except as required by law.

12 (33) Willfully failing to report an instance of  
13 suspected abuse, neglect, financial exploitation, or  
14 self-neglect of an eligible adult as defined in and  
15 required by the Adult Protective Services Act.

16 (34) Being named as an abuser in a verified report by  
17 the Department on Aging under the Adult Protective  
18 Services Act and upon proof by clear and convincing  
19 evidence that the licensee abused, neglected, or  
20 financially exploited an eligible adult as defined in the  
21 Adult Protective Services Act.

22 (35) Failure to report to the Department an adverse  
23 final action taken against him or her by another licensing  
24 jurisdiction of the United States or a foreign state or  
25 country, a peer review body, a health care institution, a  
26 professional society or association, a governmental

1 agency, a law enforcement agency, or a court.

2 (36) Failure to provide copies of records of patient  
3 care or treatment, except as required by law.

4 (37) Failure of a licensee to report to the Department  
5 surrender by the licensee of a license or authorization to  
6 practice in another state or jurisdiction or current  
7 surrender by the licensee of membership professional  
8 association or society while under disciplinary  
9 investigation by any of those authorities or bodies for  
10 acts or conduct similar to acts or conduct that would  
11 constitute grounds for action under this Section.

12 (38) Failing, within 90 days, to provide a response to  
13 a request for information in response to a written request  
14 made by the Department by certified or registered mail or  
15 by email to the email address of record.

16 (39) Failure to supervise a midwife assistant or  
17 student midwife, including, but not limited to, allowing a  
18 midwife assistant or student midwife to exceed their  
19 scope.

20 (40) Failure to adequately inform a patient about  
21 their malpractice liability insurance coverage and the  
22 policy limits of the coverage.

23 (41) Failure to submit an annual report to the  
24 Department of Public Health.

25 (42) Failure to disclose active cardiopulmonary  
26 resuscitation certification or neonatal resuscitation

1 provider status to clients.

2 (43) Engaging in one of the prohibited practices  
3 provided for in Section 85 of this Act.

4 (b) The Department may, without a hearing, refuse to issue  
5 or renew or may suspend the license of any person who fails to  
6 file a return, or to pay the tax, penalty, or interest shown in  
7 a filed return, or to pay any final assessment of the tax,  
8 penalty, or interest as required by any tax Act administered  
9 by the Department of Revenue, until the requirements of any  
10 such tax Act are satisfied.

11 (c) The determination by a circuit court that a licensee  
12 is subject to involuntary admission or judicial admission as  
13 provided in the Mental Health and Developmental Disabilities  
14 Code operates as an automatic suspension. The suspension will  
15 end only upon a finding by a court that the patient is no  
16 longer subject to involuntary admission or judicial admission  
17 and issues an order so finding and discharging the patient,  
18 and upon the recommendation of the Board to the Secretary that  
19 the licensee be allowed to resume his or her practice.

20 (d) In enforcing this Section, the Department, upon a  
21 showing of a possible violation, may compel an individual  
22 licensed to practice under this Act, or who has applied for  
23 licensure under this Act, to submit to a mental or physical  
24 examination, or both, including a substance abuse or sexual  
25 offender evaluation, as required by and at the expense of the  
26 Department.

1           The Department shall specifically designate the examining  
2 physician licensed to practice medicine in all of its branches  
3 or, if applicable, the multidisciplinary team involved in  
4 providing the mental or physical examination or both. The  
5 multidisciplinary team shall be led by a physician licensed to  
6 practice medicine in all of its branches and may consist of one  
7 or more or a combination of physicians licensed to practice  
8 medicine in all of its branches, licensed clinical  
9 psychologists, licensed clinical social workers, licensed  
10 clinical professional counselors, and other professional and  
11 administrative staff. Any examining physician or member of the  
12 multidisciplinary team may require any person ordered to  
13 submit to an examination pursuant to this Section to submit to  
14 any additional supplemental testing deemed necessary to  
15 complete any examination or evaluation process, including, but  
16 not limited to, blood testing, urinalysis, psychological  
17 testing, or neuropsychological testing.

18           The Department may order the examining physician or any  
19 member of the multidisciplinary team to provide to the  
20 Department any and all records, including business records,  
21 that relate to the examination and evaluation, including any  
22 supplemental testing performed.

23           The Department may order the examining physician or any  
24 member of the multidisciplinary team to present testimony  
25 concerning the mental or physical examination of the licensee  
26 or applicant. No information, report, record, or other

1 documents in any way related to the examination shall be  
2 excluded by reason of any common law or statutory privilege  
3 relating to communications between the licensee or applicant  
4 and the examining physician or any member of the  
5 multidisciplinary team. No authorization is necessary from the  
6 licensee or applicant ordered to undergo an examination for  
7 the examining physician or any member of the multidisciplinary  
8 team to provide information, reports, records, or other  
9 documents or to provide any testimony regarding the  
10 examination and evaluation.

11 The individual to be examined may have, at his or her own  
12 expense, another physician of his or her choice present during  
13 all aspects of this examination. However, that physician shall  
14 be present only to observe and may not interfere in any way  
15 with the examination.

16 Failure of an individual to submit to a mental or physical  
17 examination, when ordered, shall result in an automatic  
18 suspension of his or her license until the individual submits  
19 to the examination.

20 If the Department finds an individual unable to practice  
21 because of the reasons set forth in this Section, the  
22 Department may require that individual to submit to care,  
23 counseling, or treatment by physicians approved or designated  
24 by the Department, as a condition, term, or restriction for  
25 continued, reinstated, or renewed licensure to practice; or,  
26 in lieu of care, counseling, or treatment, the Department may

1 file a complaint to immediately suspend, revoke, or otherwise  
2 discipline the license of the individual. An individual whose  
3 license was granted, continued, reinstated, renewed,  
4 disciplined, or supervised subject to such terms, conditions,  
5 or restrictions, and who fails to comply with such terms,  
6 conditions, or restrictions, shall be referred to the  
7 Secretary for a determination as to whether the individual  
8 shall have his or her license suspended immediately, pending a  
9 hearing by the Department.

10 In instances in which the Secretary immediately suspends a  
11 person's license under this Section, a hearing on that  
12 person's license must be convened by the Department within 30  
13 days after the suspension and completed without appreciable  
14 delay. The Department shall have the authority to review the  
15 subject individual's record of treatment and counseling  
16 regarding the impairment to the extent permitted by applicable  
17 federal statutes and regulations safeguarding the  
18 confidentiality of medical records.

19 An individual licensed under this Act and affected under  
20 this Section shall be afforded an opportunity to demonstrate  
21 to the Department that he or she can resume practice in  
22 compliance with acceptable and prevailing standards under the  
23 provisions of his or her license.

24 (e) The Department shall not revoke, suspend, summarily  
25 suspend, place on prohibition, reprimand, refuse to issue or  
26 renew, or take any other disciplinary or non-disciplinary

1 action against a person's authorization to practice under this  
2 Act based solely upon the person authorizing, recommending,  
3 aiding, assisting, referring for, or otherwise participating  
4 in any health care service, so long as the care was not  
5 unlawful under the laws of this State, regardless of whether  
6 the patient was a resident of this State or another state.

7 (f) The Department shall not revoke, suspend, summarily  
8 suspend, place on prohibition, reprimand, refuse to issue or  
9 renew, or take any other disciplinary or non-disciplinary  
10 action against a person's authorization to practice under this  
11 Act based upon the person's license, registration, or permit  
12 being revoked or suspended, or the person being otherwise  
13 disciplined, by any other state if that revocation,  
14 suspension, or other form of discipline was based solely on  
15 the person violating another state's laws prohibiting the  
16 provision of, authorization of, recommendation of, aiding or  
17 assisting in, referring for, or participation in any health  
18 care service if that health care service as provided would not  
19 have been unlawful under the laws of this State and is  
20 consistent with the applicable standard of conduct for the  
21 person practicing in Illinois under this Act.

22 (Source: P.A. 102-683, eff. 10-1-22; 103-605, eff. 7-1-24.)

23 Section 35. The Nurse Practice Act is amended by changing  
24 Sections 65-65 and 70-5 as follows:

1 (225 ILCS 65/65-65) (was 225 ILCS 65/15-55)

2 (Section scheduled to be repealed on January 1, 2028)

3 Sec. 65-65. Reports relating to APRN professional conduct  
4 and capacity.

5 (a) Entities Required to Report.

6 (1) Health Care Institutions. The chief administrator  
7 or executive officer of a health care institution licensed  
8 by the Department of Public Health, which provides the  
9 minimum due process set forth in Section 10.4 of the  
10 Hospital Licensing Act, shall report to the Board when an  
11 advanced practice registered nurse's organized  
12 professional staff clinical privileges are terminated or  
13 are restricted based on a final determination, in  
14 accordance with that institution's bylaws or rules and  
15 regulations, that (i) a person has either committed an act  
16 or acts that may directly threaten patient care and that  
17 are not of an administrative nature or (ii) that a person  
18 may have a mental or physical disability that may endanger  
19 patients under that person's care. The chief administrator  
20 or officer shall also report if an advanced practice  
21 registered nurse accepts voluntary termination or  
22 restriction of clinical privileges in lieu of formal  
23 action based upon conduct related directly to patient care  
24 and not of an administrative nature, or in lieu of formal  
25 action seeking to determine whether a person may have a  
26 mental or physical disability that may endanger patients

1 under that person's care. The Department shall provide by  
2 rule for the reporting to it of all instances in which a  
3 person licensed under this Article, who is impaired by  
4 reason of age, drug~~r~~ or alcohol abuse~~l~~, or physical or  
5 mental impairment, is under supervision and, where  
6 appropriate, is in a program of rehabilitation. Reports  
7 submitted under this subsection shall be strictly  
8 confidential and may be reviewed and considered only by  
9 the members of the Board or authorized staff as provided  
10 by rule of the Department. Provisions shall be made for  
11 the periodic report of the status of any such reported  
12 person not less than twice annually in order that the  
13 Board shall have current information upon which to  
14 determine the status of that person. Initial and periodic  
15 reports of impaired advanced practice registered nurses  
16 shall not be considered records within the meaning of the  
17 State Records Act and shall be disposed of, following a  
18 determination by the Board that such reports are no longer  
19 required, in a manner and at an appropriate time as the  
20 Board shall determine by rule. The filing of reports  
21 submitted under this subsection shall be construed as the  
22 filing of a report for purposes of subsection (c) of this  
23 Section. Such health care institution shall not take any  
24 adverse action, including, but not limited to, restricting  
25 or terminating any person's clinical privileges, as a  
26 result of an adverse action against a person's license~~l~~.

1       registration, permit, or clinical privileges or other  
2       disciplinary action by another state or health care  
3       institution that resulted from the person's provision of,  
4       authorization of, recommendation of, aiding or assistance  
5       with, referral for, or participation in any health care  
6       service if the adverse action was based solely on a  
7       violation of the other state's law prohibiting the  
8       provision of such health care and related services in the  
9       state or for a resident of the state if that health care  
10      service would not have been unlawful under the laws of  
11      this State and is consistent with the applicable standard  
12      ~~standards~~ of conduct for a person ~~advanced practice~~  
13      ~~registered nurses~~ practicing in Illinois under this Act.

14           (2) Professional Associations. The President or chief  
15      executive officer of an association or society of persons  
16      licensed under this Article, operating within this State,  
17      shall report to the Board when the association or society  
18      renders a final determination that a person licensed under  
19      this Article has committed unprofessional conduct related  
20      directly to patient care or that a person may have a mental  
21      or physical disability that may endanger patients under  
22      the person's care.

23           (3) Professional Liability Insurers. Every insurance  
24      company that offers policies of professional liability  
25      insurance to persons licensed under this Article, or any  
26      other entity that seeks to indemnify the professional

1 liability of a person licensed under this Article, shall  
2 report to the Board the settlement of any claim or cause of  
3 action, or final judgment rendered in any cause of action,  
4 that alleged negligence in the furnishing of patient care  
5 by the licensee when the settlement or final judgment is  
6 in favor of the plaintiff. Such insurance company shall  
7 not take any adverse action, including, but not limited  
8 to, denial or revocation of coverage, or rate increases,  
9 against a person licensed under this Act with respect to  
10 coverage for services provided in Illinois if based solely  
11 on the person providing, authorizing, recommending,  
12 aiding, assisting, referring for, or otherwise  
13 participating in health care services this State in  
14 violation of another state's law, or a revocation or other  
15 adverse action against the person's license in another  
16 state for violation of such law if that health care  
17 service as provided would have been lawful and consistent  
18 with the standards of conduct for registered nurses and  
19 advanced practice registered nurses if it occurred in  
20 Illinois. Notwithstanding this provision, it is against  
21 public policy to require coverage for an illegal action.

22 (4) State's Attorneys. The State's Attorney of each  
23 county shall report to the Board all instances in which a  
24 person licensed under this Article is convicted or  
25 otherwise found guilty of the commission of a felony.

26 (5) State Agencies. All agencies, boards, commissions,

1 departments, or other instrumentalities of the government  
2 of this State shall report to the Board any instance  
3 arising in connection with the operations of the agency,  
4 including the administration of any law by the agency, in  
5 which a person licensed under this Article has either  
6 committed an act or acts that may constitute a violation  
7 of this Article, that may constitute unprofessional  
8 conduct related directly to patient care, or that  
9 indicates that a person licensed under this Article may  
10 have a mental or physical disability that may endanger  
11 patients under that person's care.

12 (b) Mandatory Reporting. All reports required under items  
13 (16) and (17) of subsection (a) of Section 70-5 shall be  
14 submitted to the Board in a timely fashion. The reports shall  
15 be filed in writing within 60 days after a determination that a  
16 report is required under this Article. All reports shall  
17 contain the following information:

18 (1) The name, address, and telephone number of the  
19 person making the report.

20 (2) The name, address, and telephone number of the  
21 person who is the subject of the report.

22 (3) The name or other means of identification of any  
23 patient or patients whose treatment is a subject of the  
24 report, except that no medical records may be revealed  
25 without the written consent of the patient or patients.

26 (4) A brief description of the facts that gave rise to

1 the issuance of the report, including, but not limited to,  
2 the dates of any occurrences deemed to necessitate the  
3 filing of the report.

4 (5) If court action is involved, the identity of the  
5 court in which the action is filed, the docket number, and  
6 date of filing of the action.

7 (6) Any further pertinent information that the  
8 reporting party deems to be an aid in the evaluation of the  
9 report.

10 Nothing contained in this Section shall be construed to in  
11 any way waive or modify the confidentiality of medical reports  
12 and committee reports to the extent provided by law. Any  
13 information reported or disclosed shall be kept for the  
14 confidential use of the Board, the Board's attorneys, the  
15 investigative staff, and authorized clerical staff and shall  
16 be afforded the same status as is provided information  
17 concerning medical studies in Part 21 of Article VIII of the  
18 Code of Civil Procedure.

19 (c) Immunity from Prosecution. An individual or  
20 organization acting in good faith, and not in a willful and  
21 wanton manner, in complying with this Section by providing a  
22 report or other information to the Board, by assisting in the  
23 investigation or preparation of a report or information, by  
24 participating in proceedings of the Board, or by serving as a  
25 member of the Board shall not, as a result of such actions, be  
26 subject to criminal prosecution or civil damages.

1           (d) Indemnification. Members of the Board, the Board's  
2 attorneys, the investigative staff, advanced practice  
3 registered nurses or physicians retained under contract to  
4 assist and advise in the investigation, and authorized  
5 clerical staff shall be indemnified by the State for any  
6 actions (i) occurring within the scope of services on the  
7 Board, (ii) performed in good faith, and (iii) not willful and  
8 wanton in nature. The Attorney General shall defend all  
9 actions taken against those persons unless he or she  
10 determines either that there would be a conflict of interest  
11 in the representation or that the actions complained of were  
12 not performed in good faith or were willful and wanton in  
13 nature. If the Attorney General declines representation, the  
14 member shall have the right to employ counsel of his or her  
15 choice, whose fees shall be provided by the State, after  
16 approval by the Attorney General, unless there is a  
17 determination by a court that the member's actions were not  
18 performed in good faith or were willful and wanton in nature.  
19 The member shall notify the Attorney General within 7 days of  
20 receipt of notice of the initiation of an action involving  
21 services of the Board. Failure to so notify the Attorney  
22 General shall constitute an absolute waiver of the right to a  
23 defense and indemnification. The Attorney General shall  
24 determine within 7 days after receiving the notice whether he  
25 or she will undertake to represent the member.

26           (e) Deliberations of Board. Upon the receipt of a report

1 called for by this Section, other than those reports of  
2 impaired persons licensed under this Article required pursuant  
3 to the rules of the Board, the Board shall notify in writing by  
4 certified or registered mail or by email to the email address  
5 of record the person who is the subject of the report. The  
6 notification shall be made within 30 days of receipt by the  
7 Board of the report. The notification shall include a written  
8 notice setting forth the person's right to examine the report.  
9 Included in the notification shall be the address at which the  
10 file is maintained, the name of the custodian of the reports,  
11 and the telephone number at which the custodian may be  
12 reached. The person who is the subject of the report shall  
13 submit a written statement responding to, clarifying, adding  
14 to, or proposing to amend the report previously filed. The  
15 statement shall become a permanent part of the file and shall  
16 be received by the Board no more than 30 days after the date on  
17 which the person was notified of the existence of the original  
18 report. The Board shall review all reports received by it and  
19 any supporting information and responding statements submitted  
20 by persons who are the subject of reports. The review by the  
21 Board shall be in a timely manner but in no event shall the  
22 Board's initial review of the material contained in each  
23 disciplinary file be less than 61 days nor more than 180 days  
24 after the receipt of the initial report by the Board. When the  
25 Board makes its initial review of the materials contained  
26 within its disciplinary files, the Board shall, in writing,

1 make a determination as to whether there are sufficient facts  
2 to warrant further investigation or action. Failure to make  
3 that determination within the time provided shall be deemed to  
4 be a determination that there are not sufficient facts to  
5 warrant further investigation or action. Should the Board find  
6 that there are not sufficient facts to warrant further  
7 investigation or action, the report shall be accepted for  
8 filing and the matter shall be deemed closed and so reported.  
9 The individual or entity filing the original report or  
10 complaint and the person who is the subject of the report or  
11 complaint shall be notified in writing by the Board of any  
12 final action on their report or complaint.

13 (f) (Blank).

14 (g) Any violation of this Section shall constitute a Class  
15 A misdemeanor.

16 (h) If a person violates the provisions of this Section,  
17 an action may be brought in the name of the People of the State  
18 of Illinois, through the Attorney General of the State of  
19 Illinois, for an order enjoining the violation or for an order  
20 enforcing compliance with this Section. Upon filing of a  
21 petition in court, the court may issue a temporary restraining  
22 order without notice or bond and may preliminarily or  
23 permanently enjoin the violation, and if it is established  
24 that the person has violated or is violating the injunction,  
25 the court may punish the offender for contempt of court.  
26 Proceedings under this subsection shall be in addition to, and

1 not in lieu of, all other remedies and penalties provided for  
2 by this Section.

3 (i) The Department may adopt rules to implement,  
4 administer, and enforce this Section ~~the changes made by this~~  
5 ~~amendatory Act of the 102nd General Assembly.~~

6 (Source: P.A. 102-1117, eff. 1-13-23.)

7 (225 ILCS 65/70-5) (was 225 ILCS 65/10-45)

8 (Section scheduled to be repealed on January 1, 2028)

9 Sec. 70-5. Grounds for disciplinary action.

10 (a) The Department may refuse to issue or to renew, or may  
11 revoke, suspend, place on probation, reprimand, or take other  
12 disciplinary or non-disciplinary action as the Department may  
13 deem appropriate, including fines not to exceed \$10,000 per  
14 violation, with regard to a license for any one or combination  
15 of the causes set forth in subsection (b) below. All fines  
16 collected under this Section shall be deposited in the Nursing  
17 Dedicated and Professional Fund.

18 (b) Grounds for disciplinary action include the following:

19 (1) Material deception in furnishing information to  
20 the Department.

21 (2) Material violations of any provision of this Act  
22 or violation of the rules of or final administrative  
23 action of the Secretary, after consideration of the  
24 recommendation of the Board.

25 (3) Conviction by plea of guilty or nolo contendere,

1 finding of guilt, jury verdict, or entry of judgment or by  
2 sentencing of any crime, including, but not limited to,  
3 convictions, preceding sentences of supervision,  
4 conditional discharge, or first offender probation, under  
5 the laws of any jurisdiction of the United States: (i)  
6 that is a felony; or (ii) that is a misdemeanor, an  
7 essential element of which is dishonesty, or that is  
8 directly related to the practice of the profession.

9 (4) A pattern of practice or other behavior which  
10 demonstrates incapacity or incompetency to practice under  
11 this Act.

12 (5) Knowingly aiding or assisting another person in  
13 violating any provision of this Act or rules.

14 (6) Failing, within 90 days, to provide a response to  
15 a request for information in response to a written request  
16 made by the Department by certified or registered mail or  
17 by email to the email address of record.

18 (7) Engaging in dishonorable, unethical, or  
19 unprofessional conduct of a character likely to deceive,  
20 defraud, or harm the public, as defined by rule.

21 (8) Unlawful taking, theft, selling, distributing, or  
22 manufacturing of any drug, narcotic, or prescription  
23 device.

24 (9) Habitual or excessive use or addiction to alcohol,  
25 narcotics, stimulants, or any other chemical agent or drug  
26 that could result in a licensee's inability to practice

1 with reasonable judgment, skill, or safety.

2 (10) Discipline by another U.S. jurisdiction or  
3 foreign nation, if at least one of the grounds for the  
4 discipline is the same or substantially equivalent to  
5 those set forth in this Section.

6 (11) A finding that the licensee, after having her or  
7 his license placed on probationary status or subject to  
8 conditions or restrictions, has violated the terms of  
9 probation or failed to comply with such terms or  
10 conditions.

11 (12) Being named as a perpetrator in an indicated  
12 report by the Department of Children and Family Services  
13 and under the Abused and Neglected Child Reporting Act,  
14 and upon proof by clear and convincing evidence that the  
15 licensee has caused a child to be an abused child or  
16 neglected child as defined in the Abused and Neglected  
17 Child Reporting Act.

18 (13) Willful omission to file or record, or willfully  
19 impeding the filing or recording or inducing another  
20 person to omit to file or record medical reports as  
21 required by law.

22 (13.5) Willfully failing to report an instance of  
23 suspected child abuse or neglect as required by the Abused  
24 and Neglected Child Reporting Act.

25 (14) Gross negligence in the practice of practical,  
26 professional, or advanced practice registered nursing.

1           (15) Holding oneself out to be practicing nursing  
2 under any name other than one's own.

3           (16) Failure of a licensee to report to the Department  
4 any adverse final action taken against him or her by  
5 another licensing jurisdiction of the United States or any  
6 foreign state or country, any peer review body, any health  
7 care institution, any professional or nursing society or  
8 association, any governmental agency, any law enforcement  
9 agency, or any court or a nursing liability claim related  
10 to acts or conduct similar to acts or conduct that would  
11 constitute grounds for action as defined in this Section.

12           (17) Failure of a licensee to report to the Department  
13 surrender by the licensee of a license or authorization to  
14 practice nursing or advanced practice registered nursing  
15 in another state or jurisdiction or current surrender by  
16 the licensee of membership on any nursing staff or in any  
17 nursing or advanced practice registered nursing or  
18 professional association or society while under  
19 disciplinary investigation by any of those authorities or  
20 bodies for acts or conduct similar to acts or conduct that  
21 would constitute grounds for action as defined by this  
22 Section.

23           (18) Failing, within 60 days, to provide information  
24 in response to a written request made by the Department.

25           (19) Failure to establish and maintain records of  
26 patient care and treatment as required by law.

1           (20) Fraud, deceit, or misrepresentation in applying  
2           for or procuring a license under this Act or in connection  
3           with applying for renewal of a license under this Act.

4           (21) Allowing another person or organization to use  
5           the licensee's license to deceive the public.

6           (22) Willfully making or filing false records or  
7           reports in the licensee's practice, including, but not  
8           limited to, false records to support claims against the  
9           medical assistance program of the Department of Healthcare  
10          and Family Services (formerly Department of Public Aid)  
11          under the Illinois Public Aid Code.

12          (23) Attempting to subvert or cheat on a licensing  
13          examination administered under this Act.

14          (24) Immoral conduct in the commission of an act,  
15          including, but not limited to, sexual abuse, sexual  
16          misconduct, or sexual exploitation, related to the  
17          licensee's practice.

18          (25) Willfully or negligently violating the  
19          confidentiality between nurse and patient except as  
20          required by law.

21          (26) Practicing under a false or assumed name, except  
22          as provided by law.

23          (27) The use of any false, fraudulent, or deceptive  
24          statement in any document connected with the licensee's  
25          practice.

26          (28) Directly or indirectly giving to or receiving

1 from a person, firm, corporation, partnership, or  
2 association a fee, commission, rebate, or other form of  
3 compensation for professional services not actually or  
4 personally rendered. Nothing in this paragraph (28)  
5 affects any bona fide independent contractor or employment  
6 arrangements among health care professionals, health  
7 facilities, health care providers, or other entities,  
8 except as otherwise prohibited by law. Any employment  
9 arrangements may include provisions for compensation,  
10 health insurance, pension, or other employment benefits  
11 for the provision of services within the scope of the  
12 licensee's practice under this Act. Nothing in this  
13 paragraph (28) shall be construed to require an employment  
14 arrangement to receive professional fees for services  
15 rendered.

16 (29) A violation of the Health Care Worker  
17 Self-Referral Act.

18 (30) Physical illness, mental illness, or disability  
19 that results in the inability to practice the profession  
20 with reasonable judgment, skill, or safety.

21 (31) Exceeding the terms of a collaborative agreement  
22 or the prescriptive authority delegated to a licensee by  
23 his or her collaborating physician or podiatric physician  
24 in guidelines established under a written collaborative  
25 agreement.

26 (32) Making a false or misleading statement regarding

1 a licensee's skill or the efficacy or value of the  
2 medicine, treatment, or remedy prescribed by him or her in  
3 the course of treatment.

4 (33) Prescribing, selling, administering,  
5 distributing, giving, or self-administering a drug  
6 classified as a controlled substance (designated product)  
7 or narcotic for other than medically accepted therapeutic  
8 purposes.

9 (34) Promotion of the sale of drugs, devices,  
10 appliances, or goods provided for a patient in a manner to  
11 exploit the patient for financial gain.

12 (35) Violating State or federal laws, rules, or  
13 regulations relating to controlled substances.

14 (36) Willfully or negligently violating the  
15 confidentiality between an advanced practice registered  
16 nurse, collaborating physician, dentist, or podiatric  
17 physician and a patient, except as required by law.

18 (37) Willfully failing to report an instance of  
19 suspected abuse, neglect, financial exploitation, or  
20 self-neglect of an eligible adult as defined in and  
21 required by the Adult Protective Services Act.

22 (38) Being named as an abuser in a verified report by  
23 the Department on Aging and under the Adult Protective  
24 Services Act, and upon proof by clear and convincing  
25 evidence that the licensee abused, neglected, or  
26 financially exploited an eligible adult as defined in the

1 Adult Protective Services Act.

2 (39) A violation of any provision of this Act or any  
3 rules adopted under this Act.

4 (40) Violating the Compassionate Use of Medical  
5 Cannabis Program Act.

6 (b-5) The Department shall not revoke, suspend, summarily  
7 suspend, place on probation, reprimand, refuse to issue or  
8 renew, or take any other disciplinary or non-disciplinary  
9 action against a person's authorization to practice ~~the~~  
10 ~~license or permit issued~~ under this Act ~~to practice as a~~  
11 ~~registered nurse or an advanced practice registered nurse~~  
12 based solely upon the person ~~registered nurse or advanced~~  
13 ~~practice registered nurse~~ providing, authorizing,  
14 recommending, aiding, assisting, referring for, or otherwise  
15 participating in any health care service, so long as the care  
16 was not unlawful under the laws of this State, regardless of  
17 whether the patient was a resident of this State or another  
18 state.

19 (b-10) The Department shall not revoke, suspend, summarily  
20 suspend, place on prohibition, reprimand, refuse to issue or  
21 renew, or take any other disciplinary or non-disciplinary  
22 action against a person's authorization to practice ~~the~~  
23 ~~license or permit issued~~ under this Act ~~to practice as a~~  
24 ~~registered nurse or an advanced practice registered nurse~~  
25 based upon the person's ~~registered nurse's or advanced~~  
26 ~~practice registered nurse's~~ license, registration, or permit

1 being revoked or suspended, or the person ~~registered nurse or~~  
2 ~~advanced practice registered nurse~~ being otherwise  
3 disciplined, by any other state, if that revocation,  
4 suspension, or other form of discipline was based solely on  
5 the person ~~registered nurse or advanced practice registered~~  
6 ~~nurse~~ violating another state's laws prohibiting the provision  
7 of, authorization of, recommendation of, aiding or assisting  
8 in, referring for, or participation in any health care service  
9 if that health care service as provided would not have been  
10 unlawful under the laws of this State and is consistent with  
11 the applicable standard ~~standards~~ of conduct for the person  
12 ~~registered nurse or advanced practice registered nurse~~  
13 practicing in Illinois under this Act.

14 (b-15) The conduct specified in subsections (b-5) and  
15 (b-10) shall not trigger reporting requirements under Section  
16 65-65 or constitute grounds for suspension under Section  
17 70-60.

18 (b-20) An applicant seeking licensure, certification, or  
19 authorization under this Act who has been subject to  
20 disciplinary action by a duly authorized professional  
21 disciplinary agency of another jurisdiction solely on the  
22 basis of having provided, authorized, recommended, aided,  
23 assisted, referred for, or otherwise participated in health  
24 care shall not be denied such licensure, certification, or  
25 authorization, unless the Department determines that such  
26 action would have constituted professional misconduct in this

1 State; however, nothing in this Section shall be construed as  
2 prohibiting the Department from evaluating the conduct of such  
3 applicant and making a determination regarding the licensure,  
4 certification, or authorization to practice a profession under  
5 this Act.

6 (c) The determination by a circuit court that a licensee  
7 is subject to involuntary admission or judicial admission as  
8 provided in the Mental Health and Developmental Disabilities  
9 Code, as amended, operates as an automatic suspension. The  
10 suspension will end only upon a finding by a court that the  
11 patient is no longer subject to involuntary admission or  
12 judicial admission and issues an order so finding and  
13 discharging the patient; and upon the recommendation of the  
14 Board to the Secretary that the licensee be allowed to resume  
15 his or her practice.

16 (d) The Department may refuse to issue or may suspend or  
17 otherwise discipline the license of any person who fails to  
18 file a return, or to pay the tax, penalty, or interest shown in  
19 a filed return, or to pay any final assessment of the tax,  
20 penalty, or interest as required by any tax Act administered  
21 by the Department of Revenue, until such time as the  
22 requirements of any such tax Act are satisfied.

23 (e) In enforcing this Act, the Department, upon a showing  
24 of a possible violation, may compel an individual licensed to  
25 practice under this Act or who has applied for licensure under  
26 this Act, to submit to a mental or physical examination, or

1 both, as required by and at the expense of the Department. The  
2 Department may order the examining physician to present  
3 testimony concerning the mental or physical examination of the  
4 licensee or applicant. No information shall be excluded by  
5 reason of any common law or statutory privilege relating to  
6 communications between the licensee or applicant and the  
7 examining physician. The examining physicians shall be  
8 specifically designated by the Department. The individual to  
9 be examined may have, at his or her own expense, another  
10 physician of his or her choice present during all aspects of  
11 this examination. Failure of an individual to submit to a  
12 mental or physical examination, when directed, shall result in  
13 an automatic suspension without hearing.

14 All substance-related violations shall mandate an  
15 automatic substance abuse assessment. Failure to submit to an  
16 assessment by a licensed physician who is certified as an  
17 addictionist or an advanced practice registered nurse with  
18 specialty certification in addictions may be grounds for an  
19 automatic suspension, as defined by rule.

20 If the Department finds an individual unable to practice  
21 or unfit for duty because of the reasons set forth in this  
22 subsection (e), the Department may require that individual to  
23 submit to a substance abuse evaluation or treatment by  
24 individuals or programs approved or designated by the  
25 Department, as a condition, term, or restriction for  
26 continued, restored, or renewed licensure to practice; or, in

1 lieu of evaluation or treatment, the Department may file, or  
2 the Board may recommend to the Department to file, a complaint  
3 to immediately suspend, revoke, or otherwise discipline the  
4 license of the individual. An individual whose license was  
5 granted, continued, restored, renewed, disciplined, or  
6 supervised subject to such terms, conditions, or restrictions,  
7 and who fails to comply with such terms, conditions, or  
8 restrictions, shall be referred to the Secretary for a  
9 determination as to whether the individual shall have his or  
10 her license suspended immediately, pending a hearing by the  
11 Department.

12 In instances in which the Secretary immediately suspends a  
13 person's license under this subsection (e), a hearing on that  
14 person's license must be convened by the Department within 15  
15 days after the suspension and completed without appreciable  
16 delay. The Department and Board shall have the authority to  
17 review the subject individual's record of treatment and  
18 counseling regarding the impairment to the extent permitted by  
19 applicable federal statutes and regulations safeguarding the  
20 confidentiality of medical records.

21 An individual licensed under this Act and affected under  
22 this subsection (e) shall be afforded an opportunity to  
23 demonstrate to the Department that he or she can resume  
24 practice in compliance with nursing standards under the  
25 provisions of his or her license.

26 (f) The Department may adopt rules to implement, l

1 ~~administer, and enforce this Section the changes made by this~~  
2 ~~amendatory Act of the 102nd General Assembly.~~

3 (Source: P.A. 101-363, eff. 8-9-19; 102-558, eff. 8-20-21;  
4 102-1117, eff. 1-13-23.)

5 Section 40. The Pharmacy Practice Act is amended by  
6 changing Sections 30 and 30.1 as follows:

7 (225 ILCS 85/30) (from Ch. 111, par. 4150)

8 (Section scheduled to be repealed on January 1, 2028)

9 Sec. 30. Refusal, revocation, suspension, or other  
10 discipline.

11 (a) The Department may refuse to issue or renew, or may  
12 revoke a license, or may suspend, place on probation, fine, or  
13 take any disciplinary or non-disciplinary action as the  
14 Department may deem proper, including fines not to exceed  
15 \$10,000 for each violation, with regard to any licensee for  
16 any one or combination of the following causes:

17 1. Material misstatement in furnishing information to  
18 the Department.

19 2. Violations of this Act, or the rules promulgated  
20 hereunder.

21 3. Making any misrepresentation for the purpose of  
22 obtaining licenses.

23 4. A pattern of conduct which demonstrates  
24 incompetence or unfitness to practice.

1           5. Aiding or assisting another person in violating any  
2 provision of this Act or rules.

3           6. Failing, within 60 days, to respond to a written  
4 request made by the Department for information.

5           7. Engaging in unprofessional, dishonorable, or  
6 unethical conduct of a character likely to deceive,  
7 defraud, or harm the public as defined by rule.

8           8. Adverse action taken by another state or  
9 jurisdiction against a license or other authorization to  
10 practice as a pharmacy, pharmacist, registered certified  
11 pharmacy technician, or registered pharmacy technician  
12 that is the same or substantially equivalent to those set  
13 forth in this Section, a certified copy of the record of  
14 the action taken by the other state or jurisdiction being  
15 prima facie evidence thereof.

16           9. Directly or indirectly giving to or receiving from  
17 any person, firm, corporation, partnership, or association  
18 any fee, commission, rebate, or other form of compensation  
19 for any professional services not actually or personally  
20 rendered. Nothing in this item 9 affects any bona fide  
21 independent contractor or employment arrangements among  
22 health care professionals, health facilities, health care  
23 providers, or other entities, except as otherwise  
24 prohibited by law. Any employment arrangements may include  
25 provisions for compensation, health insurance, pension, or  
26 other employment benefits for the provision of services

1 within the scope of the licensee's practice under this  
2 Act. Nothing in this item 9 shall be construed to require  
3 an employment arrangement to receive professional fees for  
4 services rendered.

5 10. A finding by the Department that the licensee,  
6 after having his license placed on probationary status,  
7 has violated the terms of probation.

8 11. Selling or engaging in the sale of drug samples  
9 provided at no cost by drug manufacturers.

10 12. Physical illness, including, but not limited to,  
11 deterioration through the aging process, or loss of motor  
12 skill which results in the inability to practice the  
13 profession with reasonable judgment, skill or safety.

14 13. A finding that licensure or registration has been  
15 applied for or obtained by fraudulent means.

16 14. Conviction by plea of guilty or nolo contendere,  
17 finding of guilt, jury verdict, or entry of judgment or  
18 sentencing, including, but not limited to, convictions,  
19 preceding sentences of supervision, conditional discharge,  
20 or first offender probation, under the laws of any  
21 jurisdiction of the United States that is (i) a felony or  
22 (ii) a misdemeanor, an essential element of which is  
23 dishonesty, or that is directly related to the practice of  
24 pharmacy or involves controlled substances.

25 15. Habitual or excessive use or addiction to alcohol,  
26 narcotics, stimulants, or any other chemical agent or drug

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

3           16. Willfully making or filing false records or  
4           reports in the practice of pharmacy, including, but not  
5           limited to, false records to support claims against the  
6           medical assistance program of the Department of Healthcare  
7           and Family Services (formerly Department of Public Aid)  
8           under the Public Aid Code.

9           17. Gross and willful overcharging for professional  
10          services including filing false statements for collection  
11          of fees for which services are not rendered, including,  
12          but not limited to, filing false statements for collection  
13          of monies for services not rendered from the medical  
14          assistance program of the Department of Healthcare and  
15          Family Services (formerly Department of Public Aid) under  
16          the Public Aid Code.

17          18. Dispensing prescription drugs without receiving a  
18          written or oral prescription in violation of law.

19          19. Upon a finding of a substantial discrepancy in a  
20          Department audit of a prescription drug, including  
21          controlled substances, as that term is defined in this Act  
22          or in the Illinois Controlled Substances Act.

23          20. Physical or mental illness or any other impairment  
24          or disability, including, without limitation: (A)  
25          deterioration through the aging process or loss of motor  
26          skills that results in the inability to practice with

1 reasonable judgment, skill, or safety; or (B) mental  
2 incompetence, as declared by a court of competent  
3 jurisdiction.

4 21. Violation of the Health Care Worker Self-Referral  
5 Act.

6 22. Failing to sell or dispense any drug, medicine, or  
7 poison in good faith. "Good faith", for the purposes of  
8 this Section, has the meaning ascribed to it in subsection  
9 (u) of Section 102 of the Illinois Controlled Substances  
10 Act. "Good faith", as used in this item (22), shall not be  
11 limited to the sale or dispensing of controlled  
12 substances, but shall apply to all prescription drugs.

13 23. Interfering with the professional judgment of a  
14 pharmacist by any licensee under this Act, or the  
15 licensee's agents or employees.

16 24. Failing to report within 60 days to the Department  
17 any adverse final action taken against a pharmacy,  
18 pharmacist, registered pharmacy technician, or registered  
19 certified pharmacy technician by another licensing  
20 jurisdiction in any other state or any territory of the  
21 United States or any foreign jurisdiction, any  
22 governmental agency, any law enforcement agency, or any  
23 court for acts or conduct similar to acts or conduct that  
24 would constitute grounds for discipline as defined in this  
25 Section.

26 25. Failing to comply with a subpoena issued in

1           accordance with Section 35.5 of this Act.

2           26. Disclosing protected health information in  
3 violation of any State or federal law.

4           27. Willfully failing to report an instance of  
5 suspected abuse, neglect, financial exploitation, or  
6 self-neglect of an eligible adult as defined in and  
7 required by the Adult Protective Services Act.

8           28. Being named as an abuser in a verified report by  
9 the Department on Aging under the Adult Protective  
10 Services Act, and upon proof by clear and convincing  
11 evidence that the licensee abused, neglected, or  
12 financially exploited an eligible adult as defined in the  
13 Adult Protective Services Act.

14           29. Using advertisements or making solicitations that  
15 may jeopardize the health, safety, or welfare of patients,  
16 including, but not limited to, the use of advertisements  
17 or solicitations that:

18                   (A) are false, fraudulent, deceptive, or  
19 misleading; or

20                   (B) include any claim regarding a professional  
21 service or product or the cost or price thereof that  
22 cannot be substantiated by the licensee.

23           30. Requiring a pharmacist to participate in the use  
24 or distribution of advertisements or in making  
25 solicitations that may jeopardize the health, safety, or  
26 welfare of patients.

1           31. Failing to provide a working environment for all  
2 pharmacy personnel that protects the health, safety, and  
3 welfare of a patient, which includes, but is not limited  
4 to, failing to:

5           (A) employ sufficient personnel to prevent  
6 fatigue, distraction, or other conditions that  
7 interfere with a pharmacist's ability to practice with  
8 competency and safety or creates an environment that  
9 jeopardizes patient care;

10           (B) provide appropriate opportunities for  
11 uninterrupted rest periods and meal breaks;

12           (C) provide adequate time for a pharmacist to  
13 complete professional duties and responsibilities,  
14 including, but not limited to:

15                   (i) drug utilization review;

16                   (ii) immunization;

17                   (iii) counseling;

18                   (iv) verification of the accuracy of a  
19 prescription; and

20                   (v) all other duties and responsibilities of a  
21 pharmacist as listed in the rules of the  
22 Department.

23           32. Introducing or enforcing external factors, such as  
24 productivity or production quotas or other programs  
25 against pharmacists, student pharmacists or pharmacy  
26 technicians, to the extent that they interfere with the

1 ability of those individuals to provide appropriate  
2 professional services to the public.

3 33. Providing an incentive for or inducing the  
4 transfer of a prescription for a patient absent a  
5 professional rationale.

6 (b) The Department may refuse to issue or may suspend the  
7 license of any person who fails to file a return, or to pay the  
8 tax, penalty, or interest shown in a filed return, or to pay  
9 any final assessment of tax, penalty, or interest, as required  
10 by any tax Act administered by the Illinois Department of  
11 Revenue, until such time as the requirements of any such tax  
12 Act are satisfied.

13 (c) The Department shall revoke any license issued under  
14 the provisions of this Act or any prior Act of this State of  
15 any person who has been convicted a second time of committing  
16 any felony under the Illinois Controlled Substances Act, or  
17 who has been convicted a second time of committing a Class 1  
18 felony under Sections 8A-3 and 8A-6 of the Illinois Public Aid  
19 Code. A person whose license issued under the provisions of  
20 this Act or any prior Act of this State is revoked under this  
21 subsection (c) shall be prohibited from engaging in the  
22 practice of pharmacy in this State.

23 (c-5) The Department shall not revoke, suspend, summarily  
24 suspend, place on prohibition, reprimand, refuse to issue or  
25 renew, or take any other disciplinary or non-disciplinary  
26 action against a person's authorization to practice ~~the~~

1 ~~license or permit issued~~ under this Act ~~to practice as a~~  
2 ~~pharmacist, registered pharmacy technician, or registered~~  
3 ~~certified pharmacy technician~~ based solely upon the person  
4 ~~pharmacist, registered pharmacy technician, or registered~~  
5 ~~certified pharmacy technician~~ providing, authorizing,  
6 recommending, aiding, assisting, referring for, or otherwise  
7 participating in any health care service, so long as the care  
8 was not unlawful under the laws of this State, regardless of  
9 whether the patient was a resident of this State or another  
10 state.

11 (c-10) The Department shall not revoke, suspend, summarily  
12 suspend, place on prohibition, reprimand, refuse to issue or  
13 renew, or take any other disciplinary or non-disciplinary  
14 action against a person's authorization to practice ~~the~~  
15 ~~license or permit issued~~ under this Act ~~to practice as a~~  
16 ~~pharmacist, registered pharmacy technician, or registered~~  
17 ~~certified pharmacy technician~~ based upon the person's  
18 ~~pharmacist's, registered pharmacy technician's, or registered~~  
19 ~~certified pharmacy technician's~~ license, registration, or  
20 permit being revoked or suspended, or the person ~~pharmacist~~  
21 being otherwise disciplined, by any other state, if that  
22 revocation, suspension, or other form of discipline was based  
23 solely on the person ~~pharmacist, registered pharmacy~~  
24 ~~technician, or registered certified pharmacy technician~~  
25 violating another state's laws prohibiting the provision of,  
26 authorization of, recommendation of, aiding or assisting in,

1 referring for, or participation in any health care service if  
2 that health care service as provided would not have been  
3 unlawful under the laws of this State and is consistent with  
4 the applicable standard ~~standards~~ of conduct for a person  
5 ~~pharmacist, registered pharmacy technician, or registered~~  
6 ~~certified pharmacy technician~~ practicing in Illinois under  
7 this Act.

8 (c-15) The conduct specified in subsections (c-5) and  
9 (c-10) shall not constitute grounds for suspension under  
10 Section 35.16.

11 (c-20) An applicant seeking licensure, certification, or  
12 authorization pursuant to this Act who has been subject to  
13 disciplinary action by a duly authorized professional  
14 disciplinary agency of another jurisdiction solely on the  
15 basis of having provided, authorized, recommended, aided,  
16 assisted, referred for, or otherwise participated in health  
17 care shall not be denied such licensure, certification, or  
18 authorization, unless the Department determines that such  
19 action would have constituted professional misconduct in this  
20 State; however, nothing in this Section shall be construed as  
21 prohibiting the Department from evaluating the conduct of such  
22 applicant and making a determination regarding the licensure,  
23 certification, or authorization to practice a profession under  
24 this Act.

25 (d) Fines may be imposed in conjunction with other forms  
26 of disciplinary action, but shall not be the exclusive

1 disposition of any disciplinary action arising out of conduct  
2 resulting in death or injury to a patient. Fines shall be paid  
3 within 60 days or as otherwise agreed to by the Department. Any  
4 funds collected from such fines shall be deposited in the  
5 Illinois State Pharmacy Disciplinary Fund.

6 (e) The entry of an order or judgment by any circuit court  
7 establishing that any person holding a license or certificate  
8 under this Act is a person in need of mental treatment operates  
9 as a suspension of that license. A licensee may resume his or  
10 her practice only upon the entry of an order of the Department  
11 based upon a finding by the Board that he or she has been  
12 determined to be recovered from mental illness by the court  
13 and upon the Board's recommendation that the licensee be  
14 permitted to resume his or her practice.

15 (f) The Department shall issue quarterly to the Board a  
16 status of all complaints related to the profession received by  
17 the Department.

18 (g) In enforcing this Section, the Board or the  
19 Department, upon a showing of a possible violation, may compel  
20 any licensee or applicant for licensure under this Act to  
21 submit to a mental or physical examination or both, as  
22 required by and at the expense of the Department. The  
23 examining physician, or multidisciplinary team involved in  
24 providing physical and mental examinations led by a physician  
25 consisting of one or a combination of licensed physicians,  
26 licensed clinical psychologists, licensed clinical social

1 workers, licensed clinical professional counselors, and other  
2 professional and administrative staff, shall be those  
3 specifically designated by the Department. The Board or the  
4 Department may order the examining physician or any member of  
5 the multidisciplinary team to present testimony concerning  
6 this mental or physical examination of the licensee or  
7 applicant. No information, report, or other documents in any  
8 way related to the examination shall be excluded by reason of  
9 any common law or statutory privilege relating to  
10 communication between the licensee or applicant and the  
11 examining physician or any member of the multidisciplinary  
12 team. The individual to be examined may have, at his or her own  
13 expense, another physician of his or her choice present during  
14 all aspects of the examination. Failure of any individual to  
15 submit to a mental or physical examination when directed shall  
16 result in the automatic suspension of his or her license until  
17 such time as the individual submits to the examination. If the  
18 Board or Department finds a pharmacist, registered certified  
19 pharmacy technician, or registered pharmacy technician unable  
20 to practice because of the reasons set forth in this Section,  
21 the Board or Department shall require such pharmacist,  
22 registered certified pharmacy technician, or registered  
23 pharmacy technician to submit to care, counseling, or  
24 treatment by physicians or other appropriate health care  
25 providers approved or designated by the Department as a  
26 condition for continued, restored, or renewed licensure to

1 practice. Any pharmacist, registered certified pharmacy  
2 technician, or registered pharmacy technician whose license  
3 was granted, continued, restored, renewed, disciplined, or  
4 supervised, subject to such terms, conditions, or  
5 restrictions, and who fails to comply with such terms,  
6 conditions, or restrictions or to complete a required program  
7 of care, counseling, or treatment, as determined by the chief  
8 pharmacy coordinator, shall be referred to the Secretary for a  
9 determination as to whether the licensee shall have his or her  
10 license suspended immediately, pending a hearing by the Board.  
11 In instances in which the Secretary immediately suspends a  
12 license under this subsection (g), a hearing upon such  
13 person's license must be convened by the Board within 15 days  
14 after such suspension and completed without appreciable delay.  
15 The Department and Board shall have the authority to review  
16 the subject pharmacist's, registered certified pharmacy  
17 technician's, or registered pharmacy technician's record of  
18 treatment and counseling regarding the impairment.

19 (h) An individual or organization acting in good faith,  
20 and not in a willful and wanton manner, in complying with this  
21 Section by providing a report or other information to the  
22 Board, by assisting in the investigation or preparation of a  
23 report or information, by participating in proceedings of the  
24 Board, or by serving as a member of the Board shall not, as a  
25 result of such actions, be subject to criminal prosecution or  
26 civil damages. Any person who reports a violation of this

1 Section to the Department is protected under subsection (b) of  
2 Section 15 of the Whistleblower Act.

3 (i) Members of the Board shall have no liability in any  
4 action based upon any disciplinary proceedings or other  
5 activity performed in good faith as a member of the Board. The  
6 Attorney General shall defend all such actions unless he or  
7 she determines either that there would be a conflict of  
8 interest in such representation or that the actions complained  
9 of were not in good faith or were willful and wanton.

10 If the Attorney General declines representation, the  
11 member shall have the right to employ counsel of his or her  
12 choice, whose fees shall be provided by the State, after  
13 approval by the Attorney General, unless there is a  
14 determination by a court that the member's actions were not in  
15 good faith or were willful and wanton.

16 The member must notify the Attorney General within 7 days  
17 of receipt of notice of the initiation of any action involving  
18 services of the Board. Failure to so notify the Attorney  
19 General shall constitute an absolute waiver of the right to a  
20 defense and indemnification.

21 The Attorney General shall determine, within 7 days after  
22 receiving such notice, whether he or she will undertake to  
23 represent the member.

24 (j) The Department may adopt rules to implement,  
25 administer, and enforce this Section ~~the changes made by this~~  
26 ~~amendatory Act of the 102nd General Assembly.~~

1 (Source: P.A. 101-621, eff. 1-1-20; 102-882, eff. 1-1-23;  
2 102-1117, eff. 1-13-23.)

3 (225 ILCS 85/30.1)

4 (Section scheduled to be repealed on January 1, 2028)

5 Sec. 30.1. Reporting.

6 (a) When a pharmacist, registered certified pharmacy  
7 technician, or a registered pharmacy technician licensed by  
8 the Department is terminated for actions which may have  
9 threatened patient safety, the pharmacy or  
10 pharmacist-in-charge, pursuant to the policies and procedures  
11 of the pharmacy at which he or she is employed, shall report  
12 the termination to the chief pharmacy coordinator. Such  
13 reports shall be strictly confidential and may be reviewed and  
14 considered only by the members of the Board or by authorized  
15 Department staff. Such reports, and any records associated  
16 with such reports, are exempt from public disclosure and the  
17 Freedom of Information Act. Although the reports are exempt  
18 from disclosure, any formal complaint filed against a licensee  
19 or registrant by the Department or any order issued by the  
20 Department against a licensee, registrant, or applicant shall  
21 be a public record, except as otherwise prohibited by law. A  
22 pharmacy shall not take any adverse action, including, but not  
23 limited to, disciplining or terminating a person authorized to  
24 practice under this Act ~~pharmacist, registered certified~~  
25 ~~pharmacy technician, or registered pharmacy technician, as a~~

1 result of an adverse action against the person's license,  
2 registration, permit, or clinical privileges or other  
3 disciplinary action by another state or health care  
4 institution that resulted from the person's ~~pharmacist's,~~  
5 ~~registered certified pharmacy technician's, or registered~~  
6 ~~pharmacy technician's~~ provision of, authorization of,  
7 recommendation of, aiding or assistance with, referral for, or  
8 participation in any health care service, if the adverse  
9 action was based solely on a violation of the other state's law  
10 prohibiting the provision such health care and related  
11 services in the state or for a resident of the state if that  
12 health care service would not have been unlawful under the  
13 laws of this State and is consistent with the applicable  
14 standard of conduct for the person practicing in Illinois  
15 under this Act.

16 (b) The report shall be submitted to the chief pharmacy  
17 coordinator in a timely fashion. Unless otherwise provided in  
18 this Section, the reports shall be filed in writing, on forms  
19 provided by the Department, within 60 days after a pharmacy's  
20 determination that a report is required under this Act. All  
21 reports shall contain only the following information:

22 (1) The name, address, and telephone number of the  
23 person making the report.

24 (2) The name, license number, and last known address  
25 and telephone number of the person who is the subject of  
26 the report.

1           (3) A brief description of the facts which gave rise  
2           to the issuance of the report, including dates of  
3           occurrence.

4           (c) The contents of any report and any records associated  
5           with such report shall be strictly confidential and may only  
6           be reviewed by:

7                     (1) members of the Board of Pharmacy;

8                     (2) the Board of Pharmacy's designated attorney;

9                     (3) administrative personnel assigned to open mail  
10           containing reports, to process and distribute reports to  
11           authorized persons, and to communicate with senders of  
12           reports;

13                    (4) Department investigators and Department  
14           prosecutors; or

15                    (5) attorneys from the Office of the Illinois Attorney  
16           General representing the Department in litigation in  
17           response to specific disciplinary action the Department  
18           has taken or initiated against a specific individual  
19           pursuant to this Section.

20           (d) Whenever a pharmacy or pharmacist-in-charge makes a  
21           report and provides any records associated with that report to  
22           the Department, acts in good faith, and not in a willful and  
23           wanton manner, the person or entity making the report and the  
24           pharmacy or health care institution employing him or her shall  
25           not, as a result of such actions, be subject to criminal  
26           prosecution or civil damages.

1           (e) The Department may adopt rules to implement,  
2 administer, and enforce this Section ~~the changes made by this~~  
3 ~~amendatory Act of the 102nd General Assembly.~~

4           (Source: P.A. 102-1117, eff. 1-13-23.)

5           Section 45. The Physician Assistant Practice Act of 1987  
6 is amended by changing Section 21 as follows:

7           (225 ILCS 95/21) (from Ch. 111, par. 4621)

8           (Section scheduled to be repealed on January 1, 2028)

9           Sec. 21. Grounds for disciplinary action.

10          (a) The Department may refuse to issue or to renew, or may  
11 revoke, suspend, place on probation, reprimand, or take other  
12 disciplinary or non-disciplinary action with regard to any  
13 license issued under this Act as the Department may deem  
14 proper, including the issuance of fines not to exceed \$10,000  
15 for each violation, for any one or combination of the  
16 following causes:

17           (1) Material misstatement in furnishing information to  
18 the Department.

19           (2) Violations of this Act, or the rules adopted under  
20 this Act.

21           (3) Conviction by plea of guilty or nolo contendere,  
22 finding of guilt, jury verdict, or entry of judgment or  
23 sentencing, including, but not limited to, convictions,  
24 preceding sentences of supervision, conditional discharge,

1 or first offender probation, under the laws of any  
2 jurisdiction of the United States that is: (i) a felony;  
3 or (ii) a misdemeanor, an essential element of which is  
4 dishonesty, or that is directly related to the practice of  
5 the profession.

6 (4) Making any misrepresentation for the purpose of  
7 obtaining licenses.

8 (5) Professional incompetence.

9 (6) Aiding or assisting another person in violating  
10 any provision of this Act or its rules.

11 (7) Failing, within 60 days, to provide information in  
12 response to a written request made by the Department.

13 (8) Engaging in dishonorable, unethical, or  
14 unprofessional conduct, as defined by rule, of a character  
15 likely to deceive, defraud, or harm the public.

16 (9) Habitual or excessive use or addiction to alcohol,  
17 narcotics, stimulants, or any other chemical agent or drug  
18 that results in a physician assistant's inability to  
19 practice with reasonable judgment, skill, or safety.

20 (10) Discipline by another U.S. jurisdiction or  
21 foreign nation, if at least one of the grounds for  
22 discipline is the same or substantially equivalent to  
23 those set forth in this Section.

24 (11) Directly or indirectly giving to or receiving  
25 from any person, firm, corporation, partnership, or  
26 association any fee, commission, rebate, or other form of

1 compensation for any professional services not actually or  
2 personally rendered. Nothing in this paragraph (11)  
3 affects any bona fide independent contractor or employment  
4 arrangements, which may include provisions for  
5 compensation, health insurance, pension, or other  
6 employment benefits, with persons or entities authorized  
7 under this Act for the provision of services within the  
8 scope of the licensee's practice under this Act.

9 (12) A finding by the Board that the licensee, after  
10 having his or her license placed on probationary status,  
11 has violated the terms of probation.

12 (13) Abandonment of a patient.

13 (14) Willfully making or filing false records or  
14 reports in his or her practice, including, but not limited  
15 to, false records filed with State agencies or  
16 departments.

17 (15) Willfully failing to report an instance of  
18 suspected child abuse or neglect as required by the Abused  
19 and Neglected Child Reporting Act.

20 (16) Physical illness, or mental illness or impairment  
21 that results in the inability to practice the profession  
22 with reasonable judgment, skill, or safety, including, but  
23 not limited to, deterioration through the aging process or  
24 loss of motor skill.

25 (17) Being named as a perpetrator in an indicated  
26 report by the Department of Children and Family Services

1 under the Abused and Neglected Child Reporting Act, and  
2 upon proof by clear and convincing evidence that the  
3 licensee has caused a child to be an abused child or  
4 neglected child as defined in the Abused and Neglected  
5 Child Reporting Act.

6 (18) (Blank).

7 (19) Gross negligence resulting in permanent injury or  
8 death of a patient.

9 (20) Employment of fraud, deception or any unlawful  
10 means in applying for or securing a license as a physician  
11 assistant.

12 (21) Exceeding the authority delegated to him or her  
13 by his or her collaborating physician in a written  
14 collaborative agreement.

15 (22) Immoral conduct in the commission of any act,  
16 such as sexual abuse, sexual misconduct, or sexual  
17 exploitation related to the licensee's practice.

18 (23) Violation of the Health Care Worker Self-Referral  
19 Act.

20 (24) Practicing under a false or assumed name, except  
21 as provided by law.

22 (25) Making a false or misleading statement regarding  
23 his or her skill or the efficacy or value of the medicine,  
24 treatment, or remedy prescribed by him or her in the  
25 course of treatment.

26 (26) Allowing another person to use his or her license

1 to practice.

2 (27) Prescribing, selling, administering,  
3 distributing, giving, or self-administering a drug  
4 classified as a controlled substance for other than  
5 medically accepted therapeutic purposes.

6 (28) Promotion of the sale of drugs, devices,  
7 appliances, or goods provided for a patient in a manner to  
8 exploit the patient for financial gain.

9 (29) A pattern of practice or other behavior that  
10 demonstrates incapacity or incompetence to practice under  
11 this Act.

12 (30) Violating State or federal laws or regulations  
13 relating to controlled substances or other legend drugs or  
14 ephedra as defined in the Ephedra Prohibition Act.

15 (31) Exceeding the prescriptive authority delegated by  
16 the collaborating physician or violating the written  
17 collaborative agreement delegating that authority.

18 (32) Practicing without providing to the Department a  
19 notice of collaboration or delegation of prescriptive  
20 authority.

21 (33) Failure to establish and maintain records of  
22 patient care and treatment as required by law.

23 (34) Attempting to subvert or cheat on the examination  
24 of the National Commission on Certification of Physician  
25 Assistants or its successor agency.

26 (35) Willfully or negligently violating the

1 confidentiality between physician assistant and patient,  
2 except as required by law.

3 (36) Willfully failing to report an instance of  
4 suspected abuse, neglect, financial exploitation, or  
5 self-neglect of an eligible adult as defined in and  
6 required by the Adult Protective Services Act.

7 (37) Being named as an abuser in a verified report by  
8 the Department on Aging under the Adult Protective  
9 Services Act and upon proof by clear and convincing  
10 evidence that the licensee abused, neglected, or  
11 financially exploited an eligible adult as defined in the  
12 Adult Protective Services Act.

13 (38) Failure to report to the Department an adverse  
14 final action taken against him or her by another licensing  
15 jurisdiction of the United States or a foreign state or  
16 country, a peer review body, a health care institution, a  
17 professional society or association, a governmental  
18 agency, a law enforcement agency, or a court acts or  
19 conduct similar to acts or conduct that would constitute  
20 grounds for action under this Section.

21 (39) Failure to provide copies of records of patient  
22 care or treatment, except as required by law.

23 (40) Entering into an excessive number of written  
24 collaborative agreements with licensed physicians  
25 resulting in an inability to adequately collaborate.

26 (41) Repeated failure to adequately collaborate with a

1 collaborating physician.

2 (42) Violating the Compassionate Use of Medical  
3 Cannabis Program Act.

4 (b) The Department may, without a hearing, refuse to issue  
5 or renew or may suspend the license of any person who fails to  
6 file a return, or to pay the tax, penalty, or interest shown in  
7 a filed return, or to pay any final assessment of the tax,  
8 penalty, or interest as required by any tax Act administered  
9 by the Illinois Department of Revenue, until such time as the  
10 requirements of any such tax Act are satisfied.

11 (b-5) The Department shall not revoke, suspend, summarily  
12 suspend, place on prohibition, reprimand, refuse to issue or  
13 renew, or take any other disciplinary or non-disciplinary  
14 action against a person's authorization to practice ~~the~~  
15 ~~license or permit issued~~ under this Act ~~to practice as a~~  
16 ~~physician assistant~~ based solely upon the person ~~physician~~  
17 ~~assistant~~ providing, authorizing, recommending, aiding,  
18 assisting, referring for, or otherwise participating in any  
19 health care service, so long as the care was not unlawful under  
20 the laws of this State, regardless of whether the patient was a  
21 resident of this State or another state.

22 (b-10) The Department shall not revoke, suspend, summarily  
23 suspend, place on prohibition, reprimand, refuse to issue or  
24 renew, or take any other disciplinary or non-disciplinary  
25 action against a person's authorization to practice ~~the~~  
26 ~~license or permit issued~~ under this Act ~~to practice as a~~

1 ~~physician assistant~~ based upon the person's ~~physician~~  
2 ~~assistant's~~ license, registration, or permit being revoked or  
3 suspended, or the person ~~physician assistant~~ being otherwise  
4 disciplined, by any other state, if that revocation,  
5 suspension, or other form of discipline was based solely on  
6 the person ~~physician assistant~~ violating another state's laws  
7 prohibiting the provision of, authorization of, recommendation  
8 of, aiding or assisting in, referring for, or participation in  
9 any health care service if that health care service as  
10 provided would not have been unlawful under the laws of this  
11 State and is consistent with the applicable standard ~~standards~~  
12 of conduct for a person ~~physician assistant~~ practicing in  
13 Illinois under this Act.

14 (b-15) The conduct specified in subsections (b-5) and  
15 (b-10) shall not constitute grounds for suspension under  
16 Section 22.13.

17 (b-20) An applicant seeking licensure, certification, or  
18 authorization pursuant to this Act who has been subject to  
19 disciplinary action by a duly authorized professional  
20 disciplinary agency of another jurisdiction solely on the  
21 basis of having provided, authorized, recommended, aided,  
22 assisted, referred for, or otherwise participated in health  
23 care shall not be denied such licensure, certification, or  
24 authorization, unless the Department determines that such  
25 action would have constituted professional misconduct in this  
26 State; however, nothing in this Section shall be construed as

1 prohibiting the Department from evaluating the conduct of such  
2 applicant and making a determination regarding the licensure,  
3 certification, or authorization to practice a profession under  
4 this Act.

5 (c) The determination by a circuit court that a licensee  
6 is subject to involuntary admission or judicial admission as  
7 provided in the Mental Health and Developmental Disabilities  
8 Code operates as an automatic suspension. The suspension will  
9 end only upon a finding by a court that the patient is no  
10 longer subject to involuntary admission or judicial admission  
11 and issues an order so finding and discharging the patient,  
12 and upon the recommendation of the Board to the Secretary that  
13 the licensee be allowed to resume his or her practice.

14 (d) In enforcing this Section, the Department upon a  
15 showing of a possible violation may compel an individual  
16 licensed to practice under this Act, or who has applied for  
17 licensure under this Act, to submit to a mental or physical  
18 examination, or both, which may include a substance abuse or  
19 sexual offender evaluation, as required by and at the expense  
20 of the Department.

21 The Department shall specifically designate the examining  
22 physician licensed to practice medicine in all of its branches  
23 or, if applicable, the multidisciplinary team involved in  
24 providing the mental or physical examination or both. The  
25 multidisciplinary team shall be led by a physician licensed to  
26 practice medicine in all of its branches and may consist of one

1 or more or a combination of physicians licensed to practice  
2 medicine in all of its branches, licensed clinical  
3 psychologists, licensed clinical social workers, licensed  
4 clinical professional counselors, and other professional and  
5 administrative staff. Any examining physician or member of the  
6 multidisciplinary team may require any person ordered to  
7 submit to an examination pursuant to this Section to submit to  
8 any additional supplemental testing deemed necessary to  
9 complete any examination or evaluation process, including, but  
10 not limited to, blood testing, urinalysis, psychological  
11 testing, or neuropsychological testing.

12 The Department may order the examining physician or any  
13 member of the multidisciplinary team to provide to the  
14 Department any and all records, including business records,  
15 that relate to the examination and evaluation, including any  
16 supplemental testing performed.

17 The Department may order the examining physician or any  
18 member of the multidisciplinary team to present testimony  
19 concerning the mental or physical examination of the licensee  
20 or applicant. No information, report, record, or other  
21 documents in any way related to the examination shall be  
22 excluded by reason of any common law or statutory privilege  
23 relating to communications between the licensee or applicant  
24 and the examining physician or any member of the  
25 multidisciplinary team. No authorization is necessary from the  
26 licensee or applicant ordered to undergo an examination for

1 the examining physician or any member of the multidisciplinary  
2 team to provide information, reports, records, or other  
3 documents or to provide any testimony regarding the  
4 examination and evaluation.

5 The individual to be examined may have, at his or her own  
6 expense, another physician of his or her choice present during  
7 all aspects of this examination. However, that physician shall  
8 be present only to observe and may not interfere in any way  
9 with the examination.

10 Failure of an individual to submit to a mental or physical  
11 examination, when ordered, shall result in an automatic  
12 suspension of his or her license until the individual submits  
13 to the examination.

14 If the Department finds an individual unable to practice  
15 because of the reasons set forth in this Section, the  
16 Department may require that individual to submit to care,  
17 counseling, or treatment by physicians approved or designated  
18 by the Department, as a condition, term, or restriction for  
19 continued, reinstated, or renewed licensure to practice; or,  
20 in lieu of care, counseling, or treatment, the Department may  
21 file a complaint to immediately suspend, revoke, or otherwise  
22 discipline the license of the individual. An individual whose  
23 license was granted, continued, reinstated, renewed,  
24 disciplined, or supervised subject to such terms, conditions,  
25 or restrictions, and who fails to comply with such terms,  
26 conditions, or restrictions, shall be referred to the

1 Secretary for a determination as to whether the individual  
2 shall have his or her license suspended immediately, pending a  
3 hearing by the Department.

4 In instances in which the Secretary immediately suspends a  
5 person's license under this Section, a hearing on that  
6 person's license must be convened by the Department within 30  
7 days after the suspension and completed without appreciable  
8 delay. The Department shall have the authority to review the  
9 subject individual's record of treatment and counseling  
10 regarding the impairment to the extent permitted by applicable  
11 federal statutes and regulations safeguarding the  
12 confidentiality of medical records.

13 An individual licensed under this Act and affected under  
14 this Section shall be afforded an opportunity to demonstrate  
15 to the Department that he or she can resume practice in  
16 compliance with acceptable and prevailing standards under the  
17 provisions of his or her license.

18 (e) An individual or organization acting in good faith,  
19 and not in a willful and wanton manner, in complying with this  
20 Section by providing a report or other information to the  
21 Board, by assisting in the investigation or preparation of a  
22 report or information, by participating in proceedings of the  
23 Board, or by serving as a member of the Board, shall not be  
24 subject to criminal prosecution or civil damages as a result  
25 of such actions.

26 (f) Members of the Board shall be indemnified by the State

1 for any actions occurring within the scope of services on the  
2 Board, done in good faith and not willful and wanton in nature.  
3 The Attorney General shall defend all such actions unless he  
4 or she determines either that there would be a conflict of  
5 interest in such representation or that the actions complained  
6 of were not in good faith or were willful and wanton.

7 If the Attorney General declines representation, the  
8 member has the right to employ counsel of his or her choice,  
9 whose fees shall be provided by the State, after approval by  
10 the Attorney General, unless there is a determination by a  
11 court that the member's actions were not in good faith or were  
12 willful and wanton.

13 The member must notify the Attorney General within 7 days  
14 after receipt of notice of the initiation of any action  
15 involving services of the Board. Failure to so notify the  
16 Attorney General constitutes an absolute waiver of the right  
17 to a defense and indemnification.

18 The Attorney General shall determine, within 7 days after  
19 receiving such notice, whether he or she will undertake to  
20 represent the member.

21 (g) The Department may adopt rules to implement,  
22 administer, and enforce this Section ~~the changes made by this~~  
23 ~~amendatory Act of the 102nd General Assembly.~~

24 (Source: P.A. 101-363, eff. 8-9-19; 102-558, eff. 8-20-21;  
25 102-1117, eff. 1-13-23.)

1           Section 50. The Professional Counselor and Clinical  
2 Professional Counselor Licensing and Practice Act is amended  
3 by changing Section 80 as follows:

4           (225 ILCS 107/80)

5           (Section scheduled to be repealed on January 1, 2028)

6           Sec. 80. Grounds for discipline.

7           (a) The Department may refuse to issue, renew, or may  
8 revoke, suspend, place on probation, reprimand, or take other  
9 disciplinary or non-disciplinary action as the Department  
10 deems appropriate, including the issuance of fines not to  
11 exceed \$10,000 for each violation, with regard to any license  
12 for any one or more of the following:

13           (1) Material misstatement in furnishing information to  
14 the Department or to any other State agency.

15           (2) Violations or negligent or intentional disregard  
16 of this Act or rules adopted under this Act.

17           (3) Conviction by plea of guilty or nolo contendere,  
18 finding of guilt, jury verdict, or entry of judgment or by  
19 sentencing of any crime, including, but not limited to,  
20 convictions, preceding sentences of supervision,  
21 conditional discharge, or first offender probation, under  
22 the laws of any jurisdiction of the United States: (i)  
23 that is a felony or (ii) that is a misdemeanor, an  
24 essential element of which is dishonesty, or that is  
25 directly related to the practice of the profession.

1           (4) Fraud or any misrepresentation in applying for or  
2           procuring a license under this Act or in connection with  
3           applying for renewal of a license under this Act.

4           (5) Professional incompetence or gross negligence in  
5           the rendering of professional counseling or clinical  
6           professional counseling services.

7           (6) Malpractice.

8           (7) Aiding or assisting another person in violating  
9           any provision of this Act or any rules.

10          (8) Failing to provide information within 60 days in  
11          response to a written request made by the Department.

12          (9) Engaging in dishonorable, unethical, or  
13          unprofessional conduct of a character likely to deceive,  
14          defraud, or harm the public and violating the rules of  
15          professional conduct adopted by the Department.

16          (10) Habitual or excessive use or abuse of drugs as  
17          defined in law as controlled substances, alcohol, or any  
18          other substance which results in inability to practice  
19          with reasonable skill, judgment, or safety.

20          (11) Discipline by another jurisdiction, the District  
21          of Columbia, territory, county, or governmental agency, if  
22          at least one of the grounds for the discipline is the same  
23          or substantially equivalent to those set forth in this  
24          Section.

25          (12) Directly or indirectly giving to or receiving  
26          from any person, firm, corporation, partnership, or

1 association any fee, commission, rebate, or other form of  
2 compensation for any professional service not actually  
3 rendered. Nothing in this paragraph (12) affects any bona  
4 fide independent contractor or employment arrangements  
5 among health care professionals, health facilities, health  
6 care providers, or other entities, except as otherwise  
7 prohibited by law. Any employment arrangements may include  
8 provisions for compensation, health insurance, pension, or  
9 other employment benefits for the provision of services  
10 within the scope of the licensee's practice under this  
11 Act. Nothing in this paragraph (12) shall be construed to  
12 require an employment arrangement to receive professional  
13 fees for services rendered.

14 (13) A finding by the Board that the licensee, after  
15 having the license placed on probationary status, has  
16 violated the terms of probation.

17 (14) Abandonment of a client.

18 (15) Willfully filing false reports relating to a  
19 licensee's practice, including, but not limited to, false  
20 records filed with federal or State agencies or  
21 departments.

22 (16) Willfully failing to report an instance of  
23 suspected child abuse or neglect as required by the Abused  
24 and Neglected Child Reporting Act and in matters  
25 pertaining to suspected abuse, neglect, financial  
26 exploitation, or self-neglect of adults with disabilities

1 and older adults as set forth in the Adult Protective  
2 Services Act.

3 (17) Being named as a perpetrator in an indicated  
4 report by the Department of Children and Family Services  
5 pursuant to the Abused and Neglected Child Reporting Act,  
6 and upon proof by clear and convincing evidence that the  
7 licensee has caused a child to be an abused child or  
8 neglected child as defined in the Abused and Neglected  
9 Child Reporting Act.

10 (18) Physical or mental illness or disability,  
11 including, but not limited to, deterioration through the  
12 aging process or loss of abilities and skills which  
13 results in the inability to practice the profession with  
14 reasonable judgment, skill, or safety.

15 (19) Solicitation of professional services by using  
16 false or misleading advertising.

17 (20) Allowing one's license under this Act to be used  
18 by an unlicensed person in violation of this Act.

19 (21) A finding that licensure has been applied for or  
20 obtained by fraudulent means.

21 (22) Practicing under a false or, except as provided  
22 by law, an assumed name.

23 (23) Gross and willful overcharging for professional  
24 services including filing statements for collection of  
25 fees or moneys for which services are not rendered.

26 (24) Rendering professional counseling or clinical

1 professional counseling services without a license or  
2 practicing outside the scope of a license.

3 (25) Clinical supervisors failing to adequately and  
4 responsibly monitor supervisees.

5 All fines imposed under this Section shall be paid within  
6 60 days after the effective date of the order imposing the  
7 fine.

8 (b) (Blank).

9 (b-5) The Department may refuse to issue or may suspend  
10 without hearing, as provided for in the Code of Civil  
11 Procedure, the license of any person who fails to file a  
12 return, pay the tax, penalty, or interest shown in a filed  
13 return, or pay any final assessment of the tax, penalty, or  
14 interest as required by any tax Act administered by the  
15 Illinois Department of Revenue, until such time as the  
16 requirements of any such tax Act are satisfied in accordance  
17 with subsection (g) of Section 2105-15 of the Department of  
18 Professional Regulation Law of the Civil Administrative Code  
19 of Illinois.

20 (b-10) In cases where the Department of Healthcare and  
21 Family Services has previously determined a licensee or a  
22 potential licensee is more than 30 days delinquent in the  
23 payment of child support and has subsequently certified the  
24 delinquency to the Department, the Department may refuse to  
25 issue or renew or may revoke or suspend that person's license  
26 or may take other disciplinary action against that person

1 based solely upon the certification of delinquency made by the  
2 Department of Healthcare and Family Services in accordance  
3 with item (5) of subsection (a) of Section 2105-15 of the  
4 Department of Professional Regulation Law of the Civil  
5 Administrative Code of Illinois.

6 (c) The determination by a court that a licensee is  
7 subject to involuntary admission or judicial admission as  
8 provided in the Mental Health and Developmental Disabilities  
9 Code will result in an automatic suspension of his or her  
10 license. The suspension will end upon a finding by a court that  
11 the licensee is no longer subject to involuntary admission or  
12 judicial admission, the issuance of an order so finding and  
13 discharging the patient, and the recommendation of the Board  
14 to the Secretary that the licensee be allowed to resume  
15 professional practice.

16 (c-1) The Department shall not revoke, suspend, summarily  
17 suspend, place on prohibition, reprimand, refuse to issue or  
18 renew, or take any other disciplinary or non-disciplinary  
19 action against a person's authorization to practice ~~the~~  
20 ~~license or permit issued~~ under this Act ~~to practice as a~~  
21 ~~professional counselor or clinical professional counselor~~  
22 based solely upon the person ~~professional counselor or~~  
23 ~~clinical professional counselor~~ authorizing, recommending,  
24 aiding, assisting, referring for, or otherwise participating  
25 in any health care service, so long as the care was not  
26 unlawful under the laws of this State, regardless of whether

1 the patient was a resident of this State or another state.

2 (c-2) The Department shall not revoke, suspend, summarily  
3 suspend, place on prohibition, reprimand, refuse to issue or  
4 renew, or take any other disciplinary or non-disciplinary  
5 action against a person's authorization to practice ~~the~~  
6 ~~license or permit issued under this Act to practice as a~~  
7 ~~professional counselor or clinical professional counselor~~  
8 based upon the person's ~~professional counselor's or clinical~~  
9 ~~professional counselor's~~ license, registration, or permit  
10 being revoked or suspended, or the person ~~professional~~  
11 ~~counselor or clinical professional counselor~~ being otherwise  
12 disciplined, by any other state, if that revocation,  
13 suspension, or other form of discipline was based solely on  
14 the person ~~professional counselor or clinical professional~~  
15 ~~counselor~~ violating another state's laws prohibiting the  
16 provision of, authorization of, recommendation of, aiding or  
17 assisting in, referring for, or participation in any health  
18 care service if that health care service as provided would not  
19 have been unlawful under the laws of this State and is  
20 consistent with the applicable standard ~~standards~~ of conduct  
21 for a person ~~professional counselor or clinical professional~~  
22 ~~counselor~~ practicing in Illinois under this Act.

23 (c-3) The conduct specified in subsection (c-1), (c-2),  
24 (c-6), or (c-7) shall not constitute grounds for suspension  
25 under Section 145.

26 (c-4) An applicant seeking licensure, certification, or

1 authorization pursuant to this Act who has been subject to  
2 disciplinary action by a duly authorized professional  
3 disciplinary agency of another jurisdiction solely on the  
4 basis of having authorized, recommended, aided, assisted,  
5 referred for, or otherwise participated in health care shall  
6 not be denied such licensure, certification, or authorization,  
7 unless the Department determines that such action would have  
8 constituted professional misconduct in this State; however,  
9 nothing in this Section shall be construed as prohibiting the  
10 Department from evaluating the conduct of such applicant and  
11 making a determination regarding the licensure, certification,  
12 or authorization to practice a profession under this Act.

13 (c-5) In enforcing this Act, the Department, upon a  
14 showing of a possible violation, may compel an individual  
15 licensed to practice under this Act, or who has applied for  
16 licensure under this Act, to submit to a mental or physical  
17 examination, or both, as required by and at the expense of the  
18 Department. The Department may order the examining physician  
19 to present testimony concerning the mental or physical  
20 examination of the licensee or applicant. No information shall  
21 be excluded by reason of any common law or statutory privilege  
22 relating to communications between the licensee or applicant  
23 and the examining physician. The examining physicians shall be  
24 specifically designated by the Department. The individual to  
25 be examined may have, at his or her own expense, another  
26 physician of his or her choice present during all aspects of

1 this examination. The examination shall be performed by a  
2 physician licensed to practice medicine in all its branches.  
3 Failure of an individual to submit to a mental or physical  
4 examination, when directed, shall result in an automatic  
5 suspension without hearing.

6 All substance-related violations shall mandate an  
7 automatic substance abuse assessment. Failure to submit to an  
8 assessment by a licensed physician who is certified as an  
9 addictionist or an advanced practice registered nurse with  
10 specialty certification in addictions may be grounds for an  
11 automatic suspension.

12 If the Department finds an individual unable to practice  
13 or unfit for duty because of the reasons set forth in this  
14 subsection (c-5), the Department may require that individual  
15 to submit to a substance abuse evaluation or treatment by  
16 individuals or programs approved or designated by the  
17 Department, as a condition, term, or restriction for  
18 continued, restored, or renewed licensure to practice; or, in  
19 lieu of evaluation or treatment, the Department may file, or  
20 the Board may recommend to the Department to file, a complaint  
21 to immediately suspend, revoke, or otherwise discipline the  
22 license of the individual. An individual whose license was  
23 granted, continued, restored, renewed, disciplined, or  
24 supervised subject to such terms, conditions, or restrictions,  
25 and who fails to comply with such terms, conditions, or  
26 restrictions, shall be referred to the Secretary for a

1 determination as to whether the individual shall have his or  
2 her license suspended immediately, pending a hearing by the  
3 Department.

4 A person holding a license under this Act or who has  
5 applied for a license under this Act who, because of a physical  
6 or mental illness or disability, including, but not limited  
7 to, deterioration through the aging process or loss of motor  
8 skill, is unable to practice the profession with reasonable  
9 judgment, skill, or safety, may be required by the Department  
10 to submit to care, counseling, or treatment by physicians  
11 approved or designated by the Department as a condition, term,  
12 or restriction for continued, reinstated, or renewed licensure  
13 to practice. Submission to care, counseling, or treatment as  
14 required by the Department shall not be considered discipline  
15 of a license. If the licensee refuses to enter into a care,  
16 counseling, or treatment agreement or fails to abide by the  
17 terms of the agreement, the Department may file a complaint to  
18 revoke, suspend, or otherwise discipline the license of the  
19 individual. The Secretary may order the license suspended  
20 immediately, pending a hearing by the Department. Fines shall  
21 not be assessed in disciplinary actions involving physical or  
22 mental illness or impairment.

23 In instances in which the Secretary immediately suspends a  
24 person's license under this Section, a hearing on that  
25 person's license must be convened by the Department within 15  
26 days after the suspension and completed without appreciable

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

6 An individual licensed under this Act and affected under  
7 this Section shall be afforded an opportunity to demonstrate  
8 to 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.

11 (c-6) The Department may not revoke, suspend, summarily  
12 suspend, place on prohibition, reprimand, refuse to issue or  
13 renew, or take any other disciplinary or non-disciplinary  
14 action against a person's authorization to practice ~~the~~  
15 ~~license or permit issued~~ under this Act ~~to practice as a~~  
16 ~~professional counselor or clinical professional counselor~~  
17 based solely upon an immigration violation by the person  
18 ~~counselor~~.

19 (c-7) The Department may not revoke, suspend, summarily  
20 suspend, place on prohibition, reprimand, refuse to issue or  
21 renew, or take any other disciplinary or non-disciplinary  
22 action against a person's authorization to practice ~~the~~  
23 ~~license or permit issued~~ under this Act ~~to practice as a~~  
24 ~~professional counselor or clinical professional counselor~~  
25 based upon the person's ~~professional counselor's or clinical~~  
26 ~~professional counselor's~~ license, registration, or permit

1 being revoked or suspended, or the person ~~professional~~  
2 ~~counselor or clinical professional counselor~~ being otherwise  
3 disciplined, by any other state, if that revocation,  
4 suspension, or other form of discipline was based solely upon  
5 an immigration violation by the person ~~counselor~~.

6 (d) (Blank).

7 (e) The Department may adopt rules to implement,  
8 administer, and enforce this Section ~~the changes made by this~~  
9 ~~amendatory Act of the 102nd General Assembly.~~

10 (Source: P.A. 102-878, eff. 1-1-23; 102-1117, eff. 1-13-23;  
11 103-715, eff. 1-1-25.)

12 Section 55. The Wholesale Drug Distribution Licensing Act  
13 is amended by changing Section 55 as follows:

14 (225 ILCS 120/55) (from Ch. 111, par. 8301-55)

15 (Section scheduled to be repealed on January 1, 2028)

16 Sec. 55. Discipline; grounds.

17 (a) The Department may refuse to issue, restore, or renew,  
18 or may revoke, suspend, place on probation, reprimand or take  
19 other disciplinary or non-disciplinary action as the  
20 Department may deem appropriate, including imposing fines not  
21 to exceed \$10,000 for each violation, with regard to any  
22 applicant or licensee or any officer, director, manager, or  
23 shareholder who owns 5% or more interest in the business that  
24 holds the license for any one or a combination of the following

1 reasons:

2 (1) Violation of this Act or of the rules adopted  
3 under this Act.

4 (2) Aiding or assisting another person in violating  
5 any provision of this Act or the rules adopted under this  
6 Act.

7 (3) Failing, within 60 days, to provide information in  
8 response to a written requirement made by the Department.

9 (4) Engaging in dishonorable, unethical, or  
10 unprofessional conduct of a character likely to deceive,  
11 defraud, or harm the public. This includes violations of  
12 "good faith" as defined by the Illinois Controlled  
13 Substances Act and applies to all prescription drugs.

14 (5) Discipline by another U.S. jurisdiction or foreign  
15 nation, if at least one of the grounds for the discipline  
16 is the same or substantially equivalent to those set forth  
17 in this Act.

18 (6) Selling or engaging in the sale of drug samples  
19 provided at no cost by drug manufacturers.

20 (7) Conviction by plea of guilty or nolo contendere,  
21 finding of guilt, jury verdict, or entry of judgment or by  
22 sentencing of any crime, including, but not limited to,  
23 convictions, preceding sentences of supervision,  
24 conditional discharge, or first offender probation, under  
25 the laws of any jurisdiction of the United States that is  
26 (i) a felony or (ii) a misdemeanor, an essential element

1 of which is dishonesty or that is directly related to the  
2 practice of this profession.

3 (8) Habitual or excessive use or addiction to alcohol,  
4 narcotics, stimulants, or any other chemical agent or drug  
5 by the designated representative, as provided for in item  
6 (7) of subsection (b) of Section 25 of this Act, any  
7 officer, or director that results in the inability to  
8 function with reasonable judgment, skill, or safety.

9 (9) Material misstatement in furnishing information to  
10 the Department.

11 (10) A finding by the Department that the licensee,  
12 after having his or her license placed on probationary  
13 status, has violated the terms of probation.

14 (11) Fraud or misrepresentation in applying for, or  
15 procuring, a license under this Act or in connection with  
16 applying for renewal of a license under this Act.

17 (12) Willfully making or filing false records or  
18 reports.

19 (13) A finding of a substantial discrepancy in a  
20 Department audit of a prescription drug, including a  
21 controlled substance as that term is defined in this Act  
22 or in the Illinois Controlled Substances Act.

23 (14) Falsifying a pedigree or selling, distributing,  
24 transferring, manufacturing, repackaging, handling, or  
25 holding a counterfeit prescription drug intended for human  
26 use.

1 (15) Interfering with a Department investigation.

2 (16) Failing to adequately secure controlled  
3 substances or other prescription drugs from diversion.

4 (17) Acquiring or distributing prescription drugs not  
5 obtained from a source licensed by the Department.

6 (18) Failing to properly store drugs.

7 (19) Failing to maintain the licensed premises with  
8 proper storage and security controls.

9 (b) The Department may refuse to issue or may suspend the  
10 license or registration of any person who fails to file a  
11 return, or to pay the tax, penalty, or interest shown in a  
12 filed return, or to pay any final assessment of tax, penalty,  
13 or interest, as required by any tax Act administered by the  
14 Illinois Department of Revenue, until the time the  
15 requirements of the tax Act are satisfied.

16 (c) The Department shall revoke the license or certificate  
17 of registration issued under this Act or any prior Act of this  
18 State of any person who has been convicted a second time of  
19 committing any felony under the Illinois Controlled Substances  
20 Act or the Methamphetamine Control and Community Protection  
21 Act or who has been convicted a second time of committing a  
22 Class 1 felony under Sections 8A-3 and 8A-6 of the Illinois  
23 Public Aid Code. A person whose license or certificate of  
24 registration issued under this Act or any prior Act of this  
25 State is revoked under this subsection (c) shall be prohibited  
26 from engaging in the practice of pharmacy in this State.

1       (d) The Department shall not revoke, suspend, summarily  
2 suspend, place on prohibition, reprimand, refuse to issue or  
3 renew, or take any other disciplinary or non-disciplinary  
4 action against a person's authorization to practice under this  
5 Act based solely upon the person authorizing, recommending,  
6 aiding, assisting, referring for, or otherwise participating  
7 in any health care service, so long as the care was not  
8 unlawful under the laws of this State, regardless of whether  
9 the patient was a resident of this State or another state.

10       (e) The Department shall not revoke, suspend, summarily  
11 suspend, place on prohibition, reprimand, refuse to issue or  
12 renew, or take any other disciplinary or non-disciplinary  
13 action against a person's authorization to practice under this  
14 Act based upon the person's license, registration, or permit  
15 being revoked or suspended, or the person being otherwise  
16 disciplined, by any other state if that revocation,  
17 suspension, or other form of discipline was based solely on  
18 the person violating another state's laws prohibiting the  
19 provision of, authorization of, recommendation of, aiding or  
20 assisting in, referring for, or participation in any health  
21 care service if that health care service as provided would not  
22 have been unlawful under the laws of this State and is  
23 consistent with any applicable standard of conduct for the  
24 person practicing in Illinois under this Act.

25       (Source: P.A. 97-804, eff. 1-1-13; 97-813, eff. 7-13-12;  
26       98-463, eff. 8-16-13.)

1           Section 60. The Registered Surgical Assistant and  
2 Registered Surgical Technologist Title Protection Act is  
3 amended by changing Section 75 as follows:

4           (225 ILCS 130/75)

5           (Section scheduled to be repealed on January 1, 2029)

6           Sec. 75. Grounds for disciplinary action.

7           (a) The Department may refuse to issue, renew, or restore  
8 a registration, may revoke or suspend a registration, or may  
9 place on probation, reprimand, or take other disciplinary or  
10 non-disciplinary action with regard to a person registered  
11 under this Act, including, but not limited to, the imposition  
12 of fines not to exceed \$10,000 for each violation and the  
13 assessment of costs as provided for in Section 90, for any one  
14 or combination of the following causes:

15           (1) Making a material misstatement in furnishing  
16 information to the Department.

17           (2) Violating a provision of this Act or rules adopted  
18 under this Act.

19           (3) Conviction by plea of guilty or nolo contendere,  
20 finding of guilt, jury verdict, or entry of judgment or by  
21 sentencing of any crime, including, but not limited to,  
22 convictions, preceding sentences of supervision,  
23 conditional discharge, or first offender probation, under  
24 the laws of any jurisdiction of the United States that is

1 (i) a felony or (ii) a misdemeanor, an essential element  
2 of which is dishonesty, or that is directly related to the  
3 practice of the profession.

4 (4) Fraud or misrepresentation in applying for,  
5 renewing, restoring, reinstating, or procuring a  
6 registration under this Act.

7 (5) Aiding or assisting another person in violating a  
8 provision of this Act or its rules.

9 (6) Failing to provide information within 60 days in  
10 response to a written request made by the Department.

11 (7) Engaging in dishonorable, unethical, or  
12 unprofessional conduct of a character likely to deceive,  
13 defraud, or harm the public, as defined by rule of the  
14 Department.

15 (8) Discipline by another United States jurisdiction,  
16 governmental agency, unit of government, or foreign  
17 nation, if at least one of the grounds for discipline is  
18 the same or substantially equivalent to those set forth in  
19 this Section.

20 (9) Directly or indirectly giving to or receiving from  
21 a person, firm, corporation, partnership, or association a  
22 fee, commission, rebate, or other form of compensation for  
23 professional services not actually or personally rendered.  
24 Nothing in this paragraph (9) affects any bona fide  
25 independent contractor or employment arrangements among  
26 health care professionals, health facilities, health care

1 providers, or other entities, except as otherwise  
2 prohibited by law. Any employment arrangements may include  
3 provisions for compensation, health insurance, pension, or  
4 other employment benefits for the provision of services  
5 within the scope of the registrant's practice under this  
6 Act. Nothing in this paragraph (9) shall be construed to  
7 require an employment arrangement to receive professional  
8 fees for services rendered.

9 (10) A finding by the Department that the registrant,  
10 after having the registration placed on probationary  
11 status, has violated the terms of probation.

12 (11) Willfully making or filing false records or  
13 reports in the practice, including, but not limited to,  
14 false records or reports filed with State agencies.

15 (12) Willfully making or signing a false statement,  
16 certificate, or affidavit to induce payment.

17 (13) Willfully failing to report an instance of  
18 suspected child abuse or neglect as required under the  
19 Abused and Neglected Child Reporting Act.

20 (14) Being named as a perpetrator in an indicated  
21 report by the Department of Children and Family Services  
22 under the Abused and Neglected Child Reporting Act and  
23 upon proof by clear and convincing evidence that the  
24 registrant has caused a child to be an abused child or  
25 neglected child as defined in the Abused and Neglected  
26 Child Reporting Act.

1 (15) (Blank).

2 (16) Failure to report to the Department (A) any  
3 adverse final action taken against the registrant by  
4 another registering or licensing jurisdiction, government  
5 agency, law enforcement agency, or any court or (B)  
6 liability for conduct that would constitute grounds for  
7 action as set forth in this Section.

8 (17) Habitual or excessive use or abuse of drugs  
9 defined in law as controlled substances, alcohol, or any  
10 other substance that results in the inability to practice  
11 with reasonable judgment, skill, or safety.

12 (18) Physical or mental illness, including, but not  
13 limited to, deterioration through the aging process or  
14 loss of motor skills, which results in the inability to  
15 practice the profession for which the person is registered  
16 with reasonable judgment, skill, or safety.

17 (19) Gross malpractice.

18 (20) Immoral conduct in the commission of an act  
19 related to the registrant's practice, including, but not  
20 limited to, sexual abuse, sexual misconduct, or sexual  
21 exploitation.

22 (21) Violation of the Health Care Worker Self-Referral  
23 Act.

24 (b) The Department may refuse to issue or may suspend  
25 without hearing the registration of a person who fails to file  
26 a return, to pay the tax, penalty, or interest shown in a filed

1 return, or to pay a final assessment of the tax, penalty, or  
2 interest as required by a tax Act administered by the  
3 Department of Revenue, until the requirements of the tax Act  
4 are satisfied in accordance with subsection (g) of Section  
5 2105-15 of the Department of Professional Regulation Law of  
6 the Civil Administrative Code of Illinois.

7 (b-1) The Department shall not revoke, suspend, summarily  
8 suspend, place on probation, reprimand, refuse to issue or  
9 renew, or take any other disciplinary or non-disciplinary  
10 action against a person's authorization to practice ~~the~~  
11 ~~license issued~~ under this Act ~~to practice as a registered~~  
12 ~~surgical assistant or registered surgical technologist~~ based  
13 solely upon the person ~~registered surgical assistant or~~  
14 ~~registered surgical technologist~~ providing, authorizing,  
15 recommending, aiding, assisting, referring for, or otherwise  
16 participating in any health care service, so long as the care  
17 was not unlawful under the laws of this State, regardless of  
18 whether the patient was a resident of this State or another  
19 state.

20 (b-2) The Department shall not revoke, suspend, summarily  
21 suspend, place on prohibition, reprimand, refuse to issue or  
22 renew, or take any other disciplinary or non-disciplinary  
23 action against a person's authorization to practice ~~the~~  
24 ~~license issued~~ under this Act ~~to practice as a registered~~  
25 ~~surgical assistant or registered surgical technologist~~ based  
26 upon the person's ~~registered surgical assistant's or~~

1 ~~registered surgical technologist's~~ license, registration, or  
2 permit being revoked or suspended, or the person ~~registered~~  
3 ~~surgical assistant's or registered surgical technologist's~~  
4 being otherwise disciplined, by any other state, if that  
5 revocation, suspension, or other form of discipline was based  
6 solely on the person ~~registered surgical assistant or~~  
7 ~~registered surgical technologist~~ violating another state's  
8 laws prohibiting the provision of, authorization of,  
9 recommendation of, aiding or assisting in, referring for, or  
10 participation in any health care service if that health care  
11 service as provided would not have been unlawful under the  
12 laws of this State and is consistent with the applicable  
13 standard ~~standards~~ of conduct for the person ~~registered~~  
14 ~~surgical assistant or registered surgical technologist~~  
15 practicing in this State under this Act.

16 (b-3) The conduct specified in subsection (b-1) or (b-2)  
17 shall not constitute grounds for suspension under Section 145.

18 (b-4) An applicant seeking licensure, certification, or  
19 authorization pursuant to this Act who has been subject to  
20 disciplinary action by a duly authorized professional  
21 disciplinary agency of another jurisdiction solely on the  
22 basis of having provided, authorized, recommended, aided,  
23 assisted, referred for, or otherwise participated in health  
24 care shall not be denied such licensure, certification, or  
25 authorization, unless the Department determines that such  
26 action would have constituted professional misconduct in this

1 State. Nothing in this Section shall be construed as  
2 prohibiting the Department from evaluating the conduct of such  
3 applicant and making a determination regarding the licensure,  
4 certification, or authorization to practice a profession under  
5 this Act.

6 (c) The determination by a circuit court that a registrant  
7 is subject to involuntary admission or judicial admission as  
8 provided in the Mental Health and Developmental Disabilities  
9 Code operates as an automatic suspension. The suspension will  
10 end only upon (1) a finding by a court that the patient is no  
11 longer subject to involuntary admission or judicial admission,  
12 (2) issuance of an order so finding and discharging the  
13 patient, and (3) filing of a petition for restoration  
14 demonstrating fitness to practice.

15 (d) (Blank).

16 (e) In cases where the Department of Healthcare and Family  
17 Services has previously determined a registrant or a potential  
18 registrant is more than 30 days delinquent in the payment of  
19 child support and has subsequently certified the delinquency  
20 to the Department, the Department may refuse to issue or renew  
21 or may revoke or suspend that person's registration or may  
22 take other disciplinary action against that person based  
23 solely upon the certification of delinquency made by the  
24 Department of Healthcare and Family Services in accordance  
25 with paragraph (5) of subsection (a) of Section 2105-15 of the  
26 Department of Professional Regulation Law of the Civil

1 Administrative Code of Illinois.

2 (f) In enforcing this Section, the Department, upon a  
3 showing of a possible violation, may compel any individual  
4 registered under this Act or any individual who has applied  
5 for registration to submit to a mental or physical examination  
6 and evaluation, or both, that may include a substance abuse or  
7 sexual offender evaluation, at the expense of the Department.  
8 The Department shall specifically designate the examining  
9 physician licensed to practice medicine in all of its branches  
10 or, if applicable, the multidisciplinary team involved in  
11 providing the mental or physical examination and evaluation,  
12 or both. The multidisciplinary team shall be led by a  
13 physician licensed to practice medicine in all of its branches  
14 and may consist of one or more or a combination of physicians  
15 licensed to practice medicine in all of its branches, licensed  
16 chiropractic physicians, licensed clinical psychologists,  
17 licensed clinical social workers, licensed clinical  
18 professional counselors, and other professional and  
19 administrative staff. Any examining physician or member of the  
20 multidisciplinary team may require any person ordered to  
21 submit to an examination and evaluation pursuant to this  
22 Section to submit to any additional supplemental testing  
23 deemed necessary to complete any examination or evaluation  
24 process, including, but not limited to, blood testing,  
25 urinalysis, psychological testing, or neuropsychological  
26 testing.

1           The Department may order the examining physician or any  
2 member of the multidisciplinary team to provide to the  
3 Department any and all records, including business records,  
4 that relate to the examination and evaluation, including any  
5 supplemental testing performed. The Department may order the  
6 examining physician or any member of the multidisciplinary  
7 team to present testimony concerning this examination and  
8 evaluation of the registrant or applicant, including testimony  
9 concerning any supplemental testing or documents relating to  
10 the examination and evaluation. No information, report,  
11 record, or other documents in any way related to the  
12 examination and evaluation shall be excluded by reason of any  
13 common law or statutory privilege relating to communication  
14 between the registrant or applicant and the examining  
15 physician or any member of the multidisciplinary team. No  
16 authorization is necessary from the registrant or applicant  
17 ordered to undergo an evaluation and examination for the  
18 examining physician or any member of the multidisciplinary  
19 team to provide information, reports, records, or other  
20 documents or to provide any testimony regarding the  
21 examination and evaluation. The individual to be examined may  
22 have, at the individual's own expense, another physician of  
23 the individual's choice present during all aspects of the  
24 examination.

25           Failure of any individual to submit to mental or physical  
26 examination and evaluation, or both, when directed, shall

1 result in an automatic suspension without a hearing until such  
2 time as the individual submits to the examination. If the  
3 Department finds a registrant unable to practice because of  
4 the reasons set forth in this Section, the Department shall  
5 require such registrant to submit to care, counseling, or  
6 treatment by physicians approved or designated by the  
7 Department as a condition for continued, reinstated, or  
8 renewed registration.

9 When the Secretary immediately suspends a registration  
10 under this Section, a hearing upon such person's registration  
11 must be convened by the Department within 15 days after such  
12 suspension and completed without appreciable delay. The  
13 Department shall have the authority to review the registrant's  
14 record of treatment and counseling regarding the impairment to  
15 the extent permitted by applicable federal statutes and  
16 regulations safeguarding the confidentiality of medical  
17 records.

18 Individuals registered under this Act and affected under  
19 this Section shall be afforded an opportunity to demonstrate  
20 to the Department that they can resume practice in compliance  
21 with acceptable and prevailing standards under the provisions  
22 of their registration.

23 (g) All fines imposed under this Section shall be paid  
24 within 60 days after the effective date of the order imposing  
25 the fine or in accordance with the terms set forth in the order  
26 imposing the fine.

1        (h) ~~(f)~~ The Department may adopt rules to implement,  
2        administer, and enforce this Section ~~the changes made by~~  
3        ~~Public Act 102-1117.~~

4        (Source: P.A. 102-1117, eff. 1-13-23; 103-387, eff. 1-1-24;  
5        103-605, eff. 7-1-24; revised 10-16-24.)

6                Section 65. The Genetic Counselor Licensing Act is amended  
7        by changing Section 95 as follows:

8                (225 ILCS 135/95)

9                (Section scheduled to be repealed on January 1, 2030)

10                Sec. 95. Grounds for discipline.

11                (a) The Department may refuse to issue, renew, or may  
12        revoke, suspend, place on probation, reprimand, or take other  
13        disciplinary or non-disciplinary action as the Department  
14        deems appropriate, including the issuance of fines not to  
15        exceed \$10,000 for each violation, with regard to any license  
16        for any one or more of the following:

17                (1) Material misstatement in furnishing information to  
18        the Department or to any other State agency.

19                (2) Violations or negligent or intentional disregard  
20        of this Act, or any of its rules.

21                (3) Conviction by plea of guilty or nolo contendere,  
22        finding of guilt, jury verdict, or entry of judgment or  
23        sentencing, including, but not limited to, convictions,  
24        preceding sentences of supervision, conditional discharge,

1 or first offender probation, under the laws of any  
2 jurisdiction of the United States: (i) that is a felony or  
3 (ii) that is a misdemeanor, an essential element of which  
4 is dishonesty, or that is directly related to the practice  
5 of genetic counseling.

6 (4) Making any misrepresentation for the purpose of  
7 obtaining a license, or violating any provision of this  
8 Act or its rules.

9 (5) Negligence in the rendering of genetic counseling  
10 services.

11 (6) Failure to provide genetic testing results and any  
12 requested information to a referring physician licensed to  
13 practice medicine in all its branches, advanced practice  
14 registered nurse, or physician assistant.

15 (7) Aiding or assisting another person in violating  
16 any provision of this Act or any rules.

17 (8) Failing to provide information within 60 days in  
18 response to a written request made by the Department.

19 (9) Engaging in dishonorable, unethical, or  
20 unprofessional conduct of a character likely to deceive,  
21 defraud, or harm the public and violating the rules of  
22 professional conduct adopted by the Department.

23 (10) Failing to maintain the confidentiality of any  
24 information received from a client, unless otherwise  
25 authorized or required by law.

26 (10.5) Failure to maintain client records of services

1 provided and provide copies to clients upon request.

2 (11) Exploiting a client for personal advantage,  
3 profit, or interest.

4 (12) Habitual or excessive use or addiction to  
5 alcohol, narcotics, stimulants, or any other chemical  
6 agent or drug which results in inability to practice with  
7 reasonable skill, judgment, or safety.

8 (13) Discipline by another governmental agency or unit  
9 of government, by any jurisdiction of the United States,  
10 or by a foreign nation, if at least one of the grounds for  
11 the discipline is the same or substantially equivalent to  
12 those set forth in this Section.

13 (14) Directly or indirectly giving to or receiving  
14 from any person, firm, corporation, partnership, or  
15 association any fee, commission, rebate, or other form of  
16 compensation for any professional service not actually  
17 rendered. Nothing in this paragraph (14) affects any bona  
18 fide independent contractor or employment arrangements  
19 among health care professionals, health facilities, health  
20 care providers, or other entities, except as otherwise  
21 prohibited by law. Any employment arrangements may include  
22 provisions for compensation, health insurance, pension, or  
23 other employment benefits for the provision of services  
24 within the scope of the licensee's practice under this  
25 Act. Nothing in this paragraph (14) shall be construed to  
26 require an employment arrangement to receive professional

1 fees for services rendered.

2 (15) A finding by the Department that the licensee,  
3 after having the license placed on probationary status,  
4 has violated the terms of probation.

5 (16) Failing to refer a client to other health care  
6 professionals when the licensee is unable or unwilling to  
7 adequately support or serve the client.

8 (17) Willfully filing false reports relating to a  
9 licensee's practice, including, but not limited to, false  
10 records filed with federal or State agencies or  
11 departments.

12 (18) Willfully failing to report an instance of  
13 suspected child abuse or neglect as required by the Abused  
14 and Neglected Child Reporting Act.

15 (19) Being named as a perpetrator in an indicated  
16 report by the Department of Children and Family Services  
17 pursuant to the Abused and Neglected Child Reporting Act,  
18 and upon proof by clear and convincing evidence that the  
19 licensee has caused a child to be an abused child or  
20 neglected child as defined in the Abused and Neglected  
21 Child Reporting Act.

22 (20) Physical or mental disability, including  
23 deterioration through the aging process or loss of  
24 abilities and skills which results in the inability to  
25 practice the profession with reasonable judgment, skill,  
26 or safety.

1           (21) Solicitation of professional services by using  
2 false or misleading advertising.

3           (22) Failure to file a return, or to pay the tax,  
4 penalty, or ~~of~~ interest shown in a filed return, or to pay  
5 any final assessment of tax, penalty, or interest, as  
6 required by any tax Act administered by the Illinois  
7 Department of Revenue or any successor agency or the  
8 Internal Revenue Service or any successor agency.

9           (23) Fraud or making any misrepresentation in applying  
10 for or procuring a license under this Act or in connection  
11 with applying for renewal of a license under this Act.

12           (24) Practicing or attempting to practice under a name  
13 other than the full name as shown on the license or any  
14 other legally authorized name.

15           (25) Gross overcharging for professional services,  
16 including filing statements for collection of fees or  
17 moneys for which services are not rendered.

18           (26) (Blank).

19           (27) Charging for professional services not rendered,  
20 including filing false statements for the collection of  
21 fees for which services are not rendered.

22           (28) Allowing one's license under this Act to be used  
23 by an unlicensed person in violation of this Act.

24           (b) (Blank).

25           (b-5) The Department shall not revoke, suspend, summarily  
26 suspend, place on prohibition, reprimand, refuse to issue or

1 renew, or take any other disciplinary or non-disciplinary  
2 action against a person's authorization to practice the  
3 ~~license or permit issued~~ under this Act ~~to practice as a~~  
4 ~~genetic counselor~~ based solely upon the person genetic  
5 ~~counselor~~ authorizing, recommending, aiding, assisting,  
6 referring for, or otherwise participating in any health care  
7 service, so long as the care was not unlawful under the laws of  
8 this State, regardless of whether the patient was a resident  
9 of this State or another state.

10 (b-10) The Department shall not revoke, suspend, summarily  
11 suspend, place on prohibition, reprimand, refuse to issue or  
12 renew, or take any other disciplinary or non-disciplinary  
13 action against a person's authorization to practice the  
14 ~~license or permit issued~~ under this Act ~~to practice as a~~  
15 ~~genetic counselor~~ based upon the person's genetic counselor's  
16 license, registration, or permit being revoked or suspended,  
17 or the person genetic counselor being otherwise disciplined,  
18 by any other state, if that revocation, suspension, or other  
19 form of discipline was based solely on the person genetic  
20 ~~counselor~~ violating another state's laws prohibiting the  
21 provision of, authorization of, recommendation of, aiding or  
22 assisting in, referring for, or participation in any health  
23 care service if that health care service as provided would not  
24 have been unlawful under the laws of this State and is  
25 consistent with the applicable standard ~~standards~~ of conduct  
26 for the person practicing ~~genetic counselor~~ if it occurred in

1 Illinois under this Act.

2 (b-15) The conduct specified in subsections (b-5) and  
3 (b-10) shall not constitute grounds for suspension under  
4 Section 160.

5 (b-20) An applicant seeking licensure, certification, or  
6 authorization pursuant to this Act who has been subject to  
7 disciplinary action by a duly authorized professional  
8 disciplinary agency of another jurisdiction solely on the  
9 basis of having authorized, recommended, aided, assisted,  
10 referred for, or otherwise participated in health care shall  
11 not be denied such licensure, certification, or authorization,  
12 unless the Department determines that such action would have  
13 constituted professional misconduct in this State; however,  
14 nothing in this Section shall be construed as prohibiting the  
15 Department from evaluating the conduct of such applicant and  
16 making a determination regarding the licensure, certification,  
17 or authorization to practice a profession under this Act.

18 (c) The determination by a court that a licensee is  
19 subject to involuntary admission or judicial admission as  
20 provided in the Mental Health and Developmental Disabilities  
21 Code will result in an automatic suspension of the license.  
22 The suspension will end upon a finding by a court that the  
23 licensee is no longer subject to involuntary admission or  
24 judicial admission, the issuance of an order so finding and  
25 discharging the patient, and the determination of the  
26 Secretary that the licensee be allowed to resume professional

1 practice.

2 (d) The Department may refuse to issue or renew or may  
3 suspend without hearing the license of any person who fails to  
4 file a return, to pay the tax penalty or interest shown in a  
5 filed return, or to pay any final assessment of the tax,  
6 penalty, or interest as required by any Act regarding the  
7 payment of taxes administered by the Illinois Department of  
8 Revenue until the requirements of the Act are satisfied in  
9 accordance with subsection (g) of Section 2105-15 of the Civil  
10 Administrative Code of Illinois.

11 (e) In cases where the Department of Healthcare and Family  
12 Services has previously determined that a licensee or a  
13 potential licensee is more than 30 days delinquent in the  
14 payment of child support and has subsequently certified the  
15 delinquency to the Department, the Department may refuse to  
16 issue or renew or may revoke or suspend that person's license  
17 or may take other disciplinary action against that person  
18 based solely upon the certification of delinquency made by the  
19 Department of Healthcare and Family Services in accordance  
20 with item (5) of subsection (a) of Section 2105-15 of the  
21 Department of Professional Regulation Law of the Civil  
22 Administrative Code of Illinois.

23 (f) All fines or costs imposed under this Section shall be  
24 paid within 60 days after the effective date of the order  
25 imposing the fine or costs or in accordance with the terms set  
26 forth in the order imposing the fine.

1 (g) The Department may adopt rules to implement,  
2 administer, and enforce this Section ~~the changes made by this~~  
3 ~~amendatory Act of the 102nd General Assembly.~~

4 (Source: P.A. 102-1117, eff. 1-13-23; 103-763, eff. 1-1-25.)

5 Section 70. The Illinois Food, Drug and Cosmetic Act is  
6 amended by changing Sections 7, 14, and 15 as follows:

7 (410 ILCS 620/7) (from Ch. 56 1/2, par. 507)

8 Sec. 7. Only upon a report of a violation of this Act from  
9 ~~the~~ ~~It shall be the duty of each state's attorney to whom the~~  
10 Director, a State's Attorney shall ~~reports any violation of~~  
11 ~~this Act, to~~ cause appropriate proceedings to be instituted in  
12 the proper courts without delay and to be prosecuted in the  
13 manner required by law. Before the Director reports any  
14 violation of this Act ~~is reported~~ to any such state's attorney  
15 for the institution of a criminal proceeding, the person  
16 against whom such proceeding is contemplated shall be given  
17 appropriate notice and an opportunity to present his views  
18 before the Director or his designated agent, either orally or  
19 in writing, in person or by attorney, with regard to such  
20 contemplated proceeding.

21 (Source: Laws 1967, p. 959.)

22 (410 ILCS 620/14) (from Ch. 56 1/2, par. 514)

23 Sec. 14. A drug or device is adulterated: (a) (1) If it

1 consists in whole or in part of any filthy, putrid or  
2 decomposed substance; or (2) (A) if it has been produced,  
3 prepared, packed or held under unsanitary conditions whereby  
4 it may have been contaminated with filth or whereby it may have  
5 been rendered injurious to health; or (B) if it is a drug and  
6 the methods used in, or the facilities or controls used for,  
7 its manufacture, processing, packing or holding do not conform  
8 to or are not operated or administered in conformity with  
9 current good manufacturing practice to assure that such drug  
10 meets the requirements of the Act as to safety and has the  
11 identity and strength and meets the quality and purity  
12 characteristics which it purports or is represented to  
13 possess; or (3) if it is a drug and its container is composed,  
14 in whole or in part, of any poisonous or deleterious substance  
15 which may render the contents injurious to health; or (4) if  
16 (A) it is a drug and it bears or contains, for purposes of  
17 coloring only, a color additive which is unsafe within the  
18 meaning of Section 706 of the Federal Act or (B) it is a color  
19 additive, the intended use of which in or on drugs or devices  
20 is for purposes of coloring only and is unsafe within the  
21 meaning of Section 706 of the Federal Act; or (5) if it is a  
22 new animal drug which is unsafe within the meaning of Section  
23 512 of the Federal Act; or (6) if it is an animal feed bearing  
24 or containing a new animal drug, and such animal feed is unsafe  
25 within the meaning of Section 512 of the Federal Act.

26 (b) If it purports to be or is represented as a drug the

1 name of which is recognized in an official compendium, and its  
2 strength differs from or its quality or purity falls below the  
3 standard set forth in such compendium. Such determination as  
4 to strength, quality or purity shall be made in accordance  
5 with the tests or methods of assay set forth in such compendium  
6 or in the absence of or inadequacy of such tests or methods of  
7 assay, those prescribed under authority of the Federal Act. No  
8 drug defined in an official compendium is adulterated under  
9 this subsection because it differs from the standard of  
10 strength, quality or purity therefor set forth in such  
11 compendium, if its difference in strength, quality or purity  
12 from such standard is plainly stated on its label. When a drug  
13 is recognized in both the United States Pharmacopoeia -  
14 National Formulary and the Homeopathic Pharmacopoeia of the  
15 United States it shall be subject to the requirements of the  
16 United States Pharmacopoeia - National Formulary unless it is  
17 labeled and offered for sale as a homeopathic drug, in which  
18 case it shall be subject to the provisions of the Homeopathic  
19 Pharmacopoeia of the United States and not to those of the  
20 United States Pharmacopoeia - National Formulary.

21 (c) If it is not subject to the provisions of subsection  
22 (b) of this Section and its strength differs from or its purity  
23 or quality falls below that which it purports or is  
24 represented to possess.

25 (d) If it is a drug and any substance has been (1) mixed or  
26 packed therewith so as to reduce its quality or strength; or

1 (2) substituted wholly or in part therefor.

2 (e) If it is, or purports to be or is represented as, a  
3 device which is subject to a performance standard established  
4 under Section 514 of the Federal Act, unless such device is in  
5 all respects in conformity with such standard.

6 (f) If it is a device and the methods used in, or the  
7 facilities or controls used for, its manufacture, packing,  
8 storage, or installations are not in conformity with  
9 applicable requirements under Section 520(b)(1) of the Federal  
10 Act or an applicable condition as prescribed by an order under  
11 Section 520(b)(2) of the Federal Act.

12 (g) If it is a device for which an exemption has been  
13 granted under Section 520(g) of the Federal Act for  
14 investigational use and the person who was granted such  
15 exemption fails to comply with a requirement prescribed by or  
16 under such Section.

17 (h) A drug's status as not approved by the U.S. Food and  
18 Drug Administration shall not cause it to be deemed an  
19 adulterated drug in violation of this Act if it is recommended  
20 for use by the World Health Organization, even if the drug's  
21 labelling reflects prior approval that is no longer in effect,  
22 so long as such labelling was true and accurate at the time of  
23 manufacture.

24 (Source: P.A. 84-891.)

25 (410 ILCS 620/15) (from Ch. 56 1/2, par. 515)

1           Sec. 15. A drug or device is misbranded - (a) If its  
2 labeling is false or misleading in any particular.

3           (b) If in package form unless it bears a label containing  
4 (1) the name and place of business of the manufacturer, packer  
5 or distributor; and (2) an accurate statement of the quantity  
6 of the contents in terms of weight, measure or numerical  
7 count. However, under paragraph (2) of this subsection  
8 reasonable variations shall be permitted and exemptions as to  
9 small packages shall be allowed, in accordance with  
10 regulations prescribed by the Director or issued under the  
11 Federal Act.

12           (c) If any word, statement or other information required  
13 by or under authority of this Act to appear on the label or  
14 labeling is not prominently placed thereon with such  
15 conspicuousness (as compared with other words, statements,  
16 designs or devices, in the labeling) and in such terms as to  
17 render it likely to be read and understood by the ordinary  
18 person under customary conditions of purchase and use.

19           (d) If it is for use by man and contains any quantity of  
20 the narcotic or hypnotic substance alpha-eucaine, barbituric  
21 acid, beta-eucaine, bromal, cannabis, carbromal, chloral,  
22 coca, cocaine, codeine, heroin, marihuana, morphine, opium,  
23 paraldehyde, peyote or sulphonmethane, (or any chemical  
24 derivative of such substance, which derivative, after  
25 investigation, has been found to be and is designated as habit  
26 forming, by regulations issued by the Director under this Act,

1 or by regulations issued pursuant to Section 502(d) of the  
2 Federal Act) unless its label bears the name and quantity or  
3 proportion of such substance or derivative and in  
4 juxtaposition therewith the statement "Warning--May be habit  
5 forming".

6 (e) (1) If it is a drug, unless (A) its label bears to the  
7 exclusion of any other nonproprietary name (except the  
8 applicable systematic chemical name or the chemical formula),  
9 (i) the established name (as defined in paragraph (2) of this  
10 subsection) of the drug, if such there be; and (ii), in case it  
11 is fabricated from 2 or more ingredients, the established name  
12 and quantity of each active ingredient, including the kind and  
13 quantity or proportion of any alcohol, and also including  
14 whether active or not, the established name and quantity or  
15 proportion of any bromides, ether, chloroform, acetanilid,  
16 acetphenetid, amidopyrine, antipyrine, atropine, hyoscine,  
17 hyoscyamine, arsenic, digitalis, digitalis glucosides,  
18 mercury, ouabain, strophanthin, strychnine, thyroid or any  
19 derivative or preparation of any such substances contained  
20 therein, except the requirement for stating the quantity of  
21 the active ingredients, other than the quantity of those  
22 specifically named in this paragraph, shall apply only to  
23 prescription drugs; and, (B) for any prescription drug the  
24 established name of such drug or ingredient, as the case may  
25 be, on such label (and on any labeling on which a name for such  
26 drug or ingredient is used) is printed prominently and in type

1 at least half as large as that used thereon for any proprietary  
2 name or designation for such drug or ingredient to the extent  
3 that compliance with the requirements of subclause (ii) of  
4 clause (A) or clause (B) of this paragraph is impracticable,  
5 exemptions may be allowed under regulations promulgated by the  
6 Director or under the Federal Act.

7 (2) As used in paragraph (1) of this subsection (e),  
8 "established name", with respect to a drug or ingredient  
9 thereof, means (A) the applicable official name designated  
10 pursuant to Section 508 of the Federal Act, or (B) if there is  
11 no such name and such drug or such ingredient is an article  
12 recognized in an official compendium, then the official title  
13 thereof in such compendium or (C) if neither clause (A) nor  
14 clause (B) of this paragraph applies, then the common or usual  
15 name, if any, of such drug or of such ingredient. However,  
16 where clause (B) of this paragraph applies to an article  
17 recognized in the United States Pharmacopoeia - National  
18 Formulary and in the Homeopathic Pharmacopoeia under different  
19 official titles, the official title used in the United States  
20 Pharmacopoeia - National Formulary shall apply unless it is  
21 labeled and offered for sale as a homeopathic drug, in which  
22 case the official title used in the Homeopathic Pharmacopoeia  
23 shall apply.

24 (3) If it is a device and it has an established name,  
25 unless its label bears, to the exclusion of any other  
26 nonproprietary name, its established name (as defined in

1 paragraph (4) of this subsection (e)) prominently printed in  
2 type at least half as large as that used thereon for any  
3 proprietary name or designation for such device, except that  
4 to the extent compliance with this paragraph (3) is  
5 impracticable, exemptions shall be allowed under regulations  
6 promulgated under the Federal Act.

7 (4) As used in paragraph (3), "established name", with  
8 respect to a device, means (A) the applicable official name of  
9 the device designated pursuant to Section 508 of the Federal  
10 Act, (B) if there is no such name and such device is an article  
11 recognized in an official compendium, then the official title  
12 thereof in such compendium, or (C) if neither clause (A) nor  
13 clause (B) of this paragraph applies, then any common or usual  
14 name.

15 (f) Unless its labeling bears (1) adequate directions for  
16 use; and (2) such adequate warnings against use in those  
17 pathological conditions or by children where its use may be  
18 dangerous to health or against unsafe dosage or methods or  
19 duration of administration or application in such manner and  
20 form as are necessary for the protection of users. However,  
21 where any requirement of clause (1) of this subsection (f) as  
22 applied to any drug or device, is not necessary for the  
23 protection of the public health, the Director shall promulgate  
24 regulations exempting such drug or device from such  
25 requirements; and the articles exempted under regulations  
26 issued under Section 502(f) of the Federal Act may also be

1 exempt.

2 (g) If it purports to be a drug the name of which is  
3 recognized in an official compendium, unless it is packaged  
4 and labeled as prescribed therein. However, the method of  
5 packing may be modified with the consent of the Director, or if  
6 consent is obtained under the Federal Act. When a drug is  
7 recognized in both the United States Pharmacopoeia - National  
8 Formulary and the Homeopathic Pharmacopoeia of the United  
9 States, it shall be subject to the requirements of the United  
10 States Pharmacopoeia - National Formulary with respect to  
11 packaging and labeling unless it is labeled and offered for  
12 sale as a homeopathic drug, in which case it shall be subject  
13 to the provisions of the Homeopathic Pharmacopoeia of the  
14 United States and not to those of the United States  
15 Pharmacopoeia - National Formulary; and, in the event of  
16 inconsistency between the requirements of this subsection and  
17 those of subsection (e) as to the name by which the drug or its  
18 ingredients shall be designated, the requirements of  
19 subsection (e) shall prevail.

20 (h) If it has been found by the Director or under the  
21 Federal Act to be a drug liable to deterioration, unless it is  
22 packaged in such form and manner, and its label bears a  
23 statement of such precautions, as the regulations issued by  
24 the Director or under the Federal Act require as necessary for  
25 the protection of public health. No such regulation shall be  
26 established for any drug recognized in an official compendium

1 until the Director shall have informed the appropriate body  
2 charged with the revision of such compendium of the need for  
3 such packaging or labeling requirements and such body shall  
4 have failed within a reasonable time to prescribe such  
5 requirements.

6 (i) (1) If it is a drug and its container is so made,  
7 formed or filled as to be misleading; or (2) if it is an  
8 imitation of another drug; or (3) if it is offered for sale  
9 under the name of another drug.

10 (j) If it is dangerous to health when used in the dosage  
11 (or manner) or with the frequency or duration prescribed,  
12 recommended or suggested in the labeling thereof.

13 (k) If it is or purports to be or is represented as a drug  
14 composed wholly or partly of insulin, unless (1) it is a batch  
15 with respect to which a certificate or release has been issued  
16 pursuant to Section 506 of the Federal Act and (2) such  
17 certificate or release is in effect with respect to such drug.

18 (l) If it is or purports to be or is represented as a drug  
19 (except a drug for use in animals other than man) composed  
20 wholly or partly of any kind of penicillin, streptomycin,  
21 chlortetracycline, chloramphenicol or bacitracin or any other  
22 antibiotic drug or any derivative thereof unless (1) it is  
23 from a batch with respect to which a certificate or release has  
24 been issued pursuant to Section 507 of the Federal Act and (2)  
25 such certificate or release is in effect with respect to such  
26 drug. However, this subsection (1) shall not apply to any drug

1 or class of drugs exempted by regulations promulgated under  
2 Section 507(c) or (d) of the Federal Act. For the purpose of  
3 this subsection, "antibiotic drug" means any drug intended for  
4 use by man containing any quantity of any chemical substance  
5 which is produced by a microorganism and which has the  
6 capacity to inhibit or destroy microorganisms in dilute  
7 solution (including the chemically synthesized equivalent of  
8 any such substance).

9 (m) If it is a color additive, the intended use of which in  
10 or on drugs is for the purpose of coloring only, unless its  
11 packaging and labeling are in conformity with such packaging  
12 and labeling requirements applicable to such color additive  
13 prescribed under the provision of Section 13(b) or of the  
14 Federal Act.

15 (n) In the case of any prescription drug distributed or  
16 offered for sale in this State, unless the manufacturer,  
17 packer or distributor thereof includes in all advertisements  
18 and other descriptive printed matter issued or caused to be  
19 issued by the manufacturer, packer or distributor with respect  
20 to that drug a true statement of (1) the established name as  
21 defined in paragraph (2) of subsection (e) of Section 15 of  
22 this Act, (2) the formula showing quantitatively each  
23 ingredient of such drug to the extent required for labels  
24 under Section 502(e) of the Federal Act, and (3) such other  
25 information in brief summary relating to side effects,  
26 contraindications, and effectiveness as shall be required in

1 regulations issued under the Federal Act.

2 (o) If it was manufactured, prepared, propagated,  
3 compounded or processed in an establishment in this State not  
4 duly registered under Section 510 of the Federal Act, if it was  
5 not included in a list required by Section 510(j) of the  
6 Federal Act, if a notice or other information respecting it  
7 was not provided as required by such Section or Section 510(k)  
8 of the Federal Act, or if it does not bear such symbols from  
9 the uniform system for identification of devices prescribed  
10 under Section 510(e) of the Federal Act as required by  
11 regulation.

12 (p) If a trademark, trade name or other identifying mark,  
13 imprint or device of another or any likeness of the foregoing  
14 has been placed thereon or upon its container with intent to  
15 defraud.

16 (q) If it is a drug and its packaging or labeling is in  
17 violation of an applicable regulation issued pursuant to  
18 Section 3, 4 or 5 of the Illinois Poison Prevention Packaging  
19 Act.

20 (r) In the case of any restricted device distributed or  
21 offered for sale in this State, if (1) its advertising is false  
22 or misleading in any particular, or (2) it is sold,  
23 distributed or used in violation or regulations prescribed  
24 under Section 520(e) of the Federal Act.

25 (s) In the case of any restricted device distributed or  
26 offered for sale in this State, unless the manufacturer,

1 packer or distributor thereof includes in all advertisements  
2 and other descriptive printed matter issued by the  
3 manufacturer, packer or distributor with respect to that  
4 device (1) a true statement of the device's established name  
5 as defined in Section 502(e) of the Federal Act or subsection  
6 (e) of Section 15 of this Act, printed prominently and in type  
7 at least half as large as that used for any trade or brand name  
8 thereof, and (2) a brief statement of the intended uses of the  
9 device and relevant warnings, precautions, side effects and  
10 contraindications and in the case of specific devices made  
11 subject to regulations issued under the Federal Act, a full  
12 description of the components of such device or the formula  
13 showing quantitatively each ingredient of such device to the  
14 extent required in regulations under the Federal Act.

15 (t) If it is a device subject to a performance standard  
16 established under Section 514 of the Federal Act, unless it  
17 bears such labeling as may be prescribed in such performance  
18 standard.

19 (u) If it is a device and there was a failure or refusal  
20 (1) to comply with any requirement prescribed under Section  
21 518 of the Federal Act respecting the device, or (2) to furnish  
22 material required by or under Section 519 of the Federal Act  
23 respecting the device.

24 (v) A drug's status as not approved by the U.S. Food and  
25 Drug Administration shall not cause it to be deemed a  
26 misbranded drug in violation of this Act if it is recommended

1 for use by the World Health Organization, even if the drug's  
2 labelling reflects prior approval that is no longer in effect,  
3 so long as such labelling was true and accurate at the time of  
4 manufacture.

5 (Source: P.A. 84-891.)

1	INDEX	
2	Statutes amended in order of appearance	
3	225 ILCS 6/60	
4	225 ILCS 15/15	from Ch. 111, par. 5365
5	225 ILCS 20/19	
6	225 ILCS 55/85	from Ch. 111, par. 8351-85
7	225 ILCS 60/22	from Ch. 111, par. 4400-22
8	225 ILCS 60/23	from Ch. 111, par. 4400-23
9	225 ILCS 64/100	
10	225 ILCS 65/65-65	was 225 ILCS 65/15-55
11	225 ILCS 65/70-5	was 225 ILCS 65/10-45
12	225 ILCS 85/30	from Ch. 111, par. 4150
13	225 ILCS 85/30.1	
14	225 ILCS 95/21	from Ch. 111, par. 4621
15	225 ILCS 107/80	
16	225 ILCS 120/55	from Ch. 111, par. 8301-55
17	225 ILCS 130/75	
18	225 ILCS 135/95	
19	410 ILCS 620/7	from Ch. 56 1/2, par. 507
20	410 ILCS 620/14	from Ch. 56 1/2, par. 514
21	410 ILCS 620/15	from Ch. 56 1/2, par. 515