



Rep. Bob Morgan

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10400HB5387ham001

LRB104 18003 CCC 35665 a

1 AMENDMENT TO HOUSE BILL 5387

2 AMENDMENT NO. _____. Amend House Bill 5387 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Regulatory Sunset Act is amended by
5 changing Sections 4.37 and 4.42 as follows:

6 (5 ILCS 80/4.37)

7 Sec. 4.37. Acts and Articles repealed on January 1, 2027.

8 The following are repealed on January 1, 2027:

9 ~~The Clinical Psychologist Licensing Act.~~

10 ~~The Illinois Optometric Practice Act of 1987.~~

11 Articles II, III, IV, V, VI, VIIA, VIIC, XVII, XXXI, and
12 XXXI 1/4 of the Illinois Insurance Code.

13 The Boiler and Pressure Vessel Repairer Regulation Act.

14 ~~The Marriage and Family Therapy Licensing Act.~~

15 ~~The Boxing and Full contact Martial Arts Act.~~

16 The Cemetery Oversight Act.

1 The Community Association Manager Licensing and
2 Disciplinary Act.

3 The Detection of Deception Examiners Act.

4 The Home Inspector License Act.

5 ~~The Massage Licensing Act.~~

6 ~~The Medical Practice Act of 1987.~~

7 The Petroleum Equipment Contractors Licensing Act.

8 The Radiation Protection Act of 1990.

9 The Real Estate Appraiser Licensing Act of 2002.

10 The Registered Interior Designers Act.

11 The Landscape Architecture Registration Act.

12 The Water Well and Pump Installation Contractor's License
13 Act.

14 ~~The Licensed Certified Professional Midwife Practice Act.~~

15 (Source: P.A. 102-20, eff. 6-25-21; 102-284, eff. 8-6-21;
16 102-437, eff. 8-20-21; 102-656, eff. 8-27-21; 102-683, eff.
17 10-1-22; 102-813, eff. 5-13-22; 103-371, eff. 1-1-24; 103-823,
18 eff. 8-9-24.)

19 (5 ILCS 80/4.42)

20 Sec. 4.42. Acts repealed on January 1, 2032. The following
21 Acts are repealed on January 1, 2032:

22 The Collateral Recovery Act.

23 The Clinical Psychologist Licensing Act.

24 The Illinois Optometric Practice Act of 1987.

25 The Marriage and Family Therapy Licensing Act.

1 The Boxing and Full-contact Martial Arts Act.

2 The Massage Therapy Practice Act.

3 The Medical Practice Act of 1987.

4 The Licensed Certified Professional Midwife Practice Act.

5 (Source: P.A. 103-371, eff. 1-1-24.)

6 Section 10. The Clinical Psychologist Licensing Act is
7 amended by changing Sections 2, 2.5, 3, 4, 4.3, 4.5, 5, 7, 10,
8 11, 11.5, 12.5, 13, 14, 15, 16, 16.1, 21, 21.2, 25, 26, 26.5,
9 and 27 as follows:

10 (225 ILCS 15/2) (from Ch. 111, par. 5352)

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

12 Sec. 2. Definitions. As used in this Act:

13 (1) "Department" means the Department of Financial and
14 Professional Regulation.

15 (2) "Secretary" means the Secretary of Financial and
16 Professional Regulation.

17 (3) "Board" means the Clinical Psychologists Licensing
18 and Disciplinary Board appointed by the Secretary.

19 (4) (Blank).

20 (5) "Clinical psychology" means the independent
21 evaluation, classification, diagnosis, and treatment of
22 mental, emotional, behavioral or nervous disorders or
23 conditions, developmental disabilities, alcoholism and
24 substance abuse, disorders of habit or conduct, and the

1 psychological aspects of physical illness. The practice of
2 clinical psychology includes psychoeducational
3 evaluation, therapy, remediation and consultation, the use
4 of psychological and neuropsychological testing,
5 assessment, psychotherapy, psychoanalysis, hypnosis,
6 biofeedback, and behavioral modification when any of these
7 are used for the purpose of preventing or eliminating
8 psychopathology, or for the amelioration of psychological
9 disorders of individuals or groups. "Clinical psychology"
10 does not include the use of hypnosis by unlicensed persons
11 pursuant to Section 3.

12 (6) A person represents oneself ~~himself~~ to be a
13 "clinical psychologist" or "psychologist" within the
14 meaning of this Act when the person ~~he or she~~ holds himself
15 or herself out to the public by any title or description of
16 services incorporating the words "psychological",
17 "psychologic", "psychologist", "psychology", or "clinical
18 psychologist" or under such title or description offers to
19 render or renders clinical psychological services as
20 defined in paragraph (7) of this Section to individuals or
21 the public for remuneration.

22 (7) "Clinical psychological services" refers to any
23 services under paragraph (5) of this Section if the words
24 "psychological", "psychologic", "psychologist",
25 "psychology" or "clinical psychologist" are used to
26 describe such services by the person or organization

1 offering to render or rendering them.

2 (8) "Collaborating physician" means a physician
3 licensed to practice medicine in all of its branches in
4 Illinois who generally prescribes medications for the
5 treatment of mental health disease or illness to the
6 physician's ~~his or her~~ patients in the normal course of
7 the physician's ~~his or her~~ clinical medical practice.

8 (9) "Prescribing psychologist" means a licensed,
9 doctoral level psychologist who has undergone specialized
10 training, has passed an examination as determined by rule,
11 and has received a current license granting prescriptive
12 authority under Section 4.2 of this Act that has not been
13 revoked or suspended from the Department.

14 (10) "Prescriptive authority" means the authority to
15 prescribe, administer, discontinue, or distribute drugs or
16 medicines.

17 (11) "Prescription" means an order for a drug,
18 laboratory test, or any medicines, including controlled
19 substances as defined in the Illinois Controlled
20 Substances Act.

21 (12) "Drugs" has the meaning given to that term in the
22 Pharmacy Practice Act.

23 (13) "Medicines" has the meaning given to that term in
24 the Pharmacy Practice Act.

25 (14) "Address of record" means the designated address
26 recorded by the Department in the applicant's application

1 file or the licensee's license file maintained by the
2 Department's licensure maintenance unit.

3 (15) "Email address of record" means the designated
4 email address recorded by the Department in the
5 applicant's application file or the licensee's license
6 file, as maintained by the Department's licensure
7 maintenance unit.

8 ~~This Act shall not apply to persons lawfully carrying on~~
9 ~~their particular profession or business under any valid~~
10 ~~existing regulatory Act of the State.~~

11 (Source: P.A. 98-668, eff. 6-25-14; 99-572, eff. 7-15-16.)

12 (225 ILCS 15/2.5)

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

14 Sec. 2.5. Address of record; email address of record
15 Change of address. All applicants and licensees shall:

16 (1) provide a valid address and email address to the
17 Department, which shall serve as the address of record and
18 email address of record, respectively, at the time of
19 application for licensure or renewal of a license; and

20 (2) inform the Department of any change of address of
21 record or email address of record within 14 days after
22 such change either through the Department's website or by
23 contacting the Department's licensure maintenance unit. ~~It~~
24 is the duty of the applicant or licensee to inform the
25 Department of any change of address within 14 days after

1 ~~such change either through the Department's website or by~~
2 ~~contacting the Department's licensure maintenance unit.~~

3 (Source: P.A. 99-572, eff. 7-15-16.)

4 (225 ILCS 15/3) (from Ch. 111, par. 5353)

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

6 Sec. 3. Necessity of license; corporations, professional
7 limited liability companies, partnerships, and associations;
8 display of license.

9 (a) No individual shall, without a valid license as a
10 clinical psychologist issued by the Department, in any manner
11 hold oneself ~~himself or herself~~ out to the public as a
12 psychologist or clinical psychologist under the provisions of
13 this Act or render or offer to render clinical psychological
14 services as defined in paragraph 7 of Section 2 of this Act; or
15 attach the title "clinical psychologist", "psychologist" or
16 any other name or designation which would in any way imply that
17 the person ~~he or she~~ is able to practice as a clinical
18 psychologist; or offer to render or render clinical
19 psychological services as defined in paragraph 7 of Section 2
20 of this Act.

21 No person may engage in the practice of clinical
22 psychology, as defined in paragraph (5) of Section 2 of this
23 Act, without a license granted under this Act, except as
24 otherwise provided in this Act.

25 (b) No business organization shall provide, attempt to

1 provide, or offer to provide clinical psychological services
2 unless every member, shareholder, director, officer, holder of
3 any other ownership interest, agent, and employee who renders
4 clinical psychological services holds a currently valid
5 license issued under this Act. No corporation or limited
6 liability company shall be created that (i) has a stated
7 purpose that includes clinical psychology, or (ii) practices
8 or holds itself out as available to practice clinical
9 psychology, unless it is organized under the Professional
10 Service Corporation Act or the Professional Limited Liability
11 Company Act.

12 (c) Individuals, corporations, professional limited
13 liability companies, partnerships, and associations may employ
14 practicum students, interns or postdoctoral candidates seeking
15 to fulfill educational requirements or the professional
16 experience requirements needed to qualify for a license as a
17 clinical psychologist to assist in the rendering of services,
18 provided that such employees function under the direct
19 supervision, order, control and full professional
20 responsibility of a licensed clinical psychologist in the
21 corporation, professional limited liability company,
22 partnership, or association. Nothing in this paragraph shall
23 prohibit a corporation, professional limited liability
24 company, partnership, or association from contracting with a
25 licensed health care professional to provide services.

26 (c-5) Nothing in this Act shall preclude individuals

1 licensed under this Act from practicing directly or indirectly
2 for a physician licensed to practice medicine in all its
3 branches under the Medical Practice Act of 1987 or for any
4 legal entity as provided under subsection (c) of Section 22.2
5 of the Medical Practice Act of 1987.

6 Nothing in this Act shall preclude individuals licensed
7 under this Act from practicing directly or indirectly for any
8 hospital licensed under the Hospital Licensing Act or any
9 hospital affiliate as defined in Section 10.8 of the Hospital
10 Licensing Act and any hospital authorized under the University
11 of Illinois Hospital Act.

12 (d) Nothing in this Act shall prevent the employment, by a
13 clinical psychologist, individual, association, partnership,
14 professional limited liability company, or corporation
15 furnishing clinical psychological services for remuneration,
16 of persons not licensed as clinical psychologists under the
17 provisions of this Act to perform services in various
18 capacities as needed, provided that such persons are not in
19 any manner held out to the public as rendering clinical
20 psychological services as defined in paragraph 7 of Section 2
21 of this Act. Nothing contained in this Act shall require any
22 hospital, clinic, home health agency, hospice, or other entity
23 that provides health care services to employ or to contract
24 with a clinical psychologist licensed under this Act to
25 perform any of the activities under paragraph (5) of Section 2
26 of this Act.

1 (e) Nothing in this Act shall be construed to limit the
2 services and use of official title on the part of a person, not
3 licensed under the provisions of this Act, in the employ of a
4 State, county, or municipal agency or other political
5 subdivision insofar that such services are a part of the
6 duties in the person's ~~his or her~~ salaried position, and
7 insofar that such services are performed solely on behalf of
8 the person's ~~his or her~~ employer.

9 Nothing contained in this Section shall be construed as
10 permitting such person to offer their services as
11 psychologists to any other persons and to accept remuneration
12 for such psychological services other than as specifically
13 excepted herein, unless they have been licensed under the
14 provisions of this Act.

15 (f) Duly recognized members of any bona fide ~~bonafide~~
16 religious denomination shall not be restricted from
17 functioning in their ministerial capacity provided they do not
18 represent themselves as being clinical psychologists or
19 providing clinical psychological services.

20 (g) Nothing in this Act shall prohibit individuals not
21 licensed under the provisions of this Act who work in
22 self-help groups or programs or not-for-profit organizations
23 from providing services in those groups, programs, or
24 organizations, provided that such persons are not in any
25 manner held out to the public as rendering clinical
26 psychological services as defined in paragraph 7 of Section 2

1 of this Act.

2 (h) Nothing in this Act shall be construed to prevent a
3 person from practicing hypnosis without a license issued under
4 this Act provided that the person (1) does not otherwise
5 engage in the practice of clinical psychology, including, but
6 not limited to, the independent evaluation, classification,
7 and treatment of mental, emotional, behavioral, or nervous
8 disorders or conditions, developmental disabilities,
9 alcoholism and substance abuse, disorders of habit or conduct,
10 and the psychological aspects of physical illness, (2) does
11 not otherwise engage in the practice of medicine, including,
12 but not limited to, the diagnosis or treatment of physical or
13 mental ailments or conditions, and (3) does not hold the
14 person ~~himself or herself~~ out to the public by a title or
15 description stating or implying that the individual is a
16 clinical psychologist or is licensed to practice clinical
17 psychology.

18 (i) Every licensee under this Act shall prominently
19 display the license at the licensee's principal office, place
20 of business, or place of employment and, whenever requested by
21 any representative of the Department, must exhibit the
22 license.

23 (Source: P.A. 99-227, eff. 8-3-15; 99-572, eff. 7-15-16.)

24 (225 ILCS 15/4) (from Ch. 111, par. 5354)

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

1 Sec. 4. Exemptions ~~Application of Act.~~

2 (a) Nothing in this Act shall be construed to limit the
3 activities of and services of a student, intern or resident in
4 psychology seeking to fulfill educational requirements or the
5 experience requirements in order to qualify for a license
6 under this Act, or an individual seeking to fulfill the
7 postdoctoral experience requirements in order to qualify for
8 licensure under this Act provided that such activities and
9 services are under the direct supervision, order, control and
10 full professional responsibility of a licensed clinical
11 psychologist and provided that such student, intern, or
12 resident be designated by a title "intern" or "resident" or
13 other designation of trainee status. Supervised experience in
14 which the supervisor receives monetary payment or other
15 considerations from the supervisee or in which the supervisor
16 is hired by or otherwise employed by the supervisee shall not
17 be accepted by the Department as fulfilling the practicum,
18 internship or 2 years of satisfactory supervised experience
19 requirements for licensure. Nothing contained in this Section
20 shall be construed as permitting such students, interns, or
21 residents to offer their services as clinical psychologists to
22 any other person or persons and to accept remuneration for
23 such clinical psychological services other than as
24 specifically excepted herein, unless they have been licensed
25 under the provisions of this Act. Students, interns, and
26 residents providing services pursuant to the exemption under

1 this subsection (a) who violate any provision of this Act or
2 its rules shall be subject to the provisions of Sections 16.5
3 and 27.2.

4 (b) Nothing in this Act shall be construed as permitting
5 persons licensed as clinical psychologists to engage in any
6 manner in the practice of medicine as defined in the laws of
7 this State. Persons licensed as clinical psychologists who
8 render services to persons in need of mental treatment or who
9 are mentally ill shall as appropriate initiate genuine
10 collaboration with a physician licensed in Illinois to
11 practice medicine in all its branches.

12 (c) Nothing in this Act shall be construed as restricting
13 an individual certified as a school psychologist by the State
14 Board of Education, who is at least 21 years of age and has had
15 at least 3 years of full-time experience as a certified school
16 psychologist, from using the title school psychologist and
17 offering school psychological services limited to those
18 services set forth in the rules and regulations that govern
19 the administration and operation of special education
20 pertaining to children and youth ages 0-21 prepared by the
21 State Board of Education. Anyone offering such services under
22 the provisions of this paragraph shall use the term school
23 psychologist and describe such services as "School
24 Psychological Services". This exemption shall be limited to
25 the practice of school psychology only as manifested through
26 psychoeducational problems, and shall not be construed to

1 allow a school psychologist to function as a general
2 practitioner of clinical psychology, unless otherwise licensed
3 under this Act. However, nothing in this paragraph prohibits a
4 school psychologist from making evaluations, recommendations
5 or interventions regarding the placement of children in
6 educational programs or special education classes, nor shall
7 it prohibit school psychologists from providing clinical
8 psychological services under the supervision of a licensed
9 clinical psychologist. This paragraph shall not be construed
10 to mandate insurance companies to reimburse school
11 psychologists directly for the services of school
12 psychologists. Nothing in this paragraph shall be construed to
13 exclude anyone duly licensed under this Act from offering
14 psychological services in the school setting. School
15 psychologists providing services under the provisions of this
16 paragraph shall not provide such services outside their
17 employment to any child who is a student in the district or
18 districts which employ such school psychologist. School
19 psychologists, as described in this paragraph, shall be under
20 the regulatory authority of the State Board of Education and
21 the State Teacher Certification Board.

22 (d) Nothing in this Act shall be construed to limit the
23 activities and use of the official title of "psychologist" on
24 the part of a person not licensed under this Act who possesses
25 a doctoral degree earned in a program concentrated primarily
26 on the study of psychology and is an academic employee of a

1 duly chartered institution of higher education insofar as such
2 person engages in public speaking with or without
3 remuneration, provided that such person is not in any manner
4 held out to the public as practicing clinical psychology as
5 defined in paragraph 5 of Section 2 of this Act, unless the
6 person ~~he or she~~ has been licensed under the provisions of this
7 Act.

8 (e) Nothing in this Act shall be construed to regulate,
9 control, or restrict the clinical practice of any person
10 licensed, registered, or certified in this State under any
11 other Act, provided that such person is not in any manner held
12 out to the public as rendering clinical psychological services
13 as defined in paragraph 7 of Section 2 of this Act.

14 (f) Nothing in this Act shall be construed to limit the
15 activities and use of the title "psychologist" on the part of a
16 person who practices psychology and (i) who possesses a
17 doctoral degree earned in a program concentrated primarily on
18 the study of psychology; and (ii) whose services involve the
19 development and application of psychological theory and
20 methodology to problems of organizations and problems of
21 individuals and groups in organizational settings; and
22 provided further that such person is not in any manner held out
23 to the public as practicing clinical psychology and is not
24 held out to the public by any title, description or
25 designation stating or implying that the person ~~he or she~~ is a
26 clinical psychologist unless the person ~~he or she~~ has been

1 licensed under the provisions of this Act.

2 (g) This Act shall not apply to persons lawfully carrying
3 on the person's particular profession or business under any
4 valid existing regulatory Act of the State.

5 (Source: P.A. 89-702, eff. 7-1-97.)

6 (225 ILCS 15/4.3)

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

8 Sec. 4.3. Written collaborative agreements.

9 (a) A written collaborative agreement is required for all
10 prescribing psychologists practicing under a prescribing
11 psychologist license issued pursuant to Section 4.2 of this
12 Act.

13 (b) A written delegation of prescriptive authority by a
14 collaborating physician may only include medications for the
15 treatment of mental health disease or illness the
16 collaborating physician generally provides to the
17 collaborating physician's ~~his or her~~ patients in the normal
18 course of the collaborating physician's ~~his or her~~ clinical
19 practice with the exception of the following:

20 (1) patients who are less than 17 years of age or over
21 65 years of age;

22 (2) patients during pregnancy;

23 (3) patients with serious medical conditions, such as
24 heart disease, cancer, stroke, or seizures, and with
25 developmental disabilities and intellectual disabilities;

1 and

2 (4) prescriptive authority for benzodiazepine Schedule
3 III controlled substances.

4 (c) The collaborating physician shall file with the
5 Department notice of delegation of prescriptive authority and
6 termination of the delegation, in accordance with rules of the
7 Department. Upon receipt of this notice delegating authority
8 to prescribe any nonnarcotic Schedule III through V controlled
9 substances, the licensed clinical psychologist shall be
10 eligible to register for a mid-level practitioner controlled
11 substance license under Section 303.05 of the Illinois
12 Controlled Substances Act.

13 (d) All of the following shall apply to delegation of
14 prescriptive authority:

15 (1) Any delegation of Schedule III through V
16 controlled substances shall identify the specific
17 controlled substance by brand name or generic name. No
18 controlled substance to be delivered by injection may be
19 delegated. No Schedule II controlled substance shall be
20 delegated.

21 (2) A prescribing psychologist shall not prescribe
22 narcotic drugs, as defined in Section 102 of the Illinois
23 Controlled Substances Act.

24 Any prescribing psychologist who writes a prescription for
25 a controlled substance without having valid and appropriate
26 authority may be fined by the Department not more than \$50 per

1 prescription and the Department may take any other
2 disciplinary action provided for in this Act.

3 All prescriptions written by a prescribing psychologist
4 must contain the name of the prescribing psychologist and the
5 prescribing psychologist's ~~his or her~~ signature. The
6 prescribing psychologist shall sign the prescribing
7 psychologist's ~~his or her~~ own name.

8 (e) The written collaborative agreement shall describe the
9 working relationship of the prescribing psychologist with the
10 collaborating physician and shall delegate prescriptive
11 authority as provided in this Act. Collaboration does not
12 require an employment relationship between the collaborating
13 physician and prescribing psychologist. Absent an employment
14 relationship, an agreement may not restrict third-party
15 payment sources accepted by the prescribing psychologist. For
16 the purposes of this Section, "collaboration" means the
17 relationship between a prescribing psychologist and a
18 collaborating physician with respect to the delivery of
19 prescribing services in accordance with (1) the prescribing
20 psychologist's training, education, and experience and (2)
21 collaboration and consultation as documented in a jointly
22 developed written collaborative agreement.

23 (f) The agreement shall promote the exercise of
24 professional judgment by the prescribing psychologist
25 corresponding to the prescribing psychologist's ~~his or her~~
26 education and experience.

1 (g) The collaborative agreement shall not be construed to
2 require the personal presence of a physician at the place
3 where services are rendered. Methods of communication shall be
4 available for consultation with the collaborating physician in
5 person or by telecommunications in accordance with established
6 written guidelines as set forth in the written agreement.

7 (h) Collaboration and consultation pursuant to all
8 collaboration agreements shall be adequate if a collaborating
9 physician does each of the following:

10 (1) participates in the joint formulation and joint
11 approval of orders or guidelines with the prescribing
12 psychologist and the collaborating physician ~~he or she~~
13 periodically reviews the prescribing psychologist's orders
14 and the services provided patients under the orders in
15 accordance with accepted standards of medical practice and
16 prescribing psychologist practice;

17 (2) provides collaboration and consultation with the
18 prescribing psychologist in person at least once a month
19 for review of safety and quality clinical care or
20 treatment;

21 (3) is available through telecommunications for
22 consultation on medical problems, complications,
23 emergencies, or patient referral; and

24 (4) reviews medication orders of the prescribing
25 psychologist no less than monthly, including review of
26 laboratory tests and other tests as available.

1 (i) The written collaborative agreement shall contain
2 provisions detailing notice for termination or change of
3 status involving a written collaborative agreement, except
4 when the notice is given for just cause.

5 (j) A copy of the signed written collaborative agreement
6 shall be available to the Department upon request to either
7 the prescribing psychologist or the collaborating physician.

8 (k) Nothing in this Section shall be construed to limit
9 the authority of a prescribing psychologist to perform all
10 duties authorized under this Act.

11 (l) A prescribing psychologist shall inform each
12 collaborating physician of all collaborative agreements the
13 prescribing psychologist ~~he or she~~ has signed and provide a
14 copy of these to any collaborating physician.

15 (m) No collaborating physician shall enter into more than
16 3 collaborative agreements with prescribing psychologists.

17 (Source: P.A. 101-84, eff. 7-19-19.)

18 (225 ILCS 15/4.5)

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

20 Sec. 4.5. Endorsement; prescribing psychologists.

21 (a) Individuals who are already licensed as medical or
22 prescribing psychologists in another state may apply for an
23 Illinois prescribing psychologist license by endorsement from
24 that state, or acceptance of that state's examination if they
25 meet the requirements set forth in this Act and its rules,

1 including proof of successful completion of the educational,
2 testing, and experience standards. Applicants from other
3 states may not be required to pass the examination required
4 for licensure as a prescribing psychologist in Illinois if
5 they meet requirements set forth in this Act and its rules,
6 such as proof of education, testing, payment of any fees, and
7 experience.

8 (b) Individuals who graduated from the Department of
9 Defense Psychopharmacology Demonstration Project may apply for
10 an Illinois prescribing psychologist license by endorsement.
11 Applicants from the Department of Defense Psychopharmacology
12 Demonstration Project may not be required to pass the
13 examination required for licensure as a prescribing
14 psychologist in Illinois if they meet requirements set forth
15 in this Act and its rules, such as proof of education, testing,
16 payment of any fees, and experience.

17 (c) Individuals applying for a prescribing psychologist
18 license by endorsement shall be required to first obtain a
19 clinical psychologist license under this Act.

20 (Source: P.A. 98-668, eff. 6-25-14.)

21 (225 ILCS 15/5) (from Ch. 111, par. 5355)

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

23 Sec. 5. Confidentiality of information. No clinical
24 psychologist shall disclose any information the clinical
25 psychologist ~~he or she~~ may have acquired from persons

1 consulting the clinical psychologist ~~him or her~~ in the
2 clinical psychologist's ~~his or her~~ professional capacity, to
3 any persons except only: (1) in trials for homicide when the
4 disclosure relates directly to the fact or immediate
5 circumstances of the homicide, (2) in all proceedings the
6 purpose of which is to determine mental competency, or in
7 which a defense of mental incapacity is raised, (3) in
8 actions, civil or criminal, against the psychologist for
9 malpractice, (4) with the expressed consent of the client, or
10 in the case of the client's ~~his or her~~ death or disability, the
11 client's ~~or his or her~~ personal representative or other person
12 authorized to sue or of the beneficiary of an insurance policy
13 on the client's ~~his or her~~ life, health, or physical
14 condition, or (5) upon an issue as to the validity of a
15 document as a will of a client. In the event of a conflict
16 between the application of this Section and the Mental Health
17 and Developmental Disabilities Confidentiality Act to a
18 specific situation, the provisions of the Mental Health and
19 Developmental Disabilities Confidentiality Act shall control.
20 (Source: P.A. 89-702, eff. 7-1-97.)

21 (225 ILCS 15/7) (from Ch. 111, par. 5357)

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

23 Sec. 7. Board. The Secretary shall appoint a Board that
24 shall serve in an advisory capacity to the Secretary.

25 The Board shall consist of 11 persons: 4 of whom are

1 licensed clinical psychologists and actively engaged in the
2 practice of clinical psychology; 2 of whom are licensed
3 prescribing psychologists; 2 of whom are physicians licensed
4 to practice medicine in all its branches in Illinois who
5 generally prescribe medications for the treatment of mental
6 health disease or illness in the normal course of clinical
7 medical practice, one of whom shall be a psychiatrist and the
8 other a primary care or family physician; 2 of whom are
9 licensed clinical psychologists and are full-time ~~full-time~~
10 faculty members of accredited colleges or universities who are
11 engaged in training clinical psychologists; and one of whom is
12 a public member who is not a licensed health care provider. In
13 appointing members of the Board, the Secretary shall give due
14 consideration to the adequate representation of the various
15 fields of health care psychology such as clinical psychology,
16 school psychology and counseling psychology. In appointing
17 members of the Board, the Secretary shall give due
18 consideration to recommendations by members of the profession
19 of clinical psychology and by the Statewide ~~State-wide~~
20 organizations representing the interests of clinical
21 psychologists and organizations representing the interests of
22 academic programs as well as recommendations by approved
23 doctoral level psychology programs in the State of Illinois,
24 and, with respect to the 2 physician members of the Board, the
25 Secretary shall give due consideration to recommendations by
26 the Statewide professional associations or societies

1 representing physicians licensed to practice medicine in all
2 its branches in Illinois. The members shall be appointed for a
3 term of 4 years. No member shall be eligible to serve for more
4 than 2 full terms. Any appointment to fill a vacancy shall be
5 for the unexpired portion of the term. A member appointed to
6 fill a vacancy for an unexpired term for a duration of 2 years
7 or more may be reappointed for a maximum of one term and a
8 member appointed to fill a vacancy for an unexpired term for a
9 duration of less than 2 years may be reappointed for a maximum
10 of 2 terms. The Secretary may remove any member for cause at
11 any time prior to the expiration of the member's ~~his or her~~
12 term.

13 The 2 initial appointees to the Board who are licensed
14 prescribing psychologists may hold a medical or prescription
15 license issued by another state so long as the license is
16 deemed by the Secretary to be substantially equivalent to a
17 prescribing psychologist license under this Act and so long as
18 the appointees also maintain an Illinois clinical psychologist
19 license. Such initial appointees shall serve on the Board
20 until the Department adopts rules necessary to implement
21 licensure under Section 4.2 of this Act.

22 The Board shall annually elect a chairperson and vice
23 chairperson.

24 The members of the Board shall be reimbursed for all
25 authorized legitimate and necessary expenses incurred in
26 attending the meetings of the Board.

1 The Secretary shall give due consideration to all
2 recommendations of the Board.

3 The Board may make recommendations on all matters relating
4 to continuing education including the number of hours
5 necessary for license renewal, waivers for those unable to
6 meet such requirements and acceptable course content. Such
7 recommendations shall not impose an undue burden on the
8 Department or an unreasonable restriction on those seeking
9 license renewal.

10 The 2 licensed prescribing psychologist members of the
11 Board and the 2 physician members of the Board shall only
12 deliberate and make recommendations related to the licensure
13 and discipline of prescribing psychologists. Four members
14 shall constitute a quorum, except that all deliberations and
15 recommendations related to the licensure and discipline of
16 prescribing psychologists shall require a quorum of 6 members.
17 A quorum is required for all Board decisions.

18 Members of the Board shall have no liability in any action
19 based upon any disciplinary proceeding or other activity
20 performed in good faith as a member of the Board.

21 The Secretary may terminate the appointment of any member
22 for cause which in the sole opinion of the Secretary
23 reasonably justifies such termination.

24 (Source: P.A. 98-668, eff. 6-25-14; 99-572, eff. 7-15-16.)

25 (225 ILCS 15/10) (from Ch. 111, par. 5360)

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

2 Sec. 10. Qualifications of applicants; examination. The
3 Department, except as provided in Section 11 of this Act,
4 shall issue a license as a clinical psychologist to any person
5 who pays an application fee and who:

6 (1) is at least 21 years of age;

7 (2) (blank);

8 (3) is a graduate of a doctoral program from a
9 college, university or school accredited by the regional
10 accrediting body which is recognized by the Council on
11 Postsecondary Accreditation and is in the jurisdiction in
12 which it is located for purposes of granting the doctoral
13 degree and either:

14 (a) is a graduate of a doctoral program in
15 clinical, school or counseling psychology either
16 accredited by the American Psychological Association
17 or the Psychological Clinical Science Accreditation
18 System or approved by the Council for the National
19 Register of Health Service Providers in Psychology or
20 other national board recognized by the Board, and has
21 completed 2 years of satisfactory supervised
22 experience in clinical, school or counseling
23 psychology at least one of which is an internship and
24 one of which is postdoctoral; or

25 (b) holds a doctoral degree from a recognized
26 college, university or school which the Department,

1 through its rules, establishes as being equivalent to
2 a clinical, school or counseling psychology program
3 and has completed at least one course in each of the
4 following 7 content areas, in actual attendance at a
5 recognized university, college or school whose
6 graduates would be eligible for licensure under this
7 Act: scientific and professional ethics, biological
8 basis of behavior, cognitive-affective basis of
9 behavior, social basis of behavior, individual
10 differences, assessment, and treatment modalities; and
11 has completed 2 years of satisfactory supervised
12 experience in clinical, school or counseling
13 psychology, at least one of which is an internship and
14 one of which is postdoctoral; or

15 (c) holds a doctorate in psychology or in a
16 program whose content is psychological in nature from
17 an accredited college, university or school not
18 meeting the standards of paragraph (a) or (b) of this
19 subsection (3) and provides evidence of the completion
20 of at least one course in each of the 7 content areas
21 specified in paragraph (b) in actual attendance at a
22 recognized university, school or college whose
23 graduate would be eligible for licensure under this
24 Act; and has completed an appropriate practicum, an
25 internship or equivalent supervised clinical
26 experience in an organized mental health care setting

1 and 2 years of satisfactory supervised experience in
2 clinical or counseling psychology, at least one of
3 which is postdoctoral; and

4 (4) has passed an examination authorized by the
5 Department to determine the person's ~~his or her~~ fitness to
6 receive a license.

7 Applicants for licensure under subsection (3) (a) and (3) (b) of
8 this Section shall complete 2 years of satisfactory supervised
9 experience, at least one of which shall be an internship and
10 one of which shall be postdoctoral. A year of supervised
11 experience is defined as not less than 1,750 hours obtained in
12 not less than 50 weeks based on 35 hours per week for full-time
13 work experience. Full-time supervised experience will be
14 counted only if it is obtained in a single setting for a
15 minimum of 6 months. Part-time and internship experience will
16 be counted only if it is 18 hours or more a week for a minimum
17 of 9 months and is in a single setting. The internship
18 experience required under subsection (3) (a) and (3) (b) of this
19 Section shall be a minimum of 1,750 hours completed within 24
20 months.

21 Programs leading to a doctoral degree require minimally
22 the equivalent of 3 full-time academic years of graduate
23 study, at least 2 years of which are at the institution from
24 which the degree is granted, and of which at least one year or
25 its equivalent is in residence at the institution from which
26 the degree is granted. Course work for which credit is given

1 for life experience will not be accepted by the Department as
2 fulfilling the educational requirements for licensure.
3 Residence requires interaction with psychology faculty and
4 other matriculated psychology students; one year's residence
5 or its equivalent is defined as follows:

6 (a) 30 semester hours taken on a full-time or
7 part-time basis at the institution accumulated within 24
8 months, or

9 (b) a minimum of 350 hours of student-faculty contact
10 involving face-to-face individual or group courses or
11 seminars accumulated within 18 months. Such educational
12 meetings must include both faculty-student and
13 student-student interaction, be conducted by the
14 psychology faculty of the institution at least 90% of the
15 time, be fully documented by the institution, and relate
16 substantially to the program and course content. The
17 institution must clearly document how the applicant's
18 performance is assessed and evaluated.

19 To meet the requirement for satisfactory supervised
20 experience, under this Act the supervision must be performed
21 pursuant to the order, control and full professional
22 responsibility of a licensed clinical psychologist. The
23 clients shall be the clients of the agency or supervisor
24 rather than the supervisee. Supervised experience in which the
25 supervisor receives monetary payment or other consideration
26 from the supervisee or in which the supervisor is hired by or

1 otherwise employed by the supervisee shall not be accepted by
2 the Department as fulfilling the practicum, internship or 2
3 years of satisfactory supervised experience requirements for
4 licensure.

5 Examinations for applicants under this Act shall be held
6 at the direction of the Department from time to time but not
7 less than once each year. The scope and form of the examination
8 shall be determined by the Department.

9 Each applicant for a license who possesses the necessary
10 qualifications therefor shall be examined by the Department,
11 and shall pay to the Department, or its designated testing
12 service, the required examination fee, which fee shall not be
13 refunded by the Department. Beginning one year after the
14 effective date of this amendatory Act of the 104th General
15 Assembly, the required examination may be taken upon
16 graduation and before completion of a postdoctoral supervised
17 experience in clinical, school, or counseling psychology.

18 Applicants have 3 years from the date of application to
19 complete the application process. If the process has not been
20 completed in 3 years, the application shall be denied, the fee
21 shall be forfeited, and the applicant must reapply and meet
22 the requirements in effect at the time of reapplication.

23 An applicant has one year from the date of notification of
24 successful completion of the examination to apply to the
25 Department for a license. If an applicant fails to apply
26 within one year, the applicant shall be required to take and

1 pass the examination again unless licensed in another
2 jurisdiction of the United States within one year of passing
3 the examination.

4 (Source: P.A. 104-301, eff. 1-1-26.)

5 (225 ILCS 15/11) (from Ch. 111, par. 5361)

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

7 Sec. 11. Endorsement; clinical psychologists ~~Persons~~
8 ~~licensed in other jurisdictions.~~

9 (a) The Department may, in its discretion, grant a license
10 on payment of the required fee to any person who, at the time
11 of application, is licensed by another state or jurisdiction
12 of the United States or by any foreign country or province
13 whose standards, in the opinion of the Department, were
14 substantially equivalent, at the date of the person's ~~his or~~
15 ~~her~~ licensure in the other jurisdiction, to the requirements
16 of this Act or to any person who, at the time of the person's
17 ~~his or her~~ licensure, possessed individual qualifications that
18 were substantially equivalent to the requirements then in
19 force in this State.

20 (b) The Department may issue a license, upon payment of
21 the required fee and recommendation of the Board, to an
22 individual applicant who:

23 (1) has been licensed based on a doctorate degree to
24 practice psychology in one or more other states or Canada
25 for at least 30 months during the 5 consecutive years

1 preceding application ~~20 years~~;

2 (2) has had no disciplinary action taken against his
3 or her license in any other jurisdiction during the entire
4 period of licensure;

5 (3) (blank);

6 (4) has not violated any provision of this Act or the
7 rules adopted under this Act; and

8 (5) complies with all additional rules promulgated
9 under this subsection.

10 The Department may promulgate rules to further define
11 these licensing criteria.

12 (b-5) The endorsement process for individuals who are
13 already licensed as medical or prescribing psychologists in
14 another state is governed by Section 4.5 of this Act and not
15 this Section.

16 (c) Applicants have 3 years from the date of application
17 to complete the application process. If the process has not
18 been completed in 3 years, the application shall expire ~~be~~
19 ~~denied~~, the fee shall be forfeited, and the applicant must
20 reapply and meet the requirements in effect at the time of
21 reapplication.

22 (Source: P.A. 99-572, eff. 7-15-16.)

23 (225 ILCS 15/11.5)

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

25 Sec. 11.5. Temporary authorization of practice by persons

1 licensed in other jurisdictions.

2 (a) A person licensed in another jurisdiction is
3 authorized to render ~~The Department, in its discretion, may~~
4 ~~issue a temporary permit authorizing the rendering of~~ clinical
5 psychological services, as defined in Section 2 of this Act,
6 in this State for up to 10 calendar days per year,
7 consecutively or in aggregate if the ~~. This temporary permit~~
8 ~~may be issued to an individual who~~ is licensed in good standing
9 to practice psychology independently and at the doctoral level
10 in another state, province, or territory. Any portion of a
11 calendar day in which the psychologist provides services in
12 this State is considered one working day. In no case shall a
13 person practicing pursuant to this subsection (a) establish a
14 permanent office location in Illinois, nor prepare or publish
15 letterhead, business cards, or similar publicity materials
16 listing an Illinois address or Illinois-based phone number.
17 Time devoted to providing testimony in court or in deposition
18 shall not be counted as part of the 10 calendar days allowed
19 under this subsection (a).

20 ~~An applicant for a temporary permit under this subsection~~
21 ~~(a) must apply to the Department on forms and in the manner~~
22 ~~prescribed by the Department. The application shall require~~
23 ~~that the applicant submit to the Department (i) satisfactory~~
24 ~~proof that the applicant is licensed in good standing to~~
25 ~~practice psychology independently and at the doctoral level in~~
26 ~~another state, province, or territory, including the sworn~~

1 ~~statement of the applicant that his or her license is not~~
2 ~~encumbered in any manner by any licensing authority, (ii) the~~
3 ~~name of the state, province, or territory in which the~~
4 ~~applicant is licensed, and (iii) the applicant's license~~
5 ~~number or other appropriate identifier issued by the licensing~~
6 ~~authority to the applicant.~~

7 (b) The Secretary may temporarily authorize an individual
8 to practice clinical psychology who (i) holds an active,
9 unencumbered license in good standing in another jurisdiction
10 and (ii) has applied for a license under this Act due to a
11 natural disaster or catastrophic event in the jurisdiction in
12 which the individual ~~he or she~~ is licensed. The temporary
13 authorization granted under this subsection (b) expires upon
14 the issuance of a license under this Act or upon the
15 notification that licensure has been denied by the Department.

16 (c) Any psychologist practicing pursuant to subsection (a)
17 or (b) of this Section shall conform the psychologist's ~~his or~~
18 ~~her~~ practice to the mandates of and shall be subject to the
19 prohibitions and sanctions, as well as the provisions on
20 hearings and investigations, contained in this Act and any
21 rules adopted thereunder while the psychologist ~~he or she~~ is
22 practicing in this State.

23 (Source: P.A. 95-451, eff. 1-1-08.)

24 (225 ILCS 15/12.5)

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

1 Sec. 12.5. Social Security Number or individual taxpayer
2 identification number on license application. In addition to
3 any other information required to be contained in the
4 application, every application for an original license under
5 this Act shall include the applicant's Social Security Number
6 or individual taxpayer identification number, which shall be
7 retained in the agency's records pertaining to the license. As
8 soon as practical, the Department shall assign a customer's
9 identification number to each applicant for a license.

10 Every application for a renewal or restored license shall
11 require the applicant's customer identification number.

12 (Source: P.A. 97-400, eff. 1-1-12.)

13 (225 ILCS 15/13) (from Ch. 111, par. 5363)

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

15 Sec. 13. License renewal; restoration.

16 (a) The expiration date and renewal period for each
17 license issued under this Act shall be set by rule. Every
18 holder of a license under this Act may renew such license
19 during the 90-day period immediately preceding the expiration
20 date thereof upon payment of the required renewal fees and
21 demonstrating compliance with any continuing education
22 requirements. The Department shall adopt rules establishing
23 minimum requirements of continuing education and means for
24 verification of the completion of the continuing education
25 requirements. The Department may, by rule, specify

1 circumstances under which the continuing education
2 requirements may be waived.

3 A clinical psychologist who has permitted the clinical
4 psychologist's ~~his or her~~ license to expire or who has had the
5 clinical psychologist's ~~his or her~~ license on inactive status
6 may have the clinical psychologist's ~~his or her~~ license
7 restored by making application to the Department and filing
8 proof acceptable to the Department, as defined by rule, of the
9 clinical psychologist's ~~his or her~~ fitness to have the
10 clinical psychologist's ~~his or her~~ license restored, including
11 evidence certifying to active practice in another jurisdiction
12 satisfactory to the Department and by paying the required
13 restoration fee.

14 If the clinical psychologist has not maintained an active
15 practice in another jurisdiction satisfactory to the
16 Department, the Board shall determine, by an evaluation
17 program established by rule, the clinical psychologist's ~~his~~
18 ~~or her~~ fitness to resume active status and may require the
19 clinical psychologist to complete a period of supervised
20 professional experience and may require successful completion
21 of an examination.

22 However, any clinical psychologist ~~whose~~ license that
23 expires ~~expired~~ while the clinical psychologist ~~he or she~~ was
24 (1) in Federal Service on active duty with the Armed Forces of
25 the United States, or the State Militia called into service or
26 training, or (2) in training or education under the

1 supervision of the United States preliminary to induction into
2 the military service, may have the ~~his or her~~ license renewed
3 or restored without paying any lapsed renewal fees if within 2
4 years after honorable termination of such service, training or
5 education the clinical psychologist ~~he or she~~ furnishes the
6 Department with satisfactory evidence to the effect that the
7 clinical psychologist ~~he or she~~ has been so engaged and that
8 the clinical psychologist's ~~his or her~~ service, training, or
9 education has been so terminated.

10 (b) Notwithstanding any other provision of law, the
11 following requirements for restoration of an inactive or
12 expired license of less than 5 years as set forth in subsection
13 (a) are suspended for any licensed clinical psychologist who
14 has had no disciplinary action taken against the clinical
15 psychologist's ~~his or her~~ license in this State or in any other
16 jurisdiction during the entire period of licensure: proof of
17 fitness, certification of active practice in another
18 jurisdiction, and the payment of a renewal fee. An individual
19 may not restore the individual's ~~his or her~~ license in
20 accordance with this subsection more than once.

21 (Source: P.A. 102-1053, eff. 6-10-22.)

22 (225 ILCS 15/14) (from Ch. 111, par. 5364)

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

24 Sec. 14. Inactive status. Any clinical psychologist who
25 notifies the Department in writing on forms prescribed by the

1 Department, may elect to place the clinical psychologist's ~~his~~
2 ~~or her~~ license on an inactive status and shall, subject to
3 rules of the Department, be excused from payment of renewal
4 fees until the clinical psychologist ~~he or she~~ notifies the
5 Department in writing of the clinical psychologist's ~~his or~~
6 ~~her~~ intent to restore the clinical psychologist's ~~his or her~~
7 license.

8 Any clinical psychologist requesting restoration from
9 inactive status shall be required to pay the current renewal
10 fee and shall be required to restore the clinical
11 psychologist's ~~his or her~~ license as provided in Section 13 of
12 this Act.

13 Any clinical psychologist whose license is in an inactive
14 status shall not practice in the State of Illinois.

15 Any licensee who shall practice clinical psychology while
16 the licensee's ~~his or her~~ license is lapsed or on inactive
17 status shall be considered to be practicing without a license
18 which shall be grounds for discipline under this Act.

19 (Source: P.A. 89-702, eff. 7-1-97.)

20 (225 ILCS 15/15) (from Ch. 111, par. 5365)

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

22 Sec. 15. Disciplinary action; grounds.

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

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

5 (1) Conviction of, or entry of a plea of guilty or nolo
6 contendere to, any crime that is a felony under the laws of
7 the United States or any state or territory thereof or
8 that is a misdemeanor of which an essential element is
9 dishonesty, or any crime that is directly related to the
10 practice of the profession.

11 (2) Gross negligence in the rendering of clinical
12 psychological services.

13 (3) Using fraud or making any misrepresentation in
14 applying for a license or in passing the examination
15 provided for in this Act.

16 (4) Aiding or abetting or conspiring to aid or abet a
17 person, not a clinical psychologist licensed under this
18 Act, in representing the person ~~himself or herself~~ as so
19 licensed or in applying for a license under this Act.

20 (5) Violation of any provision of this Act or the
21 rules promulgated thereunder.

22 (6) Professional connection or association with any
23 person, firm, association, partnership or corporation
24 holding ~~himself, herself, themselves,~~ or itself out in any
25 manner contrary to this Act.

26 (7) Unethical, unauthorized, or unprofessional conduct

1 as defined by rule. In establishing those rules, the
2 Department shall consider, though is not bound by, the
3 ethical standards for psychologists promulgated by
4 recognized national psychology associations.

5 (8) Aiding or assisting another person in violating
6 any provisions of this Act or the rules promulgated
7 thereunder.

8 (9) Failing to provide, within 30 ~~60~~ days, information
9 in response to a written request made by the Department.

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

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

19 (12) Directly or indirectly giving or receiving from
20 any person, firm, corporation, association, or partnership
21 any fee, commission, rebate, or other form of compensation
22 for any professional service not actually or personally
23 rendered. Nothing in this paragraph (12) affects any bona
24 fide independent contractor or employment arrangements
25 among health care professionals, health facilities, health
26 care providers, or other entities, except as otherwise

1 prohibited by law. Any employment arrangements may include
2 provisions for compensation, health insurance, pension, or
3 other employment benefits for the provision of services
4 within the scope of the licensee's practice under this
5 Act. Nothing in this paragraph (12) shall be construed to
6 require an employment arrangement to receive professional
7 fees for services rendered.

8 (13) A finding that the licensee, after having the
9 licensee's ~~his or her~~ license placed on probationary
10 status, has violated the terms of probation.

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

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

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

22 (17) Being named as a perpetrator in an indicated
23 report by the Department of Children and Family Services
24 pursuant to the Abused and Neglected Child Reporting Act,
25 and upon proof by clear and convincing evidence that the
26 licensee has caused a child to be an abused child or

1 neglected child as defined in the Abused and Neglected
2 Child Reporting Act.

3 (18) Violation of the Health Care Worker Self-Referral
4 Act.

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

8 (20) Failing to report to the Department any adverse
9 judgment, settlement, or award arising from a liability
10 claim related to an act or conduct similar to an act or
11 conduct that would constitute grounds for action as set
12 forth in this Section.

13 (21) Failing to report to the Department any adverse
14 final action taken against a licensee or applicant by
15 another licensing jurisdiction, including any other state
16 or territory of the United States or any foreign state or
17 country, or any peer review body, health care institution,
18 professional society or association related to the
19 profession, governmental agency, law enforcement agency,
20 or court for an act or conduct similar to an act or conduct
21 that would constitute grounds for disciplinary action as
22 set forth in this Section.

23 (22) Prescribing, selling, administering,
24 distributing, giving, or self-administering (A) any drug
25 classified as a controlled substance (designated product)
26 for other than medically accepted therapeutic purposes or

1 (B) any narcotic drug.

2 (23) 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 (24) Exceeding the terms of a collaborative agreement
6 or the prescriptive authority delegated to a licensee by
7 the licensee's ~~his or her~~ collaborating physician or
8 established under a written collaborative agreement.

9 The entry of an order by any circuit court establishing
10 that any person holding a license under this Act is subject to
11 involuntary admission or judicial admission as provided for in
12 the Mental Health and Developmental Disabilities Code,
13 operates as an automatic suspension of that license. That
14 person may have the person's ~~his or her~~ license restored only
15 upon the determination by a circuit court that the patient is
16 no longer subject to involuntary admission or judicial
17 admission and the issuance of an order so finding and
18 discharging the patient and upon the Board's recommendation to
19 the Department that the license be restored. Where the
20 circumstances so indicate, the Board may recommend to the
21 Department that it require an examination prior to restoring
22 any license so automatically suspended.

23 The Department shall refuse to issue or suspend the
24 license of any person who fails to file a return, or to pay the
25 tax, penalty, or interest shown in a filed return, or to pay
26 any final assessment of the tax, penalty, or interest, as

1 required by any tax Act administered by the Illinois
2 Department of Revenue, until such time as the requirements of
3 any such tax Act are satisfied.

4 In enforcing this Section, the Department or Board upon a
5 showing of a possible violation may compel any person licensed
6 to practice under this Act, or who has applied for licensure or
7 certification pursuant to this Act, to submit to a mental or
8 physical examination, or both, as required by and at the
9 expense of the Department. The examining physicians or
10 clinical psychologists shall be those specifically designated
11 by the Department. The Board or the Department may order the
12 examining physician or clinical psychologist to present
13 testimony concerning this mental or physical examination of
14 the licensee or applicant. No information shall be excluded by
15 reason of any common law or statutory privilege relating to
16 communications between the licensee or applicant and the
17 examining physician or clinical psychologist. The person to be
18 examined may have, at the person's ~~his or her~~ own expense,
19 another physician or clinical psychologist of the person's ~~his~~
20 ~~or her~~ choice present during all aspects of the examination.
21 Failure of any person to submit to a mental or physical
22 examination, when directed, shall be grounds for suspension of
23 a license until the person submits to the examination if the
24 Department or Board finds, after notice and hearing, that the
25 refusal to submit to the examination was without reasonable
26 cause.

1 If the Department or Board finds a person unable to
2 practice because of the reasons set forth in this Section, the
3 Department or Board may require that person to submit to care,
4 counseling, or treatment by physicians or clinical
5 psychologists approved or designated by the Department, as a
6 condition, term, or restriction for continued, reinstated, or
7 renewed licensure to practice; or, in lieu of care,
8 counseling, or treatment, the Board may recommend to the
9 Department to file or the Department may file a complaint to
10 immediately suspend, revoke, or otherwise discipline the
11 license of the person. Any person whose license was granted,
12 continued, reinstated, renewed, disciplined, or supervised
13 subject to such terms, conditions, or restrictions, and who
14 fails to comply with such terms, conditions, or restrictions,
15 shall be referred to the Secretary for a determination as to
16 whether the person shall have the person's ~~his or her~~ license
17 suspended immediately, pending a hearing by the Board.

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

1 A person licensed under this Act and affected under this
2 Section shall be afforded an opportunity to demonstrate to the
3 Board that the person ~~he or she~~ can resume practice in
4 compliance with acceptable and prevailing standards under the
5 provisions of the person's ~~his or her~~ license.

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

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

1 laws of this State and is consistent with the applicable
2 standard of conduct for a person practicing in Illinois under
3 this Act.

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

6 (e) The Department shall 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 under this
10 Act based solely upon the license, registration, or permit of
11 the person being suspended or revoked, or the person being
12 otherwise disciplined, by any other state or territory other
13 than Illinois for the referral for or having otherwise
14 participated in any health care service, if the revocation,
15 suspension, or other disciplinary action was based solely on a
16 violation of the other state's law prohibiting such health
17 care services in the state, for a resident of the state, or in
18 any other state.

19 (f) The Department may adopt rules to implement,
20 administer, and enforce this Section.

21 (Source: P.A. 104-432, eff. 1-1-26.)

22 (225 ILCS 15/16) (from Ch. 111, par. 5366)

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

24 Sec. 16. Investigations; notice; hearing.

25 (a) The Department may investigate the actions of any

1 applicant or of any person or persons holding or claiming to
2 hold a license or registration under this Act.

3 (b) The Department shall, before disciplining an applicant
4 or licensee, at least 30 days before the date set for the
5 hearing, (i) notify the accused in writing of the charges made
6 and the time and place for the hearing on the charges, (ii)
7 direct the applicant or licensee ~~him or her~~ to file a written
8 answer to the charges under oath within 20 days after service,
9 and (iii) inform the applicant or licensee that failure to
10 answer will result in a default being entered against the
11 applicant or licensee.

12 (c) At the time and place fixed in the notice, the Board or
13 hearing officer appointed by the Secretary shall proceed to
14 hear the charges, and the parties or their counsel shall be
15 accorded ample opportunity to present any pertinent
16 statements, testimony, evidence, and arguments. The Board or
17 hearing officer may continue the hearing from time to time. In
18 case the person, after receiving the notice, fails to file an
19 answer, the person's ~~his or her~~ license may, in the discretion
20 of the Secretary, having first received the recommendation of
21 the Board, be suspended, revoked, or placed on probationary
22 status, or be subject to whatever disciplinary action the
23 Secretary considers proper, including limiting the scope,
24 nature, or extent of the person's practice or the imposition
25 of a fine, without hearing, if the act or acts charged
26 constitute sufficient grounds for that action under this Act.

1 (d) The written notice and any notice in the subsequent
2 proceeding may be served by regular or certified mail to the
3 applicant's or licensee's address of record.

4 (Source: P.A. 99-572, eff. 7-15-16.)

5 (225 ILCS 15/16.1)

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

7 Sec. 16.1. Appointment of hearing officer. Notwithstanding
8 any other provision of this Act, the Secretary shall have the
9 authority to appoint any attorney duly licensed to practice
10 law in the State of Illinois to serve as the hearing officer in
11 any action for refusal to issue, renew or discipline a
12 license. The hearing officer shall have full authority to
13 conduct the hearing. The hearing officer shall report the
14 hearing officer's ~~his or her~~ findings of fact, conclusions of
15 law, and recommendations to the Board and the Secretary.

16 (Source: P.A. 99-572, eff. 7-15-16.)

17 (225 ILCS 15/21) (from Ch. 111, par. 5371)

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

19 Sec. 21. Restoration of license. At any time after the
20 suspension or revocation of any license, the Department may
21 restore it to the licensee upon the written recommendation of
22 the Board unless after an investigation and hearing the Board
23 or Department determines that restoration is not in the public
24 interest. Where circumstances of suspension or revocation so

1 indicate, the Department may require an examination of the
2 accused person prior to restoring the accused person's ~~his or~~
3 ~~her~~ license.

4 (Source: P.A. 99-572, eff. 7-15-16.)

5 (225 ILCS 15/21.2)

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

7 Sec. 21.2. Surrender of license. Upon the revocation or
8 suspension of a license, the licensee shall immediately
9 surrender the licensee's ~~his or her~~ license to the Department.
10 If the licensee fails to do so, the Department has the right to
11 seize the license.

12 (Source: P.A. 89-702, eff. 7-1-97.)

13 (225 ILCS 15/25) (from Ch. 111, par. 5375)

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

15 Sec. 25. Returned checks; fines. Any person who delivers a
16 check or other payment to the Department that is returned to
17 the Department unpaid by the financial institution upon which
18 it is drawn shall pay to the Department, in addition to the
19 amount already owed to the Department, a fine of \$50. The fines
20 imposed by this Section are in addition to any other
21 discipline provided under this Act for unlicensed practice or
22 practice on a nonrenewed license. The Department shall notify
23 the person that payment of fees and fines shall be paid to the
24 Department by certified check or money order within 30

1 calendar days of the notification. If, after the expiration of
2 30 days from the date of the notification, the person has
3 failed to submit the necessary remittance, the Department
4 shall automatically terminate the license or certificate or
5 deny the application, without hearing. If, after termination
6 or denial, the person seeks a license or certificate, the
7 person ~~he or she~~ shall apply to the Department for restoration
8 or issuance of the license or certificate and pay all fees and
9 fines due to the Department. The Department may establish a
10 fee for the processing of an application for restoration of a
11 license or certificate to pay all expenses of processing this
12 application. The Secretary may waive the fines due under this
13 Section in individual cases where the Secretary finds that the
14 fines would be unreasonable or unnecessarily burdensome.

15 (Source: P.A. 94-870, eff. 6-16-06.)

16 (225 ILCS 15/26) (from Ch. 111, par. 5376)

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

18 Sec. 26. Rendering services without a license. Any person
19 rendering or offering to render clinical psychological
20 services as defined in Section 2 of this Act or represents the
21 person ~~himself or herself~~ or the person's ~~his or her~~ services
22 as clinical psychological services as defined in Section 2 of
23 this Act, when the person ~~he or she~~ does not possess a
24 currently valid license as defined herein commits a Class B
25 misdemeanor, for a first offense; and for a second or

1 subsequent violation commits a Class 4 felony.

2 (Source: P.A. 89-387, eff. 8-20-95; 89-702, eff. 7-1-97.)

3 (225 ILCS 15/26.5)

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

5 Sec. 26.5. Advertising services. A licensee shall include
6 in every advertisement for services regulated under this Act
7 the licensee's ~~his or her~~ title as it appears on the license or
8 the initials authorized under this Act.

9 (Source: P.A. 91-310, eff. 1-1-00.)

10 (225 ILCS 15/27) (from Ch. 111, par. 5377)

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

12 Sec. 27. Injunctions. It is hereby declared to be a public
13 nuisance for any person to render or offer to render clinical
14 psychological services as defined in Section 2 of this Act or
15 to represent oneself ~~himself~~ as a clinical psychologist or
16 that the services the person ~~he or she~~ renders are clinical
17 psychological services as defined in Section 2 of this Act,
18 without having in effect a currently valid license as defined
19 in this Act. The Secretary, Attorney General, or the State's
20 Attorney of the county in which such nuisance has occurred may
21 file a complaint in the circuit court in the name of the People
22 of the State of Illinois perpetually to enjoin such person
23 from performing such unlawful acts. Upon the filing of a
24 verified complaint in such cause, the court, if satisfied that

1 such unlawful act has been performed and may continue to be
2 performed, shall enter a temporary restraining order or
3 preliminary injunction without notice or bond enjoining the
4 defendant from performing such unlawful act.

5 If it is established that the defendant contrary to this
6 Act has been rendering or offering to render clinical
7 psychological services as defined in Section 2 of this Act or
8 is engaging in or about to engage in representing himself or
9 herself as a clinical psychologist or that the services the
10 person ~~he or she~~ renders are clinical psychological services
11 as defined in Section 2 of this Act, without having been issued
12 a license or after the person's ~~his or her~~ license has been
13 suspended or revoked or after the person's ~~his or her~~ license
14 has not been renewed, the court, may enter a judgment
15 perpetually enjoining such person from further engaging in the
16 unlawful act. In case of violation of any injunction entered
17 under this Section, the court, may summarily try and punish
18 the offender for contempt of court. Such injunction
19 proceedings shall be in addition to, and not in lieu of, all
20 penalties and other remedies provided in this Act.

21 (Source: P.A. 94-870, eff. 6-16-06.)

22 Section 15. The Marriage and Family Therapy Licensing Act
23 is amended by changing Sections 10, 15, 20, 25, 30, 45, 60, 65,
24 75, 85, 90, 91, 95, 135, and 145 and by adding Section 71 as
25 follows:

1 (225 ILCS 55/10) (from Ch. 111, par. 8351-10)

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

3 Sec. 10. Definitions. As used in this Act:

4 "Address of record" means the designated address recorded
5 by the Department in the applicant's application file or the
6 licensee's license file maintained by the Department's
7 licensure maintenance unit.

8 "Advertise" means, but is not limited to, issuing or
9 causing to be distributed any card, sign, website, or other
10 similar type of publication or electronic format or a device
11 to any person; or causing, permitting or allowing any sign or
12 marking on or in any building, structure, newspaper, magazine
13 or directory, or on radio, ~~or~~ television, a website, or
14 another similar type of electronic format; or advertising by
15 any other means designed to secure public attention.

16 "Approved program" means an approved comprehensive program
17 of study in marriage and family therapy in a regionally
18 accredited educational institution approved by the Department
19 for the training of marriage and family therapists.

20 "Associate licensed marriage and family therapist" means a
21 person to whom an associate licensed marriage and family
22 therapist license has been issued under this Act.

23 "Board" means the Illinois Marriage and Family Therapy
24 Licensing and Disciplinary Board.

25 "Department" means the Department of Financial and

1 Professional Regulation.

2 "Email address of record" means the designated email
3 address recorded by the Department in the applicant's
4 application file or the licensee's license file, as maintained
5 by the Department's licensure maintenance unit.

6 "First qualifying degree" means the first master's or
7 doctoral degree, as described in paragraph (1) of subsection
8 (b) of Section 40, that an applicant for licensure received.

9 "Independent practice of marriage and family therapy"
10 means the application of marriage and family therapy knowledge
11 and skills by a licensed marriage and family therapist who
12 regulates and is responsible for the therapist's own practice
13 or treatment procedures.

14 "License" means that which is required to practice
15 marriage and family therapy under this Act, the qualifications
16 for which include specific education, acceptable experience
17 and examination requirements.

18 "Licensed marriage and family therapist" means a person to
19 whom a marriage and family therapist license has been issued
20 under this Act.

21 "Marriage and family therapy" means the evaluation and
22 treatment of mental and emotional problems within the context
23 of human relationships. Marriage and family therapy involves
24 the use of psychotherapeutic methods to ameliorate
25 interpersonal and intrapersonal conflict and to modify
26 perceptions, beliefs and behavior in areas of human life that

1 include, but are not limited to, premarriage, marriage,
2 sexuality, family, divorce adjustment, and parenting.

3 "Person" means any individual, firm, corporation,
4 partnership, organization, or body politic.

5 "Practice of marriage and family therapy" means the
6 rendering of marriage and family therapy services to
7 individuals, couples, and families as defined in this Section,
8 either singly or in groups, whether the services are offered
9 directly to the general public or through organizations,
10 either public or private, for a fee, monetary or otherwise.

11 "Secretary" means the Secretary of Financial and
12 Professional Regulation.

13 ~~"Title or description" means to hold oneself out as a~~
14 ~~licensed marriage and family therapist or an associate~~
15 ~~licensed marriage and family therapist to the public by means~~
16 ~~of stating on signs, mailboxes, address plates, stationery,~~
17 ~~announcements, calling cards or other instruments of~~
18 ~~professional identification.~~

19 (Source: P.A. 100-372, eff. 8-25-17.)

20 (225 ILCS 55/15) (from Ch. 111, par. 8351-15)

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

22 Sec. 15. Exemptions.

23 (a) (Blank). ~~Nothing contained in this Act shall restrict~~
24 ~~any person not licensed under this Act from performing~~
25 ~~marriage and family therapy if that person does not represent~~

1 ~~himself or herself as a "licensed marriage and family~~
2 ~~therapist" or an "associate licensed marriage and family~~
3 ~~therapist".~~

4 (b) Nothing in this Act shall be construed as permitting
5 persons licensed as marriage and family therapists and
6 associate licensed marriage and family therapists to engage in
7 any manner in the practice of medicine as defined in the laws
8 of this State.

9 (c) Nothing in this Act shall be construed to prevent
10 qualified members of other professional groups, including, but
11 not limited to, clinical psychologists, social workers,
12 counselors, attorneys at law, or psychiatric nurses, from
13 performing or advertising that they perform the work of a
14 marriage and family therapist consistent with the laws of this
15 State, their training, and any code of ethics of their
16 respective professions, provided they do not represent
17 themselves by any title or description as a licensed marriage
18 and family therapist or an associate licensed marriage and
19 family therapist.

20 (c-5) Nothing in this Act shall be construed to limit the
21 activities of a marriage and family therapy student or intern
22 seeking to fulfill educational requirements or experience
23 requirements in order to qualify for a license under this Act
24 if the activities are under the direct supervision, order,
25 control, and full professional responsibility of a licensed
26 marriage and family therapist and the student or intern is

1 designated by the title "intern" or another designation of the
2 student's or intern's trainee status. The Department shall not
3 accept supervised experience in which the supervisor receives
4 monetary payment or other consideration from the supervisee or
5 supervised experience in which the supervisor is hired by or
6 otherwise employed by the supervisee for the supervised
7 experience requirements for licensure. Nothing in this Section
8 shall be construed as permitting students or interns seeking
9 to fulfill educational requirements or experience requirements
10 in order to qualify for a license under this Act to offer their
11 services in marriage and family therapy to any other person or
12 persons or to accept remuneration for such marriage and family
13 therapy services other than as specified in this Act, unless
14 the students or interns have been licensed under the
15 provisions of this Act.

16 (d) Nothing in this Act shall be construed to prevent any
17 person from the bona fide practice of the doctrines of an
18 established church or religious denomination if the person
19 does not hold oneself ~~himself or herself~~ out to be a licensed
20 marriage and family therapist or an associate licensed
21 marriage and family therapist.

22 (e) Nothing in this Act shall prohibit self-help groups or
23 programs or not-for-profit organizations from providing
24 services so long as these groups, programs, or organizations
25 do not hold themselves out as practicing or being able to
26 practice marriage and family therapy.

1 (f) This Act does not prohibit:

2 (1) A person from practicing marriage and family
3 therapy as part of the person's ~~his or her~~ duties as an
4 employee of a recognized academic institution, or a
5 federal, State, county, or local governmental institution
6 or agency while performing those duties for which the
7 person ~~he or she~~ was employed by the institution, agency
8 or facility.

9 (2) (Blank). ~~A person from practicing marriage and~~
10 ~~family therapy as part of his or her duties as an employee~~
11 ~~of a nonprofit organization consistent with the laws of~~
12 ~~this State, his or her training, and any code of ethics of~~
13 ~~his or her respective professions, provided the person~~
14 ~~does not represent himself or herself as a "licensed~~
15 ~~marriage and family therapist" or an "associate licensed~~
16 ~~marriage and family therapist".~~

17 (3) A person from practicing marriage and family
18 therapy if the person is obtaining experience for
19 licensure as a marriage and family therapist, provided the
20 person is designated by a title that clearly indicates
21 training status. A person who provides services pursuant
22 to the exemption in this paragraph (3) and who violates
23 any provision of this Act or its rules shall be subject to
24 the provisions of Sections 90 and 91.

25 (4) A person licensed in this State under any other
26 Act from engaging the practice for which the person ~~he or~~

1 ~~she~~ is licensed.

2 (5) A person from practicing marriage and family
3 therapy if the person is a marriage and family therapist
4 regulated under the laws of another State, territory of
5 the United States or country and who has applied in
6 writing to the Department, on forms prepared and furnished
7 by the Department, for licensing as a marriage and family
8 therapist and who is qualified to receive a license under
9 Section 40 until the expiration of 6 months after the
10 filing of the written application, the withdrawal of the
11 application, a notice of intent to deny the application,
12 or the denial of the application by the Department,
13 whichever occurs first.

14 (Source: P.A. 100-372, eff. 8-25-17.)

15 (225 ILCS 55/20) (from Ch. 111, par. 8351-20)

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

17 Sec. 20. Powers and duties of the Department. Subject to
18 the provisions of this Act, the Department shall exercise the
19 following functions, powers, and duties:

20 (a) Conduct or authorize examinations to ascertain the
21 fitness and qualifications of applicants for licensure and
22 issue licenses to those who are found to be fit and
23 qualified.

24 (b) Adopt rules required for the administration of
25 this Act, including, but not limited to, rules for a

1 method of examination of candidates and for determining
2 approved graduate programs. All examinations, either
3 conducted or authorized, must allow reasonable
4 accommodations for an applicant whose primary language is
5 not English if an examination in the applicant's primary
6 language is not available. All examinations either
7 conducted or authorized must comply with all
8 communication, access, and reasonable modification
9 requirements in Section 504 of the federal Rehabilitation
10 Act of 1973 and Title II of the Americans with
11 Disabilities Act of 1990.

12 (b-5) Prescribe forms to be issued for the
13 administration and enforcement of this Act consistent with
14 and reflecting the requirements of this Act and rules
15 adopted pursuant to this Act.

16 (c) Conduct hearings on proceedings to refuse to issue
17 or renew licenses or to revoke, suspend, place on
18 probation, ~~or~~ reprimand, or impose any other discipline
19 upon persons licensed under the provisions of this Act.

20 (d) Conduct investigations related to possible
21 violations of this Act.

22 The Board may make recommendations on matters relating to
23 continuing education, including the number of hours necessary
24 for license renewal, waivers for those unable to meet the
25 requirements, and acceptable course content.

26 (Source: P.A. 104-178, eff. 1-1-26.)

1 (225 ILCS 55/25) (from Ch. 111, par. 8351-25)

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

3 Sec. 25. Marriage and Family Therapy Licensing and
4 Disciplinary Board.

5 (a) The Secretary shall appoint a Marriage and Family
6 Therapy Licensing and Disciplinary Board. The Board shall be
7 composed of 7 persons who shall serve in an advisory capacity
8 to the Secretary. The Board shall annually elect a chairperson
9 and a vice chairperson.

10 (b) In appointing members of the Board, the Secretary
11 shall give due consideration to recommendations by members of
12 the profession of marriage and family therapy and by the
13 statewide organizations solely representing the interests of
14 marriage and family therapists.

15 (c) Five members of the Board shall be marriage and family
16 therapists who have been in active practice for at least 5
17 years immediately preceding their appointment, or engaged in
18 the education and training of masters, doctoral, or
19 post-doctoral students of marriage and family therapy, or
20 engaged in marriage and family therapy research. Each marriage
21 or family therapy teacher or researcher shall have spent the
22 majority of the time devoted to the study or research of
23 marriage and family therapy during the 2 years immediately
24 preceding the marriage or family therapy teacher's or
25 researcher's ~~his or her~~ appointment to the Board. The

1 appointees shall be licensed under this Act.

2 (d) Two members shall be representatives of the general
3 public who have no direct affiliation or work experience with
4 the practice of marriage and family therapy, social work or
5 clinical social work, professional counseling or clinical
6 professional counseling, or clinical psychology and who
7 clearly represent consumer interests.

8 (e) Board members shall be appointed for terms of 4 years
9 each, except that any person chosen to fill a vacancy shall be
10 appointed only for the unexpired term of the Board member whom
11 the person ~~he or she~~ shall succeed. Upon the expiration of this
12 term of office, a Board member shall continue to serve until a
13 successor is appointed and qualified. No member shall serve
14 more than 2 ~~consecutive~~ 4-year terms.

15 (f) The membership of the Board shall reasonably reflect
16 representation from the various geographic areas of the State.

17 (g) Members of the Board shall have no liability in any
18 action based upon any disciplinary proceedings or other
19 activities performed in good faith as members of the Board.

20 (h) The Secretary may remove any member of the Board for
21 any cause that, in the sole opinion of the Secretary,
22 reasonably justifies termination.

23 (i) The Secretary may consider the recommendations of the
24 Board on questions of standards of professional conduct,
25 discipline, and qualification of candidates or licensees under
26 this Act.

1 (j) The members of the Board shall be reimbursed for all
2 legitimate, necessary, and authorized expenses.

3 (k) A majority of the Board members currently appointed
4 shall constitute a quorum. A vacancy in the membership of the
5 Board shall not impair the right of a quorum to exercise all
6 the rights and perform all the duties of the Board.

7 (Source: P.A. 100-372, eff. 8-25-17.)

8 (225 ILCS 55/30) (from Ch. 111, par. 8351-30)

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

10 Sec. 30. Application.

11 (a) Applications for original licensure shall be made to
12 the Department in writing on forms or electronically as
13 prescribed by the Department and shall be accompanied by the
14 appropriate documentation and the required fee, which shall
15 not be refundable. Any application shall require such
16 information as, in the judgment of the Department, will enable
17 the Department to pass on the qualifications of the applicant
18 for licensing.

19 (b) Applicants have 3 years from the date of application
20 to complete the application process. If the application has
21 not been completed within 3 years, the application shall
22 expire ~~be denied~~, the fee shall be forfeited, and the
23 applicant must reapply and meet the requirements in effect at
24 the time of reapplication.

25 (c) A license shall not be denied to an applicant because

1 of the applicant's race, religion, creed, national origin,
2 real or perceived immigration status, political beliefs or
3 activities, age, sex, sexual orientation, or physical
4 disability that does not affect a person's ability to practice
5 with reasonable judgment, skill, or safety.

6 (Source: P.A. 103-715, eff. 1-1-25.)

7 (225 ILCS 55/45) (from Ch. 111, par. 8351-45)

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

9 Sec. 45. Licenses; renewals; restoration; person in
10 military service.

11 (a) The expiration date and renewal period for each
12 license issued under this Act shall be set by rule. As a
13 condition for renewal of a license, the licensee shall be
14 required to complete continuing education under requirements
15 set forth in rules of the Department.

16 (b) Any person who has permitted the person's ~~his or her~~
17 license to expire may have the person's ~~his or her~~ license
18 restored by making application to the Department and filing
19 proof acceptable to the Department of fitness to have the
20 person's ~~his or her~~ license restored, which may include sworn
21 evidence certifying to active practice in another jurisdiction
22 satisfactory to the Department, complying with any continuing
23 education requirements, and paying the required restoration
24 fee.

25 (c) If the person has not maintained an active practice in

1 another jurisdiction satisfactory to the Department, the Board
2 shall determine, by an evaluation program established by rule,
3 the person's fitness to resume active status and may require
4 the person to complete a period of evaluated clinical
5 experience and successful completion of a practical
6 examination.

7 However, any person whose license expired while the person
8 ~~he or she~~ has been engaged (i) in federal service on active
9 duty with the Armed Forces of the United States or called into
10 service or training with the State Militia, or (ii) in
11 training or education under the supervision of the United
12 States preliminary to induction into the military service may
13 have the person's ~~his or her~~ license renewed or restored
14 without paying any lapsed renewal fees if, within 2 years
15 after honorable termination of the service, training or
16 education, except under condition other than honorable, the
17 person ~~he or she~~ furnishes the Department with satisfactory
18 evidence to the effect that the person ~~he or she~~ has been so
19 engaged and that the service, training, or education has been
20 so terminated.

21 (d) Any person who notifies the Department, in writing on
22 forms prescribed by the Department, may place the person's ~~his~~
23 ~~or her~~ license on inactive status and shall be excused from the
24 payment of renewal fees until the person notifies the
25 Department in writing of the intention to resume active
26 practice.

1 (e) Any person requesting that the person's ~~his or her~~
2 license be changed from inactive to active status shall be
3 required to pay the current renewal fee and shall also
4 demonstrate compliance with the continuing education
5 requirements.

6 (f) Any marriage and family therapist or associate
7 licensed marriage and family therapist whose license is
8 nonrenewed or on inactive status shall not engage in the
9 practice of marriage and family therapy in the State of
10 Illinois and use the title or advertise that he or she performs
11 the services of a "licensed marriage and family therapist" or
12 an "associate licensed marriage and family therapist".

13 (g) Any person violating subsection (f) of this Section
14 shall be considered to be practicing without a license and
15 will be subject to the disciplinary provisions of this Act.

16 (h) (Blank).

17 (Source: P.A. 100-372, eff. 8-25-17.)

18 (225 ILCS 55/60) (from Ch. 111, par. 8351-60)

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

20 Sec. 60. Payments; penalty for insufficient funds. Any
21 person who delivers a check or other payment to the Department
22 that is returned to the Department unpaid by the financial
23 institution upon which it is drawn shall pay to the
24 Department, in addition to the amount already owed to the
25 Department, a fine of \$50. The fines imposed by this Section

1 are in addition to any other discipline provided under this
2 Act prohibiting unlicensed practice or practice on a
3 nonrenewed license. The Department shall notify the person
4 that payment of fees and fines shall be paid to the Department
5 by certified check or money order within 30 calendar days
6 after notification. If, after the expiration of 30 days from
7 the date of the notification, the person has failed to submit
8 the necessary remittance, the Department shall automatically
9 terminate the license or deny the application, without
10 hearing. If, after termination or denial, the person seeks a
11 license, the person ~~he or she~~ shall apply to the Department for
12 restoration or issuance of the license and pay all fees and
13 fines due to the Department. The Department may establish a
14 fee for the processing of an application for restoration of a
15 license to pay all expenses of processing this application.
16 The Secretary may waive the fines due under this Section in
17 individual cases where the Secretary finds that the fines
18 would be unreasonable or unnecessarily burdensome.

19 (Source: P.A. 95-703, eff. 12-31-07.)

20 (225 ILCS 55/65) (from Ch. 111, par. 8351-65)

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

22 Sec. 65. Endorsement. The Department may issue a license
23 as a licensed marriage and family therapist, without the
24 required examination, to an applicant licensed under the laws
25 of another state if the requirements for licensure in that

1 state are, on the date of licensure, substantially equivalent
2 to the requirements of this Act or to a person who, at the time
3 of the person's ~~his or her~~ application for licensure,
4 possessed individual qualifications that were substantially
5 equivalent to the requirements then in force in this State. An
6 applicant under this Section shall pay all of the required
7 fees.

8 An individual applying for licensure as a licensed
9 marriage and family therapist who has been licensed without
10 discipline at the independent level in another United States
11 jurisdiction for at least 30 months during the 5 consecutive
12 years preceding application is not required to submit proof of
13 completion of the education, professional experience, and
14 supervision required in Section 40. Individuals meeting this
15 requirement must submit certified verification of licensure
16 from the jurisdiction in which the applicant practiced and
17 must comply with all other licensing requirements and pay all
18 required fees.

19 If the accuracy of any submitted documentation or the
20 relevance or sufficiency of the course work or experience is
21 questioned by the Department or the Board because of a lack of
22 information, discrepancies or conflicts in information given,
23 or a need for clarification, the applicant seeking licensure
24 may be required to provide additional information.

25 Applicants have 3 years from the date of application to
26 complete the application process. If the process has not been

1 completed within the 3 years, the application shall expire ~~be~~
2 ~~denied~~, the fee shall be forfeited, and the applicant must
3 reapply and meet the requirements in effect at the time of
4 reapplication.

5 (Source: P.A. 102-1053, eff. 6-10-22; 103-955, eff. 1-1-25.)

6 (225 ILCS 55/71 new)

7 Sec. 71. Temporary authorization of practice by persons
8 licensed in other jurisdictions.

9 (a) A person licensed in another jurisdiction is
10 authorized to render marriage and family therapy services in
11 this State for up to 10 calendar days per year, consecutively
12 or in aggregate, if the individual is licensed in good
13 standing to practice marriage and family therapy independently
14 in another state, province, or territory. Any portion of a
15 calendar day in which the person provides services in this
16 State shall be considered as one working day. A person
17 practicing pursuant to this subsection (a) shall not establish
18 a permanent office location in this State, nor prepare or
19 publish letterhead, business cards, or similar publicity
20 materials listing an Illinois address or Illinois-based phone
21 number. Any time that the person devotes to providing
22 testimony in court or in deposition as a marriage and family
23 therapist shall not be counted as part of the 10 calendar days
24 allowed under this subsection (a).

25 (b) The Secretary may temporarily authorize an individual

1 to practice marriage and family therapy if the individual:

2 (1) holds an active, unencumbered license in good
3 standing in another jurisdiction; and

4 (2) has applied for a license under this Act due to a
5 natural disaster or catastrophic event in the jurisdiction
6 in which the individual is licensed.

7 The temporary authorization granted under this subsection
8 (b) shall expire upon the issuance of a license under this Act
9 to the individual or upon notification to the individual that
10 licensure has been denied by the Department.

11 (c) Any marriage and family therapist practicing pursuant
12 to subsection (a) or (b) of this Section shall be subject to
13 and shall conform the marriage and family therapist's practice
14 to the requirements of the prohibitions and sanctions under
15 this Act, the provisions on hearings and investigations under
16 this Act, and any rules adopted under this Act while the
17 marriage and family therapist is practicing in this State.

18 (225 ILCS 55/75) (from Ch. 111, par. 8351-75)

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

20 Sec. 75. License; restrictions and limitations.

21 (a) No person shall, without a valid license as an
22 associate licensed marriage and family therapist issued by the
23 Department:

24 (1) in any manner hold oneself out to the public as an
25 associate licensed marriage and family therapist;

1 (2) attach the title "associate licensed marriage and
2 family therapist" or use the credential "A.M.F.T." or
3 "A.L.M.F.T."; or

4 (3) offer to render or render to individuals,
5 corporations, or the public associate licensed marriage
6 and family services.

7 (b) No person shall, without a valid license as a licensed
8 marriage and family therapist issued by the Department:

9 (1) in any manner hold oneself out to the public as a
10 marriage and family therapist or a licensed marriage and
11 family therapist;

12 (2) attach the title "marriage and family therapist"
13 or "licensed marriage and family therapist" or use the
14 credential "M.F.T." or "L.M.F.T."; or

15 (3) offer to render or render to individuals,
16 corporations, or the public marriage and family therapist
17 services.

18 (c) No business organization shall provide, attempt to
19 provide, or offer to provide marriage and family therapy
20 services unless every member, partner, shareholder, director,
21 officer, holder of any other ownership interest, agent, and
22 employee who renders marriage and family therapy services
23 holds a currently valid license issued under this Act. No
24 business shall be created that (1) has a stated purpose that
25 includes marriage and family therapy, or (2) practices or
26 holds itself out as available to practice marriage and family

1 therapy, unless it is organized under the Professional Service
2 Corporation Act or Professional Limited Liability Company Act.
3 Nothing in this Act shall preclude individuals licensed under
4 this Act from practicing directly or indirectly for a
5 physician licensed to practice medicine in all its branches
6 under the Medical Practice Act of 1987 or for any legal entity
7 as provided under subsection (c) of Section 22.2 of the
8 Medical Practice Act of 1987.

9 (d) Individuals, corporations, professional limited
10 liability companies, partnerships, and associations may employ
11 practicum students, interns, or postdoctoral candidates
12 seeking to fulfill the professional experience requirements
13 needed to qualify for a license as a marriage and family
14 therapist to assist in the rendering of marriage and family
15 therapy services if the practicum students, interns, or
16 postdoctoral candidates function under the direct supervision,
17 order, control, and full professional responsibility of a
18 licensed marriage and family therapist at the corporation,
19 professional limited liability company, partnership, or
20 association. Nothing in this paragraph shall prohibit a
21 corporation, professional limited liability company,
22 partnership, or association from contracting with a licensed
23 health care professional to provide marriage and family
24 therapy services.

25 (Source: P.A. 99-227, eff. 8-3-15; 100-372, eff. 8-25-17.)

1 (225 ILCS 55/85) (from Ch. 111, par. 8351-85)

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

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

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

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

13 (2) Violation of any provision of this Act or its
14 rules.

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

24 (4) Fraud or misrepresentation in applying for or
25 procuring a license under this Act or in connection with
26 applying for renewal or restoration of a license under

1 this Act or its rules.

2 (5) Professional incompetence.

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

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

6 (8) Failing, within 30 ~~60~~ days, to provide information
7 in response to a written request made by the Department.

8 (9) Engaging in dishonorable, unethical, or
9 unprofessional conduct of a character likely to deceive,
10 defraud or harm the public as defined by the rules of the
11 Department, or violating the rules of professional conduct
12 adopted by the Department.

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

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

20 (12) Directly or indirectly giving to or receiving
21 from any person, firm, corporation, partnership, or
22 association any fee, commission, rebate, or other form of
23 compensation for any professional services not actually or
24 personally rendered. Nothing in this paragraph (12)
25 affects any bona fide independent contractor or employment
26 arrangements among health care professionals, health

1 facilities, health care providers, or other entities,
2 except as otherwise prohibited by law. Any employment
3 arrangements may include provisions for compensation,
4 health insurance, pension, or other employment benefits
5 for the provision of services within the scope of the
6 licensee's practice under this Act. Nothing in this
7 paragraph (12) shall be construed to require an employment
8 arrangement to receive professional fees for services
9 rendered.

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

14 (14) Abandonment of a patient without cause.

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

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

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

1 neglected child as defined in the Abused and Neglected
2 Child Reporting Act.

3 (18) Physical illness or mental illness or impairment,
4 including, but not limited to, deterioration through the
5 aging process or loss of motor skill that results in the
6 inability to practice the profession with reasonable
7 judgment, skill, or safety.

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

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

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

15 (22) Gross, willful, and continued overcharging for
16 professional services, including filing false statements
17 for collection of fees or moneys for which services are
18 not rendered.

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

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

23 (25) 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.

1 (26) Being named as an abuser in a verified report by
2 the Department on Aging and 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) (Blank).

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

20 (d) The Department shall refuse to issue or may suspend
21 the license of any person who fails to file a return, pay the
22 tax, penalty, or interest shown in a filed return or pay any
23 final assessment of tax, penalty, or interest, as required by
24 any tax Act administered by the Illinois Department of
25 Revenue, until the time the requirements of the tax Act are
26 satisfied.

1 (d-5) 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 (d-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 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 the applicable standard of conduct for a
24 person practicing in Illinois under this Act.

25 (d-15) The conduct specified in subsection (d-5), (d-10),
26 (d-25), or (d-30) shall not constitute grounds for suspension

1 under Section 145.

2 (d-20) An applicant seeking licensure, certification, or
3 authorization pursuant to this Act who has been subject to
4 disciplinary action by a duly authorized professional
5 disciplinary agency of another jurisdiction solely on the
6 basis of having authorized, recommended, aided, assisted,
7 referred for, or otherwise participated in health care shall
8 not be denied such licensure, certification, or authorization,
9 unless the Department determines that such action would have
10 constituted professional misconduct in this State; however,
11 nothing in this Section shall be construed as prohibiting the
12 Department from evaluating the conduct of such applicant and
13 making a determination regarding the licensure, certification,
14 or authorization to practice a profession under this Act.

15 (d-25) The Department may not revoke, suspend, summarily
16 suspend, place on prohibition, reprimand, refuse to issue or
17 renew, or take any other disciplinary or non-disciplinary
18 action against a person's authorization to practice issued
19 under this Act based solely upon an immigration violation by
20 the person.

21 (d-30) The Department may not revoke, suspend, summarily
22 suspend, place on prohibition, reprimand, refuse to issue or
23 renew, or take any other disciplinary or non-disciplinary
24 action against a person's authorization to practice under this
25 Act based upon the person's license, registration, or permit
26 being revoked or suspended, or the person being otherwise

1 disciplined, by any other state if that revocation,
2 suspension, or other form of discipline was based solely upon
3 an immigration violation by the person.

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

11 The Department shall specifically designate the examining
12 physician licensed to practice medicine in all of its branches
13 or, if applicable, the multidisciplinary team involved in
14 providing the mental or physical examination or both. The
15 multidisciplinary team shall be led by a physician licensed to
16 practice medicine in all of its branches and may consist of one
17 or more or a combination of physicians licensed to practice
18 medicine in all of its branches, licensed clinical
19 psychologists, licensed clinical social workers, licensed
20 clinical professional counselors, licensed marriage and family
21 therapists, and other professional and administrative staff.
22 Any examining physician or member of the multidisciplinary
23 team may require any person ordered to submit to an
24 examination and evaluation pursuant to this Section to submit
25 to any additional supplemental testing deemed necessary to
26 complete any examination or evaluation process, including, but

1 not limited to, blood testing, urinalysis, psychological
2 testing, or neuropsychological testing.

3 The Department may order the examining physician or any
4 member of the multidisciplinary team to provide to the
5 Department any and all records, including business records,
6 that relate to the examination and evaluation, including any
7 supplemental testing performed.

8 The Department or Board may order the examining physician
9 or any member of the multidisciplinary team to present
10 testimony concerning the mental or physical examination of the
11 licensee or applicant. No information, report, record, or
12 other documents in any way related to the examination shall be
13 excluded by reason of any common law or statutory privilege
14 relating to communications between the licensee or applicant
15 and the examining physician or any member of the
16 multidisciplinary team. No authorization is necessary from the
17 licensee or applicant ordered to undergo an examination for
18 the 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.

22 The individual to be examined may have, at the
23 individual's ~~his or her~~ own expense, another physician of the
24 individual's ~~his or her~~ choice present during all aspects of
25 this examination. However, that physician shall be present
26 only to observe and may not interfere in any way with the

1 examination.

2 Failure of an individual to submit to a mental or physical
3 examination, when ordered, shall result in an automatic
4 suspension of the individual's ~~his or her~~ license until the
5 individual submits to the examination.

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

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 30
26 days after the suspension and completed without appreciable

1 delay. The Department and Board shall have the authority to
2 review the subject individual's record of treatment and
3 counseling regarding the impairment to the extent permitted by
4 applicable 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 or Board that the individual ~~he or she~~ can
9 resume practice in compliance with acceptable and prevailing
10 standards under the provisions of the individual's ~~his or her~~
11 license.

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

15 (g) The Department may adopt rules to implement,
16 administer, and enforce this Section.

17 (Source: P.A. 103-715, eff. 1-1-25; 104-432, eff. 1-1-26.)

18 (225 ILCS 55/90) (from Ch. 111, par. 8351-90)

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

20 Sec. 90. Violations; injunctions; cease and desist order.

21 (a) If any person violates a provision of this Act, the
22 Secretary may, in the name of the People of the State of
23 Illinois, through the Attorney General of the State of
24 Illinois, petition for an order enjoining the violation or for
25 an order enforcing compliance with this Act. Upon the filing

1 of a verified petition in court, the court may issue a
2 temporary restraining order, without notice or bond, and may
3 preliminarily and permanently enjoin the violation. If it is
4 established that the person has violated or is violating the
5 injunction, the Court may punish the offender for contempt of
6 court. Proceedings under this Section are in addition to, and
7 not in lieu of, all other remedies and penalties provided by
8 this Act.

9 (b) If any person practices as a marriage and family
10 therapist or an associate marriage and family therapist or
11 holds oneself ~~himself or herself~~ out as such without having a
12 valid license under this Act, then any licensee, any
13 interested party or any person injured thereby may, in
14 addition to the Secretary, petition for relief as provided in
15 subsection (a) of this Section.

16 (c) Whenever in the opinion of the Department any person
17 violates any provision of this Act, the Department may issue a
18 rule to show cause why an order to cease and desist should not
19 be entered against that person ~~him or her~~. The rule shall
20 clearly set forth the grounds relied upon by the Department
21 and shall provide a period of 7 days from the date of the rule
22 to file an answer to the satisfaction of the Department.
23 Failure to answer to the satisfaction of the Department shall
24 cause an order to cease and desist to be issued immediately.

25 (Source: P.A. 95-703, eff. 12-31-07.)

1 (225 ILCS 55/91)

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

3 Sec. 91. Unlicensed practice; violation; civil penalty.

4 (a) Any person who practices, offers to practice, attempts
5 to practice, or holds oneself ~~himself or herself~~ out to
6 practice as a licensed marriage and family therapist or an
7 associate licensed marriage and family therapist without being
8 licensed under this Act shall, in addition to any other
9 penalty provided by law, pay a civil penalty to the Department
10 in an amount not to exceed \$10,000 for each offense, as
11 determined by the Department. The civil penalty shall be
12 assessed by the Department after a hearing is held in
13 accordance with the provisions set forth in this Act regarding
14 the provision of a hearing for the discipline of a licensee.

15 (b) The Department may investigate any and all unlicensed
16 activity.

17 (c) The civil penalty shall be paid within 60 days after
18 the effective date of the order imposing the civil penalty.
19 The order shall constitute a judgment and may be filed and
20 execution had thereon in the same manner as any judgment from
21 any court of record.

22 (Source: P.A. 100-372, eff. 8-25-17.)

23 (225 ILCS 55/95) (from Ch. 111, par. 8351-95)

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

25 Sec. 95. Investigation; notice and hearing.

1 (a) The Department may investigate the actions or
2 qualifications of any person or persons holding or claiming to
3 hold a license under this Act.

4 (b) The Department shall, before disciplining an applicant
5 or licensee, at least 30 days before the date set for the
6 hearing, (i) notify the accused in writing of any charges made
7 and the time and place for a hearing on the charges, (ii)
8 direct the accused ~~him or her~~ to file a written answer to the
9 charges under oath within 20 days after the service on the
10 accused ~~him or her~~ of such notice, and (iii) inform the
11 applicant or licensee that failure to file an answer will
12 result in a default being entered against the applicant or
13 licensee.

14 (c) At the time and place fixed in the notice, the Board or
15 hearing officer appointed by the Secretary shall proceed to
16 hear the charges, and the parties or their counsel shall be
17 accorded ample opportunity to present any pertinent
18 statements, testimony, evidence, and arguments. The Board or
19 hearing officer may continue the hearing from time to time. In
20 case the person, after receiving notice, fails to file an
21 answer, the person's ~~his or her~~ license may, in the discretion
22 of the Secretary having first received the recommendation of
23 the Board, ~~7~~ be suspended, revoked, or placed on probationary
24 status, or be subject to whatever disciplinary action the
25 Secretary considers proper, including limiting the scope,
26 nature, or extent of the person's practice or the imposition

1 of a fine, without a hearing, if the act or acts charged
2 constitute sufficient grounds for such action under this Act.

3 (d) Written or electronic notice, and any notice in the
4 subsequent proceeding, may be served by personal delivery, by
5 email, or by mail to the applicant or licensee at the
6 applicant's or licensee's ~~his or her~~ address of record or
7 email address of record.

8 (Source: P.A. 100-372, eff. 8-25-17; revised 6-24-25.)

9 (225 ILCS 55/135) (from Ch. 111, par. 8351-135)

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

11 Sec. 135. Restoration. At any time after the successful
12 completion of a term of probation, suspension, or revocation
13 of any license, the Department may restore the license to the
14 licensee, upon the written recommendation of the Board, unless
15 after an investigation and a hearing the Board or Department
16 determines that restoration is not in the public interest.
17 Where circumstances of suspension or revocation so indicate,
18 the Department may require an examination of the licensee
19 prior to restoring the ~~his or her~~ license. No person whose
20 license has been revoked as authorized in this Act may apply
21 for restoration of that license or permit until such time as
22 provided for in the Civil Administrative Code of Illinois.

23 (Source: P.A. 100-372, eff. 8-25-17.)

24 (225 ILCS 55/145) (from Ch. 111, par. 8351-145)

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

2 Sec. 145. Summary suspension. The Secretary may summarily
3 suspend the license of a marriage and family therapist or an
4 associate licensed marriage and family therapist without a
5 hearing, simultaneously with the institution of proceedings
6 for a hearing provided for in this Act, if the Secretary finds
7 that evidence in the Secretary's ~~his or her~~ possession
8 indicates that a marriage and family therapist's or associate
9 licensed marriage and family therapist's continuation in
10 practice would constitute an imminent danger to the public. In
11 the event that the Secretary summarily suspends the license of
12 a marriage and family therapist or an associate licensed
13 marriage and family therapist without a hearing, a hearing by
14 the Board or Department must be held within 30 calendar days
15 after the suspension has occurred.

16 (Source: P.A. 100-372, eff. 8-25-17.)

17 Section 20. The Massage Therapy Practice Act is amended by
18 changing Sections 15, 17, 19, 25, 30, 32, 35, 45, 50, 68, 70,
19 75, 90, 95, 100, 105, and 165 as follows:

20 (225 ILCS 57/15)

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

22 Sec. 15. Licensure requirements.

23 (a) Persons engaged in massage for compensation must be
24 licensed by the Department. The Department shall issue a

1 license to an individual who meets all of the following
2 requirements:

3 (1) The applicant has applied in writing or
4 electronically on the ~~prescribed~~ forms provided by the
5 Department and has paid the required fees.

6 (2) The applicant is at least 18 years of age and of
7 good moral character. In determining good moral character,
8 the Department may take into consideration conviction of
9 any crime under the laws of the United States or any state
10 or territory thereof that is a felony or a misdemeanor or
11 any crime that is directly related to the practice of the
12 profession. Such a conviction shall not operate
13 automatically as a complete bar to a license, except in
14 the case of any conviction for prostitution, rape, or
15 sexual misconduct, or where the applicant is a registered
16 sex offender.

17 (3) The applicant has successfully completed a massage
18 therapy program approved by the Department that requires a
19 minimum of ~~500 hours, except applicants applying on or~~
20 ~~after January 1, 2014 shall meet a minimum requirement of~~
21 600 hours, and has passed a competency examination
22 approved by the Department.

23 (b) Each applicant for licensure as a massage therapist
24 shall have the applicant's ~~his or her~~ fingerprints submitted
25 to the Illinois State Police in an electronic format that
26 complies with the form and manner for requesting and

1 furnishing criminal history record information as prescribed
2 by the Illinois State Police. These fingerprints shall be
3 checked against the Illinois State Police and Federal Bureau
4 of Investigation criminal history record databases now and
5 hereafter filed. The Illinois State Police shall charge
6 applicants a fee for conducting the criminal history records
7 check, which shall be deposited into the State Police Services
8 Fund and shall not exceed the actual cost of the records check.
9 The Illinois State Police shall furnish, pursuant to positive
10 identification, records of Illinois convictions to the
11 Department. The Department may require applicants to pay a
12 separate fingerprinting fee, either to the Department or to a
13 vendor. The Department, in its discretion, may allow an
14 applicant who does not have reasonable access to a designated
15 vendor to provide the applicant's ~~his or her~~ fingerprints in
16 an alternative manner. The Department may adopt any rules
17 necessary to implement this Section.

18 (c) Each applicant for licensure as a massage therapist
19 shall submit a copy of a current and valid form of government
20 identification that includes a photograph of the licensee,
21 including, but not limited to, a State-issued driver's
22 license, a State identification card, or a passport.

23 (Source: P.A. 102-20, eff. 1-1-22; 102-538, eff. 8-20-21;
24 102-813, eff. 5-13-22.)

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

2 Sec. 17. Social Security number or individual taxpayer
3 identification number on license application. In addition to
4 any other information required to be contained in the
5 application, every application for an original, renewal,
6 reinstated, or restored license as a massage therapist under
7 this Act shall include the applicant's Social Security number
8 or individual taxpayer identification number.

9 (Source: P.A. 97-514, eff. 8-23-11.)

10 (225 ILCS 57/19)

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

12 Sec. 19. Endorsement. The Department may, in its
13 discretion, license as a massage therapist, ~~7~~ by endorsement
14 upon ~~7-on~~ payment of the required fee and submission of an
15 application, an applicant who is a massage therapist licensed
16 under the laws of another state or territory, if the
17 requirements for licensure in the state or territory in which
18 the applicant was licensed were, at the date of the
19 applicant's ~~his or her~~ licensure, substantially equivalent to
20 the requirements in force in this State on that date. The
21 Department may adopt any rules necessary to implement this
22 Section.

23 Applicants have 3 years from the date of application to
24 complete the application process. If the process has not been
25 completed within the 3 years, the application shall expire ~~be~~

1 ~~denied~~, the fee forfeited, and the applicant must reapply and
2 meet the requirements in effect at the time of reapplication.

3 (Source: P.A. 97-514, eff. 8-23-11.)

4 (225 ILCS 57/25)

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

6 Sec. 25. Exemptions.

7 (a) This Act does not prohibit a person licensed under any
8 other Act in this State from engaging in the practice for which
9 the person ~~he or she~~ is licensed.

10 (b) Persons exempted under this Section include, but are
11 not limited to, physicians, podiatric physicians, naprapaths,
12 and physical therapists.

13 (c) Nothing in this Act prohibits qualified members of
14 other professional groups, including, but not limited to,
15 nurses, occupational therapists, cosmetologists, and
16 estheticians, from performing massage in a manner consistent
17 with their training and the code of ethics of their respective
18 professions.

19 (d) Nothing in this Act prohibits a student of an approved
20 massage school or program from performing massage, provided
21 that the student does not hold the student ~~himself or herself~~
22 out as a licensed massage therapist and does not receive
23 compensation, including tips, for massage therapy services.

24 (e) Nothing in this Act prohibits practitioners that do
25 not involve intentional soft tissue manipulation, including,

1 but not limited to, Alexander Technique, Feldenkrais, Reike,
2 and Therapeutic Touch, from practicing.

3 (f) Practitioners of certain service marked bodywork
4 approaches that do involve intentional soft tissue
5 manipulation, including, but not limited to, Rolfing, Trager
6 Approach, Polarity Therapy, and Orthobionomy, are exempt from
7 this Act if they are approved by their governing body based on
8 a minimum level of training, demonstration of competency, and
9 adherence to ethical standards.

10 (g) (Blank). ~~Until January 1, 2024, members of the~~
11 ~~American Organization for Bodywork Therapies of Asia are~~
12 ~~exempt from licensure under this Act.~~

13 (h) Practitioners of other forms of bodywork who restrict
14 manipulation of soft tissue to the feet, hands, and ears, and
15 who do not have the client disrobe, such as reflexology, are
16 exempt from this Act.

17 (i) Nothing in this Act applies to massage therapists from
18 other states or countries when providing educational programs
19 for a period not exceeding 30 days within a calendar year.

20 (j) Nothing in this Act prohibits a person from treating
21 ailments by spiritual means through prayer alone in accordance
22 with the tenets and practices of a recognized church or
23 religious denomination.

24 (k) Nothing in this Act applies to the practice of massage
25 therapy by a person either actively licensed as a massage
26 therapist in another state or currently certified by the

1 National Certification Board of Therapeutic Massage and
2 Bodywork or other national certifying body if said person's
3 state does not license massage therapists, if the person
4 performs ~~he or she is performing his or her~~ duties for a
5 Department-approved educational program for less than 30 days
6 in a calendar year, a Department-approved continuing education
7 program for less than 30 days in a calendar year, a
8 non-Illinois based team or professional organization, or for a
9 national athletic event held in this State, so long as the
10 massage therapist ~~he or she~~ restricts the massage therapist's
11 ~~his or her~~ practice to the massage therapist's ~~his or her~~ team
12 or organization or to event participants during the course of
13 the massage therapist's ~~his or her~~ team's or organization's
14 stay in this State or for the duration of the event.

15 (Source: P.A. 101-421, eff. 8-16-19; 102-20, eff. 1-1-22.)

16 (225 ILCS 57/30)

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

18 Sec. 30. Title protection.

19 (a) Persons regulated by this Act are designated as
20 massage therapists and therefore are exclusively entitled to
21 utilize the terms "massage", "massage therapy", "licensed
22 massage therapist", "LMT", "MT", and "massage therapist" when
23 advertising or printing promotional material.

24 (b) Anyone who knowingly aids and abets one or more
25 persons not authorized to use a professional title regulated

1 by this Act or knowingly employs persons not authorized to use
2 the regulated professional title in the course of their
3 employment, commits a violation of this Act.

4 (c) Anyone not authorized, under the definitions of this
5 Act, to utilize the term "massage", "massage therapy",
6 "licensed massage therapist", "LMT", "MT", or "massage
7 therapist" and who knowingly utilizes these terms when
8 advertising commits a violation of this Act.

9 (d) Nothing in this Act shall prohibit the use of the terms
10 "massage", "massage therapy", or "massage therapist" by a
11 salon registered under the Barber, Cosmetology, Esthetics,
12 Hair Braiding, and Nail Technology Act of 1985, provided that
13 the salon offers massage therapy services in accordance with
14 this Act.

15 (Source: P.A. 97-514, eff. 8-23-11.)

16 (225 ILCS 57/32)

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

18 Sec. 32. Display. Every holder of a license shall display
19 it, or a copy, in a conspicuous place in the holder's principal
20 place of practice and ~~office or~~ any other location where the
21 holder renders massage therapy services, and shall also
22 present the holder's license and either an employer-issued
23 badge that includes the holder's name and a photograph of the
24 holder or a valid government identification that includes a
25 photograph of the holder upon request of a client. A holder

1 shall provide valid government identification that includes a
2 photograph of the holder to a Department representative upon
3 request when providing massage therapist services at any
4 location. Every displayed license shall have the license
5 number visible.

6 (Source: P.A. 102-20, eff. 1-1-22.)

7 (225 ILCS 57/35)

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

9 Sec. 35. Massage Licensing Board.

10 (a) The Secretary shall appoint a Massage Licensing Board,
11 which shall serve in an advisory capacity to the Secretary.
12 The Board shall consist of 7 members, of whom 6 shall be
13 practicing massage therapists with at least 3 years of
14 experience in massage. One of the massage therapist members
15 shall represent a massage therapy school from the private
16 sector and one of the massage therapist members shall
17 represent a massage therapy school from the public sector. One
18 of the massage therapist members shall be an owner of a massage
19 business. One member of the Board shall be a member of the
20 public who is not licensed under this Act, does not have any
21 interest in massage therapy schools, does not own a massage
22 therapy business, does not have any interest in businesses
23 related to massage therapy, is not licensed as a healthcare
24 worker in this State, as defined in the Health Care Worker
25 Self-Referral Act, is not licensed under the Barber,

1 Cosmetology, Esthetics, Hair Braiding, and Nail Technology Act
2 of 1985, and is not licensed under similar Acts in ~~or a similar~~
3 ~~Act in Illinois or~~ another jurisdiction. Membership on the
4 Board shall reasonably reflect the various massage therapy and
5 non-exempt bodywork organizations. Membership on the Board
6 shall reasonably reflect the geographic areas of the State.
7 The Board shall meet annually to elect a chairperson and vice
8 chairperson. The Board shall hold regularly scheduled meetings
9 during the year. A simple majority of the Board shall
10 constitute a quorum at any meeting. Any action taken by the
11 Board must be on the affirmative vote of a simple majority of
12 members. Voting by proxy shall not be permitted. In the case of
13 an emergency where all Board members cannot meet in person,
14 the Board may convene a meeting via an electronic format in
15 accordance with the Open Meetings Act.

16 (b) Members shall be appointed to a 3-year term, ~~except~~
17 ~~that initial appointees shall serve the following terms: 2~~
18 ~~members shall serve for one year, 2 members shall serve for 2~~
19 ~~years, and 3 members shall serve for 3 years.~~ A member whose
20 term has expired shall continue to serve until a ~~his or her~~
21 successor is appointed. No member shall be reappointed to the
22 Board for a term that would cause the member's ~~his or her~~
23 continuous service on the Board to exceed 9 years. In the case
24 of a Board member position that is vacated before the end of
25 the member's term, an individual may be appointed to serve the
26 unexpired portion of that term, and appointments ~~Appointments~~

1 to fill vacancies shall be made in the same manner as the
2 original appointments for the unexpired portion of the vacated
3 term.

4 (c) The members of the Board are entitled to receive
5 compensation for all legitimate and necessary expenses
6 incurred while attending Board and Department meetings.

7 (d) Members of the Board shall be immune from suit in any
8 action based upon any disciplinary proceedings or other
9 activities performed in good faith as members of the Board.

10 (e) The Secretary may ~~shall~~ consider the recommendations
11 of the Board on questions involving the standards of
12 professional conduct, discipline, and qualifications of
13 candidates and licensees under this Act. Nothing shall limit
14 the ability of the Board to provide recommendations to the
15 Secretary with ~~in~~ regard to any matter affecting the
16 administration of this Act. ~~The Secretary shall give due~~
17 ~~consideration to all recommendations of the Board.~~

18 (f) The Secretary may terminate the appointment of any
19 member for cause which, in the opinion of the Secretary
20 reasonably justifies termination, which may include, but is
21 not limited to, a Board member who does not attend 2
22 consecutive meetings.

23 (Source: P.A. 97-514, eff. 8-23-11.)

24 (225 ILCS 57/45)

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

1 Sec. 45. Grounds for discipline.

2 (a) The Department may refuse to issue or renew, or may
3 revoke, suspend, place on probation, reprimand, or take other
4 disciplinary or non-disciplinary action, as the Department
5 considers appropriate, including the imposition of fines not
6 to exceed \$10,000 for each violation, with regard to any
7 license or licensee for any one or more of the following:

8 (1) violations of this Act or of the rules adopted
9 under this Act;

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

19 (3) professional incompetence, which may include, but
20 is not limited to, failure of a licensee to adhere to the
21 professional code of ethics established by nationally
22 recognized professional organizations;

23 (4) advertising in a false, deceptive, or misleading
24 manner, including failing to use the massage therapist's
25 own license number in an advertisement;

26 (5) aiding, abetting, assisting, procuring, advising,

1 employing, or contracting with any unlicensed person to
2 practice massage contrary to any rules or provisions of
3 this Act;

4 (6) engaging in immoral conduct in the commission of
5 any act, such as sexual abuse, sexual misconduct, or
6 sexual exploitation, related to the licensee's practice;

7 (7) engaging in dishonorable, unethical, or
8 unprofessional conduct of a character likely to deceive,
9 defraud, or harm the public;

10 (8) practicing or offering to practice beyond the
11 scope permitted by law or accepting and performing
12 professional responsibilities which the licensee knows or
13 has reason to know that the licensee ~~he or she~~ is not
14 competent to perform;

15 (9) knowingly delegating professional
16 responsibilities to a person unqualified by training,
17 experience, or licensure to perform;

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

20 (11) having a habitual or excessive use of or
21 addiction to alcohol, narcotics, stimulants, or any other
22 chemical agent or drug which results in the inability to
23 practice with reasonable judgment, skill, or safety;

24 (12) having a pattern of practice or other behavior
25 that demonstrates incapacity or incompetence to practice
26 under this Act;

1 (13) discipline by another state, District of
2 Columbia, territory, or foreign nation, if at least one of
3 the grounds for the discipline is the same or
4 substantially equivalent to those set forth in this
5 Section;

6 (14) a finding by the Department that the licensee,
7 after having the licensee's ~~his or her~~ license placed on
8 probationary status, has violated the terms of probation;

9 (15) willfully making or filing false records or
10 reports in the person's ~~his or her~~ practice, including,
11 but not limited to, false records filed with State
12 agencies or departments;

13 (16) making a material misstatement in furnishing
14 information to the Department or otherwise making
15 misleading, deceptive, untrue, or fraudulent
16 representations in violation of this Act or otherwise in
17 the practice of the profession;

18 (17) fraud or misrepresentation in applying for or
19 procuring a license under this Act or in connection with
20 applying for renewal of a license under this Act;

21 (18) inability to practice the profession with
22 reasonable judgment, skill, or safety as a result of
23 physical illness, including, but not limited to,
24 deterioration through the aging process, loss of motor
25 skill, or a mental illness or disability;

26 (19) charging for professional services not rendered,

1 including filing false statements for the collection of
2 fees for which services are not rendered, except that
3 licensees may charge a client fees for late cancellations
4 and failure to attend appointments if the client is
5 informed of the fees for late cancellations and failure to
6 attend appointments at the time of booking an appointment;

7 (20) practicing under a false or, except as provided
8 by law, an assumed name; or

9 (21) cheating on or attempting to subvert the
10 licensing examination administered under this Act.

11 All fines shall be paid within 60 days of the effective
12 date of the order imposing the fine.

13 (b) A person not licensed under this Act and engaged in the
14 business of offering massage therapy services through others,
15 shall not aid, abet, assist, procure, advise, employ, or
16 contract with any unlicensed person to practice massage
17 therapy contrary to any rules or provisions of this Act. A
18 person violating this subsection (b) shall be treated as a
19 licensee for the purposes of disciplinary action under this
20 Section and shall be subject to cease and desist orders as
21 provided in Section 90 of this Act.

22 (c) The Department shall revoke any license issued under
23 this Act of any person who is convicted of prostitution, rape,
24 sexual misconduct, or any crime that subjects the licensee to
25 compliance with the requirements of the Sex Offender
26 Registration Act and any such conviction shall operate as a

1 permanent bar in the State of Illinois to practice as a massage
2 therapist.

3 (c-5) A prosecuting attorney shall provide notice to the
4 Department of the licensed massage therapist's name, address,
5 practice address, and license number and a copy of the
6 criminal charges filed immediately after a licensed massage
7 therapist has been charged with any of the following offenses:

8 (1) an offense for which the sentence includes
9 registration as a sex offender;

10 (2) involuntary sexual servitude of a minor;

11 (3) the crime of battery against a patient, including
12 any offense based on sexual conduct or sexual penetration,
13 in the course of patient care or treatment; or

14 (4) a forcible felony.

15 If the victim of the crime the licensee has been charged
16 with is a patient of the licensee, the prosecuting attorney
17 shall also provide notice to the Department of the patient's
18 name.

19 Within 5 business days after receiving notice from the
20 prosecuting attorney of the filing of criminal charges against
21 the licensed massage therapist, the Secretary shall issue an
22 administrative order that the licensed massage therapist shall
23 practice only with a chaperone during all patient encounters
24 pending the outcome of the criminal proceedings. The chaperone
25 shall be a licensed massage therapist or other health care
26 worker licensed by the Department. The administrative order

1 shall specify any other terms or conditions deemed appropriate
2 by the Secretary. The chaperone shall provide written notice
3 to all of the licensed massage therapist's patients explaining
4 the Department's order to use a chaperone. Each patient shall
5 sign an acknowledgment that the patient received the notice.
6 The notice to the patient of criminal charges shall include,
7 in 14-point font, the following statement: "The massage
8 therapist is presumed innocent until proven guilty of the
9 charges."

10 The licensed massage therapist shall provide a written
11 plan of compliance with the administrative order that is
12 acceptable to the Department within 5 business days after
13 receipt of the administrative order. Failure to comply with
14 the administrative order, failure to file a compliance plan,
15 or failure to follow the compliance plan shall subject the
16 licensed massage therapist to temporary suspension of the
17 licensed massage therapist's ~~his or her~~ license until the
18 completion of the criminal proceedings.

19 If the licensee is not convicted of the charge or if any
20 conviction is later overturned by a reviewing court, the
21 administrative order shall be vacated and removed from the
22 licensee's record.

23 The Department may adopt rules to implement this
24 subsection.

25 (d) The Department may refuse to issue or may suspend the
26 license of any person who fails to file a tax return, to pay

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

7 (e) (Blank).

8 (f) In cases where the Department of Healthcare and Family
9 Services has previously determined that a licensee or a
10 potential licensee is more than 30 days delinquent in the
11 payment of child support and has subsequently certified the
12 delinquency to the Department, the Department may refuse to
13 issue or renew or may revoke or suspend that person's license
14 or may take other disciplinary action against that person
15 based solely upon the certification of delinquency made by the
16 Department of Healthcare and Family Services in accordance
17 with item (5) of subsection (a) of Section 2105-15 of the Civil
18 Administrative Code of Illinois.

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

1 (h) In enforcing this Act, the Department or Board, upon a
2 showing of a possible violation, may compel an individual
3 licensed to practice under this Act, or who has applied for
4 licensure under this Act, to submit to a mental or physical
5 examination, or both, as required by and at the expense of the
6 Department. The Department or Board may order the examining
7 physician to present testimony concerning the mental or
8 physical examination of the licensee or applicant. No
9 information shall be excluded by reason of any common law or
10 statutory privilege relating to communications between the
11 licensee or applicant and the examining physician. The
12 examining physicians shall be specifically designated by the
13 Board or Department. The individual to be examined may have,
14 at the individual's ~~his or her~~ own expense, another physician
15 of the individual's ~~his or her~~ choice present during all
16 aspects of this examination. The examination shall be
17 performed by a physician licensed to practice medicine in all
18 its branches. Failure of an individual to submit to a mental or
19 physical examination, when directed, shall result in an
20 automatic suspension without hearing.

21 A person holding a license under this Act or who has
22 applied for a license under this Act who, because of a physical
23 or mental illness or disability, including, but not limited
24 to, deterioration through the aging process or loss of motor
25 skill, is unable to practice the profession with reasonable
26 judgment, skill, or safety, may be required by the Department

1 to submit to care, counseling, or treatment by physicians
2 approved or designated by the Department as a condition, term,
3 or restriction for continued, reinstated, or renewed licensure
4 to practice. Submission to care, counseling, or treatment as
5 required by the Department shall not be considered discipline
6 of a license. If the licensee refuses to enter into a care,
7 counseling, or treatment agreement or fails to abide by the
8 terms of the agreement, the Department may file a complaint to
9 revoke, suspend, or otherwise discipline the license of the
10 individual. The Secretary may order the license suspended
11 immediately, pending a hearing by the Department. Fines shall
12 not be assessed in disciplinary actions involving physical or
13 mental illness or impairment.

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 15
17 days after the suspension and completed without appreciable
18 delay. The Department and Board shall have the authority to
19 review the subject individual's record of treatment and
20 counseling regarding the impairment to the extent permitted by
21 applicable federal statutes and regulations safeguarding the
22 confidentiality of medical records.

23 An individual licensed under this Act and affected under
24 this Section shall be afforded an opportunity to demonstrate
25 to the Department or Board that the individual ~~he or she~~ can
26 resume practice in compliance with acceptable and prevailing

1 standards under the provisions of the individual's ~~his or her~~
2 license.

3 (Source: P.A. 103-757, eff. 8-2-24; 104-417, eff. 8-15-25.)

4 (225 ILCS 57/50)

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

6 Sec. 50. Advertising. It is a misdemeanor for any person,
7 organization, or corporation to advertise massage services
8 unless the person providing the service holds a valid license
9 under this Act, except for those excluded licensed
10 professionals who are allowed to include massage in their
11 scope of practice. A massage therapist may not advertise
12 unless the massage therapist ~~he or she~~ has a current license
13 issued by this State. A massage therapist shall include the
14 current license number issued by the Department on all
15 advertisements in accordance with paragraph (4) of subsection
16 (a) of Section 45. "Advertise" as used in this Section
17 includes, but is not limited to, the issuance of any card,
18 sign, or device to any person; the causing, permitting, or
19 allowing of any sign or marking on or in any building, vehicle,
20 or structure; advertising in any newspaper or magazine; any
21 listing or advertising in any directory under a classification
22 or heading that includes the words "massage", "massage
23 therapist", "therapeutic massage", or "massage therapeutic";
24 or commercials broadcast by any means.

25 (Source: P.A. 102-20, eff. 1-1-22.)

1 (225 ILCS 57/68)

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

3 Sec. 68. Abnormal skin growth education.

4 (a) In addition to any other requirements under this Act,
5 the following applicants must provide proof of completion of a
6 course approved by the Department in abnormal skin growth
7 education, including training on identifying melanoma:

8 (1) An applicant who submits an application for
9 original licensure on or after January 1, 2026.

10 (2) An applicant who was licensed before January 1,
11 2026 when submitting the applicant's first application for
12 renewal or restoration of a license on or after January 1,
13 2026.

14 (b) Nothing in this Section shall be construed to create a
15 cause of action or any civil liabilities or to require or
16 permit a licensee or applicant under this Act to practice
17 medicine or otherwise practice outside of the scope of
18 practice of a licensed massage therapist.

19 (c) A person licensed under this Act may refer an
20 individual to seek care from a medical professional regarding
21 an abnormal skin growth. Neither a person licensed under this
22 Act who completes abnormal skin growth education ~~as a part of~~
23 ~~the person's continuing education~~, nor the person's employer,
24 shall be civilly or criminally liable for acting in good faith
25 or failing to act on information obtained during the course of

1 practicing in the person's profession or employment concerning
2 potential abnormal skin growths.

3 (Source: P.A. 103-851, eff. 8-9-24.)

4 (225 ILCS 57/70)

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

6 Sec. 70. Restoration of expired licenses. A massage
7 therapist who has permitted the massage therapist's ~~his or her~~
8 license to expire or who has had the massage therapist's ~~his or~~
9 ~~her~~ license on inactive status may have the ~~his or her~~ license
10 restored by making application to the Department and filing
11 proof acceptable to the Department of the massage therapist's
12 ~~his or her~~ fitness to have the ~~his or her~~ license restored,
13 including sworn evidence certifying to active practice in
14 another jurisdiction satisfactory to the Department, and by
15 paying the required restoration fee and showing proof of
16 completion of required continuing education. Licensees must
17 provide proof of completion of 25 ~~24~~ hours approved continuing
18 education to renew their license.

19 If the massage therapist has not maintained an active
20 practice in another jurisdiction satisfactory to the
21 Department, the Board shall determine, by an evaluation
22 program established by rule, the massage therapist's ~~his or~~
23 ~~her~~ fitness to resume active status and may require the
24 massage therapist to complete a period of evaluated clinical
25 experience and may require successful completion of an

1 examination.

2 A massage therapist whose license has been expired or
3 placed on inactive status for more than 5 years may have the
4 ~~his or her~~ license restored by making application to the
5 Department and filing proof acceptable to the Department of
6 the massage therapist's ~~his or her~~ fitness to have the ~~his or~~
7 ~~her~~ license restored, including sworn evidence certifying to
8 active practice in another jurisdiction, by paying the
9 required restoration fee, and by showing proof of the
10 completion of 25 ~~24~~ hours of continuing education.

11 However, any massage therapist ~~registrant~~ whose license
12 has expired while the massage therapist ~~he or she~~ has been
13 engaged (i) in Federal Service on active duty with the United
14 States Army, Navy, Marine Corps, Air Force, Space Force, Coast
15 Guard, or Public Health Service or the State Militia called
16 into the service or training of the United States of America,
17 or (ii) in training or education under the supervision of the
18 United States preliminary to induction into the military
19 service, may have the massage therapist's ~~his or her~~ license
20 reinstated or restored without paying any lapsed renewal fees,
21 if within 2 years after honorable termination of such service,
22 training, or education, the massage therapist ~~he or she~~
23 furnishes to the Department with satisfactory evidence to the
24 effect that the massage therapist ~~he or she~~ has been so engaged
25 and that the massage therapist's ~~his or her~~ service, training,
26 or education has been so terminated.

1 (Source: P.A. 103-746, eff. 1-1-25.)

2 (225 ILCS 57/75)

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

4 Sec. 75. Inactive licenses. Any massage therapist who
5 notifies the Department in writing or electronically on forms
6 provided ~~prescribed~~ by the Department may elect to place the
7 massage therapist's ~~his or her~~ license on inactive status and
8 shall, subject to rules of the Department, be excused from
9 payment of renewal fees until the massage therapist ~~he or she~~
10 notifies the Department in writing of the massage therapist's
11 ~~his or her~~ desire to resume active status.

12 A massage therapist requesting restoration from inactive
13 status shall be required to pay the current renewal fee and
14 shall be required to restore the massage therapist's ~~his or~~
15 ~~her~~ license as provided in Section 70 of this Act.

16 Any massage therapist whose license is on inactive status
17 shall not practice massage therapy in the State, and any
18 practice conducted shall be deemed unlicensed practice.

19 (Source: P.A. 92-860, eff. 6-1-03.)

20 (225 ILCS 57/90)

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

22 Sec. 90. Violations; injunction; cease and desist order.

23 (a) If any person violates a provision of this Act, the
24 Secretary may, in the name of the People of the State of

1 Illinois, through the Attorney General of the State of
2 Illinois or the State's Attorney in the county in which the
3 offense occurs, petition for an order enjoining the violation
4 or for an order enforcing compliance with this Act. Upon the
5 filing of a verified petition in court, the court may issue a
6 temporary restraining order, without notice or bond, and may
7 preliminarily and permanently enjoin the violation. If it is
8 established that the person has violated or is violating the
9 injunction, the court may punish the offender for contempt of
10 court. Proceedings under this Section shall be in addition to,
11 and not in lieu of, all other remedies and penalties provided
12 by this Act.

13 (b) If any person administers ~~practices as a~~ massage for
14 compensation ~~therapist~~ or holds oneself ~~himself or herself~~ out
15 as a massage therapist without being licensed under the
16 provisions of this Act, then the Secretary, any licensed
17 massage therapist, any interested party, or any person injured
18 thereby may petition for relief as provided in subsection (a)
19 of this Section or may apply to the circuit court of the county
20 in which the violation or some part thereof occurred, or in
21 which the person complained of has his or her principal place
22 of business or resides, to prevent the violation. The court
23 has jurisdiction to enforce obedience by injunction or by
24 other process restricting the person complained of from
25 further violation and enjoining upon the person's ~~him or her~~
26 obedience.

1 (c) Whenever, in the opinion of the Department, a person
2 violates any provision of this Act, the Department may issue a
3 rule to show cause why an order to cease and desist should not
4 be entered against that person ~~him or her~~. The rule shall
5 clearly set forth the grounds relied upon by the Department
6 and shall provide a period of 7 days from the date of the rule
7 to file an answer to the satisfaction of the Department.
8 Failure to answer to the satisfaction of the Department shall
9 cause an order to cease and desist to be issued.

10 (Source: P.A. 97-514, eff. 8-23-11.)

11 (225 ILCS 57/95)

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

13 Sec. 95. Investigations; notice and hearing. The
14 Department may investigate the actions of any applicant or of
15 any person or persons rendering or offering to render massage
16 therapy services or any person holding or claiming to hold a
17 license as a massage therapist. The Department shall, before
18 refusing to issue or renew a license or to discipline a
19 licensee under Section 45, at least 30 days prior to the date
20 set for the hearing, (i) notify the accused in writing of the
21 charges made and the time and place for the hearing on the
22 charges, (ii) direct the accused ~~him or her~~ to file a written
23 answer with the Department under oath within 20 days after the
24 service of the notice, and (iii) inform the accused applicant
25 ~~or licensee~~ that failure to file an answer will result in a

1 default judgment being entered against the accused ~~applicant~~
2 ~~or licensee~~. At the time and place fixed in the notice, the
3 Department shall proceed to hear the charges and the parties
4 of their counsel shall be accorded ample opportunity to
5 present any pertinent statements, testimony, evidence, and
6 arguments. The Department may continue the hearing from time
7 to time. In case the person, after receiving the notice, fails
8 to file an answer, the ~~his or her~~ license may, in the
9 discretion of the Department, be revoked, suspended, placed on
10 probationary status, or the Department may take whatever
11 disciplinary actions considered proper, including limiting the
12 scope, nature, or extent of the person's practice or the
13 imposition of a fine, without a hearing, if the act or acts
14 charged constitute sufficient grounds for that action under
15 the Act. The written notice may be served by personal
16 delivery, by ~~certified~~ mail to the accused's address of
17 record, or by email to the accused's email address of record.
18 (Source: P.A. 102-20, eff. 1-1-22.)

19 (225 ILCS 57/100)

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

21 Sec. 100. Record of proceedings ~~Stenographer~~; transcript.
22 The Department, at its expense, shall provide a certified
23 shorthand reporter to take down the testimony and preserve a
24 record of all proceedings at the formal hearing of any case.
25 Any notice, all documents in the nature of pleadings, written

1 motions filed in the proceedings, the transcripts of
2 testimony, reports of the Board and hearing officer, and
3 orders of the Department shall be in the record of the
4 proceeding. The record may be made available to any person
5 interested in the hearing upon the payment of the fee required
6 by Section 2105-115 of the Department of Professional
7 Regulation Law of the Civil Administrative Code of Illinois.
8 The Department may contract for court reporting services, and,
9 in the event it does so, the Department shall provide the name
10 and contact information for the certified shorthand reporter
11 who transcribed the testimony at a hearing to any person
12 interested, who may obtain a copy of the transcript of any
13 proceedings at a hearing upon the payment of the fee specified
14 by the certified shorthand reporter. This charge shall be in
15 addition to any fee charged by the Department for certifying
16 the record.

17 (Source: P.A. 97-514, eff. 8-23-11.)

18 (225 ILCS 57/105)

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

20 Sec. 105. Subpoenas; depositions; oaths.

21 (a) The Department may subpoena and bring before it any
22 person to take the oral or written testimony or compel the
23 production of any books, papers, records, or any other
24 documents that the Secretary or the Secretary's ~~his or her~~
25 designee deems relevant or material to any such investigation

1 or hearing conducted by the Department with the same fees and
2 in the same manner as prescribed in civil cases in the courts
3 of this State.

4 (b) Any circuit court, upon the application of the
5 licensee or the Department, may order the attendance and
6 testimony of witnesses and the production of relevant
7 documents, files, records, books, and papers in connection
8 with any hearing or investigation. The circuit court may
9 compel obedience to its order by proceedings for contempt.

10 (c) The Secretary, the hearing officer, any member of the
11 Board, or a certified shorthand court reporter may administer
12 oaths at any hearing the Department conducts. Notwithstanding
13 any other statute or Department rule to the contrary, all
14 requests for testimony, production of documents, or records
15 shall be in accordance with this Act.

16 (Source: P.A. 97-514, eff. 8-23-11.)

17 (225 ILCS 57/165)

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

19 Sec. 165. Unlicensed practice; violation; civil penalty.

20 (a) Any person who practices, offers to practice, attempts
21 to practice, or holds oneself ~~himself or herself~~ out to
22 practice massage therapy or as a massage therapist without
23 being licensed under this Act, or any person not licensed
24 under this Act who aids, abets, assists, procures, advises,
25 employs, or contracts with any unlicensed person to practice

1 massage therapy contrary to any rules or provisions of this
2 Act, shall, in addition to any other penalty provided by law,
3 pay a civil penalty to the Department in an amount not to
4 exceed \$10,000 for each violation of this Act as determined by
5 the Department. The civil penalty shall be assessed by the
6 Department after a hearing is held in accordance with the
7 provisions set forth in this Act regarding the provision of a
8 hearing for the discipline of a licensee.

9 (b) The Department has the authority and power to
10 investigate any unlicensed activity.

11 (c) The civil penalty shall be paid within 60 days after
12 the effective date of the order imposing the civil penalty.
13 The order shall constitute a judgment and may be filed and
14 execution had thereon in the same manner as any judgment from
15 any court of record.

16 (d) All moneys collected under this Section shall be
17 deposited into the General Professions Dedicated Fund.

18 (Source: P.A. 97-514, eff. 8-23-11.)

19 Section 25. The Medical Practice Act of 1987 is amended by
20 changing Sections 5, 7.1, 9, 9.3, 9.5, 9.7, 11, 15, 17, 18, 21,
21 22, 22.2, 23, 26, 36, 37, 38, 40, 44, 49, 54, 54.2, 54.5, 58,
22 and 66 and by adding Section 70 as follows:

23 (225 ILCS 60/5) (from Ch. 111, par. 4400-5)

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

1 Sec. 5. Because the candid and conscientious evaluation of
2 clinical practices is essential to the provision of adequate
3 health care, it is the policy of this State to encourage peer
4 review by health care providers. Therefore, while serving upon
5 any committee whose purpose, directly or indirectly, is
6 internal quality control or medical study to reduce morbidity
7 or mortality, or for improving patient care or physician
8 services within a hospital duly licensed under the Hospital
9 Licensing Act, or within a professional association of persons
10 licensed under this Act, or the improving or benefiting of
11 patient care and treatment whether within a hospital or not,
12 or for the purpose of professional discipline, any person
13 serving on such committee, and any person providing service to
14 such committees, shall not be liable for civil damages as a
15 result of their acts, omissions, decisions, or any other
16 conduct in connection with their duties on such committees,
17 except those involving willful ~~wilful~~ or wanton misconduct.

18 Information considered shall be afforded the same status
19 as is information concerning medical studies by Part 21 of
20 Article VIII of the ~~"Code of Civil Procedure", as now or~~
21 ~~hereafter amended.~~

22 (Source: P.A. 85-1209; revised 6-24-25.)

23 (225 ILCS 60/7.1)

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

25 Sec. 7.1. Medical Board.

1 (A) There is hereby created the Illinois State Medical
2 Board. The Medical Board shall advise the Secretary. The
3 Medical Board shall consist of 17 members, to be appointed by
4 the Governor by and with the advice and consent of the Senate.
5 All members shall be residents of the State, not more than 8 of
6 whom shall be members of the same political party. All members
7 shall be voting members. Eight members shall be physicians
8 licensed to practice medicine in all of its branches in
9 Illinois possessing the degree of doctor of medicine. Two
10 members shall be physicians licensed to practice medicine in
11 all its branches in Illinois possessing the degree of doctor
12 of osteopathy or osteopathic medicine. Two of the physician
13 members shall be physicians who collaborate with physician
14 assistants. Two members shall be chiropractic physicians
15 licensed to practice in Illinois and possessing the degree of
16 doctor of chiropractic. Two members shall be physician
17 assistants licensed to practice in Illinois. Three members
18 shall be members of the public, who shall not be engaged in any
19 way, directly or indirectly, as providers of health care.

20 (B) Members of the Medical Board shall be appointed for
21 terms of 4 years. Upon the expiration of the term of any
22 member, their successor shall be appointed for a term of 4
23 years by the Governor by and with the advice and consent of the
24 Senate. The Governor shall fill any vacancy for the remainder
25 of the unexpired term with the advice and consent of the
26 Senate. Upon recommendation of the Medical Board, any member

1 of the Medical Board may be removed by the Governor for
2 misfeasance, malfeasance, or willful neglect of duty, after
3 notice, and a public hearing, unless such notice and hearing
4 shall be expressly waived in writing. Each member shall serve
5 on the Medical Board until their successor is appointed and
6 qualified. No member of the Medical Board shall serve more
7 than 2 consecutive 4-year terms.

8 In making appointments the Governor shall attempt to
9 ensure that the various social and geographic regions of the
10 State of Illinois are properly represented.

11 In making the designation of persons to act for the
12 several professions represented on the Medical Board, the
13 Governor shall give due consideration to recommendations by
14 members of the respective professions and by organizations
15 therein.

16 (C) The Medical Board shall annually elect one of its
17 voting members as chairperson and one as vice chairperson. No
18 officer shall be elected more than twice in succession to the
19 same office. Each officer shall serve until their successor
20 has been elected and qualified.

21 (D) A majority of the Medical Board members currently
22 appointed shall constitute a quorum. A vacancy in the
23 membership of the Medical Board shall not impair the right of a
24 quorum to exercise all the rights and perform all the duties of
25 the Medical Board. Any action taken by the Medical Board under
26 this Act may be authorized by resolution at any regular or

1 special meeting and each such resolution shall take effect
2 immediately. The Medical Board shall meet at least quarterly.

3 (E) Each member shall be paid their necessary expenses
4 while engaged in the performance of their duties.

5 (F) The Secretary shall select a Chief Medical Coordinator
6 and not less than 2 Deputy Medical Coordinators who shall not
7 be members of the Medical Board. Each medical coordinator
8 shall be a physician licensed to practice medicine in all of
9 its branches, and the Secretary shall set their rates of
10 compensation. The Secretary shall assign at least one medical
11 coordinator to a region composed of Cook County and such other
12 counties as the Secretary may deem appropriate, and such
13 medical coordinator or coordinators shall locate their office
14 in Chicago. The Secretary shall assign at least one medical
15 coordinator to a region composed of the balance of counties in
16 the State, and such medical coordinator or coordinators shall
17 locate their office in Springfield. The Chief Medical
18 Coordinator shall be the chief enforcement officer of this
19 Act. None of the functions, powers, or duties of the
20 Department with respect to policies regarding enforcement or
21 discipline under this Act, including the adoption of such
22 rules as may be necessary for the administration of this Act,
23 shall be exercised by the Department except upon review of the
24 Medical Board.

25 (G) The Secretary shall employ, in conformity with the
26 Personnel Code, investigators who are college graduates with

1 at least 2 years of investigative experience or one year of
2 advanced medical education. Upon the written request of the
3 Medical Board, the Secretary shall employ, in conformity with
4 the Personnel Code, such other professional, technical,
5 investigative, and clerical help, either on a full or
6 part-time basis as the Medical Board deems necessary for the
7 proper performance of its duties.

8 (H) Upon the specific request of the Medical Board, signed
9 by either the chairperson, vice chairperson, or a medical
10 coordinator of the Medical Board, the Department of Human
11 Services, the Department of Healthcare and Family Services,
12 the Illinois ~~Department of~~ State Police, or any other law
13 enforcement agency located in this State shall make available
14 any and all information that they have in their possession
15 regarding a particular case then under investigation by the
16 Medical Board.

17 (I) Members of the Medical Board shall be immune from suit
18 in any action based upon any disciplinary proceedings or other
19 acts performed in good faith as members of the Medical Board.

20 (J) The Medical Board may compile and establish a
21 statewide roster of physicians and other medical
22 professionals, including the several medical specialties, of
23 such physicians and medical professionals, who have agreed to
24 serve from time to time as advisors to the medical
25 coordinators. Such advisors shall assist the medical
26 coordinators or the Medical Board in their investigations and

1 participation in complaints against physicians. Such advisors
2 shall serve under contract and shall be reimbursed at a
3 reasonable rate for the services provided, plus reasonable
4 expenses incurred. While serving in this capacity, the
5 advisor, for any act undertaken in good faith and in the
6 conduct of his or her duties under this Section, shall be
7 immune from civil suit.

8 (Source: P.A. 102-20, eff. 1-1-22.)

9 (225 ILCS 60/9) (from Ch. 111, par. 4400-9)

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

11 Sec. 9. Application for license. Each applicant for a
12 license shall:

13 (A) Make application on blank forms prepared and
14 furnished by the Department.

15 (B) Submit evidence satisfactory to the Department
16 that the applicant:

17 (1) is of good moral character. In determining
18 moral character under this Section, the Department may
19 take into consideration whether the applicant has
20 engaged in conduct or activities which would
21 constitute grounds for discipline under this Act. The
22 Department may also request the applicant to submit,
23 and may consider as evidence of moral character,
24 endorsements from 2 or 3 individuals licensed under
25 this Act;

1 (2) has the preliminary and professional education
2 required by this Act;

3 (3) (blank); and

4 (4) is physically, mentally, and professionally
5 capable of practicing medicine with reasonable
6 judgment, skill, and safety. In determining physical
7 and mental capacity under this Section, the Medical
8 Board may, upon a showing of a possible incapacity or
9 conduct or activities that would constitute grounds
10 for discipline under this Act, compel any applicant to
11 submit to a mental or physical examination and
12 evaluation, or both, as provided for in Section 22 of
13 this Act. The Medical Board may condition or restrict
14 any license, subject to the same terms and conditions
15 as are provided for the Medical Board under Section 22
16 of this Act. Any such condition of a restricted
17 license shall provide that the Chief Medical
18 Coordinator or Deputy Medical Coordinator shall have
19 the authority to review the subject physician's
20 compliance with such conditions or restrictions,
21 including, where appropriate, the physician's record
22 of treatment and counseling regarding the impairment,
23 to the extent permitted by applicable federal statutes
24 and regulations safeguarding the confidentiality of
25 medical records of patients. The Medical Board, in
26 determining mental capacity, shall consider the latest

1 recommendations of the Federation of State Medical
2 Boards.

3 In determining professional capacity under this
4 Section, an individual may be required to complete such
5 additional testing, training, or remedial education as the
6 Medical Board may deem necessary in order to establish the
7 applicant's present capacity to practice medicine with
8 reasonable judgment, skill, and safety. The Medical Board
9 may consider the following criteria, as they relate to an
10 applicant, as part of its determination of professional
11 capacity:

12 (1) Medical research in an established research
13 facility, hospital, college or university, or private
14 corporation.

15 (2) Specialized training or education.

16 (3) Publication of original work in learned,
17 medical, or scientific journals.

18 (4) Participation in federal, State, local, or
19 international public health programs or organizations.

20 (5) Professional service in a federal veterans or
21 military institution.

22 (5.5) Successful completion of a re-entry course.

23 (6) Any other professional activities deemed to
24 maintain and enhance the clinical capabilities of the
25 applicant.

26 Any applicant applying for a license to practice

1 medicine in all of its branches or for a license as a
2 chiropractic physician who has not been engaged in the
3 active practice of medicine or has not been enrolled in a
4 medical program for 2 years prior to application must
5 submit proof of professional capacity to the Medical
6 Board.

7 Any applicant applying for a temporary license that
8 has not been engaged in the active practice of medicine or
9 has not been enrolled in a medical program for longer than
10 5 years prior to application must submit proof of
11 professional capacity to the Medical Board.

12 (C) Designate specifically the name, location, and
13 kind of professional school, college, or institution of
14 which the applicant is a graduate and the category under
15 which the applicant seeks, and will undertake, to
16 practice.

17 (D) Pay to the Department at the time of application
18 the required fees.

19 (E) Pursuant to Department rules, as required, pass an
20 examination authorized by the Department to determine the
21 applicant's fitness to receive a license.

22 (F) Complete the application process within 3 years
23 from the date of application. If the process has not been
24 completed within 3 years, the application shall expire,
25 application fees shall be forfeited, and the applicant
26 must reapply and meet the requirements in effect at the

1 time of reapplication.

2 (Source: P.A. 102-20, eff. 1-1-22; 103-442, eff. 1-1-24.)

3 (225 ILCS 60/9.3)

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

5 Sec. 9.3. Withdrawal of application. Any applicant
6 applying for a license or permit under this Act may withdraw
7 the applicant's ~~his or her~~ application at any time. If an
8 applicant withdraws the applicant's ~~his or her~~ application
9 after receipt of a written Notice of Intent to Deny License or
10 Permit, then the withdrawal shall be reported to the
11 Federation of State Medical Boards.

12 (Source: P.A. 102-20, eff. 1-1-22.)

13 (225 ILCS 60/9.5)

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

15 Sec. 9.5. Social Security Number or individual taxpayer
16 identification number on license application. In addition to
17 any other information required to be contained in the
18 application, every application for an original license under
19 this Act shall include the applicant's Social Security Number
20 or individual taxpayer identification number, which shall be
21 retained in the agency's records pertaining to the license. As
22 soon as practical, the Department shall assign a customer's
23 identification number to each applicant for a license.

24 Every application for a renewal or reinstated license

1 shall require the applicant's customer identification number.

2 (Source: P.A. 97-400, eff. 1-1-12; 98-1140, eff. 12-30-14.)

3 (225 ILCS 60/9.7)

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

5 Sec. 9.7. Criminal history records background check. Each
6 applicant for licensure or permit under Sections 9, 15.5, 18,
7 and 19 shall have the applicant's ~~his or her~~ fingerprints
8 submitted to the Illinois State Police in an electronic format
9 that complies with the form and manner for requesting and
10 furnishing criminal history record information as prescribed
11 by the Illinois State Police. These fingerprints shall be
12 checked against the Illinois State Police and Federal Bureau
13 of Investigation criminal history record databases now and
14 hereafter filed. The Illinois State Police shall charge
15 applicants a fee for conducting the criminal history records
16 check, which shall be deposited into the State Police Services
17 Fund and shall not exceed the actual cost of the records check.
18 The Illinois State Police shall furnish, pursuant to positive
19 identification, records of Illinois convictions to the
20 Department. The Department may require applicants to pay a
21 separate fingerprinting fee, either to the Department or to a
22 Department designated or approved vendor. The Department, in
23 its discretion, may allow an applicant who does not have
24 reasonable access to a designated vendor to provide the
25 applicant's ~~his or her~~ fingerprints in an alternative manner.

1 The Department may adopt any rules necessary to implement this
2 Section.

3 (Source: P.A. 102-538, eff. 8-20-21.)

4 (225 ILCS 60/11) (from Ch. 111, par. 4400-11)

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

6 Sec. 11. Minimum education standards. The minimum
7 standards of professional education to be enforced by the
8 Department in conducting examinations and issuing licenses
9 shall be as follows:

10 (A) Practice of medicine. For the practice of medicine
11 in all of its branches:

12 (1) For applications for licensure under
13 subsection (D) of Section 19 of this Act:

14 (a) that the applicant is a graduate of a
15 medical or osteopathic college in the United
16 States or, its territories and ~~or Canada~~, that the
17 applicant has completed a 2-year ~~2-year~~ course of
18 instruction in a college of liberal arts, or its
19 equivalent, and a course of instruction in a
20 medical or osteopathic college approved by the
21 Department or by a private, not-for-profit ~~not for~~
22 ~~profit~~ accrediting body approved by the
23 Department, and in addition thereto, a course of
24 postgraduate clinical training of not less than 12
25 months as approved by the Department; or

1 (b) that the applicant is a graduate of a
2 medical or osteopathic college located outside the
3 United States or its territories ~~or Canada~~, and
4 that the degree conferred is officially recognized
5 by the country for the purposes of licensure, that
6 the applicant has completed a 2-year ~~2-year~~ course
7 of instruction in a college of liberal arts or its
8 equivalent, and a course of instruction in a
9 medical or osteopathic college approved by the
10 Department, which course shall have been not less
11 than 132 weeks in duration and shall have been
12 completed within a period of not less than 35
13 months, and, in addition thereto, has completed a
14 course of postgraduate clinical training of not
15 less than 12 months, as approved by the
16 Department, and has complied with any other
17 standards established by rule.

18 For the purposes of this subparagraph (b) an
19 applicant is considered to be a graduate of a
20 medical college if the degree which is conferred
21 is officially recognized by that country for the
22 purposes of receiving a license to practice
23 medicine in all of its branches or a document is
24 granted by the medical college which certifies the
25 completion of all formal training requirements
26 including any internship and social service; or

1 (c) that the applicant has studied medicine at
2 a medical or osteopathic college located outside
3 the United States or its territories and ~~or~~
4 ~~Canada~~, that the applicant has completed a 2-year
5 ~~2-year~~ course of instruction in a college of
6 liberal arts or its equivalent and all of the
7 formal requirements of a foreign medical school
8 except internship and social service, which course
9 shall have been not less than 132 weeks in
10 duration and shall have been completed within a
11 period of not less than 35 months; that the
12 applicant has submitted an application to a
13 medical college accredited by the Liaison
14 Committee on Medical Education and submitted to
15 such evaluation procedures, including use of
16 nationally recognized medical student tests or
17 tests devised by the individual medical college,
18 and that the applicant has satisfactorily
19 completed one academic year of supervised clinical
20 training under the direction of such medical
21 college; and, in addition thereto has completed a
22 course of postgraduate clinical training of not
23 less than 12 months, as approved by the
24 Department, and has complied with any other
25 standards established by rule.

26 (d) Any clinical clerkship ~~clerkships~~ must

1 have been completed in compliance with Section
2 10.3 of the Hospital Licensing Act, as amended.

3 (2) Effective January 1, 1988, for applications
4 for licensure made subsequent to January 1, 1988,
5 under Sections 9 or 17 of this Act by individuals not
6 described in paragraph (3) of subsection (A) of
7 Section 11 who graduated after December 31, 1984:

8 (a) that the applicant: (i) graduated from a
9 medical or osteopathic college officially
10 recognized by the jurisdiction in which it is
11 located for the purpose of receiving a license to
12 practice medicine in all of its branches, and the
13 applicant has completed, as defined by the
14 Department, a 6-year ~~6-year~~ postsecondary course
15 of study comprising at least 2 academic years of
16 study in the basic medical sciences; and 2
17 academic years of study in the clinical sciences,
18 while enrolled in the medical college which
19 conferred the degree, the core rotations of which
20 must have been completed in clinical teaching
21 facilities owned, operated or formally affiliated
22 with the medical college which conferred the
23 degree, or under contract in teaching facilities
24 owned, operated or affiliated with another medical
25 college which is officially recognized by the
26 jurisdiction in which the medical school which

1 conferred the degree is located; or (ii) graduated
2 from a medical or osteopathic college accredited
3 by the Liaison Committee on Medical Education, the
4 Committee on Accreditation of Canadian Medical
5 Schools in conjunction with the Liaison Committee
6 on Medical Education, or the Bureau of
7 Professional Education of the American Osteopathic
8 Association; and, (iii) in addition thereto, has
9 completed 24 months of postgraduate clinical
10 training, as approved by the Department; or

11 (b) that the applicant has studied medicine at
12 a medical or osteopathic college located outside
13 the United States or, its territories and ~~or~~
14 ~~Canada,~~ that the applicant, in addition to
15 satisfying the requirements of subparagraph (a),
16 except for the awarding of a degree, has completed
17 all of the formal requirements of a foreign
18 medical school except internship and social
19 service and has submitted an application to a
20 medical college accredited by the Liaison
21 Committee on Medical Education and submitted to
22 such evaluation procedures, including use of
23 nationally recognized medical student tests or
24 tests devised by the individual medical college,
25 and that the applicant has satisfactorily
26 completed one academic year of supervised clinical

1 training under the direction of such medical
2 college; and, in addition thereto, has completed
3 24 months of postgraduate clinical training, as
4 approved by the Department, and has complied with
5 any other standards established by rule.

6 (3) (Blank).

7 (4) Any person granted a temporary license
8 pursuant to Section 17 of this Act who shall
9 satisfactorily complete a course of postgraduate
10 clinical training and meet all of the requirements for
11 licensure shall be granted a permanent license
12 pursuant to Section 9.

13 (5) Notwithstanding any other provision of this
14 Section an individual holding a temporary license
15 under Section 17 of this Act shall be required to
16 satisfy the undergraduate medical and post-graduate
17 clinical training educational requirements in effect
18 on the date of their application for a temporary
19 license, provided they apply for a license under
20 Section 9 of this Act and satisfy all other
21 requirements of this Section while their temporary
22 license is in effect.

23 (B) Treating human ailments without drugs and without
24 operative surgery. For the practice of treating human
25 ailments without the use of drugs and without operative
26 surgery:

1 (1) For an applicant who was a resident student
2 and who is a graduate after July 1, 1926, of a
3 chiropractic college or institution, that such school,
4 college or institution, at the time of the applicant's
5 graduation required as a prerequisite to admission
6 thereto a 4-year ~~4-year~~ course of instruction in a high
7 school, and, as a prerequisite to graduation
8 therefrom, a course of instruction in the treatment of
9 human ailments, of not less than 132 weeks in duration
10 and which shall have been completed within a period of
11 not less than 35 months except that as to students
12 matriculating or entering upon a course of
13 chiropractic study during the years 1940, 1941, 1942,
14 1943, 1944, 1945, 1946, and 1947, such elapsed time
15 shall be not less than 32 months, such high school and
16 such school, college or institution having been
17 reputable and in good standing in the judgment of the
18 Department.

19 (2) For an applicant who is a matriculant in a
20 chiropractic college after September 1, 1969, that
21 such applicant shall be required to complete a 2-year
22 ~~2-year~~ course of instruction in a liberal arts college
23 or its equivalent and a course of instruction in a
24 chiropractic college in the treatment of human
25 ailments, such course, as a prerequisite to graduation
26 therefrom, having been not less than 132 weeks in

1 duration and shall have been completed within a period
2 of not less than 35 months, such college of liberal
3 arts and chiropractic college having been reputable
4 and in good standing in the judgment of the
5 Department.

6 (3) For an applicant who is a graduate of a United
7 States chiropractic college after August 19, 1981, the
8 college of the applicant must be fully accredited by
9 the Commission on Accreditation of the Council on
10 Chiropractic Education or its successor at the time of
11 graduation. Such graduates shall be considered to have
12 met the minimum requirements which shall be in
13 addition to those requirements set forth in the rules
14 and regulations promulgated by the Department.

15 (4) For an applicant who is a graduate of a
16 chiropractic college in another country; that such
17 chiropractic college be equivalent to the standards of
18 education as set forth for chiropractic colleges
19 located in the United States.

20 (Source: P.A. 97-622, eff. 11-23-11.)

21 (225 ILCS 60/15) (from Ch. 111, par. 4400-15)

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

23 Sec. 15. Chiropractic physician; license for general
24 practice. Any chiropractic physician licensed under this Act
25 shall be permitted to take the examination for licensure as a

1 physician to practice medicine in all its branches and shall
2 receive a license to practice medicine in all of its branches
3 if the chiropractic physician ~~he or she~~ shall successfully
4 pass such examination, upon proof of having successfully
5 completed in a medical college, osteopathic college or
6 chiropractic college reputable and in good standing in the
7 judgment of the Department, courses of instruction in materia
8 medica, therapeutics, surgery, obstetrics, and theory and
9 practice deemed by the Department to be equal to the courses of
10 instruction required in those subjects for admission to the
11 examination for a license to practice medicine in all of its
12 branches, together with proof of having completed (a) the
13 2-year ~~2-year~~ course of instruction in a college of liberal
14 arts, or its equivalent, required under this Act, and (b) a
15 course of postgraduate clinical training of not less than 24
16 months as approved by the Department.

17 (Source: P.A. 97-622, eff. 11-23-11.)

18 (225 ILCS 60/17) (from Ch. 111, par. 4400-17)

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

20 Sec. 17. Temporary license. Persons holding the degree of
21 Doctor of Medicine, persons holding the degree of Doctor of
22 Osteopathy or Doctor of Osteopathic Medicine, and persons
23 holding the degree of Doctor of Chiropractic or persons who
24 have satisfied the requirements therefor and are eligible to
25 receive such degree from a medical, osteopathic, or

1 chiropractic school, who wish to pursue programs of graduate
2 or specialty training in this State, may receive without
3 examination, in the discretion of the Department, a 3-year
4 temporary license. In order to receive a 3-year temporary
5 license hereunder, an applicant shall submit evidence
6 satisfactory to the Department that the applicant:

7 (A) Is of good moral character. In determining moral
8 character under this Section, the Department may take into
9 consideration whether the applicant has engaged in conduct
10 or activities which would constitute grounds for
11 discipline under this Act. The Department may also request
12 the applicant to submit, and may consider as evidence of
13 moral character, endorsements from 2 or 3 individuals
14 licensed under this Act;

15 (B) Has been accepted or appointed for specialty or
16 residency training by a hospital situated in this State or
17 a training program in hospitals or facilities maintained
18 by the State of Illinois or affiliated training facilities
19 which is approved by the Department for the purpose of
20 such training under this Act. The applicant shall indicate
21 the beginning and ending dates of the period for which the
22 applicant has been accepted or appointed;

23 (C) Has or will satisfy the professional education
24 requirements of Section 11 of this Act which are effective
25 at the date of application except for postgraduate
26 clinical training;

1 (D) Is physically, mentally, and professionally
2 capable of practicing medicine or treating human ailments
3 without the use of drugs and without operative surgery
4 with reasonable judgment, skill, and safety. In
5 determining physical, mental and professional capacity
6 under this Section, the Medical Board may, upon a showing
7 of a possible incapacity, compel an applicant to submit to
8 a mental or physical examination and evaluation, or both,
9 and may condition or restrict any temporary license,
10 subject to the same terms and conditions as are provided
11 for the Medical Board under Section 22 of this Act. Any
12 such condition of restricted temporary license shall
13 provide that the Chief Medical Coordinator or Deputy
14 Medical Coordinator shall have the authority to review the
15 subject physician's compliance with such conditions or
16 restrictions, including, where appropriate, the
17 physician's record of treatment and counseling regarding
18 the impairment, to the extent permitted by applicable
19 federal statutes and regulations safeguarding the
20 confidentiality of medical records of patients.

21 Three-year temporary licenses issued pursuant to this
22 Section shall be valid only for the period of time designated
23 therein, and may be extended or renewed pursuant to the rules
24 of the Department, and if a temporary license is thereafter
25 extended, it shall not extend beyond completion of the
26 residency program. The holder of a valid 3-year temporary

1 license shall be entitled thereby to perform only such acts as
2 may be prescribed by and incidental to the holder's ~~his or her~~
3 program of residency training; the holder ~~he or she~~ shall not
4 be entitled to otherwise engage in the practice of medicine in
5 this State unless fully licensed in this State.

6 A 3-year temporary license may be revoked or suspended by
7 the Department upon proof that the holder thereof has engaged
8 in the practice of medicine in this State outside of the
9 program of the holder's ~~his or her~~ residency or specialty
10 training, or if the holder shall fail to supply the
11 Department, within 10 days of its request, with information as
12 to the holder's ~~his or her~~ current status and activities in his
13 or her specialty training program. Such a revocation or
14 suspension shall comply with the procedures set forth in
15 subsection (d) of Section 37 of this Act.

16 (Source: P.A. 102-20, eff. 1-1-22.)

17 (225 ILCS 60/18) (from Ch. 111, par. 4400-18)

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

19 Sec. 18. Visiting professor, physician, or resident
20 permits.

21 (A) Visiting professor permit.

22 (1) A visiting professor permit shall entitle a person
23 to practice medicine in all of its branches or to practice
24 the treatment of human ailments without the use of drugs
25 and without operative surgery provided:

1 (a) the person maintains an equivalent
2 authorization to practice medicine in all of its
3 branches or to practice the treatment of human
4 ailments without the use of drugs and without
5 operative surgery in good standing in the person's ~~his~~
6 ~~or her~~ native licensing jurisdiction during the period
7 of the visiting professor permit;

8 (b) the person has received a faculty appointment
9 to teach in a medical, osteopathic, or chiropractic
10 school in Illinois; and

11 (c) the Department may prescribe the information
12 necessary to establish an applicant's eligibility for
13 a permit. This information shall include, without
14 limitation: (i) a statement from the dean of the
15 medical school at which the applicant will be employed
16 describing the applicant's qualifications and (ii) a
17 statement from the dean of the medical school listing
18 every affiliated institution in which the applicant
19 will be providing instruction as part of the medical
20 school's education program and justifying any clinical
21 activities at each of the institutions listed by the
22 dean.

23 (2) Application for visiting professor permits shall
24 be made to the Department, in writing, on forms prescribed
25 by the Department and shall be accompanied by the required
26 fee established by rule, which shall not be refundable.

1 Any application shall require the information as, in the
2 judgment of the Department, will enable the Department to
3 pass on the qualifications of the applicant.

4 (3) A visiting professor permit shall be valid for no
5 longer than 2 years from the date of issuance or until the
6 time the faculty appointment is terminated, whichever
7 occurs first, and may be renewed only in accordance with
8 subdivision (A) (6) of this Section.

9 (4) The applicant may be required to appear before the
10 Medical Board for an interview prior to, and as a
11 requirement for, the issuance of the original permit and
12 the renewal.

13 (5) Persons holding a permit under this Section shall
14 only practice medicine in all of its branches or practice
15 the treatment of human ailments without the use of drugs
16 and without operative surgery in the State of Illinois in
17 their official capacity under their contract within the
18 medical school itself and any affiliated institution in
19 which the permit holder is providing instruction as part
20 of the medical school's educational program and for which
21 the medical school has assumed direct responsibility.

22 (6) After the initial renewal of a visiting professor
23 permit, a visiting professor permit shall be valid until
24 the last day of the next physician license renewal period,
25 as set by rule, and may only be renewed for applicants who
26 meet the following requirements:

1 (i) have obtained the required continuing
2 education hours as set by rule; and

3 (ii) have paid the fee prescribed for a license
4 under Section 21 of this Act.

5 For initial renewal, the visiting professor must
6 successfully pass a general competency examination authorized
7 by the Department by rule, unless the visiting professor ~~he or~~
8 ~~she~~ was issued an initial visiting professor permit on or
9 after January 1, 2007, but prior to July 1, 2007.

10 (B) Visiting physician permit.

11 (1) The Department may, in its discretion, issue a
12 temporary visiting physician permit, without examination,
13 provided:

14 (a) (blank);

15 (b) that the person maintains an equivalent
16 authorization to practice medicine in all of its
17 branches or to practice the treatment of human
18 ailments without the use of drugs and without
19 operative surgery in good standing in the person's ~~his~~
20 ~~or her~~ native licensing jurisdiction during the period
21 of the temporary visiting physician permit;

22 (c) that the person has received an invitation or
23 appointment to study, demonstrate, or perform a
24 specific medical, osteopathic, chiropractic, or
25 clinical subject or technique in a medical,
26 osteopathic, or chiropractic school, a state or

1 national medical, osteopathic, or chiropractic
2 professional association or society conference or
3 meeting, a hospital licensed under the Hospital
4 Licensing Act, a hospital organized under the
5 University of Illinois Hospital Act, or a facility
6 operated pursuant to the Ambulatory Surgical Treatment
7 Center Act; and

8 (d) that the temporary visiting physician permit
9 shall only permit the holder to practice medicine in
10 all of its branches or practice the treatment of human
11 ailments without the use of drugs and without
12 operative surgery within the scope of the medical,
13 osteopathic, chiropractic, or clinical studies, or in
14 conjunction with the state or national medical,
15 osteopathic, or chiropractic professional association
16 or society conference or meeting, for which the holder
17 was invited or appointed.

18 (2) The application for the temporary visiting
19 physician permit shall be made to the Department, in
20 writing, on forms prescribed by the Department, and shall
21 be accompanied by the required fee established by rule,
22 which shall not be refundable. The application shall
23 require information that, in the judgment of the
24 Department, will enable the Department to pass on the
25 qualification of the applicant, and the necessity for the
26 granting of a temporary visiting physician permit.

1 (3) A temporary visiting physician permit shall be
2 valid for no longer than (i) 180 days from the date of
3 issuance or (ii) until the time the medical, osteopathic,
4 chiropractic, or clinical studies are completed, or the
5 state or national medical, osteopathic, or chiropractic
6 professional association or society conference or meeting
7 has concluded, whichever occurs first. The temporary
8 visiting physician permit may be issued multiple times to
9 a visiting physician under this paragraph (3) as long as
10 the total number of days it is active does not exceed 180
11 days within a 365-day period.

12 (4) The applicant for a temporary visiting physician
13 permit may be required to appear before the Medical Board
14 for an interview prior to, and as a requirement for, the
15 issuance of a temporary visiting physician permit.

16 (5) A limited temporary visiting physician permit
17 shall be issued to a physician licensed in another state
18 who has been requested to perform emergency procedures in
19 Illinois if the physician ~~he or she~~ meets the requirements
20 as established by rule.

21 (C) Visiting resident permit.

22 (1) The Department may, in its discretion, issue a
23 temporary visiting resident permit, without examination,
24 provided:

25 (a) (blank);

26 (b) that the person maintains an equivalent

1 authorization to practice medicine in all of its
2 branches or to practice the treatment of human
3 ailments without the use of drugs and without
4 operative surgery in good standing in the person's ~~his~~
5 ~~or her~~ native licensing jurisdiction during the period
6 of the temporary visiting resident permit;

7 (c) that the applicant is enrolled in a
8 postgraduate clinical training program outside the
9 State of Illinois that is approved by the Department;

10 (d) that the individual has been invited or
11 appointed for a specific period of time to perform a
12 portion of that post graduate clinical training
13 program under the supervision of an Illinois licensed
14 physician in an Illinois patient care clinic or
15 facility that is affiliated with the out-of-State post
16 graduate training program; and

17 (e) that the temporary visiting resident permit
18 shall only permit the holder to practice medicine in
19 all of its branches or practice the treatment of human
20 ailments without the use of drugs and without
21 operative surgery within the scope of the medical,
22 osteopathic, chiropractic, or clinical studies for
23 which the holder was invited or appointed.

24 (2) The application for the temporary visiting
25 resident permit shall be made to the Department, in
26 writing, on forms prescribed by the Department, and shall

1 be accompanied by the required fee established by rule.
2 The application shall require information that, in the
3 judgment of the Department, will enable the Department to
4 pass on the qualifications of the applicant.

5 (3) A temporary visiting resident permit shall be
6 valid for 180 days from the date of issuance or until the
7 time the medical, osteopathic, chiropractic, or clinical
8 studies are completed, whichever occurs first.

9 (4) The applicant for a temporary visiting resident
10 permit may be required to appear before the Medical Board
11 for an interview prior to, and as a requirement for, the
12 issuance of a temporary visiting resident permit.

13 (D) Postgraduate training exemption period; visiting
14 rotations. A person may participate in visiting rotations in
15 an approved postgraduate training program, not to exceed a
16 total of 90 days for all rotations, if the following
17 information is submitted in writing or electronically to the
18 Department by the patient care clinics or facilities where the
19 person will be performing the training or by an affiliated
20 program:

21 (1) The person who has been invited or appointed to
22 perform a portion of their postgraduate clinical training
23 program in Illinois.

24 (2) The name and address of the primary patient care
25 clinic or facility, the date the training is to begin, and
26 the length of time of the invitation or appointment.

1 (3) The name and license number of the Illinois
2 physician who will be responsible for supervising the
3 trainee and the medical director or division director of
4 the department or facility.

5 (4) Certification from the postgraduate training
6 program that the person is approved and enrolled in a
7 graduate training program approved by the Department in
8 their home state.

9 (Source: P.A. 103-551, eff. 8-11-23; 104-417, eff. 8-15-25.)

10 (225 ILCS 60/21) (from Ch. 111, par. 4400-21)

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

12 Sec. 21. License renewal; reinstatement; inactive status;
13 disposition and collection of fees.

14 (A) Renewal. The expiration date and renewal period for
15 each license issued under this Act shall be set by rule. The
16 holder of a license may renew the license by paying the
17 required fee. The holder of a license may also renew the
18 license within 90 days after its expiration by complying with
19 the requirements for renewal and payment of an additional fee.
20 A license renewal within 90 days after expiration shall be
21 effective retroactively to the expiration date.

22 The Department shall attempt to provide through electronic
23 means to each licensee under this Act, at least 60 days in
24 advance of the expiration date of the ~~his or her~~ license, a
25 renewal notice. No such license shall be deemed to have lapsed

1 until 90 days after the expiration date and after the
2 Department has attempted to provide such notice as herein
3 provided.

4 (B) Reinstatement. Any licensee who has permitted the
5 licensee's ~~his or her~~ license to lapse or who has had the
6 licensee's ~~his or her~~ license on inactive status may have the
7 licensee's ~~his or her~~ license reinstated by making application
8 to the Department and filing proof acceptable to the
9 Department of the licensee's ~~his or her~~ fitness to have the
10 license reinstated, including evidence certifying to active
11 practice in another jurisdiction satisfactory to the
12 Department, proof of meeting the continuing education
13 requirements for one renewal period, and by paying the
14 required reinstatement fee.

15 If the licensee has not maintained an active practice in
16 another jurisdiction satisfactory to the Department, the
17 Medical Board shall determine, by an evaluation program
18 established by rule, the applicant's fitness to resume active
19 status and may require the licensee to complete a period of
20 evaluated clinical experience and may require successful
21 completion of a practical examination specified by the Medical
22 Board.

23 However, any registrant whose license has expired while
24 the registrant ~~he or she~~ has been engaged (a) in Federal
25 Service on active duty with the Army of the United States, the
26 United States Navy, the Marine Corps, the Air Force, the Coast

1 Guard, the Public Health Service or the State Militia called
2 into the service or training of the United States of America,
3 or (b) in training or education under the supervision of the
4 United States preliminary to induction into the military
5 service, may have the registrant's ~~his or her~~ license
6 reinstated without paying any lapsed renewal fees, if within 2
7 years after honorable termination of such service, training,
8 or education, the registrant ~~he or she~~ furnishes to the
9 Department with satisfactory evidence to the effect that the
10 registrant ~~he or she~~ has been so engaged and that the
11 registrant's ~~his or her~~ service, training, or education has
12 been so terminated.

13 (C) Inactive licenses. Any licensee who notifies the
14 Department, in writing on forms prescribed by the Department,
15 may elect to place the licensee's ~~his or her~~ license on an
16 inactive status and shall, subject to rules of the Department,
17 be excused from payment of renewal fees until the licensee ~~he~~
18 ~~or she~~ notifies the Department in writing of his or her desire
19 to resume active status.

20 Any licensee requesting reinstatement from inactive status
21 shall be required to pay the current renewal fee, provide
22 proof of meeting the continuing education requirements for the
23 period of time the license is inactive not to exceed one
24 renewal period, and shall be required to reinstate the
25 licensee's ~~his or her~~ license as provided in subsection (B).

26 Any licensee whose license is in an inactive status shall

1 not practice in the State of Illinois.

2 (D) Disposition of monies collected. All monies collected
3 under this Act by the Department shall be deposited into ~~in~~ the
4 Illinois State Medical Disciplinary Fund in the State treasury
5 ~~Treasury~~, and used only for the following purposes: (a) by the
6 Medical Board in the exercise of its powers and performance of
7 its duties, as such use is made by the Department with full
8 consideration of all recommendations of the Medical Board, (b)
9 for costs directly related to persons licensed under this Act,
10 and (c) for direct and allocable indirect costs related to the
11 public purposes of the Department.

12 Moneys in the Fund may be transferred to the Professions
13 Indirect Cost Fund as authorized under Section 2105-300 of the
14 Department of Professional Regulation Law of the Civil
15 Administrative Code of Illinois.

16 All earnings received from investment of monies in the
17 Illinois State Medical Disciplinary Fund shall be deposited
18 into ~~in~~ the Illinois State Medical Disciplinary Fund and shall
19 be used for the same purposes as fees deposited into ~~in~~ such
20 Fund.

21 (E) Fees. The following fees are nonrefundable.

22 (1) Applicants for any examination shall be required
23 to pay, either to the Department or to the designated
24 testing service, a fee covering the cost of determining
25 the applicant's eligibility and providing the examination.
26 Failure to appear for the examination on the scheduled

1 date, at the time and place specified, after the
2 applicant's application for examination has been received
3 and acknowledged by the Department or the designated
4 testing service, shall result in the forfeiture of the
5 examination fee.

6 (2) Before July 1, 2018, the fee for a license under
7 Section 9 of this Act is \$700. Beginning on July 1, 2018,
8 the fee for a license under Section 9 of this Act is \$500.

9 (3) Before July 1, 2018, the fee for a license under
10 Section 19 of this Act is \$700. Beginning on July 1, 2018,
11 the fee for a license under Section 19 of this Act is \$500.

12 (4) Before July 1, 2018, the fee for the renewal of a
13 license for a resident of Illinois shall be calculated at
14 the rate of \$230 per year, and beginning on July 1, 2018
15 and until January 1, 2020, the fee for the renewal of a
16 license shall be \$167, except for licensees who were
17 issued a license within 12 months of the expiration date
18 of the license, before July 1, 2018, the fee for the
19 renewal shall be \$230, and beginning on July 1, 2018 and
20 until January 1, 2020 that fee will be \$167. Before July 1,
21 2018, the fee for the renewal of a license for a
22 nonresident shall be calculated at the rate of \$460 per
23 year, and beginning on July 1, 2018 and until January 1,
24 2020, the fee for the renewal of a license for a
25 nonresident shall be \$250, except for licensees who were
26 issued a license within 12 months of the expiration date

1 of the license, before July 1, 2018, the fee for the
2 renewal shall be \$460, and beginning on July 1, 2018 and
3 until January 1, 2020 that fee will be \$250. Beginning on
4 January 1, 2020, the fee for renewal of a license for a
5 resident or nonresident is \$181 per year.

6 (5) The fee for the reinstatement of a license other
7 than from inactive status, is \$230. In addition, payment
8 of all lapsed renewal fees not to exceed \$1,400 is
9 required.

10 (6) The fee for a 3-year temporary license under
11 Section 17 is \$230.

12 (7) The fee for the issuance of a license with a change
13 of name or address other than during the renewal period is
14 \$20. No fee is required for name and address changes on
15 Department records when no updated license is issued.

16 (8) The fee to be paid for a license record for any
17 purpose is \$20.

18 (9) The fee to be paid to have the scoring of an
19 examination, administered by the Department, reviewed and
20 verified, is \$20 plus any fees charged by the applicable
21 testing service.

22 (F) Any person who delivers a check or other payment to the
23 Department that is returned to the Department unpaid by the
24 financial institution upon which it is drawn shall pay to the
25 Department, in addition to the amount already owed to the
26 Department, a fine of \$50. The fines imposed by this Section

1 are in addition to any other discipline provided under this
2 Act for unlicensed practice or practice on a nonrenewed
3 license. The Department shall notify the person that payment
4 of fees and fines shall be paid to the Department by certified
5 check or money order within 30 calendar days of the
6 notification. If, after the expiration of 30 days from the
7 date of the notification, the person has failed to submit the
8 necessary remittance, the Department shall automatically
9 terminate the license or permit or deny the application,
10 without hearing. If, after termination or denial, the person
11 seeks a license or permit, the person ~~he or she~~ shall apply to
12 the Department for reinstatement or issuance of the license or
13 permit and pay all fees and fines due to the Department. The
14 Department may establish a fee for the processing of an
15 application for reinstatement of a license or permit to pay
16 all expenses of processing this application. The Secretary may
17 waive the fines due under this Section in individual cases
18 where the Secretary finds that the fines would be unreasonable
19 or unnecessarily burdensome.

20 (Source: P.A. 101-316, eff. 8-9-19; 101-603, eff. 1-1-20;
21 102-20, eff. 1-1-22.)

22 (225 ILCS 60/22)

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

24 Sec. 22. Disciplinary action.

25 (A) The Department may revoke, suspend, place on

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

7 (1) (Blank).

8 (2) (Blank).

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

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

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

19 (6) Obtaining any fee by fraud, deceit, or
20 misrepresentation.

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

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

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

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

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

22 (13) Violation of any provision of this Act or of the
23 Medical Practice Act prior to the repeal of that Act, or
24 violation of the rules, or a final administrative action
25 of the Secretary, after consideration of the
26 recommendation of the Medical Board.

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

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

9 (16) Abandonment of a patient.

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

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

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

25 (20) Immoral conduct in the commission of any act,
26 including, but not limited to, commission of an act of

1 sexual misconduct or sexual harassment related to the
2 licensee's practice. For the purpose of this paragraph
3 (20), "sexual harassment" means unwelcome sexual advances,
4 requests for sexual favors, or other verbal, physical, or
5 nonverbal conduct of a sexual nature.

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

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

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

25 (24) Solicitation of professional patronage by any
26 corporation, agents, or persons, or profiting from those

1 representing themselves to be agents of the licensee.

2 (25) Gross, ~~and~~ willful, and continued overcharging
3 for professional services, including filing false
4 statements for collection of fees for which services are
5 not rendered, including, but not limited to, filing such
6 false statements for collection of monies for services not
7 rendered from the medical assistance program of the
8 Department of Healthcare and Family Services (formerly
9 Department of Public Aid) under the Illinois Public Aid
10 Code.

11 (26) A pattern of practice or other behavior which
12 demonstrates incapacity or incompetence to practice under
13 this Act.

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

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

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

23 (30) Willfully or negligently violating the
24 confidentiality between physician and patient except as
25 required by law.

26 (31) The use of any false, fraudulent, or deceptive

1 statement in any document connected with practice under
2 this Act.

3 (32) Aiding and abetting an individual not licensed
4 under this Act in the practice of a profession licensed
5 under this Act.

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

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

19 (35) Failure to report to the Department surrender of
20 a license or authorization to practice as a medical
21 doctor, a doctor of osteopathy, a doctor of osteopathic
22 medicine, or doctor of chiropractic in another state or
23 jurisdiction, or surrender of membership on any medical
24 staff or in any medical or professional association or
25 society, while under disciplinary investigation by any of
26 those authorities or bodies, for acts or conduct similar

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

3 (36) Failure to report to the Department any adverse
4 judgment, settlement, or award arising from a liability
5 claim related to acts or conduct similar to acts or
6 conduct which would constitute grounds for action as
7 defined in this Section.

8 (37) Failure to provide copies of medical records as
9 required by law.

10 (38) Failure to furnish the Department, or its
11 investigators or representatives, relevant information,
12 legally requested by the Department after consultation
13 with the Chief Medical Coordinator or the Deputy Medical
14 Coordinator.

15 (39) Violating the Health Care Worker Self-Referral
16 Act.

17 (40) (Blank).

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

20 (42) Entering into an excessive number of written
21 collaborative agreements with licensed advanced practice
22 registered nurses resulting in an inability to adequately
23 collaborate.

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

26 (44) Violating the Compassionate Use of Medical

1 Cannabis Program Act.

2 (45) Entering into an excessive number of written
3 collaborative agreements with licensed prescribing
4 psychologists resulting in an inability to adequately
5 collaborate.

6 (46) Repeated failure to adequately collaborate with a
7 licensed prescribing psychologist.

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

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

18 (49) Entering into an excessive number of written
19 collaborative agreements with licensed physician
20 assistants resulting in an inability to adequately
21 collaborate.

22 (50) Repeated failure to adequately collaborate with a
23 physician assistant.

24 All proceedings to take disciplinary action as the
25 Department may deem proper, with regard to a license, must be
26 commenced within 5 years after the date of the Department's

1 receipt of a complaint alleging the commission of or notice of
2 a conviction order for any of the violations described herein.
3 Ground number (26) is exempt from this 5-year limitation. No
4 action shall be commenced more than 10 years after the date of
5 the incident or act alleged to have violated this Section.
6 Ground numbers (8), (9), (26), and (29) are exempt from this
7 10-year limitation. Except for actions involving the ground
8 numbered (26), all proceedings to suspend, revoke, place on
9 probationary status, or take any other disciplinary action as
10 the Department may deem proper, with regard to a license on any
11 of the foregoing grounds, must be commenced within 5 years
12 next after receipt by the Department of a complaint alleging
13 the commission of or notice of the conviction order for any of
14 the acts described herein. Except for the grounds numbered
15 (8), (9), (26), and (29), no action shall be commenced more
16 than 10 years after the date of the incident or act alleged to
17 have violated this Section. For actions involving the ground
18 numbered (26), a pattern of practice or other behavior
19 includes all incidents alleged to be part of the pattern of
20 practice or other behavior that occurred, or a report pursuant
21 to Section 23 of this Act received, within the 10-year period
22 preceding the filing of the complaint. In the event of the
23 settlement of any claim or cause of action in favor of the
24 claimant or the reduction to final judgment of any civil
25 action in favor of the plaintiff, such claim, cause of action,
26 or civil action being grounded on the allegation that a person

1 licensed under this Act was negligent in providing care, the
2 Department shall be exempt from the 10-year limitation and
3 shall have 5 years from receipt of the report ~~have an~~
4 ~~additional period of 2 years from the date of notification to~~
5 ~~the Department~~ under Section 23 of this Act of such settlement
6 or final judgment in which to investigate and commence formal
7 disciplinary proceedings under Section 36 of this Act, except
8 as otherwise provided by law. The time during which the holder
9 of the license was outside the State of Illinois shall not be
10 included within any period of time limiting the commencement
11 of disciplinary action by the Department.

12 The entry of an order or judgment by any circuit court
13 establishing that any person holding a license under this Act
14 is a person in need of mental treatment operates as a
15 suspension of that license. That person may resume ~~his or her~~
16 practice only upon the entry of a Departmental order based
17 upon a finding by the Medical Board that the person has been
18 determined to be recovered from mental illness by the court
19 and upon the Medical Board's recommendation that the person be
20 permitted to resume ~~his or her~~ practice.

21 The Department may refuse to issue or take disciplinary
22 action concerning the license of any person who fails to file a
23 return, or to pay the tax, penalty, or interest shown in a
24 filed return, or to pay any final assessment of tax, penalty,
25 or interest, as required by any tax Act administered by the
26 Illinois Department of Revenue, until such time as the

1 requirements of any such tax Act are satisfied as determined
2 by the Illinois Department of Revenue.

3 The Department, upon the recommendation of the Medical
4 Board, shall adopt rules which set forth standards to be used
5 in determining:

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

8 (b) what constitutes dishonorable, unethical, or
9 unprofessional conduct of a character likely to deceive,
10 defraud, or harm the public;

11 (c) what constitutes immoral conduct in the commission
12 of any act, including, but not limited to, commission of
13 an act of sexual misconduct related to the licensee's
14 practice; and

15 (d) what constitutes gross negligence in the practice
16 of medicine.

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

20 In enforcing this Section, the Medical Board, upon a
21 showing of a possible violation, may compel any individual who
22 is licensed to practice under this Act or holds a permit to
23 practice under this Act, or any individual who has applied for
24 licensure or a permit pursuant to this Act, to submit to a
25 mental or physical examination and evaluation, or both, which
26 may include a substance abuse or sexual offender evaluation,

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

1 team to present testimony concerning this examination and
2 evaluation of the licensee, permit holder, or applicant,
3 including testimony concerning any supplemental testing or
4 documents relating to the examination and evaluation. No
5 information, report, record, or other documents in any way
6 related to the examination and evaluation shall be excluded by
7 reason of any common law or statutory privilege relating to
8 communication between the licensee, permit holder, or
9 applicant and the examining physician or any member of the
10 multidisciplinary team. No authorization is necessary from the
11 licensee, permit holder, or applicant ordered to undergo an
12 evaluation and examination for the examining physician or any
13 member of the multidisciplinary team to provide information,
14 reports, records, or other documents or to provide any
15 testimony regarding the examination and evaluation. The
16 individual to be examined may have, at the individual's ~~his or~~
17 ~~her~~ own expense, another physician of the individual's ~~his or~~
18 ~~her~~ choice present during all aspects of the examination.
19 Failure of any individual to submit to mental or physical
20 examination and evaluation, or both, when directed, shall
21 result in an automatic suspension, without hearing, until such
22 time as the individual submits to the examination. If the
23 Medical Board finds a physician unable to practice following
24 an examination and evaluation because of the reasons set forth
25 in this Section, the Medical Board shall require such
26 physician to submit to care, counseling, or treatment by

1 physicians, or other health care professionals, approved or
2 designated by the Medical Board, as a condition for issued,
3 continued, reinstated, or renewed licensure to practice. Any
4 physician, whose license was granted pursuant to Section 9,
5 17, or 19 of this Act, or, continued, reinstated, renewed,
6 disciplined, or supervised, subject to such terms, conditions,
7 or restrictions who shall fail to comply with such terms,
8 conditions, or restrictions, or to complete a required program
9 of care, counseling, or treatment, as determined by the Chief
10 Medical Coordinator or Deputy Medical Coordinators, shall be
11 referred to the Secretary for a determination as to whether
12 the licensee shall have the licensee's ~~his or her~~ license
13 suspended immediately, pending a hearing by the Medical Board.
14 In instances in which the Secretary immediately suspends a
15 license under this Section, a hearing upon such person's
16 license must be convened by the Medical Board within 15 days
17 after such suspension and completed without appreciable delay.
18 The Medical Board shall have the authority to review the
19 subject physician'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 An individual licensed under this Act, affected under this
24 Section, shall be afforded an opportunity to demonstrate to
25 the Medical Board that the individual ~~he or she~~ can resume
26 practice in compliance with acceptable and prevailing

1 standards under the provisions of the individual's ~~his or her~~
2 license.

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

6 The Department may promulgate rules for the imposition of
7 fines in disciplinary cases, not to exceed \$10,000 for each
8 violation of this Act. Fines may be imposed in conjunction
9 with other forms of disciplinary action, but shall not be the
10 exclusive disposition of any disciplinary action arising out
11 of conduct resulting in death or injury to a patient. Any funds
12 collected from such fines shall be deposited into ~~in~~ the
13 Illinois State Medical Disciplinary Fund.

14 All fines imposed under this Section shall be paid within
15 60 days after the effective date of the order imposing the fine
16 or in accordance with the terms set forth in the order imposing
17 the fine.

18 (B) The Department shall revoke the license or permit
19 issued under this Act to practice medicine of a chiropractic
20 physician who has been convicted a second time of committing
21 any felony under the Illinois Controlled Substances Act or the
22 Methamphetamine Control and Community Protection Act, or who
23 has been convicted a second time of committing a Class 1 felony
24 under Sections 8A-3 and 8A-6 of the Illinois Public Aid Code. A
25 person whose license or permit is revoked under this
26 subsection (B) shall be prohibited from practicing medicine or

1 treating human ailments without the use of drugs and without
2 operative surgery.

3 (C) The Department shall not revoke, suspend, place on
4 probation, reprimand, refuse to issue or renew, or take any
5 other disciplinary or non-disciplinary action against a
6 person's authorization to practice under this Act:

7 (1) based solely upon the recommendation of the person
8 to an eligible patient regarding, or prescription for, or
9 treatment with, an investigational drug, biological
10 product, or device;

11 (2) for experimental treatment for Lyme disease or
12 other tick-borne diseases, including, but not limited to,
13 the prescription of or treatment with long-term
14 antibiotics;

15 (3) based solely upon the person providing,
16 authorizing, recommending, aiding, assisting, referring
17 for, or otherwise participating in any health care
18 service, so long as the care was not unlawful under the
19 laws of this State, regardless of whether the patient was
20 a resident of this State or another state; or

21 (4) based upon the person's license, registration, or
22 permit being revoked or suspended, or the person being
23 otherwise disciplined, by any other state if that
24 revocation, suspension, or other form of discipline was
25 based solely on the person violating another state's laws
26 prohibiting the provision of, authorization of,

1 recommendation of, aiding or assisting in, referring for,
2 or participation in any health care service if that health
3 care service as provided would not have been unlawful
4 under the laws of this State and is consistent with the
5 applicable standard of conduct for the person practicing
6 in Illinois under this Act.

7 (D) (Blank).

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

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

1 (G) The Department may adopt rules to implement,
2 administer, and enforce this Section ~~Public Act 102-1117~~.

3 (Source: P.A. 103-442, eff. 1-1-24; 104-417, eff. 8-15-25;
4 104-432, eff. 1-1-26; revised 9-15-25.)

5 (225 ILCS 60/22.2)

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

7 Sec. 22.2. Prohibition against fee splitting.

8 (a) A licensee under this Act may not directly or
9 indirectly divide, share or split any professional fee or
10 other form of compensation for professional services with
11 anyone in exchange for a referral or otherwise, other than as
12 provided in this Section 22.2.

13 (b) Nothing contained in this Section abrogates the right
14 of 2 or more licensed health care workers as defined in the
15 Health Care Worker Self-referral Act to each receive adequate
16 compensation for concurrently rendering services to a patient
17 and to divide the fee for such service, provided that the
18 patient has full knowledge of the division and the division is
19 made in proportion to the actual services personally performed
20 and responsibility assumed by each licensee consistent with
21 the licensee's ~~his or her~~ license, except as prohibited by
22 law.

23 (c) Nothing contained in this Section prohibits a licensee
24 under this Act from practicing medicine through or within any
25 form of legal entity authorized to conduct business in this

1 State or from pooling, sharing, dividing, or apportioning the
2 professional fees and other revenues in accordance with the
3 agreements and policies of the entity provided:

4 (1) each owner of the entity is licensed under this
5 Act;

6 (2) the entity is organized under the Medical
7 Corporation Act, the Professional Services Corporation
8 Act, the Professional Association Act, or the Professional
9 Limited Liability Company Act;

10 (3) the entity is allowed by Illinois law to provide
11 physician services or employ physicians such as a licensed
12 hospital or hospital affiliate or licensed ambulatory
13 surgical treatment center owned in full or in part by
14 Illinois-licensed physicians;

15 (4) the entity is a combination or joint venture of
16 the entities authorized under this subsection (c); or

17 (5) the entity is an Illinois not-for-profit ~~not-for~~
18 ~~profit~~ corporation that is recognized as exempt from the
19 payment of federal income taxes as an organization
20 described in Section 501(c)(3) of the Internal Revenue
21 Code and all of its members are full-time faculty members
22 of a medical school that offers an ~~a~~ M.D. degree program
23 that is accredited by the Liaison Committee on Medical
24 Education and a program of graduate medical education that
25 is accredited by the Accreditation Council for Graduate
26 Medical Education.

1 (d) Nothing contained in this Section prohibits a licensee
2 under this Act from paying a fair market value fee to any
3 person or entity whose purpose is to perform billing,
4 administrative preparation, or collection services based upon
5 a percentage of professional service fees billed or collected,
6 a flat fee, or any other arrangement that directly or
7 indirectly divides professional fees, for the administrative
8 preparation of the licensee's claims or the collection of the
9 licensee's charges for professional services, provided that:

10 (i) the licensee or the licensee's practice under
11 subsection (c) of this Section at all times controls the
12 amount of fees charged and collected; and

13 (ii) all charges collected are paid directly to the
14 licensee or the licensee's practice or are deposited
15 directly into an account in the name of and under the sole
16 control of the licensee or the licensee's practice or
17 deposited into a "Trust Account" by a licensed collection
18 agency in accordance with the requirements of Section 8(c)
19 of the Illinois Collection Agency Act.

20 (e) Nothing contained in this Section prohibits the
21 granting of a security interest in the accounts receivable or
22 fees of a licensee under this Act or the licensee's practice
23 for bona fide advances made to the licensee or licensee's
24 practice provided the licensee retains control and
25 responsibility for the collection of the accounts receivable
26 and fees.

1 (f) Excluding payments that may be made to the owners of or
2 licensees in the licensee's practice under subsection (c), a
3 licensee under this Act may not divide, share or split a
4 professional service fee with, or otherwise directly or
5 indirectly pay a percentage of the licensee's professional
6 service fees, revenues or profits to anyone for: (i) the
7 marketing or management of the licensee's practice, (ii)
8 including the licensee or the licensee's practice on any
9 preferred provider list, (iii) allowing the licensee to
10 participate in any network of health care providers, (iv)
11 negotiating fees, charges or terms of service or payment on
12 behalf of the licensee, or (v) including the licensee in a
13 program whereby patients or beneficiaries are provided an
14 incentive to use the services of the licensee.

15 (g) A violation of any of the provisions of this Section
16 constitutes an unlawful practice under the Consumer Fraud and
17 Deceptive Business Practices Act. All remedies, penalties, and
18 authority granted to the Attorney General by the Consumer
19 Fraud and Deceptive Business Practices Act shall be available
20 to him or her for the enforcement of this Section. This
21 subsection does not apply to hospitals and hospital affiliates
22 licensed in Illinois.

23 (Source: P.A. 100-1058, eff. 1-1-19.)

24 (225 ILCS 60/23) (from Ch. 111, par. 4400-23)

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

1 Sec. 23. Reports relating to professional conduct and
2 capacity.

3 (A) Entities required to report.

4 (1) Health care institutions. The chief administrator
5 or executive officer of any health care institution
6 licensed by the Illinois Department of Public Health shall
7 report to the Medical Board when any person's clinical
8 privileges are terminated or are restricted based on a
9 final determination made in accordance with that
10 institution's by-laws or rules and regulations that a
11 person has either committed an act or acts which may
12 directly threaten patient care or that a person may have a
13 mental or physical disability that may endanger patients
14 under that person's care. Such officer also shall report
15 if a person accepts voluntary termination or restriction
16 of clinical privileges in lieu of formal action based upon
17 conduct related directly to patient care or in lieu of
18 formal action seeking to determine whether a person may
19 have a mental or physical disability that may endanger
20 patients under that person's care. The Medical Board
21 shall, by rule, provide for the reporting to it by health
22 care institutions of all instances in which a person,
23 licensed under this Act, who is impaired by reason of age,
24 drug or alcohol abuse, or physical or mental impairment,
25 is under supervision and, where appropriate, is in a
26 program of rehabilitation. Such reports shall be strictly

1 confidential and may be reviewed and considered only by
2 the members of the Medical Board, or by authorized staff
3 as provided by rules of the Medical Board. Provisions
4 shall be made for the periodic report of the status of any
5 such person not less than twice annually in order that the
6 Medical Board shall have current information upon which to
7 determine the status of any such person. Such initial and
8 periodic reports of impaired physicians shall not be
9 considered records within the meaning of the State Records
10 Act and shall be disposed of, following a determination by
11 the Medical Board that such reports are no longer
12 required, in a manner and at such time as the Medical Board
13 shall determine by rule. The filing of such reports shall
14 be construed as the filing of a report for purposes of
15 subsection (C) of this Section. Such health care
16 institution shall not take any adverse action, including,
17 but not limited to, restricting or terminating any
18 person's clinical privileges, as a result of an adverse
19 action against a person's license, registration, permit,
20 or clinical privileges or other disciplinary action by
21 another state or health care institution that resulted
22 from the person's provision of, authorization of,
23 recommendation of, aiding or assistance with, referral
24 for, or participation in any health care service if the
25 adverse action was based solely on a violation of the
26 other state's law prohibiting the provision of such health

1 care and related services in the state or for a resident of
2 the state if that health care service would not have been
3 unlawful under the laws of this State and is consistent
4 with the applicable standard of conduct for a person
5 practicing in Illinois under this Act.

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

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

26 (3) Professional liability insurers. Every insurance

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

26 (4) State's Attorneys. The State's Attorney of each

1 county shall report to the Medical Board, within 5 days,
2 any instances in which a person licensed under this Act is
3 convicted of any felony or Class A misdemeanor.

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

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

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

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

1 (3) The name and date of birth of any patient or
2 patients whose treatment is a subject of the report, if
3 available, or other means of identification if such
4 information is not available, identification of the
5 hospital or other health care facility where the care at
6 issue in the report was rendered, provided, however, no
7 medical records may be revealed.

8 (4) A brief description of the facts which gave rise
9 to the issuance of the report, including the dates of any
10 occurrences deemed to necessitate the filing of the
11 report.

12 (5) If court action is involved, the identity of the
13 court in which the action is filed, along with the docket
14 number and date of filing of the action.

15 (6) Any further pertinent information which the
16 reporting party deems to be an aid in the evaluation of the
17 report.

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

24 When the Department has received written reports
25 concerning incidents required to be reported in items (34),
26 (35), and (36) of subsection (A) of Section 22, the licensee's

1 failure to report the incident to the Department under those
2 items shall not be the sole grounds for disciplinary action.

3 Nothing contained in this Section shall act to, in any
4 way, waive or modify the confidentiality of medical reports
5 and committee reports to the extent provided by law. Any
6 information reported or disclosed shall be kept for the
7 confidential use of the Medical Board, the Medical
8 Coordinators, the Medical Board's attorneys, the medical
9 investigative staff, and authorized clerical staff, as
10 provided in this Act, and shall be afforded the same status as
11 is provided information concerning medical studies in Part 21
12 of Article VIII of the Code of Civil Procedure, except that the
13 Department may disclose information and documents to a
14 federal, State, or local law enforcement agency pursuant to a
15 subpoena in an ongoing criminal investigation or to a health
16 care licensing body or medical licensing authority of this
17 State or another state or jurisdiction pursuant to an official
18 request made by that licensing body or medical licensing
19 authority. Furthermore, information and documents disclosed to
20 a federal, State, or local law enforcement agency may be used
21 by that agency only for the investigation and prosecution of a
22 criminal offense, or, in the case of disclosure to a health
23 care licensing body or medical licensing authority, only for
24 investigations and disciplinary action proceedings with regard
25 to a license. Information and documents disclosed to the
26 Department of Public Health may be used by that Department

1 only for investigation and disciplinary action regarding the
2 license of a health care institution licensed by the
3 Department of Public Health.

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

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

1 interest in such representation or that the actions complained
2 of were not in good faith or were willful ~~wilful~~ and wanton.

3 Should the Attorney General decline representation, the
4 member shall have the right to employ counsel of the member's
5 ~~his or her~~ choice, whose fees shall be provided by the State,
6 after approval by the Attorney General, unless there is a
7 determination by a court that the member's actions were not in
8 good faith or were willful ~~wilful~~ and wanton.

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

14 The Attorney General shall determine within 7 days after
15 receiving such notice, whether the Attorney General ~~he or she~~
16 will undertake to represent the member.

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

24 The notification shall include a written notice setting
25 forth the person's right to examine the report. Included in
26 such notification shall be the address at which the file is

1 maintained, the name of the custodian of the reports, and the
2 telephone number at which the custodian may be reached. The
3 person who is the subject of the report shall submit a written
4 statement responding, clarifying, adding to, or proposing the
5 amending of the report previously filed. The person who is the
6 subject of the report shall also submit with the written
7 statement any medical records related to the report. The
8 statement and accompanying medical records shall become a
9 permanent part of the file and must be received by the Medical
10 Board no more than 30 days after the date on which the person
11 was notified by the Medical Board of the existence of the
12 original report.

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

21 When the Medical Board makes its initial review of the
22 materials contained within its disciplinary files, the Medical
23 Board shall, in writing, make a determination as to whether
24 there are sufficient facts to warrant further investigation or
25 action. Failure to make such determination within the time
26 provided shall be deemed to be a determination that there are

1 not sufficient facts to warrant further investigation or
2 action.

3 Should the Medical Board find that there are not
4 sufficient facts to warrant further investigation or action,
5 the report shall be accepted for filing and the matter shall be
6 deemed closed and so reported to the Secretary. The Secretary
7 shall then have 30 days to accept the Medical Board's decision
8 or request further investigation. The Secretary shall inform
9 the Medical Board of the decision to request further
10 investigation, including the specific reasons for the
11 decision. The individual or entity filing the original report
12 or complaint and the person who is the subject of the report or
13 complaint shall be notified in writing by the Secretary of any
14 final action on their report or complaint. The Department
15 shall disclose to the individual or entity who filed the
16 original report or complaint, on request, the status of the
17 Medical Board's review of a specific report or complaint. Such
18 request may be made at any time, including prior to the Medical
19 Board's determination as to whether there are sufficient facts
20 to warrant further investigation or action.

21 (F) Summary reports. The Medical Board shall prepare, on a
22 timely basis, but in no event less than once every other month,
23 a summary report of final disciplinary actions taken upon
24 disciplinary files maintained by the Medical Board. The
25 summary reports shall be made available to the public upon
26 request and payment of the fees set by the Department. This

1 publication may be made available to the public on the
2 Department's website. Information or documentation relating to
3 any disciplinary file that is closed without disciplinary
4 action taken shall not be disclosed and shall be afforded the
5 same status as is provided by Part 21 of Article VIII of the
6 Code of Civil Procedure.

7 (G) Any violation of this Section shall be a Class A
8 misdemeanor.

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

22 (I) The Department may adopt rules to implement,
23 administer, and enforce this Section.

24 (Source: P.A. 104-432, eff. 1-1-26.)

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

2 Sec. 26. Advertising.

3 (1) Any person licensed under this Act may advertise the
4 availability of professional services in the public media or
5 on the premises where such professional services are rendered.
6 Such advertising shall be limited to the following
7 information:

8 (a) Publication of the person's name, title, office
9 hours, address and telephone number;

10 (b) Information pertaining to the person's areas of
11 specialization, including appropriate board certification
12 or limitation of professional practice;

13 (c) Information on usual and customary fees for
14 routine professional services offered, which information
15 shall include, notification that fees may be adjusted due
16 to complications or unforeseen circumstances;

17 (d) Announcement of the opening of, change of, absence
18 from, or return to business;

19 (e) Announcement of additions to or deletions from
20 professional licensed staff;

21 (f) The issuance of business or appointment cards.

22 (2) It is unlawful for any person licensed under this Act
23 to use claims of superior quality of care to entice the public.
24 It shall be unlawful to advertise fee comparisons of available
25 services with those of other persons licensed under this Act.

26 (3) This Act does not authorize the advertising of

1 professional services which the offeror of such services is
2 not licensed to render. Nor shall the advertiser use
3 statements which contain false, fraudulent, deceptive or
4 misleading material or guarantees of success, statements which
5 play upon the vanity or fears of the public, or statements
6 which promote or produce unfair competition.

7 (4) A licensee shall include in every advertisement for
8 services regulated under this Act the licensee's ~~his or her~~
9 title as it appears on the license or the initials authorized
10 under this Act.

11 (Source: P.A. 97-622, eff. 11-23-11.)

12 (225 ILCS 60/36) (from Ch. 111, par. 4400-36)

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

14 Sec. 36. Investigation; notice.

15 (a) Upon the motion of either the Department or the
16 Medical Board or upon the verified complaint in writing of any
17 person setting forth facts which, if proven, would constitute
18 grounds for suspension or revocation under Section 22 of this
19 Act, the Department shall investigate the actions of any
20 person, so accused, who holds or represents that the person ~~he~~
21 ~~or she~~ holds a license. Such person is hereinafter called the
22 accused.

23 (b) The Department shall, before suspending, revoking,
24 placing on probationary status, or taking any other
25 disciplinary action as the Department may deem proper with

1 regard to any license at least 30 days prior to the date set
2 for the hearing, notify the accused in writing of any charges
3 made and the time and place for a hearing of the charges before
4 the Medical Board, direct the accused ~~him or her~~ to file the
5 accused's ~~his or her~~ written answer thereto to the Medical
6 Board under oath within 20 days after the service on the
7 accused ~~him or her~~ of such notice and inform the accused ~~him or~~
8 ~~her~~ that if the accused ~~he or she~~ fails to file such answer
9 default will be taken against the accused ~~him or her~~ and the
10 accused's ~~his or her~~ license may be suspended, revoked, placed
11 on probationary status, or have other disciplinary action,
12 including limiting the scope, nature or extent of the
13 accused's ~~his or her~~ practice, as the Department may deem
14 proper taken with regard thereto. The Department shall, at
15 least 14 days prior to the date set for the hearing, notify in
16 writing any person who filed a complaint against the accused
17 of the time and place for the hearing of the charges against
18 the accused before the Medical Board and inform such person
19 whether the accused ~~he or she~~ may provide testimony at the
20 hearing.

21 (c) (Blank).

22 (d) Such written notice and any notice in such proceedings
23 thereafter may be served by personal delivery, email to the
24 respondent's email address of record, or mail to the
25 respondent's address of record.

26 (e) All information gathered by the Department during its

1 investigation including information subpoenaed under Section
2 23 or 38 of this Act and the investigative file shall be kept
3 for the confidential use of the Secretary, the Medical Board,
4 the Medical Coordinators, persons employed by contract to
5 advise the Medical Coordinator or the Department, the Medical
6 Board's attorneys, the medical investigative staff, and
7 authorized clerical staff, as provided in this Act and shall
8 be afforded the same status as is provided information
9 concerning medical studies in Part 21 of Article VIII of the
10 Code of Civil Procedure, except that the Department may
11 disclose information and documents to a federal, State, or
12 local law enforcement agency pursuant to a subpoena in an
13 ongoing criminal investigation to a health care licensing body
14 of this State or another state or jurisdiction pursuant to an
15 official request made by that licensing body. Furthermore,
16 information and documents disclosed to a federal, State, or
17 local law enforcement agency may be used by that agency only
18 for the investigation and prosecution of a criminal offense
19 or, in the case of disclosure to a health care licensing body,
20 only for investigations and disciplinary action proceedings
21 with regard to a license issued by that licensing body.

22 (Source: P.A. 101-13, eff. 6-12-19; 101-316, eff. 8-9-19;
23 102-20, eff. 1-1-22; 102-558, eff. 8-20-21.)

24 (225 ILCS 60/37) (from Ch. 111, par. 4400-37)

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

1 Sec. 37. Disciplinary actions.

2 (a) At the time and place fixed in the notice, the Medical
3 Board provided for in this Act shall proceed to hear the
4 charges, and the accused person shall be accorded ample
5 opportunity to present in person, or by counsel, such
6 statements, testimony, evidence and argument as may be
7 pertinent to the charges or to any defense thereto. The
8 Medical Board may continue such hearing from time to time. If
9 the Medical Board is not sitting at the time and place fixed in
10 the notice or at the time and place to which the hearing has
11 been continued, the Department shall continue such hearing for
12 a period not to exceed 30 days.

13 (b) In case the accused person, after receiving notice,
14 fails to file an answer, their license may, in the discretion
15 of the Secretary, having received first the recommendation of
16 the Medical Board, be suspended, revoked or placed on
17 probationary status, or the Secretary may take whatever
18 disciplinary action as the Secretary ~~he or she~~ may deem
19 proper, including limiting the scope, nature, or extent of
20 said person's practice, without a hearing, if the act or acts
21 charged constitute sufficient grounds for such action under
22 this Act.

23 (c) The Medical Board has the authority to recommend to
24 the Secretary that probation be granted or that other
25 disciplinary or non-disciplinary action, including the
26 limitation of the scope, nature or extent of a person's

1 practice, be taken as it deems proper. If disciplinary or
2 non-disciplinary action, other than suspension or revocation,
3 is taken the Medical Board may recommend that the Secretary
4 impose reasonable limitations and requirements upon the
5 accused registrant to ensure compliance with the terms of the
6 probation or other disciplinary action, including, but not
7 limited to, regular reporting by the accused to the Department
8 of their actions, placing themselves under the care of a
9 qualified physician for treatment, or limiting their practice
10 in such manner as the Secretary may require.

11 (d) The Secretary, after consultation with the Chief
12 Medical Coordinator or Deputy Medical Coordinator, may
13 temporarily suspend the license of a physician without a
14 hearing, simultaneously with the institution of proceedings
15 for a hearing provided under this Section if the Secretary
16 possesses evidence that ~~finds that evidence in his or her~~
17 ~~possession~~ indicates that a physician's continuation in
18 practice would constitute an immediate danger to the public.
19 In the event that the Secretary suspends, temporarily, the
20 license of a physician without a hearing, a hearing by the
21 Medical Board shall be held within 15 days after such
22 suspension has occurred and shall be concluded without
23 appreciable delay.

24 (Source: P.A. 102-20, eff. 1-1-22.)

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

2 Sec. 38. Subpoena; oaths.

3 (a) The Medical Board or Department has power to subpoena
4 and bring before it any person in this State and to take
5 testimony either orally or by deposition, or both, with the
6 same fees and mileage and in the same manner as is prescribed
7 by law for judicial procedure in civil cases.

8 (b) The Medical Board or Department, upon a determination
9 that probable cause exists that a violation of one or more of
10 the grounds for discipline listed in Section 22 has occurred
11 or is occurring, may subpoena the medical and hospital records
12 of individual patients of physicians licensed under this Act,
13 provided, that prior to the submission of such records to the
14 Medical Board, all information indicating the identity of the
15 patient shall be removed and deleted. Notwithstanding the
16 foregoing, the Medical Board and Department shall possess the
17 power to subpoena copies of hospital or medical records in
18 mandatory report cases under Section 23 alleging death or
19 permanent bodily injury when consent to obtain records is not
20 provided by a patient or legal representative. Prior to
21 submission of the records to the Medical Board, all
22 information indicating the identity of the patient shall be
23 removed and deleted. All medical records and other information
24 received pursuant to subpoena shall be confidential and shall
25 be afforded the same status as is proved information
26 concerning medical studies in Part 21 of Article VIII of the

1 Code of Civil Procedure. The use of such records shall be
2 restricted to members of the Medical Board, the medical
3 coordinators, and appropriate staff of the Department
4 designated by the Medical Board for the purpose of determining
5 the existence of one or more grounds for discipline of the
6 physician as provided for by Section 22 of this Act. Any such
7 review of individual patients' records shall be conducted by
8 the Medical Board in strict confidentiality, provided that
9 such patient records shall be admissible in a disciplinary
10 hearing, before the Medical Board, when necessary to
11 substantiate the grounds for discipline alleged against the
12 physician licensed under this Act, and provided further, that
13 nothing herein shall be deemed to supersede the provisions of
14 Part 21 of Article VIII of the Code of Civil Procedure, to the
15 extent applicable.

16 (c) The Secretary, hearing officer, and any member of the
17 Medical Board each have power to administer oaths at any
18 hearing which the Medical Board or Department is authorized by
19 law to conduct.

20 (d) Upon ~~The Medical Board, upon~~ a determination that
21 probable cause exists that a violation of one or more of the
22 grounds for discipline listed in Section 22 has occurred or is
23 occurring on the business premises of a physician licensed
24 under this Act, ~~may issue an order authorizing~~ an
25 appropriately qualified investigator employed by the
26 Department may ~~to~~ enter upon the business premises with due

1 consideration for patient care of the subject of the
2 investigation so as to inspect the physical premises and
3 equipment and furnishings therein. The right to inspection ~~No~~
4 ~~such order~~ shall not include the right of inspection of
5 business, medical, or personnel records located on the
6 premises without a subpoena issued in accordance with this
7 Section or Section 2105-105 of the Department of Professional
8 Regulation Law of the Civil Administrative Code of Illinois.
9 For purposes of this Section, "business premises" is defined
10 as the office or offices where the physician conducts the
11 practice of medicine. ~~Any such order shall expire and become~~
12 ~~void five business days after its issuance by the Medical~~
13 ~~Board.~~ The execution of any such inspection ~~order~~ shall be
14 valid only during the normal business hours of the facility or
15 office to be inspected.

16 (Source: P.A. 101-316, eff. 8-9-19; 102-20, eff. 1-1-22.)

17 (225 ILCS 60/40) (from Ch. 111, par. 4400-40)

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

19 Sec. 40. Findings and recommendations; rehearing.

20 (a) The Medical Board shall present to the Secretary a
21 written report of its findings and recommendations. A copy of
22 such report shall be served upon the accused person, either
23 personally or by mail or email. Within 20 days after such
24 service, the accused person may present to the Department the
25 accused person's ~~his or her~~ motion, in writing, for a

1 rehearing, which written motion shall specify the particular
2 ground therefor. If the accused person orders and pays for a
3 transcript of the record as provided in Section 39, the time
4 elapsing thereafter and before such transcript is ready for
5 delivery to them shall not be counted as part of such 20 days.

6 (b) At the expiration of the time allowed for filing a
7 motion for rehearing, the Secretary may take the action
8 recommended by the Medical Board. Upon the suspension,
9 revocation, placement on probationary status, or the taking of
10 any other disciplinary action, including the limiting of the
11 scope, nature, or extent of one's practice, deemed proper by
12 the Department, with regard to the license or permit, the
13 accused shall surrender the accused's ~~his or her~~ license or
14 permit to the Department, if ordered to do so by the
15 Department, and upon the accused's ~~his or her~~ failure or
16 refusal so to do, the Department may seize the same.

17 (c) Each order of revocation, suspension, or other
18 disciplinary action shall contain a brief, concise statement
19 of the ground or grounds upon which the Department's action is
20 based, as well as the specific terms and conditions of such
21 action. This document shall be retained as a permanent record
22 by the Department.

23 (d) (Blank).

24 (e) In those instances where an order of revocation,
25 suspension, or other disciplinary action has been rendered by
26 virtue of a physician's physical illness, including, but not

1 limited to, deterioration through the aging process, or loss
2 of motor skill which results in a physician's inability to
3 practice medicine with reasonable judgment, skill, or safety,
4 the Department shall only permit this document, and the record
5 of the hearing incident thereto, to be observed, inspected,
6 viewed, or copied pursuant to court order.

7 (Source: P.A. 101-316, eff. 8-9-19; 102-20, eff. 1-1-22.)

8 (225 ILCS 60/44) (from Ch. 111, par. 4400-44)

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

10 Sec. 44. None of the disciplinary functions, powers and
11 duties enumerated in this Act shall be exercised by the
12 Department except upon the action and report in writing of the
13 Medical Board.

14 In all instances, under this Act, in which the Medical
15 Board has rendered a recommendation to the Secretary with
16 respect to a particular physician, the Secretary may take
17 action contrary to the recommendation of the Medical Board. In
18 the event that the Secretary disagrees with or takes action
19 contrary to the recommendation of the Medical Board, the
20 Secretary may file with the Medical Board the Secretary's ~~his~~
21 ~~or her~~ specific written reasons of disagreement with the
22 Medical Board. Such reasons shall be filed within 30 days of
23 the occurrence of the Secretary's contrary position having
24 been taken.

25 The action and report in writing of a majority of the

1 Medical Board designated is sufficient authority upon which
2 the Secretary may act.

3 Whenever the Secretary is satisfied that substantial
4 justice has not been done in a formal disciplinary action, or
5 refusal to restore a license, the Secretary ~~he or she~~ may order
6 a rehearing.

7 (Source: P.A. 102-20, eff. 1-1-22.)

8 (225 ILCS 60/49) (from Ch. 111, par. 4400-49)

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

10 Sec. 49. If any person does any of the following and does
11 not possess a valid license issued under this Act, that person
12 shall be sentenced as provided in Section 59: (i) holds
13 himself or herself out to the public as being engaged in the
14 diagnosis or treatment of physical or mental ailments or
15 conditions including, but not limited to, deformities,
16 diseases, disorders, or injuries of human beings; (ii)
17 suggests, recommends or prescribes any form of treatment for
18 the palliation, relief or cure of any physical or mental
19 ailment or condition of any person with the intention of
20 receiving, either directly or indirectly, any fee, gift, or
21 compensation whatever; (iii) diagnoses or attempts to
22 diagnose, operates upon, professes to heal, prescribes for, or
23 otherwise treats any ailment or condition, or supposed ailment
24 or condition, of another; (iv) maintains an office for
25 examination or treatment of persons afflicted, or alleged or

1 supposed to be afflicted, by any ailment or condition; (v)
2 manipulates or adjusts osseous or articular structures; or
3 (vi) attaches the title Doctor, Physician, Surgeon, M.D., D.O.
4 or D.C. or any other word or abbreviation to the person's ~~his~~
5 ~~or her~~ name indicating that the person ~~he or she~~ is engaged in
6 the treatment of human ailments or conditions as a business.

7 Whenever the Department has reason to believe that any
8 person has violated this Section the Department may issue a
9 rule to show cause why an order to cease and desist should not
10 be entered against that person. The rule shall clearly set
11 forth the grounds relied upon by the Department and shall
12 provide a period of 7 days from the date of the rule to file an
13 answer to the satisfaction of the Department. Failure to
14 answer to the satisfaction of the Department shall cause an
15 order to cease and desist to be issued immediately.

16 (Source: P.A. 89-702, eff. 7-1-97.)

17 (225 ILCS 60/54) (from Ch. 111, par. 4400-54)

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

19 Sec. 54. A person who holds himself or herself out to treat
20 human ailments under a name other than the person's ~~his or her~~
21 own, or by personation of any physician, shall be punished as
22 provided in Section 59.

23 However, nothing in this Act shall be construed as
24 prohibiting partnerships, limited liability companies,
25 associations, or corporations in accordance with subsection

1 (c) of Section 22.2 of this Act.

2 (Source: P.A. 97-622, eff. 11-23-11.)

3 (225 ILCS 60/54.2)

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

5 Sec. 54.2. Physician delegation of authority.

6 (a) Nothing in this Act shall be construed to limit the
7 delegation of patient care tasks or duties by a physician, to a
8 licensed practical nurse, a registered professional nurse, or
9 other licensed person practicing within the scope of the
10 licensed person's ~~his or her~~ individual licensing Act.

11 Delegation by a physician licensed to practice medicine in all
12 its branches to physician assistants or advanced practice
13 registered nurses is also addressed in Section 54.5 of this
14 Act. No physician may delegate any patient care task or duty
15 that is statutorily or by rule mandated to be performed by a
16 physician.

17 (b) In an office or practice setting and within a
18 physician-patient relationship, a physician may delegate
19 patient care tasks or duties to an unlicensed person who
20 possesses appropriate training and experience provided a
21 health care professional, who is practicing within the scope
22 of such licensed professional's individual licensing Act, is
23 on site to provide assistance.

24 (c) Any such patient care task or duty delegated to a
25 licensed or unlicensed person must be within the scope of

1 practice, education, training, or experience of the delegating
2 physician and within the context of a physician-patient
3 relationship.

4 (d) Nothing in this Section shall be construed to affect
5 referrals for professional services required by law.

6 (e) The Department shall have the authority to adopt rules
7 concerning a physician's delegation, including, but not
8 limited to, the use of light emitting devices for patient care
9 or treatment. An on-site physician examination prior to the
10 performance of a non-ablative laser procedure shall not be
11 required when:

12 (1) the laser hair removal facility follows a
13 physician delegation protocol, which shall be made
14 available to the Department upon request;

15 (2) the examination is performed by an advanced
16 practice registered nurse;

17 (3) the procedure is delegated by a physician and
18 performed by a registered nurse or licensed practical
19 nurse who has received appropriate, documented training
20 and education in the safe and effective use of each
21 system; and

22 (4) a physician is available by telephone or other
23 electronic means to respond promptly to any questions or
24 complications that may occur.

25 Nothing in this Section shall be construed to limit a
26 licensed advanced practice registered nurse with full practice

1 authority from practicing according to the Nurse Practice Act.

2 (f) Nothing in this Act shall be construed to limit the
3 method of delegation that may be authorized by any means,
4 including, but not limited to, oral, written, electronic,
5 standing orders, protocols, guidelines, or verbal orders.

6 (g) (Blank). ~~A physician licensed to practice medicine in
7 all of its branches under this Act may delegate any and all
8 authority prescribed to him or her by law to international
9 medical graduate physicians, so long as the tasks or duties
10 are within the scope of practice, education, training, or
11 experience of the delegating physician who is on site to
12 provide assistance. An international medical graduate working
13 in Illinois pursuant to this subsection is subject to all
14 statutory and regulatory requirements of this Act, as
15 applicable, relating to the standards of care. An
16 international medical graduate physician is limited to
17 providing treatment under the supervision of a physician
18 licensed to practice medicine in all of its branches. The
19 supervising physician or employer must keep record of and make
20 available upon request by the Department the following: (1)
21 evidence of education certified by the Educational Commission
22 for Foreign Medical Graduates; (2) evidence of passage of Step
23 1, Step 2 Clinical Knowledge, and Step 3 of the United States
24 Medical Licensing Examination as required by this Act; and (3)
25 evidence of an unencumbered license from another country. This
26 subsection does not apply to any international medical~~

1 ~~graduate whose license as a physician is revoked, suspended,~~
2 ~~or otherwise encumbered. This subsection is inoperative upon~~
3 ~~the adoption of rules implementing Section 15.5.~~

4 (Source: P.A. 103-1, eff. 4-27-23; 103-102, eff. 6-16-23;
5 103-814, eff. 1-1-25.)

6 (225 ILCS 60/54.5)

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

8 Sec. 54.5. Physician delegation of authority to physician
9 assistants, advanced practice registered nurses without full
10 practice authority, and prescribing psychologists.

11 (a) Physicians licensed to practice medicine in all its
12 branches may delegate care and treatment responsibilities to a
13 physician assistant under guidelines in accordance with the
14 requirements of the Physician Assistant Practice Act of 1987.
15 A physician licensed to practice medicine in all its branches
16 may enter into collaborative agreements with no more than 7
17 full-time equivalent physician assistants, except in a
18 hospital, hospital affiliate, or ambulatory surgical treatment
19 center as set forth by Section 7.7 of the Physician Assistant
20 Practice Act of 1987 and as provided in subsection (a-5).

21 (a-5) A physician licensed to practice medicine in all its
22 branches may collaborate with more than 7 physician assistants
23 when the services are provided in a federal primary care
24 health professional shortage area with a Health Professional
25 Shortage Area score greater than or equal to 12, as determined

1 by the United States Department of Health and Human Services.

2 The collaborating physician must keep appropriate
3 documentation of meeting this exemption and make it available
4 to the Department upon request.

5 (b) A physician licensed to practice medicine in all its
6 branches in active clinical practice may collaborate with an
7 advanced practice registered nurse in accordance with the
8 requirements of the Nurse Practice Act. Collaboration is for
9 the purpose of providing medical consultation, and no
10 employment relationship is required. A written collaborative
11 agreement shall conform to the requirements of Section 65-35
12 of the Nurse Practice Act. The written collaborative agreement
13 shall be for services for which the collaborating physician
14 can provide adequate collaboration. A written collaborative
15 agreement shall be adequate with respect to collaboration with
16 advanced practice registered nurses if all of the following
17 apply:

18 (1) The agreement is written to promote the exercise
19 of professional judgment by the advanced practice
20 registered nurse commensurate with the advanced practice
21 registered nurse's ~~his or her~~ education and experience.

22 (2) The advanced practice registered nurse provides
23 services based upon a written collaborative agreement with
24 the collaborating physician, except as set forth in
25 subsection (b-5) of this Section. With respect to labor
26 and delivery, the collaborating physician must provide

1 delivery services in order to participate with a certified
2 nurse midwife.

3 (3) Methods of communication are available with the
4 collaborating physician in person or through
5 telecommunications for consultation, collaboration, and
6 referral as needed to address patient care needs.

7 (b-5) An anesthesiologist or physician licensed to
8 practice medicine in all its branches may collaborate with a
9 certified registered nurse anesthetist in accordance with
10 Section 65-35 of the Nurse Practice Act for the provision of
11 anesthesia services. With respect to the provision of
12 anesthesia services, the collaborating anesthesiologist or
13 physician shall have training and experience in the delivery
14 of anesthesia services consistent with Department rules.
15 Collaboration shall be adequate if:

16 (1) an anesthesiologist or a physician participates in
17 the joint formulation and joint approval of orders or
18 guidelines and periodically reviews such orders and the
19 services provided patients under such orders; and

20 (2) for anesthesia services, the anesthesiologist or
21 physician participates through discussion of and agreement
22 with the anesthesia plan and is physically present and
23 available on the premises during the delivery of
24 anesthesia services for diagnosis, consultation, and
25 treatment of emergency medical conditions. Anesthesia
26 services in a hospital shall be conducted in accordance

1 with Section 10.7 of the Hospital Licensing Act and in an
2 ambulatory surgical treatment center in accordance with
3 Section 6.5 of the Ambulatory Surgical Treatment Center
4 Act.

5 (b-10) The anesthesiologist or operating physician must
6 agree with the anesthesia plan prior to the delivery of
7 services.

8 (c) The collaborating physician shall have access to the
9 medical records of all patients attended by a physician
10 assistant. The collaborating physician shall have access to
11 the medical records of all patients attended to by an advanced
12 practice registered nurse.

13 (d) (Blank).

14 (e) A physician shall not be liable for the acts or
15 omissions of a prescribing psychologist, physician assistant,
16 or advanced practice registered nurse solely on the basis of
17 having signed a supervision agreement or guidelines or a
18 collaborative agreement, an order, a standing medical order, a
19 standing delegation order, or other order or guideline
20 authorizing a prescribing psychologist, physician assistant,
21 or advanced practice registered nurse to perform acts, unless
22 the physician has reason to believe the prescribing
23 psychologist, physician assistant, or advanced practice
24 registered nurse lacked the competency to perform the act or
25 acts or commits willful and wanton misconduct.

26 (f) A collaborating physician may, but is not required to,

1 delegate prescriptive authority to an advanced practice
2 registered nurse as part of a written collaborative agreement,
3 and the delegation of prescriptive authority shall conform to
4 the requirements of Section 65-40 of the Nurse Practice Act.

5 (g) A collaborating physician may, but is not required to,
6 delegate prescriptive authority to a physician assistant as
7 part of a written collaborative agreement, and the delegation
8 of prescriptive authority shall conform to the requirements of
9 Section 7.5 of the Physician Assistant Practice Act of 1987.

10 (h) (Blank).

11 (i) A collaborating physician shall delegate prescriptive
12 authority to a prescribing psychologist as part of a written
13 collaborative agreement, and the delegation of prescriptive
14 authority shall conform to the requirements of Section 4.3 of
15 the Clinical Psychologist Licensing Act.

16 (j) As set forth in Section 22.2 of this Act, a licensee
17 under this Act may not directly or indirectly divide, share,
18 or split any professional fee or other form of compensation
19 for professional services with anyone in exchange for a
20 referral or otherwise, other than as provided in Section 22.2.

21 (Source: P.A. 103-228, eff. 1-1-24.)

22 (225 ILCS 60/58) (from Ch. 111, par. 4400-58)

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

24 Sec. 58. Any person who shall willfully ~~wilfully~~ swear or
25 affirm falsely, or make or file any affidavit willfully

1 ~~wilfully~~ and corruptly, in filing or prosecuting their
2 application for a license before the Department, or in
3 submitting any complaint, evidence or testimony to the
4 Department under the provisions of this Act, or under any rule
5 or regulation of the Department, shall be sentenced therefor
6 as the law shall prescribe at the time for perjury.

7 (Source: P.A. 85-4.)

8 (225 ILCS 60/66)

9 Sec. 66. Temporary permit for health care.

10 (a) The Department may issue a temporary permit to an
11 applicant who is licensed to practice as a physician in
12 another state. The temporary permit will authorize the
13 practice of providing health care to patients in this State if
14 all of the following apply:

15 (1) The Department determines that the applicant's
16 services will improve the welfare of Illinois residents
17 and non-residents requiring health care services.

18 (2) The applicant has graduated from a medical program
19 officially recognized by the jurisdiction in which it is
20 located for the purpose of receiving a license to practice
21 medicine in all of its branches, and maintains an
22 equivalent authorization to practice medicine in good
23 standing in the applicant's current state or territory of
24 licensure; and the applicant can furnish the Department
25 with a certified letter upon request from that

1 jurisdiction attesting to the fact that the applicant has
2 no pending action or violations against the applicant's
3 license.

4 The Department will not consider a physician's license
5 being revoked or otherwise disciplined by any state or
6 territory based solely on the physician providing,
7 authorizing, recommending, aiding, assisting, referring
8 for, or otherwise participating in any health care service
9 that is unlawful or prohibited in that state or territory,
10 if the provision of, authorization of, or participation in
11 that health care, medical service, or procedure related to
12 any health care service is not unlawful or prohibited in
13 this State.

14 (3) The applicant has sufficient training and
15 possesses the appropriate core competencies to provide
16 health care services, and is physically, mentally, and
17 professionally capable of practicing medicine with
18 reasonable judgment, skill, and safety and in accordance
19 with applicable standards of care.

20 (4) The applicant will be working pursuant to an
21 agreement with a sponsoring licensed hospital, medical
22 office, clinic, or other medical facility providing
23 abortion or other health care services. Such agreement
24 shall be executed by an authorized representative of the
25 licensed hospital, medical office, clinic, or other
26 medical facility, certifying that the physician holds an

1 active license and is in good standing in the state in
2 which they are licensed. If an applicant for a temporary
3 permit has been previously disciplined by another
4 jurisdiction, except as described in paragraph (2) of
5 subsection (a), further review may be conducted pursuant
6 to the Civil Administrative Code of Illinois and this Act.
7 The application shall include the physician's name,
8 contact information, state of licensure, and license
9 number.

10 (5) Payment of a \$75 fee.

11 The sponsoring licensed hospital, medical office, clinic,
12 or other medical facility engaged in the agreement with the
13 applicant shall notify the Department should the applicant at
14 any point leave or become separate from the sponsor.

15 The Department may adopt rules pursuant to this Section.

16 (b) A temporary permit under this Section shall expire 2
17 years after the date of issuance. The temporary permit may be
18 renewed for a \$45 fee for an additional 2 years. A holder of a
19 temporary permit may only renew one time.

20 (c) The temporary permit shall only permit the holder to
21 practice medicine within the scope of providing health care
22 services at the location or locations specified on the permit.

23 (d) An application for the temporary permit shall be made
24 to the Department, in writing, on forms prescribed by the
25 Department, and shall be accompanied by a nonrefundable
26 ~~non-refundable~~ fee of \$75. The Department shall grant or deny

1 an applicant a temporary permit within 60 days of receipt of a
2 completed application. The Department shall notify the
3 applicant of any deficiencies in the applicant's application
4 materials requiring corrections in a timely manner.

5 (e) An applicant for temporary permit may be requested to
6 appear before the Board to respond to questions concerning the
7 applicant's qualifications to receive the permit. An
8 applicant's refusal to appear before the Illinois State
9 Medical Board may be grounds for denial of the application by
10 the Department.

11 (f) The Secretary may summarily cancel any temporary
12 permit issued pursuant to this Section, without a hearing, if
13 the Secretary finds ~~that~~ evidence that ~~in his or her~~
14 ~~possession~~ indicates that a permit holder's continuation in
15 practice would constitute an imminent danger to the public or
16 violate any provision of this Act or its rules. If the
17 Secretary summarily cancels a temporary permit issued pursuant
18 to this Section or Act, the permit holder may petition the
19 Department for a hearing in accordance with the provisions of
20 Section 43 of this Act to restore the permit holder's ~~his or~~
21 ~~her~~ permit, unless the permit holder has exceeded the ~~his or~~
22 ~~her~~ renewal limit.

23 (g) In addition to terminating any temporary permit issued
24 pursuant to this Section or Act, the Department may issue a
25 monetary penalty not to exceed \$10,000 upon the temporary
26 permit holder and may notify any state in which the temporary

1 permit holder has been issued a permit that the permit
2 holder's ~~his or her~~ Illinois permit has been terminated and
3 the reasons for the termination. The monetary penalty shall be
4 paid within 60 days after the effective date of the order
5 imposing the penalty. The order shall constitute a judgment
6 and may be filed and execution had thereon in the same manner
7 as any judgment from any court of record. It is the intent of
8 the General Assembly that a permit issued pursuant to this
9 Section shall be considered a privilege and not a property
10 right.

11 (h) While working in Illinois, all temporary permit
12 holders are subject to all statutory and regulatory
13 requirements of this Act in the same manner as a licensee.
14 Failure to adhere to all statutory and regulatory requirements
15 may result in revocation or other discipline of the temporary
16 permit.

17 (i) If the Department becomes aware of a violation
18 occurring at the licensed hospital, medical office, clinic, or
19 other medical facility or via telehealth practice, the
20 Department shall notify the Department of Public Health.

21 (j) The Department may adopt emergency rules pursuant to
22 this Section. The General Assembly finds that the adoption of
23 rules to implement a temporary permit for health care services
24 is deemed an emergency and necessary for the public interest,
25 safety, and welfare.

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

1 (225 ILCS 60/70 new)

2 Sec. 70. Record retention. A physician shall retain all
3 medical records of adult patients not appropriately
4 transferred to another physician or entity for at least 6
5 years after the last date of service for each patient, except
6 as otherwise required by law. A physician shall retain all
7 medical records of minor patients not appropriately
8 transferred to another physician or entity for at least 6
9 years after the last date of service for each patient or until
10 the patient reaches the age of 21, whichever date is longer,
11 except as otherwise required by law.

12 Section 27. The Licensed Certified Professional Midwife
13 Practice Act is amended by adding Section 21 as follows:

14 (225 ILCS 64/21 new)

15 Sec. 21. Unlicensed practice.

16 (a) As used in this Section, "midwifery services" does not
17 include the services provided by an advanced practice
18 registered nurse certified as a nurse midwife under the Nurse
19 Practice Act.

20 (b) No person may provide, offer to provide, or attempt to
21 practice midwifery or hold oneself out as a licensed certified
22 professional midwife, a licensed midwife, a certified
23 professional midwife, or as a qualified provider of midwifery

1 services unless the person is licensed in accordance with this
2 Act.

3 Section 30. The Illinois Optometric Practice Act of 1987
4 is amended by changing Sections 3, 4, 5, 6, 7, 8, 9, 9.5, 10,
5 11, 12, 13, 16, 17, 18, 20, 22, 24, 24.2, 25, 26.1, 26.2, 26.7,
6 26.13, and 26.14 as follows:

7 (225 ILCS 80/3) (from Ch. 111, par. 3903)

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

9 Sec. 3. Practice of optometry defined; referrals;
10 manufacture of lenses and prisms.

11 (a) The practice of optometry is defined as the employment
12 of any and all means for the examination, diagnosis, and
13 treatment of the human visual system, the human eye, and its
14 appendages without the use of surgery or the use of lasers for
15 surgical purposes, including, but not limited to: the
16 appropriate use of ocular pharmaceutical agents; refraction
17 and other determinants of visual function; prescribing
18 corrective lenses or prisms; prescribing, dispensing, or
19 management of contact lenses; vision therapy; visual
20 rehabilitation; or any other procedures taught in schools and
21 colleges of optometry approved by the Department, and not
22 specifically restricted in this Act, subject to demonstrated
23 competency and training as required by the Board, and pursuant
24 to rule or regulation approved by the Board and adopted by the

1 Department.

2 A person shall be deemed to be practicing optometry within
3 the meaning of this Act who:

4 (1) In any way presents the person ~~himself or herself~~
5 to be qualified to practice optometry.

6 (2) Performs refractions or employs any other
7 determinants of visual function.

8 (3) Employs any means for the adaptation of lenses or
9 prisms.

10 (4) Prescribes corrective lenses, prisms, vision
11 therapy, visual rehabilitation, or ocular pharmaceutical
12 agents.

13 (5) Prescribes or manages contact lenses for
14 refractive, cosmetic, or therapeutic purposes.

15 (6) Evaluates the need for, or prescribes, low vision
16 aids to partially sighted persons.

17 (7) Diagnoses or treats any ocular abnormality,
18 disease, or visual or muscular anomaly of the human eye or
19 visual system.

20 (8) Practices, or offers or attempts to practice,
21 optometry as defined in this Act either on the person's
22 ~~his or her~~ own behalf or as an employee of a person, firm,
23 or corporation, whether under the supervision of the
24 person's ~~his or her~~ employer or not.

25 Nothing in this Section shall be interpreted (A) to
26 prevent a person from functioning as an assistant under the

1 direct supervision of a person licensed by the State of
2 Illinois to practice optometry or medicine in all of its
3 branches or (B) to prohibit visual screening programs that are
4 conducted without a fee (other than voluntary donations), by
5 charitable organizations acting in the public welfare under
6 the supervision of a committee composed of persons licensed by
7 the State of Illinois to practice optometry or persons
8 licensed by the State of Illinois to practice medicine in all
9 of its branches.

10 (b) When, in the course of providing optometric services
11 to any person, an optometrist licensed under this Act finds an
12 indication of a disease or condition of the eye which in the
13 optometrist's ~~his or her~~ professional judgment requires
14 professional service outside the scope of practice as defined
15 in this Act, the optometrist ~~he or she~~ shall refer such person
16 to a physician licensed to practice medicine in all of its
17 branches, or other appropriate health care practitioner.
18 Nothing in this Act shall preclude an optometrist from
19 rendering appropriate nonsurgical emergency care.

20 (c) Nothing contained in this Section shall prohibit a
21 person from manufacturing ophthalmic lenses and prisms or the
22 fabrication of contact lenses according to the specifications
23 prescribed by an optometrist or a physician licensed to
24 practice medicine in all of its branches, but shall
25 specifically prohibit (1) the sale or delivery of ophthalmic
26 lenses, prisms, and contact lenses without a prescription

1 signed by an optometrist or a physician licensed to practice
2 medicine in all of its branches and (2) the dispensing of
3 contact lenses by anyone other than a licensed optometrist,
4 licensed pharmacist, or a physician licensed to practice
5 medicine in all of its branches. For the purposes of this Act,
6 "contact lenses" include, but are not limited to, contact
7 lenses with prescriptive power and decorative and plano power
8 contact lenses. Nothing in this Section shall prohibit the
9 sale of contact lenses by an optical firm or corporation
10 primarily engaged in manufacturing or dealing in eyeglasses or
11 contact lenses with an affiliated optometrist who practices
12 and is licensed or has an ancillary registration for the
13 location where the sale occurs.

14 (d) Nothing in this Act shall restrict the filling of a
15 prescription by a pharmacist licensed under the Pharmacy
16 Practice Act.

17 (e) Nothing in this Act shall be construed to restrict the
18 dispensing and sale by an optometrist of ocular devices, such
19 as contact lenses, that contain and deliver ocular
20 pharmaceutical agents permitted for use or prescription under
21 this Act.

22 (f) (Blank). ~~On and after January 1, 2018, nothing in this~~
23 ~~Act shall prohibit an optometrist who is certified by a school~~
24 ~~of optometry approved by the Department from performing~~
25 ~~advanced optometric procedures, pursuant to educational~~
26 ~~requirements established by rule, that are consistent with the~~

1 ~~recommendations of the Collaborative~~
2 ~~Optometric/Ophthalmological Task Force created in Section 15.3~~
3 ~~of this Act and that are taught (1) at an accredited, private~~
4 ~~4-year school of optometry that is located in a city in~~
5 ~~Illinois with a population in excess of 1,500,000, or (2) at a~~
6 ~~school of optometry with a curriculum that is substantially~~
7 ~~similar to the curriculum taught at the school of optometry~~
8 ~~described in item (1) of this subsection. Advanced optometric~~
9 ~~procedures do not include the use of lasers.~~

10 (Source: P.A. 98-186, eff. 8-5-13; 99-909, eff. 1-1-17.)

11 (225 ILCS 80/4) (from Ch. 111, par. 3904)

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

13 Sec. 4. License requirement. No person shall practice, or
14 attempt to practice, optometry, as defined in this Act,
15 without a valid license as an optometrist issued by the
16 Department.

17 (Source: P.A. 85-896.)

18 (225 ILCS 80/5) (from Ch. 111, par. 3905)

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

20 Sec. 5. Title and designation of licensed optometrists.
21 Every person to whom a valid existing license as an
22 optometrist has been issued under this Act, shall be
23 designated professionally as an "optometrist" and not
24 otherwise, and any such licensed optometrist may, in

1 connection with the practice of the licensed optometrist's ~~his~~
2 ~~or her~~ profession, use the title or designation of
3 "optometrist", and, if entitled by degree from a college or
4 university recognized by the Department of Financial and
5 Professional Regulation, may use the title of "Doctor of
6 Optometry", or the abbreviation "O.D.". When the name of such
7 licensed optometrist is used professionally in oral, written,
8 or printed announcements, prescriptions, professional cards,
9 or publications for the information of the public, and is
10 preceded by the title "Doctor" or the abbreviation "Dr.", the
11 explanatory designation of "optometrist", "optometry", or
12 "Doctor of Optometry" shall be added immediately following
13 such title and name. When such announcement, prescription,
14 professional care or publication is in writing or in print,
15 such explanatory addition shall be in writing, type, or print
16 not less than one-half the size of that used in said name and
17 title. No person other than the holder of a valid existing
18 license under this Act shall use the title and designation of
19 "Doctor of Optometry", "O.D.", or "optometrist", either
20 directly or indirectly in connection with the licensee's ~~his~~
21 ~~or her~~ profession or business.

22 (Source: P.A. 94-787, eff. 5-19-06.)

23 (225 ILCS 80/6) (from Ch. 111, par. 3906)

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

25 Sec. 6. Display of license; change of address; record of

1 examinations and prescriptions.

2 (a) Every holder of a license under this Act shall display
3 such license on a conspicuous place in the office or offices
4 wherein such holder practices optometry and every holder
5 shall, whenever requested, exhibit such license to any
6 representative of the Department, and shall notify the
7 Department of the address or addresses and of every change
8 thereof, where such holder shall practice optometry.

9 (b) Every licensed optometrist shall keep a record of
10 examinations made and prescriptions issued, which record shall
11 include the names of persons examined and for whom
12 prescriptions were prepared, and shall be signed by the
13 licensed optometrist and shall be retained in the office in
14 which such professional service was rendered or in a secure
15 offsite storage facility. Such records shall be preserved by
16 the optometrist for a period designated by the Department. A
17 copy of such records shall be provided, upon written request,
18 to the person examined, or the person's ~~his or her~~ designee.

19 (Source: P.A. 97-1028, eff. 1-1-13.)

20 (225 ILCS 80/7) (from Ch. 111, par. 3907)

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

22 Sec. 7. Additional practice locations.

23 (a) Every holder of a license under this Act shall report
24 to the Department every additional location where the licensee
25 engages in the practice of optometry. Such reports shall be

1 made prior to practicing at the location and shall be done in a
2 manner prescribed by the Department.

3 (b) Failure to report a practice location or to maintain
4 evidence of such a report at the practice location shall be a
5 violation of this Act and shall be considered the unlicensed
6 practice of optometry. Registering a location where a licensee
7 does not practice shall also be a violation of this Act.

8 (c) Nothing contained herein, however, shall be construed
9 to require a licensed optometrist in active practice to report
10 a location to the Department when serving on the staff of a
11 hospital or an institution that receives no fees (other than
12 entrance registration fees) for the services rendered by the
13 optometrist and for which the optometrist receives no fees or
14 compensation directly or indirectly for such services
15 rendered.

16 (d) Nothing contained herein shall be construed to require
17 a licensed optometrist to report a location to the Department
18 when rendering necessary optometric services for the licensed
19 optometrist's ~~his or her~~ patients confined to their homes,
20 hospitals or institutions, or to act in an advisory capacity,
21 with or without remuneration, in any industry, school or
22 institution.

23 (Source: P.A. 96-270, eff. 1-1-10.)

24 (225 ILCS 80/8) (from Ch. 111, par. 3908)

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

1 Sec. 8. Permitted activities. This Act does not prohibit:

2 (1) Any person licensed in this State under any other
3 Act from engaging in the practice for which the person ~~he~~
4 ~~or she~~ is licensed.

5 (2) The practice of optometry by a person who is
6 employed by the United States government or any bureau,
7 division or agency thereof while in the discharge of the
8 employee's official duties.

9 (3) The practice of optometry that is included in
10 their program of study by students enrolled in schools of
11 optometry or in continuing education courses approved by
12 the Department.

13 (4) Persons, firms, and corporations who manufacture
14 or deal in eyeglasses ~~eye glasses~~ or spectacles in a
15 store, shop, or other permanently established place of
16 business, and who neither practice nor attempt to practice
17 optometry from engaging the services of one or more
18 licensed optometrists, nor prohibit any such licensed
19 optometrist when so engaged, to practice optometry as
20 defined in Section 3 of this Act, when the person, or firm,
21 or corporation so conducts the person's, firm's, or
22 corporation's ~~his or her or its~~ business in a permanently
23 established place and in such manner that the person's,
24 firm's, or corporation's ~~his or her or its~~ activities, in
25 any department in which such optometrist is engaged,
26 insofar as the practice of optometry is concerned, are in

1 keeping with the limitations imposed upon individual
2 practitioners of optometry by subparagraphs 17, 23, 26,
3 27, 28, 29, and 30 of Section 24 of this Act; provided,
4 that such licensed optometrist or optometrists shall not
5 be exempt, by reason of such relationship, from compliance
6 with the provisions of this Act as prescribed for
7 individual practitioners of optometry.

8 (Source: P.A. 94-787, eff. 5-19-06.)

9 (225 ILCS 80/9) (from Ch. 111, par. 3909)

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

11 Sec. 9. Definitions. For purposes of ~~in~~ this Act, the
12 following definitions shall have the following meanings,
13 except where the context requires otherwise:

14 (1) "Department" means the Department of Financial and
15 Professional Regulation.

16 (2) "Secretary" means the Secretary of Financial and
17 Professional Regulation.

18 (3) "Board" means the Illinois Optometric Licensing
19 and Disciplinary Board appointed by the Secretary.

20 (4) "License" means the document issued by the
21 Department authorizing the person named thereon to
22 practice optometry.

23 (5) (Blank).

24 (6) "Direct supervision" means supervision of any
25 person assisting an optometrist, requiring that the

1 optometrist authorize the procedure, remain in the
2 facility while the procedure is performed, approve the
3 work performed by the person assisting before dismissal of
4 the patient, but does not mean that the optometrist must
5 be present with the patient, during the procedure. For the
6 dispensing of contact lenses, "direct supervision" means
7 that the optometrist is responsible for training the
8 person assisting the optometrist in the dispensing or sale
9 of contact lenses, but does not mean that the optometrist
10 must be present in the facility where the optometrist ~~he~~
11 ~~or she~~ practices under a license or ancillary registration
12 at the time the contacts are dispensed or sold. For the
13 practice of optometry through telehealth, "direct
14 supervision" means supervision by an optometrist of any
15 person located at a remote location who is assisting an
16 optometrist with procedures or optometric services
17 administered to a patient at the remote location when the
18 optometrist is at a distant site.

19 (7) "Address of record" means the designated address
20 recorded by the Department in the applicant's application
21 file or the licensee's license file maintained by the
22 Department's licensure maintenance unit.

23 (8) "Remote location" means the site at which the
24 patient is located at the time optometric services are
25 rendered through telehealth to that patient.

26 (9) "Distant site" means the location in Illinois from

1 which an optometrist is rendering services through
2 telehealth.

3 (10) "Interactive telecommunications system" means an
4 audio and video system permitting 2-way, real-time
5 interactive communication between a patient located at a
6 remote location and an optometrist located at a distant
7 site.

8 (11) "Telehealth" means the evaluation, diagnosis, or
9 interpretation of patient-specific data that is
10 transmitted by way of an interactive telecommunication
11 system between a remote location and an optometrist
12 located at a distant site that generates interaction or
13 treatment recommendations for a patient located at a
14 remote location. "Telehealth" includes the performance of
15 any of the activities set forth in Sections 3 and 15.1.

16 (12) "Email address of record" means the designated
17 email address by the Department in the applicant's
18 application file or the licensee's license file maintained
19 by the Department's licensure maintenance unit.

20 (Source: P.A. 102-153, eff. 1-1-22.)

21 (225 ILCS 80/9.5)

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

23 Sec. 9.5. Address of record; email address of record
24 ~~Change of address.~~ All applicants and licensees shall:

25 (1) provide a valid address and email address to the

1 Department, which shall serve as the address of record and
2 email address of record, respectively, at the time of
3 application for licensure or renewal of a license; and

4 (2) inform the Department of any change of address of
5 record or email address of record within 14 days after the
6 change, either through the Department's website or by
7 contacting the Department's licensure maintenance unit. It
8 ~~is the duty of the applicant or licensee to inform the~~
9 ~~Department of any change of address within 14 days after~~
10 ~~such change either through the Department's website or by~~
11 ~~contacting the Department's licensure maintenance unit.~~

12 (Source: P.A. 99-909, eff. 1-1-17.)

13 (225 ILCS 80/10) (from Ch. 111, par. 3910)

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

15 Sec. 10. Powers and duties of Department; rules; report.

16 (a) The Department shall exercise the powers and duties
17 prescribed by the Civil Administrative Code of Illinois for
18 the administration of licensing acts and shall exercise such
19 other powers and duties necessary for effectuating the purpose
20 of this Act.

21 (b) The Secretary shall promulgate rules consistent with
22 the provisions of this Act, for the administration and
23 enforcement thereof and may prescribe forms that shall be
24 issued in connection therewith. The rules shall include
25 standards and criteria for licensure and certification, and

1 professional conduct and discipline.

2 (c) The Department shall consult with the Board in
3 promulgating rules. Notice of proposed rulemaking shall be
4 transmitted to the Board and the Department shall review the
5 Board's responses and any recommendations made therein. The
6 Department may solicit the advice of the Board on any matter
7 relating to the administration and enforcement of this Act.

8 (Source: P.A. 99-909, eff. 1-1-17.)

9 (225 ILCS 80/11) (from Ch. 111, par. 3911)

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

11 Sec. 11. Optometric Licensing and Disciplinary Board.

12 (a) The Secretary shall appoint an Illinois Optometric
13 Licensing and Disciplinary Board as follows: Seven persons who
14 shall be appointed by and shall serve in an advisory capacity
15 to the Secretary. Five members must be lawfully and actively
16 engaged in the practice of optometry in this State, one member
17 shall be a licensed optometrist, with a full-time faculty
18 appointment with a school of optometry located in this State
19 and recognized by the Department ~~the Illinois College of~~
20 ~~Optometry~~, and one member must be a member of the public who
21 shall be a voting member and is not licensed under this Act, or
22 a similar Act of another jurisdiction, or have any connection
23 with the profession. Neither the public member nor the faculty
24 member shall participate in the preparation or administration
25 of the examination of applicants for licensure.

1 (b) Members shall serve 4-year terms and until their
2 successors are appointed and qualified. No member shall be
3 appointed to the Board for more than 2 successive 4-year
4 terms, not counting any partial terms when appointed to fill
5 the unexpired portion of a vacated term. Appointments to fill
6 vacancies shall be made in the same manner as original
7 appointments, for the unexpired portion of the vacated term.

8 (c) The Board shall annually elect a chairperson and a
9 vice-chairperson, both of whom shall be licensed optometrists.

10 (d) The membership of the Board should reasonably reflect
11 representation from the geographic areas in this State.

12 (e) A majority of the Board members currently appointed
13 shall constitute a quorum. A vacancy in the membership of the
14 Board shall not impair the right of a quorum to perform all of
15 the duties of the Board.

16 (f) The Secretary may remove any member of the Board for
17 misconduct, incapacity, or neglect of duty, and the Secretary
18 shall be the sole judge of the sufficiency of cause for removal
19 ~~terminate the appointment of any member for cause.~~

20 (g) The members of the Board shall be reimbursed for all
21 authorized legitimate and necessary expenses incurred in
22 attending the meetings of the Board.

23 (h) Members of the Board shall have no liability in any
24 action based upon any disciplinary proceeding or other
25 activity performed in good faith as a member of the Board.

26 (i) The Secretary shall give due consideration to all

1 recommendations of the Board.

2 (j) Without, in any manner, limiting the power of the
3 Department to conduct investigations, the Board may recommend
4 to the Secretary that one or more licensed optometrists be
5 selected by the Secretary to conduct or assist in any
6 investigation pursuant to this Act. Such licensed optometrist
7 may receive remuneration as determined by the Secretary.

8 (Source: P.A. 99-909, eff. 1-1-17.)

9 (225 ILCS 80/12) (from Ch. 111, par. 3912)

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

11 Sec. 12. Applications for licenses.

12 (a) Applications for original licenses shall be made to
13 the Department in writing or electronically on forms
14 prescribed by the Department and shall be accompanied by the
15 required fee, which shall not be refundable. Any such
16 application shall require such information as in the judgment
17 of the Department will enable the Department to pass on the
18 qualifications of the applicant for a license.

19 (b) Applicants have 3 years from the date of application
20 to complete the application process. If the process has not
21 been completed within 3 years, the application shall be
22 denied, the application fees shall be forfeited, and the
23 applicant must reapply and meet the requirements in effect at
24 the time of reapplication.

25 (Source: P.A. 99-43, eff. 1-1-16.)

1 (225 ILCS 80/13) (from Ch. 111, par. 3913)

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

3 Sec. 13. Examination of applicants for licensure. The
4 Department shall promulgate rules establishing examination
5 requirements for applicants as optometrists. The examination
6 shall accurately evaluate the applicant's ability to perform
7 to the minimum standards of the practice of optometry.

8 Applicants for examination shall be required to pay,
9 either to the Department or the designated testing service, a
10 fee covering the cost of providing the examination.

11 The Department may employ consultants for the purpose of
12 preparing and conducting examinations.

13 (Source: P.A. 94-787, eff. 5-19-06.)

14 (225 ILCS 80/16) (from Ch. 111, par. 3916)

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

16 Sec. 16. Renewal, reinstatement or restoration of
17 licenses; military service.

18 (a) The expiration date and renewal period for each
19 license issued under this Act shall be set by rule.

20 (b) All renewal applicants shall provide proof of having
21 met the requirements of continuing education set forth in the
22 rules of the Department. The Department shall, by rule,
23 provide for an orderly process for the reinstatement of
24 licenses which have not been renewed due to failure to meet the

1 continuing education requirements. The continuing education
2 requirement may be waived for such good cause, including, but
3 not limited to, illness or hardship, as defined by rules of the
4 Department.

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

12 ~~Any licensee seeking renewal of his or her license during~~
13 ~~the renewal cycle beginning April 1, 2008 must first complete~~
14 ~~a tested educational course in the use of oral pharmaceutical~~
15 ~~agents for the management of ocular conditions, as approved by~~
16 ~~the Board.~~

17 (d) Any optometrist who has permitted the optometrist's
18 ~~his or her~~ license to expire or who has had the optometrist's
19 ~~his or her~~ license on inactive status may have the
20 optometrist's ~~his or her~~ license restored by making
21 application to the Department and filing proof acceptable to
22 the Department of the optometrist's ~~his or her~~ fitness to have
23 the optometrist's ~~his or her~~ license restored and by paying
24 the required fees. Such proof of fitness may include evidence
25 certifying to active lawful practice in another jurisdiction
26 and must include proof of the completion of the continuing

1 education requirements specified in the rules for the
2 preceding license renewal period that has been completed
3 during the 2 years prior to the application for license
4 restoration.

5 (e) The Department shall determine, by an evaluation
6 program established by rule, an optometrist's ~~his or her~~
7 fitness for restoration of the optometrist's ~~his or her~~
8 license and shall establish procedures and requirements for
9 such restoration.

10 However, any optometrist whose license expired while the
11 person ~~he or she~~ was (1) in Federal Service on active duty with
12 the Armed Forces of the United States, or the State Militia
13 called into service or training, or (2) in training or
14 education under the supervision of the United States
15 preliminary to induction into the military service, may have
16 the person's ~~his or her~~ license restored without paying any
17 lapsed renewal fees if within 2 years after honorable
18 termination of such service, training, or education, the
19 person ~~he or she~~ furnishes the Department with satisfactory
20 evidence to the effect that the person ~~he or she~~ has been so
21 engaged and that the person's ~~his or her~~ service, training, or
22 education has been so terminated.

23 (f) All licenses without "Therapeutic Certification" on
24 March 31, 2006 shall be placed on nonrenewed ~~non-renewed~~
25 status and may only be renewed after the licensee meets those
26 requirements established by the Department that may not be

1 waived. All licensees on March 31, 2010 without a
2 certification of completion of an oral pharmaceutical course
3 as required by this Section shall be placed on nonrenewed
4 ~~non-renewed~~ status and may only be renewed after the licensee
5 meets those requirements established by the Department that
6 may not be waived.

7 (Source: P.A. 95-242, eff. 1-1-08; 96-270, eff. 1-1-10.)

8 (225 ILCS 80/17) (from Ch. 111, par. 3917)

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

10 Sec. 17. Inactive status.

11 (a) Any optometrist who notifies the Department in writing
12 on forms prescribed by the Department, may elect to place the
13 optometrist's ~~his or her~~ license on an inactive status and
14 shall be excused from payment of renewal fees until the
15 optometrist ~~he or she~~ notifies the Department in writing of
16 the optometrist's ~~his~~ intent to restore the optometrist's ~~his~~
17 ~~or her~~ license.

18 (b) Any optometrist requesting restoration from inactive
19 status shall be required to pay the current renewal fee, to
20 provide proof of completion of the continuing education
21 requirements specified in the rules for the preceding license
22 renewal period that has been completed during the 2 years
23 prior to the application for restoration, and to restore the
24 optometrist's ~~his or her~~ license as provided by rule of the
25 Department. All licenses without "Therapeutic Certification"

1 that are on inactive status as of March 31, 2006 shall be
2 placed on nonrenewed ~~non-renewed~~ status and may only be
3 restored after the licensee meets those requirements
4 established by the Department that may not be waived.

5 (c) Any optometrist whose license is in an expired or
6 inactive status shall not practice optometry in the State of
7 Illinois.

8 (d) Any licensee who shall practice while the
9 optometrist's ~~his or her~~ license is lapsed or on inactive
10 status shall be considered to be practicing without a license
11 which shall be grounds for discipline under Section 24
12 subsection (a) of this Act.

13 (Source: P.A. 94-787, eff. 5-19-06.)

14 (225 ILCS 80/18) (from Ch. 111, par. 3918)

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

16 Sec. 18. Endorsement.

17 (a) The Department may, in its discretion, license as an
18 optometrist, without examination on payment of the required
19 fee, an applicant who is so licensed under the laws of another
20 state or jurisdiction of the United States. The Department may
21 issue a license, upon payment of the required fee and
22 recommendation of the Board, to an individual applicant who is
23 licensed in any foreign country or province whose standards,
24 in the opinion of the Board or Department, were, at the date of
25 the applicant's ~~his or her~~ licensure, substantially equivalent

1 to the requirements then in force in this State; or if the
2 applicant possesses individual qualifications and skills which
3 demonstrate substantial equivalence to current Illinois
4 requirements.

5 (b) Applicants have 3 years from the date of application
6 to complete the application process. If the process has not
7 been completed in 3 years, the application shall be denied,
8 the fee forfeited and the applicant must reapply and meet the
9 requirements in effect at the time of reapplication.

10 (Source: P.A. 99-909, eff. 1-1-17.)

11 (225 ILCS 80/20) (from Ch. 111, par. 3920)

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

13 Sec. 20. Fund.

14 (a) All moneys received by the Department pursuant to this
15 Act shall be deposited into ~~in~~ the Optometric Licensing and
16 Disciplinary Board Fund, which is hereby created as a special
17 fund in the State treasury ~~Treasury~~, and shall be used for the
18 administration of this Act, including: (a) by the Board and
19 Department in the exercise of its powers and performance of
20 its duties; (b) for costs directly related to license renewal
21 of persons licensed under this Act; and (c) for direct and
22 allocable indirect costs related to the public purposes of the
23 Department of Financial and Professional Regulation. Subject
24 to appropriation, moneys in the Optometric Licensing and
25 Disciplinary Board Fund may be used for the Optometric

1 Education Scholarship Program administered by the Illinois
2 Student Assistance Commission pursuant to Section 65.70 of the
3 Higher Education Student Assistance Act.

4 (b) Moneys in the Fund may be transferred to the
5 Professions Indirect Cost Fund as authorized under Section
6 2105-300 of the Department of Professional Regulation Law of
7 the Civil Administrative Code of Illinois ~~(20 ILCS~~
8 ~~2105/2105-300)~~.

9 (c) Money in the Optometric Licensing and Disciplinary
10 Board Fund may be invested and reinvested, with all earnings
11 received from such investment to be deposited into ~~in~~ the
12 Optometric Licensing and Disciplinary Board Fund and used for
13 the same purposes as fees deposited into ~~in~~ such fund.

14 (Source: P.A. 99-909, eff. 1-1-17.)

15 (225 ILCS 80/22) (from Ch. 111, par. 3922)

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

17 Sec. 22. Advertising.

18 (a) Any person licensed under this Act may advertise the
19 availability of professional services in the public media or
20 on the premises where such professional services are rendered
21 provided that such advertising is truthful and not misleading
22 and is in conformity with rules promulgated by the Department.

23 (b) It is unlawful for any person licensed under this Act
24 to use claims of superior quality of care to entice the public.

25 (Source: P.A. 99-43, eff. 1-1-16.)

1 (225 ILCS 80/24) (from Ch. 111, par. 3924)

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

3 Sec. 24. 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 as the Department may
7 deem appropriate, including fines not to exceed \$10,000 for
8 each violation, with regard to any license for any one or
9 combination of the causes set forth in subsection (a-3) of
10 this Section. All fines collected under this Section shall be
11 deposited into ~~in~~ the Optometric Licensing and Disciplinary
12 Board Fund. Any fine imposed shall be payable within 60 days
13 after the effective date of the order imposing the fine.

14 (a-3) Grounds for disciplinary action include the
15 following:

16 (1) Violations of this Act, or of the rules
17 promulgated hereunder.

18 (2) Conviction of or entry of a plea of guilty to any
19 crime under the laws of any U.S. jurisdiction thereof that
20 is a felony or that is a misdemeanor of which an essential
21 element is dishonesty, or any crime that is directly
22 related to the practice of the profession.

23 (3) Making any misrepresentation for the purpose of
24 obtaining a license.

25 (4) Professional incompetence or gross negligence in

1 the practice of optometry.

2 (5) Gross malpractice, prima facie evidence of which
3 may be a conviction or judgment of malpractice in any
4 court of competent jurisdiction.

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

7 (7) Failing, within 60 days, to provide information in
8 response to a written request made by the Department that
9 has been sent by certified or registered mail to the
10 licensee's last known address.

11 (8) Engaging in dishonorable, unethical, or
12 unprofessional conduct of a character likely to deceive,
13 defraud, or harm the public.

14 (9) Habitual or excessive use or addiction to alcohol,
15 narcotics, stimulants or any other chemical agent or drug
16 that results in the inability to practice with reasonable
17 judgment, skill, or safety.

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

22 (11) Violation of the prohibition against fee
23 splitting in Section 24.2 of this Act.

24 (12) A finding by the Department that the licensee,
25 after having the licensee's ~~his or her~~ license placed on
26 probationary status has violated the terms of probation.

1 (13) Abandonment of a patient.

2 (14) Willfully making or filing false records or
3 reports in the licensee's ~~his or her~~ practice, including,l
4 but not limited to,l false records filed with State
5 agencies or departments.

6 (15) Willfully failing to report an instance of
7 suspected abuse or neglect as required by law.

8 (16) Physical illness, including,l but not limited to,
9 deterioration through the aging process, or loss of motor
10 skill, mental illness, or disability that results in the
11 inability to practice the profession with reasonable
12 judgment, skill, or safety.

13 (17) Solicitation of professional services other than
14 permitted advertising.

15 (18) Failure to provide a patient with a copy of the
16 patient's ~~his or her~~ record or prescription in accordance
17 with federal law.

18 (19) Conviction by any court of competent
19 jurisdiction, either within or without this State, of any
20 violation of any law governing the practice of optometry,
21 conviction in this or another State of any crime that is a
22 felony under the laws of this State or conviction of a
23 felony in a federal court, if the Department determines,
24 after investigation, that such person has not been
25 sufficiently rehabilitated to warrant the public trust.

26 (20) A finding that licensure has been applied for or

1 obtained by fraudulent means.

2 (21) Continued practice by a person knowingly having
3 an infectious or contagious disease.

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

11 (23) Practicing or attempting to practice under a name
12 other than the full name as shown on the licensee's ~~his or~~
13 ~~her~~ license.

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

17 (25) Maintaining a professional relationship with any
18 person, firm, or corporation when the optometrist knows,
19 or should know, that such person, firm, or corporation is
20 violating this Act.

21 (26) Promotion of the sale of drugs, devices,
22 appliances or goods provided for a client or patient in
23 such manner as to exploit the patient or client for
24 financial gain of the licensee.

25 (27) Using the title "Doctor" or its abbreviation
26 without further qualifying that title or abbreviation with

1 the word "optometry" or "optometrist".

2 (28) Use by a licensed optometrist of the word
3 "infirmary", "hospital", "school", "university", in
4 English or any other language, in connection with the
5 place where optometry may be practiced or demonstrated
6 unless the licensee is employed by and practicing at a
7 location that is licensed as a hospital or accredited as a
8 school or university.

9 (29) Continuance of an optometrist in the employ of
10 any person, firm or corporation, or as an assistant to any
11 optometrist or optometrists, directly or indirectly, after
12 the optometrist's ~~his or her~~ employer or superior has been
13 found guilty of violating or has been enjoined from
14 violating the laws of the State of Illinois relating to
15 the practice of optometry, when the employer or superior
16 persists in that violation.

17 (30) The performance of optometric service in
18 conjunction with a scheme or plan with another person,
19 firm or corporation known to be advertising in a manner
20 contrary to this Act or otherwise violating the laws of
21 the State of Illinois concerning the practice of
22 optometry.

23 (31) Failure to provide satisfactory proof of having
24 participated in approved continuing education programs as
25 determined by the Board and approved by the Secretary.
26 Exceptions for extreme hardships are to be defined by the

1 rules of the Department.

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

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

16 (34) In the absence of good reasons to the contrary,
17 failure to perform a minimum eye examination as required
18 by the rules of the Department.

19 (35) Violation of the Health Care Worker Self-Referral
20 Act.

21 The Department shall refuse to issue or shall suspend the
22 license of any person who fails to file a return, or to pay the
23 tax, penalty or interest shown in a filed return, or to pay any
24 final assessment of the tax, penalty or interest, as required
25 by any tax Act administered by the Illinois Department of
26 Revenue, until such time as the requirements of any such tax

1 Act are satisfied.

2 (a-5) In enforcing this Section, the Board or Department,
3 upon a showing of a possible violation, may compel any
4 individual licensed to practice under this Act, or who has
5 applied for licensure or certification pursuant to this Act,
6 to submit to a mental or physical examination, or both, as
7 required by and at the expense of the Department. The
8 examining physicians or clinical psychologists shall be those
9 specifically designated by the Department. The Board or the
10 Department may order the examining physician or clinical
11 psychologist to present testimony concerning this mental or
12 physical examination of the licensee or applicant. No
13 information shall be excluded by reason of any common law or
14 statutory privilege relating to communications between the
15 licensee or applicant and the examining physician or clinical
16 psychologist. Eye examinations may be provided by a licensed
17 optometrist. The individual to be examined may have, at the
18 individual's ~~his or her~~ own expense, another physician of the
19 individual's ~~his or her~~ choice present during all aspects of
20 the examination. Failure of any individual to submit to a
21 mental or physical examination, when directed, shall be
22 grounds for suspension of a license until such time as the
23 individual submits to the examination if the Board or
24 Department finds, after notice and hearing, that the refusal
25 to submit to the examination was without reasonable cause.

26 If the Board or Department finds an individual unable to

1 practice because of the reasons set forth in this Section, the
2 Board or Department shall require such individual to submit to
3 care, counseling, or treatment by physicians or clinical
4 psychologists approved or designated by the Department, as a
5 condition, term, or restriction for continued, reinstated, or
6 renewed licensure to practice, or in lieu of care, counseling,
7 or treatment, the Board may recommend to the Department to
8 file a complaint to immediately suspend, revoke, or otherwise
9 discipline the license of the individual, or the Board may
10 recommend to the Department to file a complaint to suspend,
11 revoke, or otherwise discipline the license of the individual.
12 Any individual whose license was granted pursuant to this Act,
13 or continued, reinstated, renewed, disciplined, or supervised,
14 subject to such conditions, terms, or restrictions, who shall
15 fail to comply with such conditions, terms, or restrictions,
16 shall be referred to the Secretary for a determination as to
17 whether the individual shall have the individual's ~~his or her~~
18 license suspended immediately, pending a hearing by the Board.

19 (b) The determination by a circuit court that a licensee
20 is subject to involuntary admission or judicial admission as
21 provided in the Mental Health and Developmental Disabilities
22 Code operates as an automatic suspension. The suspension will
23 end only upon a finding by a court that the patient is no
24 longer subject to involuntary admission or judicial admission
25 and issues an order so finding and discharging the patient;
26 and upon the recommendation of the Board to the Secretary that

1 the licensee be allowed to resume the licensee's ~~his or her~~
2 practice.

3 (Source: P.A. 99-43, eff. 1-1-16; 99-909, eff. 1-1-17.)

4 (225 ILCS 80/24.2)

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

6 Sec. 24.2. Prohibition against fee splitting.

7 (a) A licensee under this Act may not directly or
8 indirectly divide, share or split any professional fee or
9 other form of compensation for professional services with
10 anyone in exchange for a referral or otherwise, other than as
11 provided in this Section 24.2.

12 (b) Nothing contained in this Section abrogates the right
13 of 2 or more licensed health care workers as defined in the
14 Health Care Worker Self-referral Act to each receive adequate
15 compensation for concurrently rendering services to a patient
16 and to divide the fee for such service, whether or not the
17 worker is employed, provided that the patient has full
18 knowledge of the division and the division is made in
19 proportion to the actual services personally performed and
20 responsibility assumed by each licensee consistent with the
21 licensee's ~~his or her~~ license, except as prohibited by law.

22 (c) Nothing contained in this Section prohibits a licensee
23 under this Act from practicing optometry through or within any
24 form of legal entity authorized to conduct business in this
25 State or from pooling, sharing, dividing, or apportioning the

1 professional fees and other revenues in accordance with the
2 agreements and policies of the entity provided:

3 (1) each owner of the entity is licensed under this
4 Act;

5 (2) the entity is organized under the Professional
6 Services Corporation Act or the Professional Association
7 Act;

8 (3) the entity is (i) a licensed hospital or hospital
9 affiliate or (ii) a licensed ambulatory surgical treatment
10 center owned in full or in part by Illinois-licensed
11 physicians or optometrists; or

12 (4) the entity is a combination or joint venture of
13 the entities authorized under this subsection (c).

14 (d) Nothing contained in this Section prohibits a licensee
15 under this Act from paying a fair market value fee to any
16 person or entity whose purpose is to perform billing,
17 administrative preparation, or collection services based upon
18 a percentage of professional service fees billed or collected,
19 a flat fee, or any other arrangement that directly or
20 indirectly divides professional fees, for the administrative
21 preparation of the licensee's claims or the collection of the
22 licensee's charges for professional services, provided that:

23 (i) the licensee or the licensee's practice under
24 subsection (c) at all times controls the amount of fees
25 charged and collected; and

26 (ii) all charges collected are paid directly to the

1 licensee or the licensee's practice or are deposited
2 directly into an account in the name of and under the sole
3 control of the licensee or the licensee's practice or
4 deposited into a "Trust Account" by a licensed collection
5 agency in accordance with the requirements of Section 8(c)
6 of the Illinois Collection Agency Act.

7 (e) Nothing contained in this Section prohibits the
8 granting of a security interest in the accounts receivable or
9 fees of a licensee under this Act or the licensee's practice
10 for bona fide advances made to the licensee or licensee's
11 practice provided the licensee retains control and
12 responsibility for the collection of the accounts receivable
13 and fees.

14 (f) Excluding payments that may be made to the owners of or
15 licensees in the licensee's practice under subsection (c), a
16 licensee under this Act may not divide, share or split a
17 professional service fee with, or otherwise directly or
18 indirectly pay a percentage of the licensee's professional
19 service fees, revenues or profits to anyone for: (i) the
20 marketing or management of the licensee's practice, (ii)
21 including the licensee or the licensee's practice on any
22 preferred provider list, (iii) allowing the licensee to
23 participate in any network of health care providers, (iv)
24 negotiating fees, charges or terms of service or payment on
25 behalf of the licensee, or (v) including the licensee in a
26 program whereby patients or beneficiaries are provided an

1 incentive to use the services of the licensee.

2 (g) Nothing contained in this Section prohibits the
3 payment of rent or other remunerations paid to an individual,
4 partnership, or corporation by a licensee for the lease,
5 rental, or use of space, owned or controlled by the
6 individual, partnership, corporation, or association.

7 (h) Nothing contained in this Section prohibits the
8 payment, at no more than fair market value, to an individual,
9 partnership, or corporation by a licensee for the use of
10 staff, administrative services, franchise agreements,
11 marketing required by franchise agreements, or equipment owned
12 or controlled by the individual, partnership, or corporation,
13 or the receipt thereof by a licensee.

14 (Source: P.A. 96-608, eff. 8-24-09; 97-563, eff. 8-25-11.)

15 (225 ILCS 80/25) (from Ch. 111, par. 3925)

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

17 Sec. 25. Returned checks; fines.

18 (a) Any person who delivers a check or other payment to the
19 Department that is returned to the Department unpaid by the
20 financial institution upon which it is drawn shall pay to the
21 Department, in addition to the amount already owed to the
22 Department, a fine of \$50. The fines imposed by this Section
23 are in addition to any other discipline provided under this
24 Act for unlicensed practice or practice on a nonrenewed
25 license.

1 **(b)** The Department shall notify the person that payment of
2 fees and fines shall be paid to the Department by certified
3 check or money order within 30 calendar days of the
4 notification. If, after the expiration of 30 days from the
5 date of the notification, the person has failed to submit the
6 necessary remittance, the Department shall automatically
7 terminate the license or deny the application, without
8 hearing.

9 **(c)** If, after termination or denial, the person seeks a
10 license, the person ~~he or she~~ shall apply to the Department for
11 restoration or issuance of the license and pay all fees and
12 fines due to the Department. The Department may establish a
13 fee for the processing of an application for restoration of a
14 license to pay all expenses of processing this application.

15 **(d)** The Secretary may waive the fines due under this
16 Section in individual cases where the Secretary finds that the
17 fines would be unreasonable or unnecessarily burdensome.

18 (Source: P.A. 94-787, eff. 5-19-06.)

19 (225 ILCS 80/26.1) (from Ch. 111, par. 3926.1)

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

21 Sec. 26.1. Injunctions; criminal offenses; cease and
22 desist orders.

23 (a) If any person violates the provision of this Act, the
24 Secretary may, in the name of the People of the State of
25 Illinois, through the Attorney General of the State of

1 Illinois, or the State's Attorney of any county in which the
2 action is brought, petition for an order enjoining such
3 violation or for an order enforcing compliance with this Act.
4 Upon the filing of a verified petition in court, the court may
5 issue a temporary restraining order, without notice or bond,
6 and may preliminarily and permanently enjoin such violation,
7 and if it is established that such person has violated or is
8 violating the injunction, the Court may punish the offender
9 for contempt of court. Proceedings under this Section shall be
10 in addition to, and not in lieu of, all other remedies and
11 penalties provided by this Act.

12 (b) If any person shall practice as an optometrist or hold
13 oneself ~~himself or herself~~ out as an optometrist without being
14 licensed under the provisions of this Act then any licensed
15 optometrist, any interested party or any person injured
16 thereby may, in addition to the Secretary, petition for relief
17 as provided in subsection (a) of this Section.

18 Whoever knowingly practices or offers to practice
19 optometry in this State without being licensed for that
20 purpose shall be guilty of a Class A misdemeanor and for each
21 subsequent conviction, shall be guilty of a Class 4 felony.
22 Notwithstanding any other provision of this Act, all criminal
23 fines, monies, or other property collected or received by the
24 Department under this Section or any other State or federal
25 statute, including, but not limited to, property forfeited to
26 the Department under Section 505 of the Illinois Controlled

1 Substances Act or Section 85 of the Methamphetamine Control
2 and Community Protection Act, shall be deposited into the
3 Optometric Licensing and Disciplinary Board Fund.

4 (c) Whenever in the opinion of the Department any person
5 violates any provision of this Act, the Department may issue a
6 rule to show cause why an order to cease and desist should not
7 be entered against him. The rule shall clearly set forth the
8 grounds relied upon by the Department and shall provide a
9 period of 7 days from the date of the rule to file an answer to
10 the satisfaction of the Department. Failure to answer to the
11 satisfaction of the Department shall cause an order to cease
12 and desist to be issued forthwith.

13 (Source: P.A. 94-556, eff. 9-11-05; 94-787, eff. 5-19-06.)

14 (225 ILCS 80/26.2) (from Ch. 111, par. 3926.2)

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

16 Sec. 26.2. Investigation; notice. The Department may
17 investigate the actions of any applicant or of any person or
18 persons holding or claiming to hold a license. The Department
19 shall, before suspending, revoking, placing on probationary
20 status, or taking any other disciplinary action as the
21 Department may deem proper with regard to any license, at
22 least 30 days prior to the date set for the hearing, notify the
23 accused in writing of any charges made and the time and place
24 for a hearing of the charges before the Board, direct the
25 accused ~~him or her~~ to file the accused's ~~his or her~~ written

1 answer to the Board under oath within 20 days after the service
2 on the accused ~~him or her~~ of the notice and inform the accused
3 ~~him or her~~ that if the accused ~~he or she~~ fails to file an
4 answer default will be taken against the accused ~~him or her~~ and
5 the accused's ~~his or her~~ license may be suspended, revoked,
6 placed on probationary status, or have other disciplinary
7 action, including limiting the scope, nature or extent of the
8 accused's ~~his or her~~ practice, as the Department may deem
9 proper taken with regard thereto. The written notice and any
10 notice in the subsequent proceeding may be served by personal
11 delivery or by regular or certified mail to the applicant's or
12 licensee's address of record. In case the person fails to file
13 an answer after receiving notice, the person's ~~his or her~~
14 license may, in the discretion of the Department, be
15 suspended, revoked, or placed on probationary status, or the
16 Department may take whatever disciplinary action deemed
17 proper, including limiting the scope, nature, or extent of the
18 person's practice or the imposition of a fine, without a
19 hearing, if the act or acts charged constitute sufficient
20 grounds for such action under this Act. At the time and place
21 fixed in the notice, the Department shall proceed to hear the
22 charges and the parties or their counsel shall be accorded
23 ample opportunity to present such statements, testimony,
24 evidence and argument as may be pertinent to the charges or to
25 their defense. The Department may continue the hearing from
26 time to time. At the discretion of the Secretary after having

1 first received the recommendation of the Board, the accused
2 person's license may be suspended, revoked, placed on
3 probationary status, or whatever disciplinary action as the
4 Secretary may deem proper, including limiting the scope,
5 nature, or extent of said person's practice, without a
6 hearing, if the act or acts charged constitute sufficient
7 grounds for such action under this Act.

8 (Source: P.A. 99-909, eff. 1-1-17.)

9 (225 ILCS 80/26.7) (from Ch. 111, par. 3926.7)

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

11 Sec. 26.7. Hearing officer. Notwithstanding the provisions
12 of Section 26.6 of this Act, the Secretary shall have the
13 authority to appoint any attorney duly licensed to practice
14 law in the State of Illinois to serve as the hearing officer in
15 any action for discipline of a license. The hearing officer
16 shall have full authority to conduct the hearing. The Board
17 shall have the right to have at least one member present at any
18 hearing conducted by such hearing officer. The hearing officer
19 shall report the hearing officer's ~~his or her~~ findings of
20 fact, conclusions of law and recommendations to the Board and
21 the Secretary. The Board shall review the report of the
22 hearing officer and present its findings of fact, conclusions
23 of law and recommendations to the Secretary. If the Secretary
24 disagrees in any regard with the report of the Board or hearing
25 officer, the Secretary ~~he or she~~ may issue an order in

1 contravention thereof. The Secretary shall specify with
2 particularity the reasons for such action in the final order.

3 (Source: P.A. 99-909, eff. 1-1-17.)

4 (225 ILCS 80/26.13) (from Ch. 111, par. 3926.13)

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

6 Sec. 26.13. Temporary suspension. The Secretary may
7 temporarily suspend the license of an optometrist without a
8 hearing, simultaneously with the institution of proceedings
9 for a hearing provided for in Section 26.2 of this Act, if the
10 Secretary finds that evidence in the Secretary's ~~his or her~~
11 possession indicates that continuation in practice would
12 constitute an imminent danger to the public. In the event that
13 the Secretary suspends, temporarily, this license without a
14 hearing, a hearing by the Department must be held within 30
15 days after such suspension has occurred, and be concluded
16 without appreciable delay.

17 (Source: P.A. 94-787, eff. 5-19-06.)

18 (225 ILCS 80/26.14) (from Ch. 111, par. 3926.14)

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

20 Sec. 26.14. Administrative Review Law; venue.

21 (a) All final administrative decisions of the Department
22 are subject to judicial review pursuant to the provisions of
23 the "Administrative Review Law", as amended, and all rules are
24 adopted pursuant thereto. The term "administrative decision"

1 is defined as in Section 3-101 of the Code of Civil Procedure.

2 (b) Proceedings for judicial review shall be commenced in
3 the circuit court of the county in which the party applying for
4 review resides; but if the party is not a resident of this
5 State, venue shall be Sangamon County.

6 (Source: P.A. 97-333, eff. 8-12-11.)

7 Section 35. The Illinois Physical Therapy Act is amended
8 by changing Section 2 as follows:

9 (225 ILCS 90/2) (from Ch. 111, par. 4252)

10 (Section scheduled to be repealed on January 1, 2031)

11 Sec. 2. Licensure requirement; exempt activities. No
12 person shall after the date of August 31, 1965 begin to
13 practice physical therapy in this State or hold oneself out as
14 being able to practice this profession, unless the person is
15 licensed as such in accordance with the provisions of this
16 Act. After July 1, 1991 (the effective date of Public Act
17 86-1396), no person shall practice or hold oneself out as a
18 physical therapist assistant unless the person is licensed as
19 such under this Act. A physical therapist shall use the
20 initials "PT" in connection with the physical therapist's name
21 to denote licensure under this Act, and a physical therapist
22 assistant shall use the initials "PTA" in connection with the
23 physical therapist assistant's name to denote licensure under
24 this Act.

1 This Act does not prohibit:

2 (1) Any person licensed in this State under any other
3 Act from engaging in the practice for which the person is
4 licensed.

5 (2) The practice of physical therapy by those persons,
6 practicing under the supervision of a licensed physical
7 therapist and who have met all of the qualifications as
8 provided in Sections 8 and 7, ~~8.1, and 9~~ of this Act, until
9 the next examination is given for physical therapists or
10 physical therapist assistants and the results have been
11 received by the Department and the Department has
12 determined the applicant's eligibility for a license.
13 Anyone failing to pass said examination shall not again
14 practice physical therapy until such time as an
15 examination has been successfully passed by such person.

16 (3) The practice of physical therapy for a period not
17 exceeding 6 months by a person who is in this State on a
18 temporary basis to assist in a case of medical emergency
19 or to engage in a special physical therapy project, and
20 who meets the qualifications for a physical therapist as
21 set forth in Sections 7 and 8 of this Act and is licensed
22 in another state as a physical therapist.

23 (4) Practice of physical therapy by qualified persons
24 who have filed for endorsement for no longer than one year
25 or until such time that notification of licensure has been
26 granted or denied, whichever period of time is lesser.

1 (5) One or more licensed physical therapists from
2 forming a professional service corporation under the
3 provisions of the Professional Service Corporation Act and
4 licensing such corporation for the practice of physical
5 therapy.

6 (6) Physical therapy aides from performing patient
7 care activities under the on-site supervision of a
8 licensed physical therapist or licensed physical therapist
9 assistant. These patient care activities shall not include
10 interpretation of referrals, evaluation procedures, the
11 planning of or major modifications of, patient programs.

12 (7) Physical therapist assistants from performing
13 patient care activities under the general supervision of a
14 licensed physical therapist. The physical therapist must
15 maintain continual contact with the physical therapist
16 assistant including periodic personal supervision and
17 instruction to ensure the safety and welfare of the
18 patient.

19 (8) The practice of physical therapy by a physical
20 therapy student or a physical therapist assistant student
21 under the on-site supervision of a licensed physical
22 therapist. The physical therapist shall be readily
23 available for direct supervision and instruction to ensure
24 the safety and welfare of the patient.

25 (9) The practice of physical therapy as part of an
26 educational program by a physical therapist licensed in

1 another state or country for a period not to exceed 6
2 months.

3 (10) (Blank).

4 (Source: P.A. 104-154, eff. 1-1-26; 104-417, eff. 8-15-25.)

5 Section 40. The Boxing and Full-contact Martial Arts Act
6 is amended by changing Sections 1, 2, 5, 6, 7, 8, 10, 11, 12,
7 14, 15, 16, 17.7, 17.8, 18, 19, 19.1, 23, 23.1, 24, and 25.1 as
8 follows:

9 (225 ILCS 105/1) (from Ch. 111, par. 5001)

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

11 Sec. 1. Short title and definitions.

12 (a) This Act may be cited as the Boxing and Full-contact
13 Martial Arts Act.

14 (b) As used in this Act:

15 "Department" means the Department of Financial and
16 Professional Regulation.

17 "Secretary" means the Secretary of Financial and
18 Professional Regulation or a person authorized by the
19 Secretary to act in the Secretary's stead.

20 "Board" means the State of Illinois Athletic Board.

21 "License" means the license issued for promoters,
22 professional contestants, amateur contestants
23 ~~professionals, amateurs,~~ or professional or amateur
24 officials in accordance with this Act.

1 "Contest" means a boxing or full-contact martial arts
2 competition in which contestants compete against each
3 other in matched bouts ~~all of the participants competing~~
4 ~~against one another are professionals or amateurs~~ and
5 where the public is able to attend or a fee is charged to
6 attend.

7 "Permit" means the authorization from the Department
8 to a promoter to conduct a contest ~~professional or amateur~~
9 ~~contests, or a combination of both~~.

10 "Professional promoter ~~Promoter~~" means a person who is
11 licensed and who holds a permit to conduct professional or
12 amateur contests, or a combination of both.

13 "Amateur promoter" means a person who is licensed and
14 who holds a permit to conduct amateur contests.

15 Unless the context indicates otherwise, "person"
16 includes, but is not limited to, an individual,
17 association, organization, business entity, gymnasium, or
18 club.

19 "Judge" means a person licensed by the Department who
20 is located at ringside or adjacent to the fighting area
21 during a contest and who has the responsibility of scoring
22 the performance of the contestants ~~participants~~ in that
23 ~~professional or amateur~~ contest.

24 "Referee" means a person licensed by the Department
25 who has the general supervision of and is present inside
26 of the ring or fighting area during a ~~professional or~~

1 ~~amateur~~ contest.

2 "Amateur contest" means a contest where only amateur
3 contestants are permitted to compete.

4 "Amateur contestant" means a contestant ~~person~~
5 licensed by the Department who is not competing for, and
6 has never received or competed for, any purse or other
7 article of value, directly or indirectly, either for
8 participating in any contest or for the expenses of
9 training therefor, other than a non-monetary prize that
10 does not exceed \$50 in value.

11 "Amateur official" means a referee or judge who is
12 licensed by the Department to participate as an official
13 in amateur contests.

14 "Professional contestant" means a contestant ~~person~~
15 licensed by the Department who competes for a money prize,
16 purse, or other type of compensation in a professional
17 contest ~~held in Illinois.~~

18 "Professional official" means a person who is in the
19 role of a second, referee, matchmaker, timekeeper, or
20 judge who is licensed by the Department and permitted to
21 participate as an official in any type of contest.

22 "Professional contest" means a contest where only
23 professional contestants are permitted to compete or a
24 contest where both professional contestants and amateur
25 contestants are permitted to compete.

26 "Second" means a person ~~licensed by the Department~~ who

1 is present at any ~~professional or amateur~~ contest to
2 provide assistance or advice to contestants ~~a professional~~
3 during the contest.

4 "Matchmaker" means a person ~~licensed by the Department~~
5 who arranges professional or amateur contestants by record
6 and skill level for bouts and submits those matches to the
7 Department for consideration ~~brings together professionals~~
8 ~~or amateurs~~ to compete in contests.

9 "Manager" means a person ~~licensed by the Department~~
10 who is not a promoter and who, under contract, agreement,
11 or other arrangement, undertakes to, directly or
12 indirectly, control or administer the affairs of
13 contestants.

14 "Timekeeper" means a person ~~licensed by the Department~~
15 who is the official timer of the length of rounds and the
16 intervals between the rounds.

17 "Purse" means the financial guarantee or any other
18 remuneration for which contestants are participating in a
19 professional contest.

20 "Physician" means a person licensed to practice
21 medicine in all its branches under the Medical Practice
22 Act of 1987.

23 "Martial arts" means a discipline or combination of
24 different disciplines that utilizes sparring techniques
25 without the intent to injure, disable, or incapacitate
26 one's opponent, such as, but not limited to, Karate, Kung

1 Fu, Jujutsu, and Tae Kwon Do.

2 "Full-contact martial arts" means the use of a
3 singular discipline or a combination of techniques from
4 different disciplines of the martial arts, including,
5 without limitation, full-force grappling, kicking, and
6 striking with the intent to injure, disable, or
7 incapacitate one's opponent.

8 "Contestant" means a person who competes in either a
9 boxing or full-contact martial arts contest.

10 "Address of record" means the designated address
11 recorded by the Department in the applicant's or
12 licensee's application file or license file as maintained
13 by the Department's licensure maintenance unit.

14 "Bout" means one match between 2 contestants.

15 "Sanctioning body" means an organization approved by
16 the Department under the requirements and standards stated
17 in this Act and the rules adopted under this Act to act as
18 a governing body that sanctions professional or amateur
19 ~~full contact martial arts~~ contests.

20 "Email address of record" means the designated email
21 address recorded by the Department in the applicant's
22 application file or the licensee's license file as
23 maintained by the Department's licensure maintenance unit.

24 (Source: P.A. 102-20, eff. 1-1-22.)

25 (225 ILCS 105/2) (from Ch. 111, par. 5002)

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

2 Sec. 2. State of Illinois Athletic Board.

3 (a) The Secretary shall appoint members to the State of
4 Illinois Athletic Board. The Board shall consist of 7 members
5 who shall serve in an advisory capacity to the Secretary. One
6 member of the Board shall be a physician licensed to practice
7 medicine in all of its branches. One member of the Board shall
8 be a member of the full-contact martial arts community. One
9 member of the Board shall be a member of either the
10 full-contact martial arts community or the boxing community.

11 (b) Board members shall serve 5-year terms and until their
12 successors are appointed and qualified.

13 (c) In appointing members to the Board, the Secretary
14 shall give due consideration to recommendations by members and
15 organizations of the martial arts and boxing industry.

16 (d) The membership of the Board should reasonably reflect
17 representation from the geographic areas in this State.

18 (e) No member shall be appointed to the Board for a term
19 that would cause the member's ~~his or her~~ continuous service on
20 the Board to be longer than 2 consecutive 5-year terms.

21 (f) The Secretary may terminate the appointment of any
22 member for cause that in the opinion of the Secretary
23 reasonably justified such termination, which may include, but
24 is not limited to, a Board member who does not attend 2
25 consecutive meetings.

26 (g) Appointments to fill vacancies shall be made in the

1 same manner as original appointments, for the unexpired
2 portion of the vacated term.

3 (h) Four members of the Board shall constitute a quorum. A
4 quorum is required for Board decisions.

5 (i) Members of the Board shall have no liability in any
6 action based upon activity performed in good faith as members
7 of the Board.

8 (j) Members of the Board may be reimbursed for all
9 legitimate, necessary, and authorized expenses.

10 (Source: P.A. 102-20, eff. 1-1-22.)

11 (225 ILCS 105/5) (from Ch. 111, par. 5005)

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

13 Sec. 5. Powers and duties of the Department. The
14 Department shall, subject to the provisions of this Act,
15 exercise the following functions, powers, and duties:

16 (1) Ascertain the qualifications and fitness of
17 applicants for licenses ~~license~~ and permits.

18 (2) Adopt rules required for the administration of
19 this Act.

20 (3) Conduct hearings on proceedings to refuse to
21 issue, renew, or restore licenses and revoke, suspend,
22 place on probation, or reprimand those licensed under the
23 provisions of this Act.

24 (4) Issue licenses to those who meet the
25 qualifications of this Act and its rules.

1 (5) Conduct investigations related to possible
2 violations of this Act.

3 (Source: P.A. 102-20, eff. 1-1-22.)

4 (225 ILCS 105/6) (from Ch. 111, par. 5006)

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

6 Sec. 6. Restricted contests and events.

7 (a) All professional and amateur contests, or a
8 combination of both, in which physical contact is made are
9 prohibited in Illinois unless authorized by the Department
10 pursuant to the requirements and standards stated in this Act
11 and the rules adopted pursuant to this Act. This subsection
12 (a) does not apply to any of the following contests or
13 contestants:

14 (1) Amateur ~~boxing or full contact martial arts~~
15 contests conducted by accredited secondary schools,
16 colleges, or universities, although a fee may be charged.

17 (2) Amateur boxing contests that are sanctioned by USA
18 Boxing or any other sanctioning body ~~organization~~ approved
19 by the Department as determined by rule.

20 (3) Amateur boxing contests conducted by a State,
21 county, or municipal entity, including those events held
22 by any agency organized under these entities.

23 (4) Amateur martial arts contests that are not defined
24 as full-contact martial arts contests under this Act.

25 (5) Full-contact martial arts contests, as defined by

1 this Act, that are recognized by the International Olympic
2 Committee or are contested in the Olympic Games and are
3 not conducted in an enclosed fighting area or ring.

4 No other ~~amateur boxing or full-contact martial arts~~
5 contests are ~~shall be~~ permitted unless authorized by the
6 Department.

7 (b) The Department shall have the authority to determine
8 whether a ~~professional or amateur~~ contest is exempt for
9 purposes of this Section.

10 (Source: P.A. 102-20, eff. 1-1-22.)

11 (225 ILCS 105/7) (from Ch. 111, par. 5007)

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

13 Sec. 7. Authorization to conduct contests; sanctioning
14 bodies.

15 (a) In order to conduct a professional contest, an amateur
16 contest, or a combination of both, in this State, a promoter
17 shall obtain a permit issued by the Department in accordance
18 with this Act and the rules ~~and regulations~~ adopted pursuant
19 thereto. This permit shall authorize one or more ~~professional~~
20 ~~or amateur~~ contests, ~~or a combination of both.~~

21 (b) Pursuant to rules adopted by the Department ~~Before~~
22 ~~January 1, 2023,~~ amateur boxing ~~full-contact martial arts~~
23 contests must have a permit issued by the Department ~~be~~
24 ~~registered~~ and be sanctioned by a sanctioning body approved by
25 the Department for that purpose under the requirements and

1 standards stated in this Act and the rules adopted under this
2 Act.

3 (c) ~~A~~ ~~On and after January 1, 2023,~~ a promoter for an
4 amateur full-contact martial arts contest shall obtain a
5 permit issued by the Department under the requirements and
6 standards set forth in this Act and the rules adopted under
7 this Act.

8 (d) ~~The~~ ~~On and after January 1, 2023,~~ the Department shall
9 not approve any sanctioning body for amateur full-contact
10 martial arts contests. A sanctioning body's approval by the
11 Department for amateur full-contact martial arts contests that
12 was received before the effective date of this amendatory Act
13 of the 104th General Assembly ~~before January 1, 2023~~ is
14 withdrawn ~~on January 1, 2023~~.

15 (e) A permit issued under this Act is not transferable.

16 (Source: P.A. 102-20, eff. 1-1-22.)

17 (225 ILCS 105/8) (from Ch. 111, par. 5008)

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

19 Sec. 8. Permits.

20 (a) A promoter who desires to obtain a permit to conduct a
21 ~~professional or amateur contest, or a combination of both,~~
22 shall apply to the Department at least 30 calendar days prior
23 to the event, in writing or electronically, on forms
24 prescribed by the Department. The application shall be
25 accompanied by the required fee and shall contain, but not be

1 limited to, the following information to be submitted at times
2 specified by rule:

3 (1) the legal names and addresses of the promoter;

4 (2) the name of the matchmaker;

5 (3) the time and exact location of the professional or
6 amateur contest, or a combination of both. It is the
7 responsibility of the promoter to ensure that the building
8 to be used for the event complies with all laws,
9 ordinances, and regulations in the city, town, village, or
10 county where the contest is to be held;

11 (4) the signed and executed copy of the event venue
12 lease agreement; and

13 (5) the initial list of names of the professionals or
14 amateurs competing subject to Department approval.

15 (b) The Department may issue a permit to any promoter who
16 meets the requirements of this Act and the rules. The permit
17 shall only be issued for a specific date and location of a
18 ~~professional or amateur contest, or a combination of both,~~ and
19 shall not be transferable. The Department may allow a promoter
20 to amend a permit application to hold a ~~professional or~~
21 ~~amateur contest, or a combination of both,~~ in a different
22 location other than the application specifies if all
23 requirements of this Section are met, waiving the 30-day
24 provision of subsection (a).

25 (c) The Department shall be responsible for assigning the
26 judges, timekeepers, referees, and physicians for a

1 professional contest, an amateur contest, or a combination of
2 both. The Department may, at its sole discretion, permit a
3 promoter to assign a physician to a contest. Compensation
4 shall be determined by the Department, and it shall be the
5 responsibility of the promoter to pay the individuals
6 utilized.

7 (d) The promoter shall submit the following documents to
8 the Department at times specified by rule:

9 (1) proof of adequate security measures, as determined
10 by rule, to ensure the protection of the safety of
11 contestants and the general public while attending
12 professional contests, amateur contests, or a combination
13 of both;

14 (2) proof of adequate medical supervision, as
15 determined by rule, to ensure the protection of the health
16 and safety of contestants ~~professionals or amateurs~~ while
17 participating in contests;

18 (3) the complete and final list of names of the
19 contestants ~~professionals or amateurs~~ competing, subject
20 to Department approval, which shall be submitted up to 48
21 hours prior to the event date specified in the permit;

22 (4) proof of insurance for not less than \$50,000 as
23 further defined by rule for each contestant ~~professional~~
24 ~~or amateur~~ participating in a ~~professional or amateur~~
25 ~~contest, or a combination of both;~~ insurance required
26 under this paragraph shall cover: (i) hospital,

1 medication, physician, and other such expenses as would
2 accrue in the treatment of an injury as a result of the
3 ~~professional or amateur~~ contest; (ii) payment to the
4 estate of the contestant ~~professional or amateur~~ in the
5 event of the contestant's ~~his or her~~ death as a result of
6 the contestant's ~~his or her~~ participation in the
7 ~~professional or amateur~~ contest; and (iii) accidental
8 death and dismemberment; the terms of the insurance
9 coverage shall require the promoter, not the ~~licensed~~
10 contestant, to pay the policy deductible for the medical,
11 surgical, or hospital care of a contestant for injuries a
12 contestant sustained while engaged in a contest; if a
13 ~~licensed~~ contestant pays for the medical, surgical, or
14 hospital care, the insurance proceeds shall be paid to the
15 contestant or the contestant's ~~his or her~~ beneficiaries as
16 reimbursement for such payment;

17 (5) the amount of the purses to be paid to the
18 professional contestant ~~professionals~~ for the event ~~as~~
19 ~~determined by rule;~~

20 (6) organizational or internationally accepted rules,
21 per discipline, for ~~professional or amateur full-contact~~
22 ~~martial arts~~ contests if the Department does not provide
23 the rules for Department approval; and

24 (7) any other information the Department may require,
25 as determined by rule, to issue a permit.

26 (e) If the accuracy, relevance, or sufficiency of any

1 submitted documentation is questioned by the Department
2 because of lack of information, discrepancies, or conflicts in
3 information given or a need for clarification, the promoter
4 seeking a permit may be required to provide additional
5 information.

6 (Source: P.A. 102-20, eff. 1-1-22.)

7 (225 ILCS 105/10) (from Ch. 111, par. 5010)

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

9 Sec. 10. Who must be licensed.

10 (a) In order to participate in contests the following
11 persons must each be licensed and in good standing with the
12 Department:

13 (1) professional contestants and amateur contestants;

14 (2) seconds for professional contests;

15 (3) referees for professional and amateur contests;

16 (4) judges for professional and amateur contests;

17 (5) managers for professional contests;

18 (6) matchmakers for professional contests; and

19 (7) timekeepers for professional contests.

20 Seconds, managers, matchmakers, and timekeepers
21 participating in amateur contests are not required to be
22 licensed. ~~(a) professionals and amateurs, (b) seconds, (c)~~
23 ~~referees, (d) judges, (e) managers, (f) matchmakers, and (g)~~
24 ~~timekeepers.~~

25 (b) In order to hold a contest ~~participate in professional~~

1 ~~or amateur contests or a combination of both~~, promoters must
2 be licensed and in good standing with the Department.

3 (c) Announcers may participate in ~~professional or amateur~~
4 ~~contests, or a combination of both~~, without being licensed
5 under this Act. It shall be the responsibility of the promoter
6 to ensure that announcers comply with the Act, and all rules
7 and regulations promulgated pursuant to this Act.

8 (d) A licensed promoter may not act as, and cannot be
9 licensed as, a second, contestant ~~professional~~, referee,
10 timekeeper, judge, or manager. If the promoter ~~he or she~~ is so
11 licensed, the promoter ~~he or she~~ must relinquish any of these
12 licenses to the Department for cancellation. A person
13 possessing a valid promoter's license may act as a matchmaker.

14 (e) (Blank). ~~Participants in amateur full contact martial~~
15 ~~arts contests taking place before January 1, 2023 are not~~
16 ~~required to obtain licenses by the Department, except for~~
17 ~~promoters of amateur contests.~~

18 (Source: P.A. 102-20, eff. 1-1-22.)

19 (225 ILCS 105/11) (from Ch. 111, par. 5011)

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

21 Sec. 11. Qualifications for license. The Department shall
22 grant licenses to the following persons if the following
23 qualifications are met:

24 (1) An applicant for licensure as a professional or
25 amateur must: (1) be 18 years old, (2) be of good moral

1 character, (3) file an application stating the applicant's
2 legal name (and no assumed or ring name may be used unless
3 such name is registered with the Department along with the
4 applicant's legal name), date of birth, place of current
5 residence, and a sworn statement that the applicant ~~he or~~
6 ~~she~~ is not currently in violation of any federal, State or
7 local laws or rules governing boxing or full-contact
8 martial arts, (4) file a certificate from a physician
9 licensed to practice medicine in all of its branches which
10 attests that the applicant is physically fit and qualified
11 to participate in ~~professional or amateur~~ contests, and
12 (5) pay the required fee and meet any other requirements
13 as determined by rule. Applicants over age 35 who have not
14 competed in a ~~professional or amateur~~ contest within the
15 12 months preceding their application for licensure or
16 have insufficient experience to participate in a
17 ~~professional or amateur~~ contest may be required to appear
18 before the Department to determine their fitness to
19 participate in a ~~professional or amateur~~ contest.

20 (2) An applicant for licensure as a referee, judge,
21 manager, second, matchmaker, or timekeeper must: (1) be of
22 good moral character, (2) file an application stating the
23 applicant's name, date of birth, and place of current
24 residence along with a certifying statement that the
25 applicant ~~he or she~~ is not currently in violation of any
26 federal, State, or local laws or rules governing boxing,

1 or full-contact martial arts, (3) have had satisfactory
2 experience in the applicant's ~~his or her~~ field as defined
3 by rule, (4) pay the required fee, and (5) meet any other
4 requirements as determined by rule.

5 (3) An applicant for licensure as a promoter must: (1)
6 be of good moral character, (2) file an application with
7 the Department stating the applicant's name, date of
8 birth, place of current residence along with a certifying
9 statement that the applicant ~~he or she~~ is not currently in
10 violation of any federal, State, or local laws or rules
11 governing boxing or full-contact martial arts, (3) pay the
12 required fee and meet any other requirements as
13 established by rule, and (4) in addition to the foregoing,
14 an applicant for licensure as a promoter ~~of professional~~
15 ~~or amateur contests or a combination of both professional~~
16 ~~and amateur bouts in one contest~~ shall also provide (i)
17 proof of a surety bond of no less than \$5,000 to cover
18 financial obligations under this Act, payable to the
19 Department and conditioned for the payment of the tax
20 imposed by this Act and compliance with this Act, and the
21 rules adopted under this Act, and (ii) a \$10,000
22 performance bond guaranteeing payment of all obligations
23 relating to the promotional activities payable to the
24 Department and conditioned for the payment of the tax
25 imposed by this Act and its rules.

26 (4) All applicants shall submit an application to the

1 Department, in writing or electronically, on forms
2 prescribed by the Department, containing such information
3 as determined by rule.

4 In determining good moral character, the Department may
5 take into consideration any violation of any of the provisions
6 of Section 16 of this Act as to referees, judges, managers,
7 matchmakers, timekeepers, or promoters and any felony
8 conviction of the applicant, but such a conviction shall not
9 operate as a bar to licensure. No license issued under this Act
10 is transferable.

11 (Source: P.A. 102-20, eff. 1-1-22.)

12 (225 ILCS 105/12) (from Ch. 111, par. 5012)

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

14 Sec. 12. Contests ~~Professional or amateur contests.~~

15 (a) A ~~The professional or amateur contest, or a~~
16 ~~combination of both,~~ shall be held in an area where adequate
17 neurological facilities are immediately available for skilled
18 emergency treatment of an injured contestant ~~professional or~~
19 ~~amateur.~~

20 (b) Each contestant ~~professional or amateur~~ shall be
21 examined before the contest and promptly after each bout by a
22 physician. The physician shall determine, prior to the
23 contest, if each contestant ~~professional or amateur~~ is
24 physically fit to compete in the contest. After the bout the
25 physician shall examine the contestant ~~professional or amateur~~

1 to determine possible injury. If the contestant's
2 ~~professional's or amateur's~~ physical condition so indicates,
3 the physician shall recommend to the Department immediate
4 medical suspension. The physician or a licensed paramedic must
5 check the vital signs of all contestants as established by
6 rule.

7 (c) The physician may, at any time during the ~~professional~~
8 ~~or amateur~~ bout, stop the ~~professional or amateur~~ bout to
9 examine a ~~professional or amateur~~ contestant and may direct
10 the referee to terminate the bout when, in the physician's
11 opinion, continuing the bout could result in serious injury to
12 the contestant ~~professional or amateur~~. If the contestant's
13 ~~professional's or amateur's~~ physical condition so indicates,
14 the physician shall recommend to the Department immediate
15 medical suspension. The physician shall certify to the
16 condition of the contestant ~~professional or amateur~~ in
17 writing, over the physician's ~~his or her~~ signature on forms
18 prescribed by the Department. Such reports shall be submitted
19 to the Department in a timely manner.

20 (d) No ~~professional or amateur~~ contest, ~~or a combination~~
21 ~~of both,~~ shall be allowed to begin or be held unless at least
22 one physician, at least one EMT and one paramedic, and one
23 ambulance have been contracted with solely for the care of
24 contestants ~~professionals or amateurs~~ who are competing as
25 defined by rule.

26 (e) No professional boxing bout shall be more than 12

1 rounds in length. The rounds shall not be more than 3 minutes
2 each with a minimum one-minute interval between them. ~~7 and no~~

3 (e-5) No contestant ~~professional boxer~~ shall be permitted
4 ~~allowed~~ to participate in more than one contest within a ~~7-day~~
5 period determined by rule.

6 (e-10) The number and length of rounds for all other
7 full-contact martial arts bouts ~~professional or amateur boxing~~
8 ~~or full contact martial arts contests, or a combination of~~
9 ~~both,~~ shall be determined by rule.

10 (f) The number and types of amateur or professional
11 officials required for each ~~professional or amateur~~ contest, ~~7~~
12 ~~or a combination of both,~~ shall be determined by the
13 Department based on how many bouts are to be held at the
14 contest rule.

15 (g) The Department or its representative shall have
16 discretion to declare a price, remuneration, or purse or any
17 part of it belonging to the professional withheld if in the
18 judgment of the Department or its representative the
19 professional is not honestly competing.

20 (h) The Department shall have the authority to prevent a
21 ~~professional or amateur~~ contest, ~~or a combination of both,~~
22 from being held and shall have the authority to stop a
23 ~~professional or amateur~~ contest, ~~or a combination of both,~~ for
24 noncompliance with any part of this Act or rules or when, in
25 the judgment of the Department, or its representative,
26 continuation of the event would endanger the health, safety,

1 and welfare of the professionals or amateurs or spectators.
2 The Department's authority to stop a contest on the basis that
3 the ~~professional or amateur~~ contest, ~~or a combination of both,~~
4 would endanger the health, safety, and welfare of the
5 professionals or amateurs or spectators shall extend to any
6 ~~professional or amateur~~ contest, ~~or a combination of both,~~
7 regardless of whether that amateur contest is exempted from
8 the prohibition in Section 6 of this Act.

9 (i) A professional contestant shall only compete against
10 another professional contestant. An amateur contestant shall
11 only compete against another amateur contestant. A contest may
12 involve bouts between professional contestants and bouts
13 between amateur contestants, but a professional contestant
14 shall not compete against an amateur contestant.

15 (Source: P.A. 102-20, eff. 1-1-22.)

16 (225 ILCS 105/14) (from Ch. 111, par. 5014)

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

18 Sec. 14. Failure to report ticket sales and tax. If the
19 permit holder fails to make a report as required by Section 13,
20 or if such report is unsatisfactory, the Department may
21 examine or cause to be examined the books and records of any
22 such holder or the holder's ~~his~~ associates or any other person
23 as a witness under oath to determine the total amount of tax
24 due under this Act.

25 If it is determined that there has been a default in the

1 payment of a tax, the promoter shall be given 20 days' ~~days~~
2 notice of the amount due which shall include the expenses
3 incurred in making the examination.

4 If the promoter does not pay the amount due, the promoter
5 ~~he~~ shall be disqualified from obtaining a permit under this
6 Act and the Attorney General shall institute suit upon the
7 bond filed pursuant to this Act to recover the tax or penalties
8 imposed by this Act.

9 (Source: P.A. 91-408, eff. 1-1-00.)

10 (225 ILCS 105/15) (from Ch. 111, par. 5015)

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

12 Sec. 15. Inspectors. The Secretary may appoint inspectors
13 to assist the Department staff in the administration of the
14 Act. Each inspector appointed by the Secretary shall receive
15 compensation for each day the inspector ~~he or she~~ is engaged in
16 the transacting of business of the Department. The inspector
17 or inspectors shall supervise each professional contest,
18 amateur contest, or combination of both and, at the
19 Department's discretion, may supervise any contest to ensure
20 that the provisions of the Act are strictly enforced.

21 (Source: P.A. 102-20, eff. 1-1-22.)

22 (225 ILCS 105/16) (from Ch. 111, par. 5016)

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

24 Sec. 16. Discipline and sanctions.

1 (a) The Department may refuse to issue a permit or license
2 or refuse to renew, suspend, revoke, reprimand, place on
3 probation, or take such other disciplinary or non-disciplinary
4 action as the Department may deem proper, including the
5 imposition of fines not to exceed \$10,000 for each violation,
6 with regard to any permit or license for one or any combination
7 of the following reasons:

8 (1) gambling, betting, or wagering on the result of or
9 a contingency connected with a ~~professional or amateur~~
10 contest, ~~or a combination of both,~~ or permitting such
11 activity to take place;

12 (2) participating in or permitting a sham or fake
13 ~~professional or amateur~~ contest, or a combination of both;

14 (3) holding the ~~professional or amateur~~ contest, ~~or a~~
15 ~~combination of both,~~ at any other time or place than is
16 stated on the permit application;

17 (4) permitting any contestant ~~professional or amateur~~
18 other than those stated on the permit application to
19 participate in a ~~professional or amateur~~ contest, ~~or a~~
20 ~~combination of both,~~ except as provided in Section 9;

21 (5) violation or aiding in the violation of any of the
22 provisions of this Act or any rules or regulations
23 promulgated thereto;

24 (6) violation of any federal, State, or local laws of
25 the United States or other jurisdiction governing
26 ~~professional or amateur~~ contests or any regulation

1 promulgated pursuant thereto;

2 (7) charging a greater rate or rates of admission than
3 is specified on the permit application;

4 (8) failure to obtain all the necessary permits or
5 licenses as required under this Act;

6 (9) failure to file the necessary bond or to pay the
7 gross receipts or broadcast tax as required by this Act;

8 (10) engaging in dishonorable, unethical or
9 unprofessional conduct of a character likely to deceive,
10 defraud or harm the public, or which is detrimental to
11 honestly conducted contests;

12 (11) employment of fraud, deception or any unlawful
13 means in applying for or securing a permit or license
14 under this Act;

15 (12) permitting a physician making the physical
16 examination to knowingly certify falsely to the physical
17 condition of a contestant ~~professional or amateur~~;

18 (13) permitting professional ~~professionals~~ or amateur
19 contestants ~~amateurs~~ of widely disparate weights or
20 abilities to engage in ~~professional or amateur~~ contests,
21 respectively;

22 (14) participating in a contest while under medical
23 suspension in this State or in any other state, territory
24 or country;

25 (15) physical illness, including, but not limited to,
26 deterioration through the aging process, or loss of motor

1 skills which results in the inability to participate in
2 contests with reasonable judgment, skill, or safety;

3 (16) allowing one's license or permit issued under
4 this Act to be used by another person;

5 (17) failing, within 30 days ~~a reasonable time~~, to
6 provide any information requested by the Department ~~as a~~
7 ~~result of a formal or informal complaint~~;

8 (18) professional incompetence;

9 (19) failure to file a return, or to pay the tax,
10 penalty or interest shown in a filed return, or to pay any
11 final assessment of tax, penalty or interest, as required
12 by any tax Act administered by the Illinois Department of
13 Revenue, until such time as the requirements of any such
14 tax Act are satisfied;

15 (20) (blank);

16 (21) habitual or excessive use or addiction to
17 alcohol, narcotics, stimulants, or any other chemical
18 agent or drug that results in an inability to participate
19 in an event;

20 (22) failure to stop a ~~professional or amateur~~
21 ~~contest, or a combination of both~~, when requested to do so
22 by the Department;

23 (23) failure of a promoter to adequately supervise and
24 enforce this Act and its rules as applicable to amateur
25 contests, as set forth in rule; or

26 (24) a finding by the Department that the licensee,

1 after having his or her license placed on probationary
2 status, has violated the terms of probation.

3 (b) The determination by a circuit court that a licensee
4 is subject to involuntary admission or judicial admission as
5 provided in the Mental Health and Developmental Disabilities
6 Code operates as an automatic suspension. The suspension will
7 end only upon a finding by a court that the licensee is no
8 longer subject to involuntary admission or judicial admission,
9 issuance of an order so finding and discharging the licensee.

10 (c) In enforcing this Section, the Department, upon a
11 showing of a possible violation, may compel any individual
12 licensed to practice under this Act, or who has applied for
13 licensure pursuant to this Act, to submit to a mental or
14 physical examination, or both, as required by and at the
15 expense of the Department. The examining physicians or
16 clinical psychologists shall be those specifically designated
17 by the Department. The Department may order the examining
18 physician or clinical psychologist to present testimony
19 concerning this mental or physical examination of the licensee
20 or applicant. No information shall be excluded by reason of
21 any common law or statutory privilege relating to
22 communications between the licensee or applicant and the
23 examining physician or clinical psychologist. Eye examinations
24 may be provided by a physician licensed to practice medicine
25 in all of its branches or a licensed and certified therapeutic
26 optometrist. The individual to be examined may have, at the

1 individual's ~~his or her~~ own expense, another physician of the
2 individual's ~~his or her~~ choice present during all aspects of
3 the examination. Failure of any individual to submit to a
4 mental or physical examination, when directed, shall be
5 grounds for suspension or revocation of a license.

6 (d) A contestant who tests positive for a banned
7 substance, as defined by rule, shall have the contestant's ~~his~~
8 ~~or her~~ license immediately suspended. The license shall be
9 subject to other discipline as authorized in this Section.

10 (Source: P.A. 102-20, eff. 1-1-22.)

11 (225 ILCS 105/17.7)

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

13 Sec. 17.7. Restoration of license from discipline.

14 (a) At any time after the successful completion of a term
15 of indefinite probation, suspension, or revocation of a
16 license under this Act, the Department may restore the license
17 to the licensee unless, after an investigation and a hearing,
18 the Secretary determines that restoration is not in the public
19 interest.

20 (b) If circumstances of suspension or revocation so
21 indicate, the Department may require an examination of the
22 licensee prior to restoring the licensee's ~~his or her~~ license.

23 (c) No person whose license has been revoked as authorized
24 in this Act may apply for restoration of that license until
25 allowed under the Civil Administrative Code of Illinois.

1 (d) A license that has been suspended or revoked shall be
2 considered nonrenewed for purposes of restoration under this
3 Section and a licensee restoring the licensee's ~~his or her~~
4 license from suspension or revocation must comply with the
5 requirements for renewal as set forth in this Act and its
6 rules.

7 (Source: P.A. 102-20, eff. 1-1-22.)

8 (225 ILCS 105/17.8)

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

10 Sec. 17.8. Surrender of license. Upon the revocation or
11 suspension of a license, the licensee shall immediately
12 surrender the licensee's ~~his or her~~ license to the Department.
13 If the licensee fails to do so, the Department has the right to
14 seize the license.

15 (Source: P.A. 102-20, eff. 1-1-22.)

16 (225 ILCS 105/18) (from Ch. 111, par. 5018)

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

18 Sec. 18. Investigations; notice and hearing.

19 (a) The Department may investigate the actions of any
20 applicant or of any person or entity holding or claiming to
21 hold a license under this Act.

22 (b) The Department shall, before disciplining an applicant
23 or licensee, at least 30 days prior to the date set for the
24 hearing: (i) notify, in writing, the accused of the charges

1 made and the time and place for the hearing on the charges;
2 (ii) direct the accused ~~him or her~~ to file a written answer to
3 the charges, under oath, within 20 days after service of the
4 notice; and (iii) inform the applicant or licensee that
5 failure to file an answer will result in a default being
6 entered against the applicant or licensee.

7 (c) Written or electronic notice, and any notice in the
8 subsequent proceedings, may be served by personal delivery, by
9 email, or by mail to the applicant or licensee at the
10 applicant's or licensee's ~~his or her~~ address of record or
11 email address of record.

12 (d) At the time and place fixed in the notice, the hearing
13 officer appointed by the Secretary shall proceed to hear the
14 charges, and the parties or their counsel shall be accorded
15 ample opportunity to present any statement, testimony,
16 evidence, and argument as may be pertinent to the charges or to
17 their defense. The hearing officer may continue the hearing
18 from time to time.

19 (e) If the licensee or applicant, after receiving the
20 notice, fails to file an answer, the license's or applicant's
21 ~~his or her~~ license may, in the discretion of the Secretary, be
22 suspended, revoked, or placed on probationary status or be
23 subject to whatever disciplinary action the Secretary
24 considers proper, including limiting the scope, nature, or
25 extent of the person's practice or imposition of a fine,
26 without hearing, if the act or acts charged constitute

1 sufficient grounds for the action under this Act.

2 (Source: P.A. 102-20, eff. 1-1-22.)

3 (225 ILCS 105/19) (from Ch. 111, par. 5019)

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

5 Sec. 19. Hearing; motion for rehearing.

6 (a) The hearing officer appointed by the Secretary shall
7 hear evidence in support of the formal charges and evidence
8 produced by the applicant or licensee. At the conclusion of
9 the hearing, the hearing officer shall present to the
10 Secretary a written report of the hearing officer's ~~his or her~~
11 findings of fact, conclusions of law, and recommendations.

12 (b) A copy of the hearing officer's report shall be served
13 upon the applicant or licensee, either personally or as
14 provided in this Act for the service of the notice of hearing.
15 Within 20 calendar days after such service, the applicant or
16 licensee may present to the Department a motion, in writing,
17 for a rehearing that shall specify the particular grounds for
18 rehearing. The Department may respond to the motion for
19 rehearing within 20 calendar days after its service on the
20 Department. If no motion for rehearing is filed, then upon the
21 expiration of the time specified for filing such a motion, or
22 upon denial of a motion for rehearing, the Secretary may enter
23 an order in accordance with the recommendations of the hearing
24 officer. If the applicant or licensee orders from the
25 reporting service and pays for a transcript of the record

1 within the time for filing a motion for rehearing, the 20
2 calendar day period within which a motion may be filed shall
3 commence upon delivery of the transcript to the applicant or
4 licensee.

5 (c) If the Secretary disagrees in any regard with the
6 report of the hearing officer, the Secretary may issue an
7 order contrary to the report.

8 (d) Whenever the Secretary is not satisfied that
9 substantial justice has been done, the Secretary may order a
10 hearing by the same or another hearing officer.

11 (e) At any point in any investigation or disciplinary
12 proceeding provided for in this Act, both parties may agree to
13 a negotiated consent order. The consent order shall be final
14 upon signature of the Secretary.

15 (Source: P.A. 102-20, eff. 1-1-22.)

16 (225 ILCS 105/19.1) (from Ch. 111, par. 5019.1)

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

18 Sec. 19.1. Hearing officer. Notwithstanding any provision
19 of this Act, the Secretary has the authority to appoint an
20 attorney duly licensed to practice law in the State of
21 Illinois to serve as the hearing officer in any action for
22 refusal to issue or renew a license or discipline a license.
23 The hearing officer shall have full authority to conduct the
24 hearing. The hearing officer shall report the hearing
25 officer's ~~his or her~~ findings of fact, conclusions of law, and

1 recommendations to the Secretary.

2 (Source: P.A. 102-20, eff. 1-1-22.)

3 (225 ILCS 105/23) (from Ch. 111, par. 5023)

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

5 Sec. 23. Fees.

6 (a) The fees for the administration and enforcement of
7 this Act, including, but not limited to, original licensure,
8 renewal, and restoration shall be set by rule. The fees shall
9 not be refundable. All of the fees, taxes, and fines collected
10 under this Act shall be deposited into the General Professions
11 Dedicated Fund.

12 (b) (Blank). ~~Before January 1, 2023, there shall be no~~
13 ~~fees for amateur full contact martial arts events; except that~~
14 ~~until January 1, 2023, the applicant fees for promoters of~~
15 ~~amateur events where only amateur bouts are held shall be~~
16 ~~\$300.~~

17 (Source: P.A. 102-20, eff. 1-1-22.)

18 (225 ILCS 105/23.1) (from Ch. 111, par. 5023.1)

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

20 Sec. 23.1. Returned checks; fines. Any person who delivers
21 a check or other payment to the Department that is returned to
22 the Department unpaid by the financial institution upon which
23 it is drawn shall pay to the Department, in addition to the
24 amount already owed to the Department, a fine of \$50. The fines

1 imposed by this Section are in addition to any other
2 discipline provided under this Act for unlicensed practice or
3 practice on a nonrenewed license. The Department shall notify
4 the person that payment of fees and fines shall be paid to the
5 Department by certified check or money order within 30
6 calendar days of the notification. If, after the expiration of
7 30 days from the date of the notification, the person has
8 failed to submit the necessary remittance, the Department
9 shall automatically terminate the license or deny the
10 application, without hearing. If, after termination or denial,
11 the person seeks a license, the person ~~he or she~~ shall apply to
12 the Department for restoration or issuance of the license and
13 pay all fees and fines due to the Department. The Department
14 may establish a fee for the processing of an application for
15 restoration of a license to pay all expenses of processing
16 this application. The Secretary may waive the fines due under
17 this Section in individual cases where the Secretary finds
18 that the fines would be unreasonable or unnecessarily
19 burdensome.

20 (Source: P.A. 102-20, eff. 1-1-22.)

21 (225 ILCS 105/24) (from Ch. 111, par. 5024)

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

23 Sec. 24. Unlicensed practice; violations; civil penalty.

24 (a) Any person who practices, offers to practice, attempts
25 to practice, or holds oneself ~~himself or herself~~ out as being

1 able to engage in practices requiring a license under this Act
2 without being licensed or exempt under this Act shall, in
3 addition to any other penalty provided by law, pay a civil
4 penalty to the Department in an amount not to exceed \$10,000
5 for each offense, as determined by the Department. The civil
6 penalty shall be assessed by the Department after a hearing is
7 held in accordance with the provision set forth in this Act
8 regarding the provision of a hearing for the discipline of a
9 licensee.

10 (b) The Department may investigate any actual, alleged, or
11 suspected unlicensed activity.

12 (c) The civil penalty shall be paid within 60 days after
13 the effective date of the order imposing the civil penalty.
14 The order shall constitute a judgment and may be filed and
15 executed thereon in the same manner as any judgment from any
16 court of record.

17 (d) A person or entity not licensed under this Act who has
18 violated any provision of this Act or its rules is guilty of a
19 Class A misdemeanor for the first offense and a Class 4 felony
20 for a second and subsequent offenses.

21 (Source: P.A. 102-20, eff. 1-1-22.)

22 (225 ILCS 105/25.1)

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

24 Sec. 25.1. Medical suspension.

25 (a) A licensee who is determined by the examining

1 physician or Department to be unfit to compete or officiate
2 shall be prohibited from participating in a contest in
3 Illinois and, if actively licensed, shall be medically
4 suspended until it is shown that the licensee ~~he or she~~ is fit
5 for further competition or officiating.

6 (b) If the referee has stopped the bout or rendered a
7 decision of technical knockout against a contestant
8 ~~professional or amateur~~, the contestant ~~professional or~~
9 ~~amateur~~ shall be medically suspended immediately for a period
10 of not less than 30 days.

11 (c) In a full-contact martial arts contest, if the
12 contestant ~~professional or amateur~~ has tapped out, has
13 submitted, or the referee has stopped the bout, the
14 Department, in consultation with the ringside physician, shall
15 determine the length of suspension.

16 (d) If the contestant ~~professional or amateur~~ has been
17 knocked unconscious, the contestant ~~he or she~~ shall be
18 medically suspended immediately for a period of not less than
19 45 days.

20 (e) A contestant licensee may receive a medical suspension
21 for any injury sustained as a result of a bout that shall not
22 be less than 7 days.

23 (f) A contestant licensee may receive additional terms and
24 conditions for a medical suspension beyond a prescribed
25 passage of time as authorized under this Section.

26 (g) If a contestant licensee receives a medical suspension

1 that includes terms and conditions in addition to the
2 prescribed passage of time as authorized under this Section,
3 before the removal of the medical suspension, a licensee
4 shall:

5 (1) satisfactorily pass a Department-prescribed
6 medical examination;

7 (2) provide those examination results to the
8 Department;

9 (3) provide any additional requested documentation as
10 directed by the licensee's examining physician or
11 Department where applicable; and

12 (4) if the licensee's examining physician requires any
13 necessary additional medical procedures during the
14 examination related to the injury that resulted in the
15 medical suspension, those results shall be provided to the
16 Department.

17 (h) Any medical suspension imposed as authorized under
18 this Act ~~upon~~ ~~against~~ a contestant licensee shall be reported
19 to the Department's record keeper as determined by rule.

20 (i) A medical suspension as authorized under this Section
21 shall not be considered a suspension under Section 16 of this
22 Act. A violation of the terms of a medical suspension
23 authorized under this Section shall subject a licensee to
24 discipline under Section 16 of this Act.

25 (j) A ~~professional or amateur~~ contestant who has been
26 placed on medical suspension under the laws of another state,

1 the District of Columbia, or a territory of the United States
2 for substantially similar reasons as this Section shall be
3 prohibited from participating in a contest as authorized under
4 this Act until the requirements of subsection (g) of this
5 Section have been met or the medical suspension has been
6 removed by that jurisdiction.

7 (k) A medical suspension authorized under this Section
8 shall begin the day after the bout a licensee participated in.
9 (Source: P.A. 102-20, eff. 1-1-22.)

10 Section 45. The Sex Offender Evaluation and Treatment
11 Provider Act is amended by changing Sections 10, 30, 35, 40,
12 45, 50, 65, 75, 85, 90, 95, 100, 105, 110, 115, 125, 130, 135,
13 and 145 and by adding Section 10.5 as follows:

14 (225 ILCS 109/10)

15 Sec. 10. Definitions. As used in this Act:

16 "Address of record" means the designated address recorded
17 by the Department in the applicant's or licensee's application
18 file or license file maintained by the Department's licensure
19 maintenance unit.

20 "Associate sex offender provider" means a person licensed
21 under this Act to conduct sex offender evaluations or provide
22 sex offender treatment services under the supervision of a
23 licensed sex offender evaluator or a licensed sex offender
24 treatment provider.

1 ~~"Board" means the Sex Offender Evaluation and Treatment~~
2 ~~Licensing and Disciplinary Board.~~

3 "Department" means the Department of Financial and
4 Professional Regulation.

5 "Email address of record" means the designated email
6 address recorded by the Department in the applicant's
7 application file or the licensee's license file, as maintained
8 by the Department's licensure maintenance unit.

9 "Licensee" means a person who has obtained a license under
10 this Act.

11 "Secretary" means the Secretary of Financial and
12 Professional Regulation.

13 "Sex offender evaluation" means a sex-offender specific
14 evaluation that systematically uses a variety of standardized
15 measurements, assessments and information gathered
16 collaterally and through face-to-face interviews. Sex-offender
17 specific evaluations assess risk to the community; identify
18 and document treatment and developmental needs, including safe
19 and appropriate placement settings; determine amenability to
20 treatment; and are the foundation of treatment, supervision,
21 and placement recommendations.

22 "Sex offender evaluator" means a person licensed under
23 this Act to conduct sex offender evaluations.

24 "Sex offender treatment" means a comprehensive set of
25 planned therapeutic interventions and experiences to reduce
26 the risk of further sexual offending and abusive behaviors by

1 the offender. Treatment may include adjunct therapies to
2 address the unique needs of the individual, but must include
3 offense specific services by a treatment provider who meets
4 the qualifications in Section 30 of this Act. Treatment
5 focuses on the situations, thoughts, feelings, and behavior
6 that have preceded and followed past offending (abuse cycles)
7 and promotes change in each area relevant to the risk of
8 continued abusive, offending, or deviant sexual behaviors. Due
9 to the heterogeneity of the persons who commit sex offenses,
10 treatment is provided based on the individualized evaluation
11 and assessment. Treatment is designed to stop sex offending
12 and abusive behavior, while increasing the offender's ability
13 to function as a healthy, pro-social member of the community.
14 Progress in treatment is measured by change rather than the
15 passage of time.

16 "Sex offender treatment provider" means a person licensed
17 under this Act to provide sex offender treatment.

18 (Source: P.A. 97-1098, eff. 7-1-13.)

19 (225 ILCS 109/10.5 new)

20 Sec. 10.5. Address of record; email address of record. All
21 applicants and licensees shall:

22 (1) Provide a valid address and email address to the
23 Department, which shall serve as the address of record and
24 email address of record, respectively, at the time of
25 application for licensure or renewal of a license; and

1 (2) Inform the Department of any change of address of
2 record or email address of record within 14 days after
3 such change, either through the Department's website or by
4 contacting the Department's licensure maintenance unit.

5 (225 ILCS 109/30)

6 Sec. 30. Social Security Number or individual taxpayer
7 identification number on license application. In addition to
8 any other information required to be contained in the
9 application, every application for an original, renewal,
10 reinstated, or restored license under this Act shall include
11 the applicant's Social Security number or individual taxpayer
12 identification number.

13 (Source: P.A. 97-1098, eff. 7-1-13.)

14 (225 ILCS 109/35)

15 Sec. 35. Qualifications for licensure.

16 (a)(1) A person is qualified for licensure as a sex
17 offender evaluator if that person:

18 (A) has applied in writing on forms prepared and
19 furnished by the Department;

20 (B) has not engaged or is not engaged in any practice
21 or conduct that would be grounds for disciplining a
22 licensee under Section 75 of this Act; and

23 (C) satisfies the licensure and experience
24 requirements of paragraph (2) of this subsection (a).

1 (2) A person who applies to the Department shall be issued
2 a sex offender evaluator license by the Department if the
3 person meets the qualifications set forth in paragraph (1) of
4 this subsection (a) and provides evidence to the Department
5 that the person:

6 (A) is a physician licensed to practice medicine in
7 all of its branches under the Medical Practice Act of 1987
8 or licensed under the laws of another state; an advanced
9 practice registered nurse with psychiatric specialty
10 licensed under the Nurse Practice Act or licensed under
11 the laws of another state; a clinical psychologist
12 licensed under the Clinical Psychologist Licensing Act or
13 licensed under the laws of another state; a licensed
14 clinical social worker licensed under the Clinical Social
15 Work and Social Work Practice Act or licensed under the
16 laws of another state; a licensed clinical professional
17 counselor licensed under the Professional Counselor and
18 Clinical Professional Counselor Licensing and Practice Act
19 or licensed under the laws of another state; or a licensed
20 marriage and family therapist licensed under the Marriage
21 and Family Therapy Licensing Act or licensed under the
22 laws of another state;

23 (B) has 400 hours of supervised experience in the
24 treatment or evaluation of sex offenders in the last 4
25 years, at least 200 of which are face-to-face therapy or
26 evaluation with sex offenders;

1 (C) has completed at least 10 sex offender evaluations
2 under supervision in the past 4 years; and

3 (D) has at least 40 hours of documented training in
4 the specialty of sex offender evaluation, treatment, or
5 management.

6 ~~Until January 1, 2015, the requirements of subparagraphs~~
7 ~~(B) and (D) of paragraph (2) of this subsection (a) are~~
8 ~~satisfied if the applicant has been listed on the Sex Offender~~
9 ~~Management Board's Approved Provider List for a minimum of 2~~
10 ~~years before application for licensure. Until January 1, 2015,~~
11 ~~the requirements of subparagraph (C) of paragraph (2) of this~~
12 ~~subsection (a) are satisfied if the applicant has completed at~~
13 ~~least 10 sex offender evaluations within the 4 years before~~
14 ~~application for licensure.~~

15 (b)(1) A person is qualified for licensure as a sex
16 offender treatment provider if that person:

17 (A) has applied in writing on forms prepared and
18 furnished by the Department;

19 (B) has not engaged or is not engaged in any practice
20 or conduct that would be grounds for disciplining a
21 licensee under Section 75 of this Act; and

22 (C) satisfies the licensure and experience
23 requirements of paragraph (2) of this subsection (b).

24 (2) A person who applies to the Department shall be issued
25 a sex offender treatment provider license by the Department if
26 the person meets the qualifications set forth in paragraph (1)

1 of this subsection (b) and provides evidence to the Department
2 that the person:

3 (A) is a physician licensed to practice medicine in
4 all of its branches under the Medical Practice Act of 1987
5 or licensed under the laws of another state; an advanced
6 practice registered nurse with psychiatric specialty
7 licensed under the Nurse Practice Act or licensed under
8 the laws of another state; a clinical psychologist
9 licensed under the Clinical Psychologist Licensing Act or
10 licensed under the laws of another state; a licensed
11 clinical social worker licensed under the Clinical Social
12 Work and Social Work Practice Act or licensed under the
13 laws of another state; a licensed clinical professional
14 counselor licensed under the Professional Counselor and
15 Clinical Professional Counselor Licensing and Practice Act
16 or licensed under the laws of another state; or a licensed
17 marriage and family therapist licensed under the Marriage
18 and Family Therapy Licensing Act or licensed under the
19 laws of another state;

20 (B) has 400 hours of supervised experience in the
21 treatment of sex offenders in the last 4 years, at least
22 200 of which are face-to-face therapy with sex offenders;
23 and

24 (C) has at least 40 hours documented training in the
25 specialty of sex offender evaluation, treatment, or
26 management.

1 ~~Until January 1, 2015, the requirements of subparagraphs~~
2 ~~(B) and (C) of paragraph (2) of this subsection (b) are~~
3 ~~satisfied if the applicant has been listed on the Sex Offender~~
4 ~~Management Board's Approved Provider List for a minimum of 2~~
5 ~~years before application.~~

6 (c) (1) A person is qualified for licensure as an associate
7 sex offender provider if that person:

8 (A) has applied in writing on forms prepared and
9 furnished by the Department;

10 (B) has not engaged or is not engaged in any practice
11 or conduct that would be grounds for disciplining a
12 licensee under Section 75 of this Act; and

13 (C) satisfies the education and experience
14 requirements of paragraph (2) of this subsection (c).

15 (2) A person who applies to the Department shall be issued
16 an associate sex offender provider license by the Department
17 if the person meets the qualifications set forth in paragraph
18 (1) of this subsection (c) and provides evidence to the
19 Department that the person holds a master's degree or higher
20 in social work, psychology, marriage and family therapy,
21 counseling or closely related behavioral science degree, or
22 psychiatry.

23 (Source: P.A. 100-201, eff. 8-18-17; 100-513, eff. 1-1-18.)

24 (225 ILCS 109/40)

25 Sec. 40. Application; exemptions.

1 (a) No person may act as a sex offender evaluator, sex
2 offender treatment provider, or associate sex offender
3 provider as defined in this Act for the provision of sex
4 offender evaluations or sex offender treatment pursuant to the
5 Sex Offender Management Board Act, the Sexually Dangerous
6 Persons Act, or the Sexually Violent Persons Commitment Act
7 unless the person is licensed to do so by the Department. Any
8 evaluation or treatment services provided by a licensed health
9 care professional not licensed under this Act shall not be
10 valid under the Sex Offender Management Board Act, the
11 Sexually Dangerous Persons Act, or the Sexually Violent
12 Persons Commitment Act. No business shall provide, attempt to
13 provide, or offer to provide sex offender evaluation services
14 unless it is organized under the Professional Service
15 Corporation Act, the Medical Corporation Act, or the
16 Professional Limited Liability Company Act.

17 (b) Nothing in this Act shall be construed to require any
18 licensed physician, advanced practice registered nurse,
19 physician assistant, or other health care professional to be
20 licensed under this Act for the provision of services for
21 which the person is otherwise licensed. This Act does not
22 prohibit a person licensed under any other Act in this State
23 from engaging in the practice for which the person ~~he or she~~ is
24 licensed. This Act only applies to the provision of sex
25 offender evaluations or sex offender treatment provided for
26 the purposes of complying with the Sex Offender Management

1 Board Act, the Sexually Dangerous Persons Act, or the Sexually
2 Violent Persons Commitment Act.

3 (Source: P.A. 99-227, eff. 8-3-15; 100-513, eff. 1-1-18.)

4 (225 ILCS 109/45)

5 Sec. 45. License renewal; restoration.

6 (a) The expiration date and renewal period for a license
7 issued under this Act shall be set by rule. The holder of a
8 license under this Act may renew that license during the
9 90-day ~~90-day~~ period immediately preceding the expiration date
10 upon payment of the required renewal fees and demonstrating
11 compliance with any continuing education requirements. The
12 Department shall adopt rules establishing minimum requirements
13 of continuing education and means for verification of the
14 completion of the continuing education requirements. The
15 Department may, by rule, specify circumstances under which the
16 continuing education requirements may be waived.

17 (b) A licensee who has permitted the licensee's ~~his or her~~
18 license to expire or who has had the licensee's ~~his or her~~
19 license on inactive status may have the ~~his or her~~ license
20 restored by making application to the Department and filing
21 proof acceptable to the Department, as defined by rule, of the
22 licensee's ~~his or her~~ fitness to have the ~~his or her~~ license
23 restored, including evidence certifying to active practice in
24 another jurisdiction satisfactory to the Department and by
25 paying the required restoration fee.

1 (c) A licensee whose license expired while the licensee ~~he~~
2 ~~or she~~ was (1) in Federal Service on active duty with the Armed
3 Forces of the United States, or the State Militia called into
4 service or training, or (2) in training or education under the
5 supervision of the United States preliminary to induction into
6 the military service, may have the ~~his or her~~ license renewed
7 or restored without paying any lapsed renewal fees if within 2
8 years after honorable termination of service, training or
9 education, the licensee ~~he or she~~ furnishes the Department
10 with satisfactory evidence to the effect that the licensee ~~he~~
11 ~~or she~~ has been so engaged and that the licensee's ~~his or her~~
12 service, training or education has been terminated.

13 (Source: P.A. 97-1098, eff. 7-1-13.)

14 (225 ILCS 109/50)

15 Sec. 50. Inactive status.

16 (a) A licensee who notifies the Department in writing on
17 forms prescribed by the Department may elect to place the
18 licensee's ~~his or her~~ license on an inactive status and shall,
19 subject to rules of the Department, be excused from payment of
20 renewal fees until the licensee ~~he or she~~ notifies the
21 Department in writing of the licensee's ~~his or her~~ intent to
22 restore the ~~his or her~~ license.

23 (b) A licensee requesting restoration from inactive status
24 shall be required to pay the current renewal fee and shall be
25 required to restore the ~~his or her~~ license as provided in

1 Section 45 of this Act.

2 (c) A licensee whose license is in an inactive status
3 shall not practice in the State of Illinois.

4 (d) A licensee who provides sex offender evaluation or
5 treatment services while the licensee's ~~his or her~~ license is
6 lapsed or on inactive status shall be considered to be
7 practicing without a license which shall be grounds for
8 discipline under this Act.

9 (Source: P.A. 97-1098, eff. 7-1-13.)

10 (225 ILCS 109/65)

11 Sec. 65. Payments; penalty for insufficient funds. A
12 person who delivers a check or other payment to the Department
13 that is returned to the Department unpaid by the financial
14 institution upon which it is drawn shall pay to the
15 Department, in addition to the amount already owed to the
16 Department, a fine of \$50. The fines imposed by this Section
17 are in addition to any other discipline provided under this
18 Act prohibiting unlicensed practice or practice on a
19 nonrenewed license. The Department shall notify the person
20 that payment of fees and fines shall be paid to the Department
21 by certified check or money order within 30 calendar days
22 after notification. If after the expiration of 30 days from
23 the date of the notification the person has failed to submit
24 the necessary remittance, the Department shall automatically
25 terminate the license or deny the application without hearing.

1 If after termination or denial the person seeks a license, the
2 person ~~he or she~~ shall apply to the Department for restoration
3 or issuance of the license and pay all fees and fines due to
4 the Department. The Department may establish a fee for the
5 processing of an application for restoration of a license to
6 pay all expenses of processing the application. The Secretary
7 may waive the fines due under this Section in individual cases
8 where the Secretary finds that the fines would be unreasonable
9 or unnecessarily burdensome.

10 (Source: P.A. 97-1098, eff. 7-1-13.)

11 (225 ILCS 109/75)

12 Sec. 75. Refusal, revocation, or suspension.

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

19 (1) violations of this Act or of the rules adopted
20 under this Act;

21 (2) discipline by the Department under other state law
22 and rules which the licensee is subject to;

23 (3) conviction by plea of guilty or nolo contendere,
24 finding of guilt, jury verdict, or entry of judgment or by
25 sentencing for any crime, including, but not limited to,

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

7 (4) professional incompetence;

8 (5) advertising in a false, deceptive, or misleading
9 manner;

10 (6) aiding, abetting, assisting, procuring, advising,
11 employing, or contracting with any unlicensed person to
12 provide sex offender evaluation or treatment services
13 contrary to any rules or provisions of this Act;

14 (7) engaging in immoral conduct in the commission of
15 any act, such as sexual abuse, sexual misconduct, or
16 sexual exploitation, related to the licensee's practice;

17 (8) engaging in dishonorable, unethical, or
18 unprofessional conduct of a character likely to deceive,
19 defraud, or harm the public;

20 (9) practicing or offering to practice beyond the
21 scope permitted by law or accepting and performing
22 professional responsibilities which the licensee knows or
23 has reason to know that the licensee ~~he or she~~ is not
24 competent to perform;

25 (10) knowingly delegating professional
26 responsibilities to a person unqualified by training,

1 experience, or licensure to perform;

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

4 (12) having a habitual or excessive use of or
5 addiction to alcohol, narcotics, stimulants, or any other
6 chemical agent or drug which results in the inability to
7 practice with reasonable judgment, skill, or safety;

8 (13) having a pattern of practice or other behavior
9 that demonstrates incapacity or incompetence to practice
10 under this Act;

11 (14) discipline by another state, District of
12 Columbia, territory, or foreign nation, if at least one of
13 the grounds for the discipline is the same or
14 substantially equivalent to those set forth in this
15 Section;

16 (15) a finding by the Department that the licensee,
17 after having the licensee's ~~his or her~~ license placed on
18 probationary status, has violated the terms of probation;

19 (16) willfully making or filing false records or
20 reports in the licensee's ~~his or her~~ practice, including,
21 but not limited to, false records filed with State
22 agencies or departments;

23 (17) making a material misstatement in furnishing
24 information to the Department or otherwise making
25 misleading, deceptive, untrue, or fraudulent
26 representations in violation of this Act or otherwise in

1 the practice of the profession;

2 (18) fraud or misrepresentation in applying for or
3 procuring a license under this Act or in connection with
4 applying for renewal of a license under this Act;

5 (19) inability to practice the profession with
6 reasonable judgment, skill, or safety as a result of
7 physical illness, including, but not limited to,
8 deterioration through the aging process, loss of motor
9 skill, or a mental illness or disability;

10 (20) charging for professional services not rendered,
11 including filing false statements for the collection of
12 fees for which services are not rendered; or

13 (21) practicing under a false or, except as provided
14 by law, an assumed name.

15 All fines shall be paid within 60 days of the effective
16 date of the order imposing the fine.

17 (b) The Department may refuse to issue or may suspend the
18 license of any person who fails to file a tax return, to pay
19 the tax, penalty, or interest shown in a filed tax return, or
20 to pay any final assessment of tax, penalty, or interest, as
21 required by any tax Act administered by the Illinois
22 Department of Revenue, until such time as the requirements of
23 the tax Act are satisfied in accordance with subsection (g) of
24 Section 2105-15 of the Civil Administrative Code of Illinois.

25 (c) (Blank).

26 (d) In cases where the Department of Healthcare and Family

1 Services has previously determined that a licensee or a
2 potential licensee is more than 30 days delinquent in the
3 payment of child support and has subsequently certified the
4 delinquency to the Department, the Department may refuse to
5 issue or renew or may revoke or suspend that person's license
6 or may take other disciplinary action against that person
7 based solely upon the certification of delinquency made by the
8 Department of Healthcare and Family Services in accordance
9 with item (5) of subsection (a) of Section 2105-15 of the Civil
10 Administrative Code of Illinois.

11 (e) 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 the issuance of a court order so finding and discharging
18 the patient.

19 (f) In enforcing this Act, the Department or Board, upon a
20 showing of a possible violation, may compel an individual
21 licensed to practice under this Act, or who has applied for
22 licensure under this Act, to submit to a mental or physical
23 examination, or both, as required by and at the expense of the
24 Department. The Department or Board may order the examining
25 physician to present testimony concerning the mental or
26 physical examination of the licensee or applicant. No

1 information 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. The
4 examining physician shall be specifically designated by the
5 Board or Department. The individual to be examined may have,
6 at his or her own expense, another physician of his or her
7 choice present during all aspects of this examination. The
8 examination shall be performed by a physician licensed to
9 practice medicine in all its branches. Failure of an
10 individual to submit to a mental or physical examination, when
11 directed, shall result in an automatic suspension without
12 hearing.

13 A person holding a license under this Act or who has
14 applied for a license under this Act who, because of a physical
15 or mental illness or disability, including, but not limited
16 to, deterioration through the aging process or loss of motor
17 skill, is unable to practice the profession with reasonable
18 judgment, skill, or safety, may be required by the Department
19 to submit to care, counseling, or treatment by physicians
20 approved or designated by the Department as a condition, term,
21 or restriction for continued, reinstated, or renewed licensure
22 to practice. Submission to care, counseling, or treatment as
23 required by the Department shall not be considered discipline
24 of a license. If the licensee refuses to enter into a care,
25 counseling, or treatment agreement or fails to abide by the
26 terms of the agreement, the Department may file a complaint to

1 revoke, suspend, or otherwise discipline the license of the
2 individual. The Secretary may order the license suspended
3 immediately, pending a hearing by the Department. Fines shall
4 not be assessed in disciplinary actions involving physical or
5 mental illness or impairment.

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

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

20 (Source: P.A. 100-872, eff. 8-14-18; 101-81, eff. 7-12-19.)

21 (225 ILCS 109/85)

22 Sec. 85. Violations; injunctions; cease and desist order.

23 (a) If a person violates a provision of this Act, the
24 Secretary may, in the name of the People of the State of
25 Illinois, through the Attorney General, petition for an order

1 enjoining the violation or for an order enforcing compliance
2 with this Act. Upon the filing of a verified petition in court,
3 the court may issue a temporary restraining order, without
4 notice or bond, and may preliminarily and permanently enjoin
5 the violation. If it is established that the person has
6 violated or is violating the injunction, the court may punish
7 the offender for contempt of court. Proceedings under this
8 Section are in addition to, and not in lieu of, all other
9 remedies and penalties provided by this Act.

10 (b) If a person engages in sex offender evaluation or
11 treatment or holds oneself ~~himself or herself~~ out as licensee
12 without having a valid license under this Act, then any
13 licensee, any interested party or any person injured thereby
14 may, in addition to the Secretary, petition for relief as
15 provided in subsection (a) of this Section.

16 (c) Whenever in the opinion of the Department a person has
17 violated any provision of this Act, the Department may issue a
18 rule to show cause why an order to cease and desist should not
19 be entered against that person ~~him or her~~. The rule shall
20 clearly set forth the grounds relied upon by the Department
21 and shall provide a period of 7 days from the date of the rule
22 to file an answer to the satisfaction of the Department.
23 Failure to answer to the satisfaction of the Department shall
24 cause an order to cease and desist to be issued immediately.

25 (Source: P.A. 97-1098, eff. 7-1-13.)

1 (225 ILCS 109/90)

2 Sec. 90. Unlicensed practice; violation; civil penalty.

3 (a) A person who holds oneself ~~himself or herself~~ out to
4 practice as a licensee without being licensed under this Act
5 shall, in addition to any other penalty provided by law, pay a
6 civil penalty to the Department in an amount not to exceed
7 \$10,000 for each offense, as determined by the Department. The
8 civil penalty shall be assessed by the Department after a
9 hearing is held in accordance with the provisions of this Act
10 regarding a hearing for the discipline of a licensee.

11 (b) The Department may investigate any and all unlicensed
12 activity.

13 (c) The civil penalty shall be paid within 60 days after
14 the effective date of the order imposing the civil penalty.
15 The order shall constitute a judgment and may be filed and
16 execution had thereon in the same manner as any judgment from
17 any court of record.

18 (Source: P.A. 97-1098, eff. 7-1-13.)

19 (225 ILCS 109/95)

20 Sec. 95. Investigation; notice and hearing. The
21 Department may investigate the actions or qualifications of
22 any person or persons holding or claiming to hold a license.
23 Before suspending, revoking, placing on probationary status,
24 or taking any other disciplinary action as the Department may
25 deem proper with regard to any license, at least 30 days before

1 the date set for the hearing, the Department shall (i) notify
2 the accused in writing of any charges made and the time and
3 place for a hearing on the charges before the Department
4 Board, (ii) direct the accused ~~him or her~~ to file a written
5 answer to the charges with the Department Board under oath
6 within 20 days after the service on the accused ~~him or her~~ of
7 the notice, and (iii) inform the accused ~~him or her~~ that if the
8 accused ~~he or she~~ fails to file an answer, default will be
9 taken against the accused ~~him or her~~ and the accused's ~~his or~~
10 ~~her~~ license may be suspended, revoked, placed on probationary
11 status, or other disciplinary action taken with regard to the
12 license, including limiting the scope, nature, or extent of
13 his or her practice, as the Department may deem proper. In case
14 the person, after receiving notice, fails to file an answer,
15 the person's ~~his or her~~ license may, in the discretion of the
16 Department, be suspended, revoked, placed on probationary
17 status, or the Department may take whatever disciplinary
18 action is deemed proper, including limiting the scope, nature,
19 or extent of the person's practice or the imposition of a fine,
20 without a hearing, if the act or acts charged constitute
21 sufficient grounds for that action under this Act. Written
22 notice may be served by ~~personal delivery or by registered or~~
23 ~~certified~~ mail to the applicant or licensee at the applicant's
24 or licensee's ~~his or her~~ last address of record with the
25 Department. In case the person fails to file an answer after
26 receiving notice, the person's ~~his or her~~ license may, in the

1 discretion of the Department, be suspended, revoked, or placed
2 on probationary status, or the Department may take whatever
3 disciplinary action is deemed proper, including limiting the
4 scope, nature, or extent of the person's practice or the
5 imposition of a fine, without a hearing, if the act or acts
6 charged constitute sufficient grounds for that action under
7 this Act. The written answer shall be served by personal
8 delivery, certified delivery, or certified or registered mail
9 to the Department. At the time and place fixed in the notice,
10 the Department shall proceed to hear the charges and the
11 parties or their counsel shall be accorded ample opportunity
12 to present statements, testimony, evidence, and argument as
13 may be pertinent to the charges or to the defense thereto. The
14 Department may continue the hearing from time to time. At the
15 discretion of the Secretary after having first received the
16 recommendation of the hearing officer ~~Board~~, the accused
17 person's license may be suspended or revoked, if the evidence
18 constitutes sufficient grounds for that action under this Act.

19 (Source: P.A. 97-1098, eff. 7-1-13.)

20 (225 ILCS 109/100)

21 Sec. 100. Record of proceeding. The Department, at its
22 expense, shall preserve a record of all proceedings at the
23 formal hearing of any case. The notice of hearing, complaint
24 and all other documents in the nature of pleadings and written
25 motions filed in the proceedings, the transcript of testimony,

1 the report of the hearing officer ~~Board~~ and orders of the
2 Department shall be in the record of the proceedings. The
3 Department shall furnish a transcript of the record to any
4 person interested in the hearing upon payment of the fee
5 required under Section 2105-115 of the Department of
6 Professional Regulation Law.

7 (Source: P.A. 97-1098, eff. 7-1-13.)

8 (225 ILCS 109/105)

9 Sec. 105. Subpoenas; oaths; attendance of witnesses. The
10 Department has the power to subpoena and to bring before it any
11 person and to take testimony either orally or by deposition,
12 or both, with the same fees and mileage and in the same manner
13 as prescribed in civil cases in the courts of this State.

14 The Secretary and ~~7~~ the designated hearing officer have
15 the ~~7~~ ~~and every member of the Board has~~ power to administer
16 oaths to witnesses at any hearing that the Department is
17 authorized to conduct and any other oaths authorized in any
18 Act administered by the Department. A circuit court may, upon
19 application of the Department or its designee, or of the
20 applicant or licensee against whom proceedings under this Act
21 are pending, enter an order requiring the attendance of
22 witnesses and their testimony, and the production of
23 documents, papers, files, books and records in connection with
24 any hearing or investigation. The court may compel obedience
25 to its order by proceedings for contempt.

1 (Source: P.A. 97-1098, eff. 7-1-13.)

2 (225 ILCS 109/110)

3 Sec. 110. Recommendations for disciplinary action. At the
4 conclusion of the hearing, the hearing officer ~~Board~~ shall
5 present to the Secretary a written report of the hearing
6 officer's ~~its~~ findings and recommendations. The report shall
7 contain a finding whether or not the accused person violated
8 this Act or failed to comply with the conditions required in
9 this Act. The hearing officer ~~Board~~ shall specify the nature
10 of the violation or failure to comply, and shall make its
11 recommendations to the Secretary.

12 The report of findings and recommendations of the hearing
13 officer ~~Board~~ shall be the basis for the Department's order
14 for refusal or for the granting of a license, or for any
15 disciplinary action, unless the Secretary shall determine that
16 the hearing officer's ~~Board's~~ report is contrary to the
17 manifest weight of the evidence, in which case the Secretary
18 may issue an order in contravention of the hearing officer's
19 ~~Board's~~ report. The finding is not admissible in evidence
20 against the person in a criminal prosecution brought for the
21 violation of this Act, but the hearing and finding are not a
22 bar to a criminal prosecution brought for the violation of
23 this Act.

24 (Source: P.A. 97-1098, eff. 7-1-13.)

1 (225 ILCS 109/115)

2 Sec. 115. Rehearing. In a hearing involving disciplinary
3 action against a licensee, a copy of the hearing officer's
4 ~~Board's~~ report shall be served upon the respondent by the
5 Department, either personally or as provided in this Act for
6 the service of the notice of hearing. Within 20 calendar days
7 after service, the respondent may present to the Department a
8 motion in writing for a rehearing that shall specify the
9 particular grounds for rehearing. If no motion for rehearing
10 is filed, then upon the expiration of the time specified for
11 filing a motion, or if a motion for rehearing is denied, then
12 upon denial, the Secretary may enter an order in accordance
13 with recommendations of the hearing officer ~~Board~~, except as
14 provided in this Act. If the respondent orders from the
15 reporting service, and pays for, a transcript of the record
16 within the time for filing a motion for rehearing, the 20
17 calendar day period within which a motion may be filed shall
18 commence upon the delivery of the transcript to the
19 respondent.

20 (Source: P.A. 97-1098, eff. 7-1-13.)

21 (225 ILCS 109/125)

22 Sec. 125. Appointment of a hearing officer. The Secretary
23 has the authority to appoint any attorney duly licensed to
24 practice law in the State of Illinois to serve as the hearing
25 officer in any action for refusal to issue or renew a license,

1 or to discipline a licensee. The hearing officer has full
2 authority to conduct the hearing. The hearing officer shall
3 report ~~the his or her~~ findings and recommendations to ~~the~~
4 ~~Board and~~ the Secretary. In the hearing officer's report, the
5 hearing officer shall make a finding of whether or not the
6 charged licensee or applicant violated a provision of this Act
7 or any rules adopted under this Act. Upon presenting the
8 report to the Secretary, the Secretary may issue an order
9 based on the report of the hearing officer. If the Secretary
10 disagrees with the report of the hearing officer, the
11 Secretary may issue an order in contravention of the hearing
12 officer's report. The finding by the hearing officer shall not
13 be admissible in evidence against the person in a criminal
14 prosecution brought for a violation of this Act nor shall a
15 finding by the hearing officer be a bar to a criminal
16 prosecution brought for a violation of this Act. The Board has
17 ~~60 calendar days from receipt of the report to review the~~
18 ~~report of the hearing officer and present its findings of~~
19 ~~fact, conclusions of law and recommendations to the Secretary.~~
20 ~~If the Board fails to present its report within the 60 calendar~~
21 ~~day period, the respondent may request in writing a direct~~
22 ~~appeal to the Secretary, in which case the Secretary shall,~~
23 ~~within 7 calendar days after receipt of the request, issue an~~
24 ~~order directing the Board to issue its findings of fact,~~
25 ~~conclusions of law, and recommendations to the Secretary~~
26 ~~within 30 calendar days after that order. If the Board fails to~~

1 ~~issue its findings of fact, conclusions of law, and~~
2 ~~recommendations within that time frame to the Secretary after~~
3 ~~the entry of the order, the Secretary shall, within 30~~
4 ~~calendar days thereafter, issue an order based upon the report~~
5 ~~of the hearing officer and the record of the proceedings or~~
6 ~~issue an order remanding the matter back to the hearing~~
7 ~~officer for additional proceedings in accordance with the~~
8 ~~order. If (i) a direct appeal is requested, (ii) the Board~~
9 ~~fails to issue its findings of fact, conclusions of law, and~~
10 ~~recommendations within the 30 day mandate from the Secretary~~
11 ~~or the Secretary fails to order the Board to do so, and (iii)~~
12 ~~the Secretary fails to issue an order within 30 calendar days~~
13 ~~thereafter, then the hearing officer's report is deemed~~
14 ~~accepted and a final decision of the Secretary.~~
15 Notwithstanding any other provision of this Section, if the
16 Secretary, upon review, determines that substantial justice
17 has not been done in the revocation, suspension, or refusal to
18 issue or renew a license or other disciplinary action taken as
19 the result of the entry of the hearing officer's report, the
20 Secretary may order a rehearing by the same or other hearing
21 officer. If the Secretary disagrees with the recommendation of
22 the ~~Board or the~~ hearing officer, the Secretary may issue an
23 order in contravention of the recommendation.

24 (Source: P.A. 97-1098, eff. 7-1-13.)

1 Sec. 130. Order; certified copy. An order or a certified
2 copy of the order, over the seal of the Department and
3 purporting to be signed by the Secretary, shall be prima facie
4 proof:

5 (a) that the signature is the genuine signature of the
6 Secretary;

7 (b) that the Secretary is duly appointed and
8 qualified; and

9 (c) (blank). ~~that the Board and its members are~~
10 ~~qualified to act.~~

11 (Source: P.A. 97-1098, eff. 7-1-13.)

12 (225 ILCS 109/135)

13 Sec. 135. Restoration. At any time after the suspension
14 or revocation of a license, the Department may restore the
15 license to the accused person, upon the filing of an
16 application, the filing of proof of fitness acceptable to the
17 Department, and the payment of the required restoration fee
18 ~~written recommendation of the Board~~, unless after an
19 investigation and a hearing the Department Board determines
20 that restoration is not in the public interest.

21 (Source: P.A. 97-1098, eff. 7-1-13.)

22 (225 ILCS 109/145)

23 Sec. 145. Summary suspension. The Secretary may summarily
24 suspend the license of a licensee without a hearing,

1 simultaneously with the institution of proceedings for a
2 hearing provided for in this Act, if the Secretary finds that
3 evidence in the Secretary's ~~his or her~~ possession indicates
4 that a licensee's continuation in practice would constitute an
5 imminent danger to the public. In the event that the Secretary
6 summarily suspends the license of a licensee without a
7 hearing, a hearing ~~by the Board~~ must be held within 30 calendar
8 days after the suspension has occurred.

9 (Source: P.A. 97-1098, eff. 7-1-13.)

10 (225 ILCS 109/70 rep.)

11 Section 50. The Sex Offender Evaluation and Treatment
12 Provider Act is amended by repealing Section 70.

13 Section 55. The Barber, Cosmetology, Esthetics, Hair
14 Braiding, and Nail Technology Act of 1985 is amended by
15 changing Section 3D-5 as follows:

16 (225 ILCS 410/3D-5)

17 (Section scheduled to be repealed on January 1, 2031)

18 Sec. 3D-5. Requisites for ownership or operation of
19 cosmetology, esthetics, hair braiding, and nail technology
20 salons and barber shops.

21 (a) No person, firm, partnership, limited liability
22 company, professional limited liability company, corporation,
23 or professional service corporation shall own or operate a

1 cosmetology, esthetics, hair braiding, or nail technology
2 salon or barber shop or employ, rent space to, or
3 independently contract with any licensee under this Act
4 without applying on forms provided by the Department for a
5 certificate of registration. This registration shall be in
6 addition to and shall not replace or supersede any other
7 business license, registration, or permit that may be required
8 by local municipalities or other governmental entities to own
9 or operate a business in the governmental entity's
10 jurisdiction. The issuance of a license, registration, or
11 permit by a municipality or another governmental entity to a
12 salon or shop shall not waive the requirement to obtain a
13 certificate of registration from the Department to own or
14 operate a salon or shop.

15 (b) The application for a certificate of registration
16 under this Section shall set forth the name, address, and
17 telephone number of the proposed cosmetology, esthetics, hair
18 braiding, or nail technology salon or barber shop; the name,
19 address, and telephone number of the person, firm,
20 partnership, limited liability company, professional limited
21 liability company, corporation, or professional service
22 corporation that is to own or operate the salon or shop; the
23 license number of the owner or operator of the shop if they are
24 licensed under the Act or the name and license number of the
25 individual manager of the salon or shop; and, if the salon or
26 shop is to be owned or operated by an entity other than an

1 individual, the name, address, and telephone number of the
2 managing partner or the chief executive officer of the
3 corporation or other entity that owns or operates the salon or
4 shop. A person who is not licensed under the Act may own or
5 operate a salon or shop, but may not practice barbering,
6 cosmetology, esthetics, hair braiding, or nail technology. An
7 unlicensed owner or operator of a salon or shop shall employ at
8 least one person as a manager who holds a license under the Act
9 and manages the salon or shop. The licensed owner, operator,
10 or manager of a salon or shop shall ensure that the salon or
11 shop operates in compliance with this Act and any applicable
12 rules, and the owner's, operator's, or manager's name and
13 license number shall be posted with the certificate of
14 registration at the salon or shop.

15 (c) The Department shall be notified by the owner or
16 operator of a salon or shop that is moved to a new location. If
17 there is a change in the ownership or operation or manager of a
18 salon or shop, the new owner, operator, or manager shall
19 report that change to the Department along with completion of
20 any additional requirements set forth by rule.

21 (d) If a person, firm, partnership, limited liability
22 company, professional limited liability company, corporation,
23 or professional service corporation owns or operates more than
24 one shop or salon, a separate certificate of registration must
25 be obtained for each salon or shop.

26 (e) A certificate of registration granted under this

1 Section may be revoked in accordance with the provisions of
2 Article IV and the holder of the certificate and any licensed
3 managers may be otherwise disciplined by the Department in
4 accordance with rules adopted under this Act.

5 (f) The Department may promulgate rules to establish
6 additional requirements for owning or operating a salon or
7 shop.

8 (g) The requirement of a certificate of registration as
9 set forth in this Section shall also apply to any person, firm,
10 partnership, limited liability company, professional limited
11 liability company, corporation, or professional service
12 corporation providing barbering, cosmetology, esthetics, hair
13 braiding, or nail technology services at any location not
14 owned or rented by such person, firm, partnership, limited
15 liability company, professional limited liability company,
16 corporation, or professional service corporation for these
17 purposes or from a mobile shop or salon. Notwithstanding any
18 provision of this Section, applicants for a certificate of
19 registration under this subsection (g) shall report in its
20 application the address and telephone number of its office and
21 shall not be required to report the location where services
22 are or will be rendered. Nothing in this subsection (g) shall
23 apply to a sole proprietor who has no employees or contractors
24 and is not operating a mobile shop or salon.

25 (h) Nothing in this Act shall prohibit the use of the terms
26 "electrology", "electrologist", "massage", "massage therapy",

1 or "massage therapist" by a salon or shop registered under
2 this Act as long as the salon or shop offers electrology
3 services in accordance with the Electrologist Licensing Act or
4 massage therapy services in accordance with the Massage
5 Therapy Practice Act.

6 (Source: P.A. 104-153, eff. 1-1-26.)

7 Section 60. The Electrologist Licensing Act is amended by
8 changing Section 20 as follows:

9 (225 ILCS 412/20)

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

11 Sec. 20. Exemptions. This Act does not prohibit:

12 (1) A person licensed in this State under any other
13 Act from engaging in the practice for which that person is
14 licensed.

15 (2) The practice of electrology by a person who is
16 employed by the United States government or any bureau,
17 division, or agency thereof while in the discharge of the
18 employee's official duties.

19 (3) The practice of electrology included in a program
20 of study by students enrolled in schools or in refresher
21 courses approved by the Department.

22 Nothing in this Act shall be construed to prevent a person
23 who is licensed under this Act and functioning as an assistant
24 to a person who is licensed to practice medicine in all of its

1 branches from providing delegated services. Such delegated
2 services may not be performed by a person while holding
3 himself or herself out as an electrologist or in any manner
4 that indicates that the services are part of the practice of
5 electrology.

6 Nothing in this Act shall prohibit the use of the terms
7 "electrology" or "electrologist" by a salon or shop registered
8 under the Barber, Cosmetology, Esthetics, Hair Braiding, and
9 Nail Technology Act of 1985 as long as the salon offers
10 electrology services in accordance with this Act.

11 (Source: P.A. 96-569, eff. 8-18-09.)

12 Section 65. The Professional Service Corporation Act is
13 amended by changing Section 3.6 as follows:

14 (805 ILCS 10/3.6) (from Ch. 32, par. 415-3.6)

15 Sec. 3.6. "Related professions" and "related professional
16 services" mean more than one personal service which requires
17 as a condition precedent to the rendering thereof the
18 obtaining of a license and which prior to October 1, 1973 could
19 not be performed by a corporation by reason of law; provided,
20 however, that these terms shall be restricted to:

21 (1) a combination of 2 or more of the following
22 personal services: (a) "architecture" as defined in
23 Section 5 of the Illinois Architecture Practice Act of
24 1989, (b) "professional engineering" as defined in Section

1 4 of the Professional Engineering Practice Act of 1989,
2 (c) "structural engineering" as defined in Section 5 of
3 the Structural Engineering Practice Act of 1989, (d) "land
4 surveying" as defined in Section 2 of the Illinois
5 Professional Land Surveyor Act of 1989;

6 (2) a combination of the following personal services:

7 (a) the practice of medicine by persons licensed under the
8 Medical Practice Act of 1987, (b) the practice of podiatry
9 as defined in the Podiatric Medical Practice Act of 1987,
10 (c) the practice of dentistry as defined in the Illinois
11 Dental Practice Act, (d) the practice of optometry as
12 defined in the Illinois Optometric Practice Act of 1987;

13 (3) a combination of 2 or more of the following
14 personal services: (a) the practice of clinical psychology
15 by persons licensed under the Clinical Psychologist
16 Licensing Act, (b) the practice of social work or clinical
17 social work by persons licensed under the Clinical Social
18 Work and Social Work Practice Act, (c) the practice of
19 marriage and family therapy by persons licensed under the
20 Marriage and Family Therapy Licensing Act, (d) the
21 practice of professional counseling or clinical
22 professional counseling by persons licensed under the
23 Professional Counselor and Clinical Professional Counselor
24 Licensing and Practice Act, or (e) the practice of sex
25 offender evaluations by persons licensed under the Sex
26 Offender Evaluation and Treatment Provider Act; ~~or~~

1 (4) a combination of 2 or more of the following
2 personal services: (a) the practice of acupuncture by
3 persons licensed under the Acupuncture Practice Act, (b)
4 the practice of massage by persons licensed under the
5 Massage Therapy Practice Act, (c) the practice of
6 naprapathy by persons licensed under the Naprapathic
7 Practice Act, (d) the practice of occupational therapy by
8 persons licensed under the Illinois Occupational Therapy
9 Practice Act, (e) the practice of physical therapy by
10 persons licensed under the Illinois Physical Therapy Act,
11 or (f) the practice of speech-language therapy by persons
12 licensed under the Illinois Speech-Language Pathology and
13 Audiology Practice Act; ~~or-~~

14 (5) a combination of 2 or more of the following
15 personal services: (a) services provided by persons
16 licensed under the Barber, Cosmetology, Esthetics, Hair
17 Braiding, and Nail Technology Act of 1985, (b) the
18 practice of massage therapy by persons licensed under the
19 Massage Therapy Practice Act, or (c) the practice of
20 electrology by persons licensed under the Electrologist
21 Licensing Act.

22 (Source: P.A. 101-95, eff. 7-19-19; 102-20, eff. 1-1-22.)

23 Section 70. The Professional Limited Liability Company Act
24 is amended by changing Section 13 as follows:

1 (805 ILCS 185/13)

2 Sec. 13. Nature of business.

3 (a) A professional limited liability company may be formed
4 to provide a professional service or services licensed by the
5 Department except:

6 (1) the practice of dentistry unless all the members
7 and managers are licensed as dentists under the Illinois
8 Dental Practice Act;

9 (2) the practice of medicine unless all the managers,
10 if any, are licensed to practice medicine under the
11 Medical Practice Act of 1987 and each member is either:

12 (A) licensed to practice medicine under the
13 Medical Practice Act of 1987;

14 (B) a registered medical corporation or
15 corporations organized pursuant to the Medical
16 Corporation Act;

17 (C) a professional corporation organized pursuant
18 to the Professional Service Corporation Act of
19 physicians licensed to practice under the Medical
20 Practice Act of 1987;

21 (D) a hospital or hospital affiliate as defined in
22 Section 10.8 of the Hospital Licensing Act; or

23 (E) a professional limited liability company that
24 satisfies the requirements of subparagraph (A), (B),
25 (C), or (D);

26 (3) the practice of real estate unless all the members

1 and managers, if any, that actively participate in the
2 real estate activities of the professional limited
3 liability company are licensed to practice as a managing
4 broker or broker pursuant to the Real Estate License Act
5 of 2000. All nonparticipating members or managers shall
6 submit affidavits of nonparticipation as required by the
7 Department and the Real Estate License Act of 2000;

8 (4) the practice of clinical psychology unless all the
9 managers and members are licensed to practice as a
10 clinical psychologist under the Clinical Psychologist
11 Licensing Act;

12 (5) the practice of social work unless all the
13 managers and members are licensed to practice as a
14 clinical social worker or social worker under the Clinical
15 Social Work and Social Work Practice Act;

16 (6) the practice of marriage and family therapy unless
17 all the managers and members are licensed to practice as a
18 marriage and family therapist under the Marriage and
19 Family Therapy Licensing Act;

20 (7) the practice of professional counseling unless all
21 the managers and members are licensed to practice as a
22 clinical professional counselor or a professional
23 counselor under the Professional Counselor and Clinical
24 Professional Counselor Licensing and Practice Act;

25 (8) the practice of sex offender evaluation and
26 treatment unless all the managers and members are licensed

1 to practice as a sex offender evaluator or sex offender
2 treatment provider under the Sex Offender Evaluation and
3 Treatment Provider Act; or

4 (9) the practice of veterinary medicine unless all the
5 managers and members are licensed to practice as a
6 veterinarian under the Veterinary Medicine and Surgery
7 Practice Act of 2004.

8 (b) Notwithstanding any provision of this Section, any of
9 the following professional services may be combined and
10 offered within a single professional limited liability company
11 provided that each professional service is offered only by
12 persons licensed to provide that professional service and all
13 managers and members are licensed in at least one of the
14 professional services offered by the professional limited
15 liability company:

16 (1) the practice of medicine by physicians licensed
17 under the Medical Practice Act of 1987, the practice of
18 podiatry by podiatric physicians licensed under the
19 Podiatric Medical Practice Act of 1987, the practice of
20 dentistry by dentists licensed under the Illinois Dental
21 Practice Act, and the practice of optometry by
22 optometrists licensed under the Illinois Optometric
23 Practice Act of 1987;

24 (2) the practice of clinical psychology by clinical
25 psychologists licensed under the Clinical Psychologist
26 Licensing Act, the practice of social work by clinical

1 social workers or social workers licensed under the
2 Clinical Social Work and Social Work Practice Act, the
3 practice of marriage and family counseling by marriage and
4 family therapists licensed under the Marriage and Family
5 Therapy Licensing Act, the practice of professional
6 counseling by professional counselors and clinical
7 professional counselors licensed under the Professional
8 Counselor and Clinical Professional Counselor Licensing
9 and Practice Act, and the practice of sex offender
10 evaluation and treatment by sex offender evaluators and
11 sex offender treatment providers licensed under the Sex
12 Offender Evaluation and Treatment Provider Act;

13 (3) the practice of architecture by persons licensed
14 under the Illinois Architecture Practice Act of 1989, the
15 practice of professional engineering by persons licensed
16 under the Professional Engineering Practice Act of 1989,
17 the practice of structural engineering by persons licensed
18 under the Structural Engineering Practice Act of 1989, and
19 the practice of land surveying by persons licensed under
20 the Illinois Professional Land Surveyor Act of 1989; ~~or~~

21 (4) the practice of acupuncture by persons licensed
22 under the Acupuncture Practice Act, the practice of
23 massage by persons licensed under the Massage Licensing
24 Act, the practice of naprapathy by persons licensed under
25 the Naprapathic Practice Act, the practice of occupational
26 therapy by persons licensed under the Illinois

1 Occupational Therapy Practice Act, the practice of
2 physical therapy by persons licensed under the Illinois
3 Physical Therapy Act, and the practice of speech-language
4 pathology by persons licensed under the Illinois
5 Speech-Language Pathology and Audiology Practice Act; ~~or-~~

6 (5) services provided by persons licensed under the
7 Barber, Cosmetology, Esthetics, Hair Braiding, and Nail
8 Technology Act of 1985, the practice of massage therapy by
9 persons licensed under the Massage Therapy Practice Act,
10 and the practice of electrology by persons licensed under
11 the Electrologist Licensing Act.

12 (Source: P.A. 102-970, eff. 5-27-22.)

13 Section 99. Effective date. This Act takes effect upon
14 becoming law."