



Sen. Suzy Glowiak Hilton

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10400HB5387sam001

LRB104 18003 CCC 36446 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 Acts and Articles repealed on January 1, 2027.

8 The following are repealed on January 1, 2027: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 Acts repealed on January 1, 2032.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21 Acts are repealed on January 1, 2032: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 listed under subsection (c) of
15 Section 45 ~~for prostitution, rape, or sexual misconduct,~~
16 ~~or where the applicant is a registered 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) Notwithstanding any other law to the contrary, the ~~The~~
23 Department shall revoke, without a hearing, any license issued
24 under this Act of any person who is convicted of any offense
25 related to sexual assault under the laws of any jurisdiction,
26 including, without limitation, the following:

- 1 (1) prostitution;
- 2 (2) rape;
- 3 (3) sexual misconduct;
- 4 (4) involuntary sexual servitude of a minor;
- 5 (5) battery against a patient, including any offense
6 based on sexual conduct or sexual penetration, in the
7 course of patient care or treatment; or
- 8 (6) any crime that subjects the licensee to compliance
9 with the requirements of the Sex Offender Registration
10 Act. and any
- 11 Any such conviction listed in this subsection (c) shall
12 operate as a permanent bar in the State of Illinois to practice
13 as a massage therapist. No person who has been convicted of any
14 offense listed in this subsection (c) or who is required at any
15 point to register as a sex offender may receive, maintain, or
16 restore a license as a massage therapist in Illinois.
- 17 (c-5) A prosecuting attorney shall provide notice to the
18 Department of the licensed massage therapist's name, address,
19 practice address, and license number and a copy of the
20 criminal charges filed immediately after a licensed massage
21 therapist has been charged with any of the following offenses:
- 22 (1) an offense for which the sentence includes
23 registration as a sex offender;
- 24 (2) involuntary sexual servitude of a minor;
- 25 (3) the crime of battery against a patient, including
26 any offense based on sexual conduct or sexual penetration,

1 in the course of patient care or treatment; or

2 (4) a forcible felony.

3 If the victim of the crime the licensee has been charged
4 with is a patient of the licensee, the prosecuting attorney
5 shall also provide notice to the Department of the patient's
6 name.

7 Within 5 business days after receiving notice from the
8 prosecuting attorney of the filing of criminal charges against
9 the licensed massage therapist, the Secretary shall issue an
10 administrative order that the licensed massage therapist shall
11 practice only with a chaperone during all patient encounters
12 pending the outcome of the criminal proceedings. The chaperone
13 shall be a licensed massage therapist or other health care
14 worker licensed by the Department. The administrative order
15 shall specify any other terms or conditions deemed appropriate
16 by the Secretary. The chaperone shall provide written notice
17 to all of the licensed massage therapist's patients explaining
18 the Department's order to use a chaperone. Each patient shall
19 sign an acknowledgment that the patient received the notice.
20 The notice to the patient of criminal charges shall include,
21 in 14-point font, the following statement: "The massage
22 therapist is presumed innocent until proven guilty of the
23 charges."

24 The licensed massage therapist shall provide a written
25 plan of compliance with the administrative order that is
26 acceptable to the Department within 5 business days after

1 receipt of the administrative order. Failure to comply with
2 the administrative order, failure to file a compliance plan,
3 or failure to follow the compliance plan shall subject the
4 licensed massage therapist to temporary suspension of the
5 licensed massage therapist's ~~his or her~~ license until the
6 completion of the criminal proceedings.

7 If the licensee is not convicted of the charge or if any
8 conviction is later overturned by a reviewing court, the
9 administrative order shall be vacated and removed from the
10 licensee's record.

11 The Department may adopt rules to implement this
12 subsection.

13 (d) The Department may refuse to issue or may suspend the
14 license of any person who fails to file a tax return, to pay
15 the tax, penalty, or interest shown in a filed tax return, or
16 to pay any final assessment of tax, penalty, or interest, as
17 required by any tax Act administered by the Illinois
18 Department of Revenue, until such time as the requirements of
19 the tax Act are satisfied in accordance with subsection (g) of
20 Section 2105-15 of the Civil Administrative Code of Illinois.

21 (e) (Blank).

22 (f) In cases where the Department of Healthcare and Family
23 Services has previously determined that a licensee or a
24 potential licensee is more than 30 days delinquent in the
25 payment of child support and has subsequently certified the
26 delinquency to the Department, the Department may refuse to

1 issue or renew or may revoke or suspend that person's license
2 or may take other disciplinary action against that person
3 based solely upon the certification of delinquency made by the
4 Department of Healthcare and Family Services in accordance
5 with item (5) of subsection (a) of Section 2105-15 of the Civil
6 Administrative Code of Illinois.

7 (g) The determination by a circuit court that a licensee
8 is subject to involuntary admission or judicial admission, as
9 provided in the Mental Health and Developmental Disabilities
10 Code, operates as an automatic suspension. The suspension will
11 end only upon a finding by a court that the patient is no
12 longer subject to involuntary admission or judicial admission
13 and the issuance of a court order so finding and discharging
14 the patient.

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

1 Board or Department. The individual to be examined may have,
2 at the individual's ~~his or her~~ own expense, another physician
3 of the individual's ~~his or her~~ choice present during all
4 aspects of this examination. The examination shall be
5 performed by a physician licensed to practice medicine in all
6 its branches. Failure of an individual to submit to a mental or
7 physical examination, when directed, shall result in an
8 automatic suspension without hearing.

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

1 mental illness or impairment.

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

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

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

18 (225 ILCS 57/50)

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

20 Sec. 50. Advertising. It is a misdemeanor for any person,
21 organization, or corporation to advertise massage services
22 unless the person providing the service holds a valid license
23 under this Act, except for those excluded licensed
24 professionals who are allowed to include massage in their
25 scope of practice. A massage therapist may not advertise

1 unless the massage therapist ~~he or she~~ has a current license
2 issued by this State. A massage therapist shall include the
3 current license number issued by the Department on all
4 advertisements in accordance with paragraph (4) of subsection
5 (a) of Section 45. "Advertise" as used in this Section
6 includes, but is not limited to, the issuance of any card,
7 sign, or device to any person; the causing, permitting, or
8 allowing of any sign or marking on or in any building, vehicle,
9 or structure; advertising in any newspaper or magazine; any
10 listing or advertising in any directory under a classification
11 or heading that includes the words "massage", "massage
12 therapist", "therapeutic massage", or "massage therapeutic";
13 or commercials broadcast by any means.

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

15 (225 ILCS 57/68)

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

17 Sec. 68. Abnormal skin growth education.

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

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

24 (2) An applicant who was licensed before January 1,
25 2026 when submitting the applicant's first application for

1 renewal or restoration of a license on or after January 1,
2 2026.

3 (b) Nothing in this Section shall be construed to create a
4 cause of action or any civil liabilities or to require or
5 permit a licensee or applicant under this Act to practice
6 medicine or otherwise practice outside of the scope of
7 practice of a licensed massage therapist.

8 (c) A person licensed under this Act may refer an
9 individual to seek care from a medical professional regarding
10 an abnormal skin growth. Neither a person licensed under this
11 Act who completes abnormal skin growth education ~~as a part of~~
12 ~~the person's continuing education~~, nor the person's employer,
13 shall be civilly or criminally liable for acting in good faith
14 or failing to act on information obtained during the course of
15 practicing in the person's profession or employment concerning
16 potential abnormal skin growths.

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

18 (225 ILCS 57/70)

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

20 Sec. 70. Restoration of expired licenses. A massage
21 therapist who has permitted the massage therapist's ~~his or her~~
22 license to expire or who has had the massage therapist's ~~his or~~
23 ~~her~~ license on inactive status may have the ~~his or her~~ license
24 restored by making application to the Department and filing
25 proof acceptable to the Department of the massage therapist's

1 ~~his or her~~ fitness to have the ~~his or her~~ license restored,
2 including sworn evidence certifying to active practice in
3 another jurisdiction satisfactory to the Department, and by
4 paying the required restoration fee and showing proof of
5 completion of required continuing education. Licensees must
6 provide proof of completion of 25 ~~24~~ hours approved continuing
7 education to renew their license.

8 If the massage therapist has not maintained an active
9 practice in another jurisdiction satisfactory to the
10 Department, the Board shall determine, by an evaluation
11 program established by rule, the massage therapist's ~~his or~~
12 ~~her~~ fitness to resume active status and may require the
13 massage therapist to complete a period of evaluated clinical
14 experience and may require successful completion of an
15 examination.

16 A massage therapist whose license has been expired or
17 placed on inactive status for more than 5 years may have the
18 ~~his or her~~ license restored by making application to the
19 Department and filing proof acceptable to the Department of
20 the massage therapist's ~~his or her~~ fitness to have the ~~his or~~
21 ~~her~~ license restored, including sworn evidence certifying to
22 active practice in another jurisdiction, by paying the
23 required restoration fee, and by showing proof of the
24 completion of 25 ~~24~~ hours of continuing education.

25 However, any massage therapist ~~registrant~~ whose license
26 has expired while the massage therapist ~~he or she~~ has been

1 engaged (i) in Federal Service on active duty with the United
2 States Army, Navy, Marine Corps, Air Force, Space Force, Coast
3 Guard, or Public Health Service or the State Militia called
4 into the service or training of the United States of America,
5 or (ii) in training or education under the supervision of the
6 United States preliminary to induction into the military
7 service, may have the massage therapist's ~~his or her~~ license
8 reinstated or restored without paying any lapsed renewal fees,
9 if within 2 years after honorable termination of such service,
10 training, or education, the massage therapist ~~he or she~~
11 furnishes to the Department with satisfactory evidence to the
12 effect that the massage therapist ~~he or she~~ has been so engaged
13 and that the massage therapist's ~~his or her~~ service, training,
14 or education has been so terminated.

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

16 (225 ILCS 57/75)

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

18 Sec. 75. Inactive licenses. Any massage therapist who
19 notifies the Department in writing or electronically on forms
20 provided ~~prescribed~~ by the Department may elect to place the
21 massage therapist's ~~his or her~~ license on inactive status and
22 shall, subject to rules of the Department, be excused from
23 payment of renewal fees until the massage therapist ~~he or she~~
24 notifies the Department in writing of the massage therapist's
25 ~~his or her~~ desire to resume active status.

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

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

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

9 (225 ILCS 57/90)

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

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

12 (a) If any person violates a provision of this Act, the
13 Secretary may, in the name of the People of the State of
14 Illinois, through the Attorney General of the State of
15 Illinois or the State's Attorney in the county in which the
16 offense occurs, petition for an order enjoining the violation
17 or for an order enforcing compliance with this Act. Upon the
18 filing of a verified petition in court, the court may issue a
19 temporary restraining order, without notice or bond, and may
20 preliminarily and permanently enjoin the violation. If it is
21 established that the person has violated or is violating the
22 injunction, the court may punish the offender for contempt of
23 court. Proceedings under this Section shall be in addition to,
24 and not in lieu of, all other remedies and penalties provided
25 by this Act.

1 (b) If any person administers ~~practices as a~~ massage for
2 compensation ~~therapist~~ or holds oneself ~~himself or herself~~ out
3 as a massage therapist without being licensed under the
4 provisions of this Act, then the Secretary, any licensed
5 massage therapist, any interested party, or any person injured
6 thereby may petition for relief as provided in subsection (a)
7 of this Section or may apply to the circuit court of the county
8 in which the violation or some part thereof occurred, or in
9 which the person complained of has his or her principal place
10 of business or resides, to prevent the violation. The court
11 has jurisdiction to enforce obedience by injunction or by
12 other process restricting the person complained of from
13 further violation and enjoining upon the person's ~~him or her~~
14 obedience.

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

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

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

2 Sec. 95. Investigations; notice and hearing. The
3 Department may investigate the actions of any applicant or of
4 any person or persons rendering or offering to render massage
5 therapy services or any person holding or claiming to hold a
6 license as a massage therapist. The Department shall, before
7 refusing to issue or renew a license or to discipline a
8 licensee under Section 45, at least 30 days prior to the date
9 set for the hearing, (i) notify the accused in writing of the
10 charges made and the time and place for the hearing on the
11 charges, (ii) direct the accused ~~him or her~~ to file a written
12 answer with the Department under oath within 20 days after the
13 service of the notice, and (iii) inform the accused ~~applicant~~
14 ~~or licensee~~ that failure to file an answer will result in a
15 default judgment being entered against the accused ~~applicant~~
16 ~~or licensee~~. At the time and place fixed in the notice, the
17 Department shall proceed to hear the charges and the parties
18 of their counsel shall be accorded ample opportunity to
19 present any pertinent statements, testimony, evidence, and
20 arguments. The Department may continue the hearing from time
21 to time. In case the person, after receiving the notice, fails
22 to file an answer, the ~~his or her~~ license may, in the
23 discretion of the Department, be revoked, suspended, placed on
24 probationary status, or the Department may take whatever
25 disciplinary actions considered proper, including limiting the
26 scope, nature, or extent of the person's practice or the

1 imposition of a fine, without a hearing, if the act or acts
2 charged constitute sufficient grounds for that action under
3 the Act. The written notice may be served by personal
4 delivery, by ~~certified~~ mail to the accused's address of
5 record, or by email to the accused's email address of record.

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

7 (225 ILCS 57/100)

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

9 Sec. 100. Record of proceedings ~~Stenographer~~; transcript.
10 The Department, at its expense, shall provide a certified
11 shorthand reporter to take down the testimony and preserve a
12 record of all proceedings at the formal hearing of any case.
13 Any notice, all documents in the nature of pleadings, written
14 motions filed in the proceedings, the transcripts of
15 testimony, reports of the Board and hearing officer, and
16 orders of the Department shall be in the record of the
17 proceeding. The record may be made available to any person
18 interested in the hearing upon the payment of the fee required
19 by Section 2105-115 of the Department of Professional
20 Regulation Law of the Civil Administrative Code of Illinois.
21 The Department may contract for court reporting services, and,
22 in the event it does so, the Department shall provide the name
23 and contact information for the certified shorthand reporter
24 who transcribed the testimony at a hearing to any person
25 interested, who may obtain a copy of the transcript of any

1 proceedings at a hearing upon the payment of the fee specified
2 by the certified shorthand reporter. This charge shall be in
3 addition to any fee charged by the Department for certifying
4 the record.

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

6 (225 ILCS 57/105)

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

8 Sec. 105. Subpoenas; depositions; oaths.

9 (a) The Department may subpoena and bring before it any
10 person to take the oral or written testimony or compel the
11 production of any books, papers, records, or any other
12 documents that the Secretary or the Secretary's ~~his or her~~
13 designee deems relevant or material to any such investigation
14 or hearing conducted by the Department with the same fees and
15 in the same manner as prescribed in civil cases in the courts
16 of this State.

17 (b) Any circuit court, upon the application of the
18 licensee or the Department, may order the attendance and
19 testimony of witnesses and the production of relevant
20 documents, files, records, books, and papers in connection
21 with any hearing or investigation. The circuit court may
22 compel obedience to its order by proceedings for contempt.

23 (c) The Secretary, the hearing officer, any member of the
24 Board, or a certified shorthand court reporter may administer
25 oaths at any hearing the Department conducts. Notwithstanding

1 any other statute or Department rule to the contrary, all
2 requests for testimony, production of documents, or records
3 shall be in accordance with this Act.

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

5 (225 ILCS 57/165)

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

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

8 (a) Any person who practices, offers to practice, attempts
9 to practice, or holds oneself ~~himself or herself~~ out to
10 practice massage therapy or as a massage therapist without
11 being licensed under this Act, or any person not licensed
12 under this Act who aids, abets, assists, procures, advises,
13 employs, or contracts with any unlicensed person to practice
14 massage therapy contrary to any rules or provisions of this
15 Act, shall, in addition to any other penalty provided by law,
16 pay a civil penalty to the Department in an amount not to
17 exceed \$10,000 for each violation of this Act as determined by
18 the Department. The civil penalty shall be assessed by the
19 Department after a hearing is held in accordance with the
20 provisions set forth in this Act regarding the provision of a
21 hearing for the discipline of a licensee.

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

24 (c) The civil penalty shall be paid within 60 days after
25 the effective date of the order imposing the civil penalty.

1 The order shall constitute a judgment and may be filed and
2 execution had thereon in the same manner as any judgment from
3 any court of record.

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

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

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

11 (225 ILCS 60/5) (from Ch. 111, par. 4400-5)

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

13 Sec. 5. Because the candid and conscientious evaluation of
14 clinical practices is essential to the provision of adequate
15 health care, it is the policy of this State to encourage peer
16 review by health care providers. Therefore, while serving upon
17 any committee whose purpose, directly or indirectly, is
18 internal quality control or medical study to reduce morbidity
19 or mortality, or for improving patient care or physician
20 services within a hospital duly licensed under the Hospital
21 Licensing Act, or within a professional association of persons
22 licensed under this Act, or the improving or benefiting of
23 patient care and treatment whether within a hospital or not,
24 or for the purpose of professional discipline, any person

1 serving on such committee, and any person providing service to
2 such committees, shall not be liable for civil damages as a
3 result of their acts, omissions, decisions, or any other
4 conduct in connection with their duties on such committees,
5 except those involving willful ~~wilful~~ or wanton misconduct.

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

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

11 (225 ILCS 60/7.1)

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

13 Sec. 7.1. Medical Board.

14 (A) There is hereby created the Illinois State Medical
15 Board. The Medical Board shall advise the Secretary. The
16 Medical Board shall consist of 17 members, to be appointed by
17 the Governor by and with the advice and consent of the Senate.
18 All members shall be residents of the State, not more than 8 of
19 whom shall be members of the same political party. All members
20 shall be voting members. Eight members shall be physicians
21 licensed to practice medicine in all of its branches in
22 Illinois possessing the degree of doctor of medicine. Two
23 members shall be physicians licensed to practice medicine in
24 all its branches in Illinois possessing the degree of doctor
25 of osteopathy or osteopathic medicine. Two of the physician

1 members shall be physicians who collaborate with physician
2 assistants. Two members shall be chiropractic physicians
3 licensed to practice in Illinois and possessing the degree of
4 doctor of chiropractic. Two members shall be physician
5 assistants licensed to practice in Illinois. Three members
6 shall be members of the public, who shall not be engaged in any
7 way, directly or indirectly, as providers of health care.

8 (B) Members of the Medical Board shall be appointed for
9 terms of 4 years. Upon the expiration of the term of any
10 member, their successor shall be appointed for a term of 4
11 years by the Governor by and with the advice and consent of the
12 Senate. The Governor shall fill any vacancy for the remainder
13 of the unexpired term with the advice and consent of the
14 Senate. Upon recommendation of the Medical Board, any member
15 of the Medical Board may be removed by the Governor for
16 misfeasance, malfeasance, or willful neglect of duty, after
17 notice, and a public hearing, unless such notice and hearing
18 shall be expressly waived in writing. Each member shall serve
19 on the Medical Board until their successor is appointed and
20 qualified. No member of the Medical Board shall serve more
21 than 2 consecutive 4-year terms.

22 In making appointments the Governor shall attempt to
23 ensure that the various social and geographic regions of the
24 State of Illinois are properly represented.

25 In making the designation of persons to act for the
26 several professions represented on the Medical Board, the

1 Governor shall give due consideration to recommendations by
2 members of the respective professions and by organizations
3 therein.

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

9 (D) A majority of the Medical Board members currently
10 appointed shall constitute a quorum. A vacancy in the
11 membership of the Medical Board shall not impair the right of a
12 quorum to exercise all the rights and perform all the duties of
13 the Medical Board. Any action taken by the Medical Board under
14 this Act may be authorized by resolution at any regular or
15 special meeting and each such resolution shall take effect
16 immediately. The Medical Board shall meet at least quarterly.

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

19 (F) The Secretary shall select a Chief Medical Coordinator
20 and not less than 2 Deputy Medical Coordinators who shall not
21 be members of the Medical Board. Each medical coordinator
22 shall be a physician licensed to practice medicine in all of
23 its branches, and the Secretary shall set their rates of
24 compensation. The Secretary shall assign at least one medical
25 coordinator to a region composed of Cook County and such other
26 counties as the Secretary may deem appropriate, and such

1 medical coordinator or coordinators shall locate their office
2 in Chicago. The Secretary shall assign at least one medical
3 coordinator to a region composed of the balance of counties in
4 the State, and such medical coordinator or coordinators shall
5 locate their office in Springfield. The Chief Medical
6 Coordinator shall be the chief enforcement officer of this
7 Act. None of the functions, powers, or duties of the
8 Department with respect to policies regarding enforcement or
9 discipline under this Act, including the adoption of such
10 rules as may be necessary for the administration of this Act,
11 shall be exercised by the Department except upon review of the
12 Medical Board.

13 (G) The Secretary shall employ, in conformity with the
14 Personnel Code, investigators who are college graduates with
15 at least 2 years of investigative experience or one year of
16 advanced medical education. Upon the written request of the
17 Medical Board, the Secretary shall employ, in conformity with
18 the Personnel Code, such other professional, technical,
19 investigative, and clerical help, either on a full or
20 part-time basis as the Medical Board deems necessary for the
21 proper performance of its duties.

22 (H) Upon the specific request of the Medical Board, signed
23 by either the chairperson, vice chairperson, or a medical
24 coordinator of the Medical Board, the Department of Human
25 Services, the Department of Healthcare and Family Services,
26 the Illinois ~~Department of~~ State Police, or any other law

1 enforcement agency located in this State shall make available
2 any and all information that they have in their possession
3 regarding a particular case then under investigation by the
4 Medical Board.

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

8 (J) The Medical Board may compile and establish a
9 statewide roster of physicians and other medical
10 professionals, including the several medical specialties, of
11 such physicians and medical professionals, who have agreed to
12 serve from time to time as advisors to the medical
13 coordinators. Such advisors shall assist the medical
14 coordinators or the Medical Board in their investigations and
15 participation in complaints against physicians. Such advisors
16 shall serve under contract and shall be reimbursed at a
17 reasonable rate for the services provided, plus reasonable
18 expenses incurred. While serving in this capacity, the
19 advisor, for any act undertaken in good faith and in the
20 conduct of his or her duties under this Section, shall be
21 immune from civil suit.

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

23 (225 ILCS 60/9) (from Ch. 111, par. 4400-9)

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

25 Sec. 9. Application for license. Each applicant for a

1 license shall:

2 (A) Make application on blank forms prepared and
3 furnished by the Department.

4 (B) Submit evidence satisfactory to the Department
5 that the applicant:

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

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

17 (3) (blank); and

18 (4) is physically, mentally, and professionally
19 capable of practicing medicine with reasonable
20 judgment, skill, and safety. In determining physical
21 and mental capacity under this Section, the Medical
22 Board may, upon a showing of a possible incapacity or
23 conduct or activities that would constitute grounds
24 for discipline under this Act, compel any applicant to
25 submit to a mental or physical examination and
26 evaluation, or both, as provided for in Section 22 of

1 this Act. The Medical Board may condition or restrict
2 any license, subject to the same terms and conditions
3 as are provided for the Medical Board under Section 22
4 of this Act. Any such condition of a restricted
5 license shall provide that the Chief Medical
6 Coordinator or Deputy Medical Coordinator shall have
7 the authority to review the subject physician's
8 compliance with such conditions or restrictions,
9 including, where appropriate, the physician's record
10 of treatment and counseling regarding the impairment,
11 to the extent permitted by applicable federal statutes
12 and regulations safeguarding the confidentiality of
13 medical records of patients. The Medical Board, in
14 determining mental capacity, shall consider the latest
15 recommendations of the Federation of State Medical
16 Boards.

17 In determining professional capacity under this
18 Section, an individual may be required to complete such
19 additional testing, training, or remedial education as the
20 Medical Board may deem necessary in order to establish the
21 applicant's present capacity to practice medicine with
22 reasonable judgment, skill, and safety. The Medical Board
23 may consider the following criteria, as they relate to an
24 applicant, as part of its determination of professional
25 capacity:

26 (1) Medical research in an established research

1 facility, hospital, college or university, or private
2 corporation.

3 (2) Specialized training or education.

4 (3) Publication of original work in learned,
5 medical, or scientific journals.

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

8 (5) Professional service in a federal veterans or
9 military institution.

10 (5.5) Successful completion of a re-entry course.

11 (6) Any other professional activities deemed to
12 maintain and enhance the clinical capabilities of the
13 applicant.

14 Any applicant applying for a license to practice
15 medicine in all of its branches or for a license as a
16 chiropractic physician who has not been engaged in the
17 active practice of medicine or has not been enrolled in a
18 medical program for 2 years prior to application must
19 submit proof of professional capacity to the Medical
20 Board.

21 Any applicant applying for a temporary license that
22 has not been engaged in the active practice of medicine or
23 has not been enrolled in a medical program for longer than
24 5 years prior to application must submit proof of
25 professional capacity to the Medical Board.

26 (C) Designate specifically the name, location, and

1 kind of professional school, college, or institution of
2 which the applicant is a graduate and the category under
3 which the applicant seeks, and will undertake, to
4 practice.

5 (D) Pay to the Department at the time of application
6 the required fees.

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

10 (F) Complete the application process within 3 years
11 from the date of application. If the process has not been
12 completed within 3 years, the application shall expire,
13 application fees shall be forfeited, and the applicant
14 must reapply and meet the requirements in effect at the
15 time of reapplication.

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

17 (225 ILCS 60/9.3)

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

19 Sec. 9.3. Withdrawal of application. Any applicant
20 applying for a license or permit under this Act may withdraw
21 the applicant's ~~his or her~~ application at any time. If an
22 applicant withdraws the applicant's ~~his or her~~ application
23 after receipt of a written Notice of Intent to Deny License or
24 Permit, then the withdrawal shall be reported to the
25 Federation of State Medical Boards.

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

2 (225 ILCS 60/9.5)

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

4 Sec. 9.5. Social Security Number or individual taxpayer
5 identification number on license application. In addition to
6 any other information required to be contained in the
7 application, every application for an original license under
8 this Act shall include the applicant's Social Security Number
9 or individual taxpayer identification number, which shall be
10 retained in the agency's records pertaining to the license. As
11 soon as practical, the Department shall assign a customer's
12 identification number to each applicant for a license.

13 Every application for a renewal or reinstated license
14 shall require the applicant's customer identification number.

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

16 (225 ILCS 60/9.7)

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

18 Sec. 9.7. Criminal history records background check. Each
19 applicant for licensure or permit under Sections 9, 15.5, 18,
20 and 19 shall have the applicant's ~~his or her~~ fingerprints
21 submitted to the Illinois State Police in an electronic format
22 that complies with the form and manner for requesting and
23 furnishing criminal history record information as prescribed
24 by the Illinois State Police. These fingerprints shall be

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

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

18 (225 ILCS 60/11) (from Ch. 111, par. 4400-11)

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

20 Sec. 11. Minimum education standards. The minimum
21 standards of professional education to be enforced by the
22 Department in conducting examinations and issuing licenses
23 shall be as follows:

24 (A) Practice of medicine. For the practice of medicine
25 in all of its branches:

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

3 (a) that the applicant is a graduate of a
4 medical or osteopathic college in the United
5 States or, its territories and ~~or Canada~~, that the
6 applicant has completed a 2-year ~~2-year~~ course of
7 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 or by a private, not-for-profit ~~not for~~
11 ~~profit~~ accrediting body approved by the
12 Department, and in addition thereto, a course of
13 postgraduate clinical training of not less than 12
14 months as approved by the Department; or

15 (b) that the applicant is a graduate of a
16 medical or osteopathic college located outside the
17 United States or, its territories ~~or Canada~~, and
18 that the degree conferred is officially recognized
19 by the country for the purposes of licensure, that
20 the applicant has completed a 2-year ~~2-year~~ course
21 of instruction in a college of liberal arts or its
22 equivalent, and a course of instruction in a
23 medical or osteopathic college approved by the
24 Department, which course shall have been not less
25 than 132 weeks in duration and shall have been
26 completed within a period of not less than 35

1 months, and, in addition thereto, has completed a
2 course of postgraduate clinical training of not
3 less than 12 months, as approved by the
4 Department, and has complied with any other
5 standards established by rule.

6 For the purposes of this subparagraph (b) an
7 applicant is considered to be a graduate of a
8 medical college if the degree which is conferred
9 is officially recognized by that country for the
10 purposes of receiving a license to practice
11 medicine in all of its branches or a document is
12 granted by the medical college which certifies the
13 completion of all formal training requirements
14 including any internship and social service; or

15 (c) that the applicant has studied medicine at
16 a medical or osteopathic college located outside
17 the United States or its territories and ~~or~~
18 ~~Canada,~~ that the applicant has completed a 2-year
19 ~~2-year~~ course of instruction in a college of
20 liberal arts or its equivalent and all of the
21 formal requirements of a foreign medical school
22 except internship and social service, which course
23 shall have been not less than 132 weeks in
24 duration and shall have been completed within a
25 period of not less than 35 months; that the
26 applicant has submitted an application to a

1 medical college accredited by the Liaison
2 Committee on Medical Education and submitted to
3 such evaluation procedures, including use of
4 nationally recognized medical student tests or
5 tests devised by the individual medical college,
6 and that the applicant has satisfactorily
7 completed one academic year of supervised clinical
8 training under the direction of such medical
9 college; and, in addition thereto has completed a
10 course of postgraduate clinical training of not
11 less than 12 months, as approved by the
12 Department, and has complied with any other
13 standards established by rule.

14 (d) Any clinical clerkship ~~clerkships~~ must
15 have been completed in compliance with Section
16 10.3 of the Hospital Licensing Act, as amended.

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

22 (a) that the applicant: (i) graduated from a
23 medical or osteopathic college officially
24 recognized by the jurisdiction in which it is
25 located for the purpose of receiving a license to
26 practice medicine in all of its branches, and the

1 applicant has completed, as defined by the
2 Department, a 6-year ~~6-year~~ postsecondary course
3 of study comprising at least 2 academic years of
4 study in the basic medical sciences; and 2
5 academic years of study in the clinical sciences,
6 while enrolled in the medical college which
7 conferred the degree, the core rotations of which
8 must have been completed in clinical teaching
9 facilities owned, operated or formally affiliated
10 with the medical college which conferred the
11 degree, or under contract in teaching facilities
12 owned, operated or affiliated with another medical
13 college which is officially recognized by the
14 jurisdiction in which the medical school which
15 conferred the degree is located; or (ii) graduated
16 from a medical or osteopathic college accredited
17 by the Liaison Committee on Medical Education, the
18 Committee on Accreditation of Canadian Medical
19 Schools in conjunction with the Liaison Committee
20 on Medical Education, or the Bureau of
21 Professional Education of the American Osteopathic
22 Association; and, (iii) in addition thereto, has
23 completed 24 months of postgraduate clinical
24 training, as approved by the Department; or

25 (b) that the applicant has studied medicine at
26 a medical or osteopathic college located outside

1 the United States ~~or~~ its territories and ~~or~~
2 ~~Canada,~~ that the applicant, in addition to
3 satisfying the requirements of subparagraph (a),
4 except for the awarding of a degree, has completed
5 all of the formal requirements of a foreign
6 medical school except internship and social
7 service and has submitted an application to a
8 medical college accredited by the Liaison
9 Committee on Medical Education and submitted to
10 such evaluation procedures, including use of
11 nationally recognized medical student tests or
12 tests devised by the individual medical college,
13 and that the applicant has satisfactorily
14 completed one academic year of supervised clinical
15 training under the direction of such medical
16 college; and, in addition thereto, has completed
17 24 months of postgraduate clinical training, as
18 approved by the Department, and has complied with
19 any other standards established by rule.

20 (3) (Blank).

21 (4) Any person granted a temporary license
22 pursuant to Section 17 of this Act who shall
23 satisfactorily complete a course of postgraduate
24 clinical training and meet all of the requirements for
25 licensure shall be granted a permanent license
26 pursuant to Section 9.

1 (5) Notwithstanding any other provision of this
2 Section an individual holding a temporary license
3 under Section 17 of this Act shall be required to
4 satisfy the undergraduate medical and post-graduate
5 clinical training educational requirements in effect
6 on the date of their application for a temporary
7 license, provided they apply for a license under
8 Section 9 of this Act and satisfy all other
9 requirements of this Section while their temporary
10 license is in effect.

11 (B) Treating human ailments without drugs and without
12 operative surgery. For the practice of treating human
13 ailments without the use of drugs and without operative
14 surgery:

15 (1) For an applicant who was a resident student
16 and who is a graduate after July 1, 1926, of a
17 chiropractic college or institution, that such school,
18 college or institution, at the time of the applicant's
19 graduation required as a prerequisite to admission
20 thereto a 4-year ~~4-year~~ course of instruction in a high
21 school, and, as a prerequisite to graduation
22 therefrom, a course of instruction in the treatment of
23 human ailments, of not less than 132 weeks in duration
24 and which shall have been completed within a period of
25 not less than 35 months except that as to students
26 matriculating or entering upon a course of

1 chiropractic study during the years 1940, 1941, 1942,
2 1943, 1944, 1945, 1946, and 1947, such elapsed time
3 shall be not less than 32 months, such high school and
4 such school, college or institution having been
5 reputable and in good standing in the judgment of the
6 Department.

7 (2) For an applicant who is a matriculant in a
8 chiropractic college after September 1, 1969, that
9 such applicant shall be required to complete a 2-year
10 ~~2-year~~ course of instruction in a liberal arts college
11 or its equivalent and a course of instruction in a
12 chiropractic college in the treatment of human
13 ailments, such course, as a prerequisite to graduation
14 therefrom, having been not less than 132 weeks in
15 duration and shall have been completed within a period
16 of not less than 35 months, such college of liberal
17 arts and chiropractic college having been reputable
18 and in good standing in the judgment of the
19 Department.

20 (3) For an applicant who is a graduate of a United
21 States chiropractic college after August 19, 1981, the
22 college of the applicant must be fully accredited by
23 the Commission on Accreditation of the Council on
24 Chiropractic Education or its successor at the time of
25 graduation. Such graduates shall be considered to have
26 met the minimum requirements which shall be in

1 addition to those requirements set forth in the rules
2 and regulations promulgated by the Department.

3 (4) For an applicant who is a graduate of a
4 chiropractic college in another country; that such
5 chiropractic college be equivalent to the standards of
6 education as set forth for chiropractic colleges
7 located in the United States.

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

9 (225 ILCS 60/15) (from Ch. 111, par. 4400-15)

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

11 Sec. 15. Chiropractic physician; license for general
12 practice. Any chiropractic physician licensed under this Act
13 shall be permitted to take the examination for licensure as a
14 physician to practice medicine in all its branches and shall
15 receive a license to practice medicine in all of its branches
16 if the chiropractic physician ~~he or she~~ shall successfully
17 pass such examination, upon proof of having successfully
18 completed in a medical college, osteopathic college or
19 chiropractic college reputable and in good standing in the
20 judgment of the Department, courses of instruction in materia
21 medica, therapeutics, surgery, obstetrics, and theory and
22 practice deemed by the Department to be equal to the courses of
23 instruction required in those subjects for admission to the
24 examination for a license to practice medicine in all of its
25 branches, together with proof of having completed (a) the

1 2-year ~~2-year~~ course of instruction in a college of liberal
2 arts, or its equivalent, required under this Act, and (b) a
3 course of postgraduate clinical training of not less than 24
4 months as approved by the Department.

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

6 (225 ILCS 60/17) (from Ch. 111, par. 4400-17)

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

8 Sec. 17. Temporary license. Persons holding the degree of
9 Doctor of Medicine, persons holding the degree of Doctor of
10 Osteopathy or Doctor of Osteopathic Medicine, and persons
11 holding the degree of Doctor of Chiropractic or persons who
12 have satisfied the requirements therefor and are eligible to
13 receive such degree from a medical, osteopathic, or
14 chiropractic school, who wish to pursue programs of graduate
15 or specialty training in this State, may receive without
16 examination, in the discretion of the Department, a 3-year
17 temporary license. In order to receive a 3-year temporary
18 license hereunder, an applicant shall submit evidence
19 satisfactory to the Department that the applicant:

20 (A) Is of good moral character. In determining moral
21 character under this Section, the Department may take into
22 consideration whether the applicant has engaged in conduct
23 or activities which would constitute grounds for
24 discipline under this Act. The Department may also request
25 the applicant to submit, and may consider as evidence of

1 moral character, endorsements from 2 or 3 individuals
2 licensed under this Act;

3 (B) Has been accepted or appointed for specialty or
4 residency training by a hospital situated in this State or
5 a training program in hospitals or facilities maintained
6 by the State of Illinois or affiliated training facilities
7 which is approved by the Department for the purpose of
8 such training under this Act. The applicant shall indicate
9 the beginning and ending dates of the period for which the
10 applicant has been accepted or appointed;

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

15 (D) Is physically, mentally, and professionally
16 capable of practicing medicine or treating human ailments
17 without the use of drugs and without operative surgery
18 with reasonable judgment, skill, and safety. In
19 determining physical, mental and professional capacity
20 under this Section, the Medical Board may, upon a showing
21 of a possible incapacity, compel an applicant to submit to
22 a mental or physical examination and evaluation, or both,
23 and may condition or restrict any temporary license,
24 subject to the same terms and conditions as are provided
25 for the Medical Board under Section 22 of this Act. Any
26 such condition of restricted temporary license shall

1 provide that the Chief Medical Coordinator or Deputy
2 Medical Coordinator shall have the authority to review the
3 subject physician's compliance with such conditions or
4 restrictions, including, where appropriate, the
5 physician's record of treatment and counseling regarding
6 the impairment, to the extent permitted by applicable
7 federal statutes and regulations safeguarding the
8 confidentiality of medical records of patients.

9 Three-year temporary licenses issued pursuant to this
10 Section shall be valid only for the period of time designated
11 therein, and may be extended or renewed pursuant to the rules
12 of the Department, and if a temporary license is thereafter
13 extended, it shall not extend beyond completion of the
14 residency program. The holder of a valid 3-year temporary
15 license shall be entitled thereby to perform only such acts as
16 may be prescribed by and incidental to the holder's ~~his or her~~
17 program of residency training; the holder ~~he or she~~ shall not
18 be entitled to otherwise engage in the practice of medicine in
19 this State unless fully licensed in this State.

20 A 3-year temporary license may be revoked or suspended by
21 the Department upon proof that the holder thereof has engaged
22 in the practice of medicine in this State outside of the
23 program of the holder's ~~his or her~~ residency or specialty
24 training, or if the holder shall fail to supply the
25 Department, within 10 days of its request, with information as
26 to the holder's ~~his or her~~ current status and activities in his

1 or her specialty training program. Such a revocation or
2 suspension shall comply with the procedures set forth in
3 subsection (d) of Section 37 of this Act.

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

5 (225 ILCS 60/18) (from Ch. 111, par. 4400-18)

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

7 Sec. 18. Visiting professor, physician, or resident
8 permits.

9 (A) Visiting professor permit.

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

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

21 (b) the person has received a faculty appointment
22 to teach in a medical, osteopathic, or chiropractic
23 school in Illinois; and

24 (c) the Department may prescribe the information
25 necessary to establish an applicant's eligibility for

1 a permit. This information shall include, without
2 limitation: (i) a statement from the dean of the
3 medical school at which the applicant will be employed
4 describing the applicant's qualifications and (ii) a
5 statement from the dean of the medical school listing
6 every affiliated institution in which the applicant
7 will be providing instruction as part of the medical
8 school's education program and justifying any clinical
9 activities at each of the institutions listed by the
10 dean.

11 (2) Application for visiting professor permits shall
12 be made to the Department, in writing, on forms prescribed
13 by the Department and shall be accompanied by the required
14 fee established by rule, which shall not be refundable.
15 Any application shall require the information as, in the
16 judgment of the Department, will enable the Department to
17 pass on the qualifications of the applicant.

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

23 (4) The applicant may be required to appear before the
24 Medical Board for an interview prior to, and as a
25 requirement for, the issuance of the original permit and
26 the renewal.

1 (5) Persons holding a permit under this Section shall
2 only practice medicine in all of its branches or practice
3 the treatment of human ailments without the use of drugs
4 and without operative surgery in the State of Illinois in
5 their official capacity under their contract within the
6 medical school itself and any affiliated institution in
7 which the permit holder is providing instruction as part
8 of the medical school's educational program and for which
9 the medical school has assumed direct responsibility.

10 (6) After the initial renewal of a visiting professor
11 permit, a visiting professor permit shall be valid until
12 the last day of the next physician license renewal period,
13 as set by rule, and may only be renewed for applicants who
14 meet the following requirements:

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

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

19 For initial renewal, the visiting professor must
20 successfully pass a general competency examination authorized
21 by the Department by rule, unless the visiting professor ~~he or~~
22 ~~she~~ was issued an initial visiting professor permit on or
23 after January 1, 2007, but prior to July 1, 2007.

24 (B) Visiting physician permit.

25 (1) The Department may, in its discretion, issue a
26 temporary visiting physician permit, without examination,

1 provided:

2 (a) (blank);

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

10 (c) that the person has received an invitation or
11 appointment to study, demonstrate, or perform a
12 specific medical, osteopathic, chiropractic, or
13 clinical subject or technique in a medical,
14 osteopathic, or chiropractic school, a state or
15 national medical, osteopathic, or chiropractic
16 professional association or society conference or
17 meeting, a hospital licensed under the Hospital
18 Licensing Act, a hospital organized under the
19 University of Illinois Hospital Act, or a facility
20 operated pursuant to the Ambulatory Surgical Treatment
21 Center Act; and

22 (d) that the temporary visiting physician permit
23 shall only permit the holder to practice medicine in
24 all of its branches or practice the treatment of human
25 ailments without the use of drugs and without
26 operative surgery within the scope of the medical,

1 osteopathic, chiropractic, or clinical studies, or in
2 conjunction with the state or national medical,
3 osteopathic, or chiropractic professional association
4 or society conference or meeting, for which the holder
5 was invited or appointed.

6 (2) The application for the temporary visiting
7 physician permit shall be made to the Department, in
8 writing, on forms prescribed by the Department, and shall
9 be accompanied by the required fee established by rule,
10 which shall not be refundable. The application shall
11 require information that, in the judgment of the
12 Department, will enable the Department to pass on the
13 qualification of the applicant, and the necessity for the
14 granting of a temporary visiting physician permit.

15 (3) A temporary visiting physician permit shall be
16 valid for no longer than (i) 180 days from the date of
17 issuance or (ii) until the time the medical, osteopathic,
18 chiropractic, or clinical studies are completed, or the
19 state or national medical, osteopathic, or chiropractic
20 professional association or society conference or meeting
21 has concluded, whichever occurs first. The temporary
22 visiting physician permit may be issued multiple times to
23 a visiting physician under this paragraph (3) as long as
24 the total number of days it is active does not exceed 180
25 days within a 365-day period.

26 (4) The applicant for a temporary visiting physician

1 permit may be required to appear before the Medical Board
2 for an interview prior to, and as a requirement for, the
3 issuance of a temporary visiting physician permit.

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

9 (C) Visiting resident permit.

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

13 (a) (blank);

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

21 (c) that the applicant is enrolled in a
22 postgraduate clinical training program outside the
23 State of Illinois that is approved by the Department;

24 (d) that the individual has been invited or
25 appointed for a specific period of time to perform a
26 portion of that post graduate clinical training

1 program under the supervision of an Illinois licensed
2 physician in an Illinois patient care clinic or
3 facility that is affiliated with the out-of-State post
4 graduate training program; and

5 (e) that the temporary visiting resident permit
6 shall only permit the holder to practice medicine in
7 all of its branches or practice the treatment of human
8 ailments without the use of drugs and without
9 operative surgery within the scope of the medical,
10 osteopathic, chiropractic, or clinical studies for
11 which the holder was invited or appointed.

12 (2) The application for the temporary visiting
13 resident permit shall be made to the Department, in
14 writing, on forms prescribed by the Department, and shall
15 be accompanied by the required fee established by rule.
16 The application shall require information that, in the
17 judgment of the Department, will enable the Department to
18 pass on the qualifications of the applicant.

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

23 (4) The applicant for a temporary visiting resident
24 permit may be required to appear before the Medical Board
25 for an interview prior to, and as a requirement for, the
26 issuance of a temporary visiting resident permit.

1 (D) Postgraduate training exemption period; visiting
2 rotations. A person may participate in visiting rotations in
3 an approved postgraduate training program, not to exceed a
4 total of 90 days for all rotations, if the following
5 information is submitted in writing or electronically to the
6 Department by the patient care clinics or facilities where the
7 person will be performing the training or by an affiliated
8 program:

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

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

15 (3) The name and license number of the Illinois
16 physician who will be responsible for supervising the
17 trainee and the medical director or division director of
18 the department or facility.

19 (4) Certification from the postgraduate training
20 program that the person is approved and enrolled in a
21 graduate training program approved by the Department in
22 their home state.

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

24 (225 ILCS 60/21) (from Ch. 111, par. 4400-21)

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

1 Sec. 21. License renewal; reinstatement; inactive status;
2 disposition and collection of fees.

3 (A) Renewal. The expiration date and renewal period for
4 each license issued under this Act shall be set by rule. The
5 holder of a license may renew the license by paying the
6 required fee. The holder of a license may also renew the
7 license within 90 days after its expiration by complying with
8 the requirements for renewal and payment of an additional fee.
9 A license renewal within 90 days after expiration shall be
10 effective retroactively to the expiration date.

11 The Department shall attempt to provide through electronic
12 means to each licensee under this Act, at least 60 days in
13 advance of the expiration date of the ~~his or her~~ license, a
14 renewal notice. No such license shall be deemed to have lapsed
15 until 90 days after the expiration date and after the
16 Department has attempted to provide such notice as herein
17 provided.

18 (B) Reinstatement. Any licensee who has permitted the
19 licensee's ~~his or her~~ license to lapse or who has had the
20 licensee's ~~his or her~~ license on inactive status may have the
21 licensee's ~~his or her~~ license reinstated by making application
22 to the Department and filing proof acceptable to the
23 Department of the licensee's ~~his or her~~ fitness to have the
24 license reinstated, including evidence certifying to active
25 practice in another jurisdiction satisfactory to the
26 Department, proof of meeting the continuing education

1 requirements for one renewal period, and by paying the
2 required reinstatement fee.

3 If the licensee has not maintained an active practice in
4 another jurisdiction satisfactory to the Department, the
5 Medical Board shall determine, by an evaluation program
6 established by rule, the applicant's fitness to resume active
7 status and may require the licensee to complete a period of
8 evaluated clinical experience and may require successful
9 completion of a practical examination specified by the Medical
10 Board.

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

1 (C) Inactive licenses. Any licensee who notifies the
2 Department, in writing on forms prescribed by the Department,
3 may elect to place the licensee's ~~his or her~~ license on an
4 inactive status and shall, subject to rules of the Department,
5 be excused from payment of renewal fees until the licensee ~~he~~
6 ~~or she~~ notifies the Department in writing of his or her desire
7 to resume active status.

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

14 Any licensee whose license is in an inactive status shall
15 not practice in the State of Illinois.

16 (D) Disposition of monies collected. All monies collected
17 under this Act by the Department shall be deposited into ~~in~~ the
18 Illinois State Medical Disciplinary Fund in the State treasury
19 ~~Treasury~~, and used only for the following purposes: (a) by the
20 Medical Board in the exercise of its powers and performance of
21 its duties, as such use is made by the Department with full
22 consideration of all recommendations of the Medical Board, (b)
23 for costs directly related to persons licensed under this Act,
24 and (c) for direct and allocable indirect costs related to the
25 public purposes of the Department.

26 Moneys in the Fund may be transferred to the Professions

1 Indirect Cost Fund as authorized under Section 2105-300 of the
2 Department of Professional Regulation Law of the Civil
3 Administrative Code of Illinois.

4 All earnings received from investment of monies in the
5 Illinois State Medical Disciplinary Fund shall be deposited
6 into ~~in~~ the Illinois State Medical Disciplinary Fund and shall
7 be used for the same purposes as fees deposited into ~~in~~ such
8 Fund.

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

10 (1) Applicants for any examination shall be required
11 to pay, either to the Department or to the designated
12 testing service, a fee covering the cost of determining
13 the applicant's eligibility and providing the examination.
14 Failure to appear for the examination on the scheduled
15 date, at the time and place specified, after the
16 applicant's application for examination has been received
17 and acknowledged by the Department or the designated
18 testing service, shall result in the forfeiture of the
19 examination fee.

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

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

26 (4) Before July 1, 2018, the fee for the renewal of a

1 license for a resident of Illinois shall be calculated at
2 the rate of \$230 per year, and beginning on July 1, 2018
3 and until January 1, 2020, the fee for the renewal of a
4 license shall be \$167, except for licensees who were
5 issued a license within 12 months of the expiration date
6 of the license, before July 1, 2018, the fee for the
7 renewal shall be \$230, and beginning on July 1, 2018 and
8 until January 1, 2020 that fee will be \$167. Before July 1,
9 2018, the fee for the renewal of a license for a
10 nonresident shall be calculated at the rate of \$460 per
11 year, and beginning on July 1, 2018 and until January 1,
12 2020, the fee for the renewal of a license for a
13 nonresident shall be \$250, except for licensees who were
14 issued a license within 12 months of the expiration date
15 of the license, before July 1, 2018, the fee for the
16 renewal shall be \$460, and beginning on July 1, 2018 and
17 until January 1, 2020 that fee will be \$250. Beginning on
18 January 1, 2020, the fee for renewal of a license for a
19 resident or nonresident is \$181 per year.

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

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

26 (7) The fee for the issuance of a license with a change

1 of name or address other than during the renewal period is
2 \$20. No fee is required for name and address changes on
3 Department records when no updated license is issued.

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

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

10 (F) Any person who delivers a check or other payment to the
11 Department that is returned to the Department unpaid by the
12 financial institution upon which it is drawn shall pay to the
13 Department, in addition to the amount already owed to the
14 Department, a fine of \$50. The fines imposed by this Section
15 are in addition to any other discipline provided under this
16 Act for unlicensed practice or practice on a nonrenewed
17 license. The Department shall notify the person that payment
18 of fees and fines shall be paid to the Department by certified
19 check or money order within 30 calendar days of the
20 notification. If, after the expiration of 30 days from the
21 date of the notification, the person has failed to submit the
22 necessary remittance, the Department shall automatically
23 terminate the license or permit or deny the application,
24 without hearing. If, after termination or denial, the person
25 seeks a license or permit, the person ~~he or she~~ shall apply to
26 the Department for reinstatement or issuance of the license or

1 permit and pay all fees and fines due to the Department. The
2 Department may establish a fee for the processing of an
3 application for reinstatement of a license or permit to pay
4 all expenses of processing this application. The Secretary may
5 waive the fines due under this Section in individual cases
6 where the Secretary finds that the fines would be unreasonable
7 or unnecessarily burdensome.

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

10 (225 ILCS 60/22)

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

12 Sec. 22. Disciplinary action.

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

20 (1) (Blank).

21 (2) (Blank).

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

1 offender probation, under the laws of any jurisdiction of
2 the United States of any crime that is a felony.

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

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

7 (6) Obtaining any fee by fraud, deceit, or
8 misrepresentation.

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

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

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

18 (10) Making a false or misleading statement regarding
19 their skill or the efficacy or value of the medicine,
20 treatment, or remedy prescribed by them at their direction
21 in the treatment of any disease or other condition of the
22 body or mind.

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

25 (12) Adverse action taken by another state or
26 jurisdiction against a license or other authorization to

1 practice as a medical doctor, doctor of osteopathy, doctor
2 of osteopathic medicine, or doctor of chiropractic, a
3 certified copy of the record of the action taken by the
4 other state or jurisdiction being prima facie evidence
5 thereof. This includes any adverse action taken by a State
6 or federal agency that prohibits a medical doctor, doctor
7 of osteopathy, doctor of osteopathic medicine, or doctor
8 of chiropractic from providing services to the agency's
9 participants.

10 (13) Violation of any provision of this Act or of the
11 Medical Practice Act prior to the repeal of that Act, or
12 violation of the rules, or a final administrative action
13 of the Secretary, after consideration of the
14 recommendation of the Medical Board.

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

17 (15) A finding by the Medical Board that the
18 registrant after having the registrant's ~~his or her~~
19 license placed on probationary status or subjected to
20 conditions or restrictions violated the terms of the
21 probation or failed to comply with such terms or
22 conditions.

23 (16) Abandonment of a patient.

24 (17) Prescribing, selling, administering,
25 distributing, giving, or self-administering any drug
26 classified as a controlled substance (designated product)

1 or narcotic for other than medically accepted therapeutic
2 purposes.

3 (18) Promotion of the sale of drugs, devices,
4 appliances, or goods provided for a patient in such manner
5 as to exploit the patient for financial gain of the
6 physician.

7 (19) Offering, undertaking, or agreeing to cure or
8 treat disease by a secret method, procedure, treatment, or
9 medicine, or the treating, operating, or prescribing for
10 any human condition by a method, means, or procedure which
11 the licensee refuses to divulge upon demand of the
12 Department.

13 (20) Immoral conduct in the commission of any act,
14 including, but not limited to, commission of an act of
15 sexual misconduct or sexual harassment related to the
16 licensee's practice. For the purpose of this paragraph
17 (20), "sexual harassment" means unwelcome sexual advances,
18 requests for sexual favors, or other verbal, physical, or
19 nonverbal conduct of a sexual nature.

20 (21) Willfully making or filing false records or
21 reports in the person's ~~his or her~~ practice as a
22 physician, including, but not limited to, false records to
23 support claims against the medical assistance program of
24 the Department of Healthcare and Family Services (formerly
25 Department of Public Aid) under the Illinois Public Aid
26 Code.

1 (22) Willful omission to file or record, or willfully
2 impeding the filing or recording, or inducing another
3 person to omit to file or record, medical reports as
4 required by law, or willfully failing to report an
5 instance of suspected abuse or neglect as required by law.

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

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

16 (25) Gross, ~~and~~ willful, and continued overcharging
17 for professional services, including filing false
18 statements for collection of fees for which services are
19 not rendered, including, but not limited to, filing such
20 false statements for collection of monies for services not
21 rendered from the medical assistance program of the
22 Department of Healthcare and Family Services (formerly
23 Department of Public Aid) under the Illinois Public Aid
24 Code.

25 (26) A pattern of practice or other behavior which
26 demonstrates incapacity or incompetence to practice under

1 this Act.

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

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

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

11 (30) Willfully or negligently violating the
12 confidentiality between physician and patient except as
13 required by law.

14 (31) The use of any false, fraudulent, or deceptive
15 statement in any document connected with practice under
16 this Act.

17 (32) Aiding and abetting an individual not licensed
18 under this Act in the practice of a profession licensed
19 under this Act.

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

23 (34) Failure to report to the Department any adverse
24 final action taken against them by another licensing
25 jurisdiction (any other state or any territory of the
26 United States or any foreign state or country), by any

1 peer review body, by any health care institution, by any
2 professional society or association related to practice
3 under this Act, by any governmental agency, by any law
4 enforcement agency, or by any court for acts or conduct
5 similar to acts or conduct which would constitute grounds
6 for action as defined in this Section.

7 (35) Failure to report to the Department surrender of
8 a license or authorization to practice as a medical
9 doctor, a doctor of osteopathy, a doctor of osteopathic
10 medicine, or doctor of chiropractic in another state or
11 jurisdiction, or surrender of membership on any medical
12 staff or in any medical or professional association or
13 society, while under disciplinary investigation by any of
14 those authorities or bodies, for acts or conduct similar
15 to acts or conduct which would constitute grounds for
16 action as defined in this Section.

17 (36) Failure to report to the Department any adverse
18 judgment, settlement, or award arising from a liability
19 claim related to acts or conduct similar to acts or
20 conduct which would constitute grounds for action as
21 defined in this Section.

22 (37) Failure to provide copies of medical records as
23 required by law.

24 (38) Failure to furnish the Department, or its
25 investigators or representatives, relevant information,
26 legally requested by the Department after consultation

1 with the Chief Medical Coordinator or the Deputy Medical
2 Coordinator.

3 (39) Violating the Health Care Worker Self-Referral
4 Act.

5 (40) (Blank).

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

8 (42) Entering into an excessive number of written
9 collaborative agreements with licensed advanced practice
10 registered nurses resulting in an inability to adequately
11 collaborate.

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

14 (44) Violating the Compassionate Use of Medical
15 Cannabis Program Act.

16 (45) Entering into an excessive number of written
17 collaborative agreements with licensed prescribing
18 psychologists resulting in an inability to adequately
19 collaborate.

20 (46) Repeated failure to adequately collaborate with a
21 licensed prescribing psychologist.

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

26 (48) Being named as an abuser in a verified report by

1 the Department on Aging under the Adult Protective
2 Services Act, and upon proof by clear and convincing
3 evidence that the licensee abused, neglected, or
4 financially exploited an eligible adult as defined in the
5 Adult Protective Services Act.

6 (49) Entering into an excessive number of written
7 collaborative agreements with licensed physician
8 assistants resulting in an inability to adequately
9 collaborate.

10 (50) Repeated failure to adequately collaborate with a
11 physician assistant.

12 All proceedings to take disciplinary action as the
13 Department may deem proper, with regard to a license, must be
14 commenced within 5 years after the date of the Department's
15 receipt of a complaint alleging the commission of or notice of
16 a conviction order for any of the violations described herein.
17 Ground number (26) is exempt from this 5-year limitation. No
18 action shall be commenced more than 10 years after the date of
19 the incident or act alleged to have violated this Section.
20 Ground numbers (8), (9), (26), and (29) are exempt from this
21 10-year limitation. Except for actions involving the ground
22 numbered (26), all proceedings to suspend, revoke, place on
23 probationary status, or take any other disciplinary action as
24 the Department may deem proper, with regard to a license on any
25 of the foregoing grounds, must be commenced within 5 years
26 next after receipt by the Department of a complaint alleging

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

26 The entry of an order or judgment by any circuit court

1 establishing that any person holding a license under this Act
2 is a person in need of mental treatment operates as a
3 suspension of that license. That person may resume ~~his or her~~
4 practice only upon the entry of a Departmental order based
5 upon a finding by the Medical Board that the person has been
6 determined to be recovered from mental illness by the court
7 and upon the Medical Board's recommendation that the person be
8 permitted to resume ~~his or her~~ practice.

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

17 The Department, upon the recommendation of the Medical
18 Board, shall adopt rules which set forth standards to be used
19 in determining:

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

22 (b) what constitutes dishonorable, unethical, or
23 unprofessional conduct of a character likely to deceive,
24 defraud, or harm the public;

25 (c) what constitutes immoral conduct in the commission
26 of any act, including, but not limited to, commission of

1 an act of sexual misconduct related to the licensee's
2 practice; and

3 (d) what constitutes gross negligence in the practice
4 of medicine.

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

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

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

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

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

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

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

20 The Department may promulgate rules for the imposition of
21 fines in disciplinary cases, not to exceed \$10,000 for each
22 violation of this Act. Fines may be imposed in conjunction
23 with other forms of disciplinary action, but shall not be the
24 exclusive disposition of any disciplinary action arising out
25 of conduct resulting in death or injury to a patient. Any funds
26 collected from such fines shall be deposited into ~~in~~ the

1 Illinois State Medical Disciplinary Fund.

2 All fines imposed under this Section shall be paid within
3 60 days after the effective date of the order imposing the fine
4 or in accordance with the terms set forth in the order imposing
5 the fine.

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

17 (C) The Department shall not revoke, suspend, place on
18 probation, reprimand, refuse to issue or renew, or take any
19 other disciplinary or non-disciplinary action against a
20 person's authorization to practice under this Act:

21 (1) based solely upon the recommendation of the person
22 to an eligible patient regarding, or prescription for, or
23 treatment with, an investigational drug, biological
24 product, or device;

25 (2) for experimental treatment for Lyme disease or
26 other tick-borne diseases, including, but not limited to,

1 the prescription of or treatment with long-term
2 antibiotics;

3 (3) based solely upon the person providing,
4 authorizing, recommending, aiding, assisting, referring
5 for, or otherwise participating in any health care
6 service, so long as the care was not unlawful under the
7 laws of this State, regardless of whether the patient was
8 a resident of this State or another state; or

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

21 (D) (Blank).

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

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

15 (G) The Department may adopt rules to implement,
16 administer, and enforce this Section ~~Public Act 102-1117~~.

17 (Source: P.A. 103-442, eff. 1-1-24; 104-417, eff. 8-15-25;
18 104-432, eff. 1-1-26; revised 9-15-25.)

19 (225 ILCS 60/22.2)

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

21 Sec. 22.2. Prohibition against fee splitting.

22 (a) A licensee under this Act may not directly or
23 indirectly divide, share or split any professional fee or
24 other form of compensation for professional services with
25 anyone in exchange for a referral or otherwise, other than as

1 provided in this Section 22.2.

2 (b) Nothing contained in this Section abrogates the right
3 of 2 or more licensed health care workers as defined in the
4 Health Care Worker Self-referral Act to each receive adequate
5 compensation for concurrently rendering services to a patient
6 and to divide the fee for such service, provided that the
7 patient has full knowledge of the division and the division is
8 made in proportion to the actual services personally performed
9 and responsibility assumed by each licensee consistent with
10 the licensee's ~~his or her~~ license, except as prohibited by
11 law.

12 (c) Nothing contained in this Section prohibits a licensee
13 under this Act from practicing medicine through or within any
14 form of legal entity authorized to conduct business in this
15 State or from pooling, sharing, dividing, or apportioning the
16 professional fees and other revenues in accordance with the
17 agreements and policies of the entity provided:

18 (1) each owner of the entity is licensed under this
19 Act;

20 (2) the entity is organized under the Medical
21 Corporation Act, the Professional Services Corporation
22 Act, the Professional Association Act, or the Professional
23 Limited Liability Company Act;

24 (3) the entity is allowed by Illinois law to provide
25 physician services or employ physicians such as a licensed
26 hospital or hospital affiliate or licensed ambulatory

1 surgical treatment center owned in full or in part by
2 Illinois-licensed physicians;

3 (4) the entity is a combination or joint venture of
4 the entities authorized under this subsection (c); or

5 (5) the entity is an Illinois not-for-profit ~~not for~~
6 ~~profit~~ corporation that is recognized as exempt from the
7 payment of federal income taxes as an organization
8 described in Section 501(c)(3) of the Internal Revenue
9 Code and all of its members are full-time faculty members
10 of a medical school that offers an ~~a~~ M.D. degree program
11 that is accredited by the Liaison Committee on Medical
12 Education and a program of graduate medical education that
13 is accredited by the Accreditation Council for Graduate
14 Medical Education.

15 (d) Nothing contained in this Section prohibits a licensee
16 under this Act from paying a fair market value fee to any
17 person or entity whose purpose is to perform billing,
18 administrative preparation, or collection services based upon
19 a percentage of professional service fees billed or collected,
20 a flat fee, or any other arrangement that directly or
21 indirectly divides professional fees, for the administrative
22 preparation of the licensee's claims or the collection of the
23 licensee's charges for professional services, provided that:

24 (i) the licensee or the licensee's practice under
25 subsection (c) of this Section at all times controls the
26 amount of fees charged and collected; and

1 (ii) all charges collected are paid directly to the
2 licensee or the licensee's practice or are deposited
3 directly into an account in the name of and under the sole
4 control of the licensee or the licensee's practice or
5 deposited into a "Trust Account" by a licensed collection
6 agency in accordance with the requirements of Section 8(c)
7 of the Illinois Collection Agency Act.

8 (e) Nothing contained in this Section prohibits the
9 granting of a security interest in the accounts receivable or
10 fees of a licensee under this Act or the licensee's practice
11 for bona fide advances made to the licensee or licensee's
12 practice provided the licensee retains control and
13 responsibility for the collection of the accounts receivable
14 and fees.

15 (f) Excluding payments that may be made to the owners of or
16 licensees in the licensee's practice under subsection (c), a
17 licensee under this Act may not divide, share or split a
18 professional service fee with, or otherwise directly or
19 indirectly pay a percentage of the licensee's professional
20 service fees, revenues or profits to anyone for: (i) the
21 marketing or management of the licensee's practice, (ii)
22 including the licensee or the licensee's practice on any
23 preferred provider list, (iii) allowing the licensee to
24 participate in any network of health care providers, (iv)
25 negotiating fees, charges or terms of service or payment on
26 behalf of the licensee, or (v) including the licensee in a

1 program whereby patients or beneficiaries are provided an
2 incentive to use the services of the licensee.

3 (g) A violation of any of the provisions of this Section
4 constitutes an unlawful practice under the Consumer Fraud and
5 Deceptive Business Practices Act. All remedies, penalties, and
6 authority granted to the Attorney General by the Consumer
7 Fraud and Deceptive Business Practices Act shall be available
8 to him or her for the enforcement of this Section. This
9 subsection does not apply to hospitals and hospital affiliates
10 licensed in Illinois.

11 (Source: P.A. 100-1058, eff. 1-1-19.)

12 (225 ILCS 60/23) (from Ch. 111, par. 4400-23)

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

14 Sec. 23. Reports relating to professional conduct and
15 capacity.

16 (A) Entities required to report.

17 (1) Health care institutions. The chief administrator
18 or executive officer of any health care institution
19 licensed by the Illinois Department of Public Health shall
20 report to the Medical Board when any person's clinical
21 privileges are terminated or are restricted based on a
22 final determination made in accordance with that
23 institution's by-laws or rules and regulations that a
24 person has either committed an act or acts which may
25 directly threaten patient care or that a person may have a

1 mental or physical disability that may endanger patients
2 under that person's care. Such officer also shall report
3 if a person accepts voluntary termination or restriction
4 of clinical privileges in lieu of formal action based upon
5 conduct related directly to patient care or in lieu of
6 formal action seeking to determine whether a person may
7 have a mental or physical disability that may endanger
8 patients under that person's care. The Medical Board
9 shall, by rule, provide for the reporting to it by health
10 care institutions of all instances in which a person,
11 licensed under this Act, who is impaired by reason of age,
12 drug or alcohol abuse, or physical or mental impairment,
13 is under supervision and, where appropriate, is in a
14 program of rehabilitation. Such reports shall be strictly
15 confidential and may be reviewed and considered only by
16 the members of the Medical Board, or by authorized staff
17 as provided by rules of the Medical Board. Provisions
18 shall be made for the periodic report of the status of any
19 such person not less than twice annually in order that the
20 Medical Board shall have current information upon which to
21 determine the status of any such person. Such initial and
22 periodic reports of impaired physicians shall not be
23 considered records within the meaning of the State Records
24 Act and shall be disposed of, following a determination by
25 the Medical Board that such reports are no longer
26 required, in a manner and at such time as the Medical Board

1 shall determine by rule. The filing of such reports shall
2 be construed as the filing of a report for purposes of
3 subsection (C) of this Section. Such health care
4 institution shall not take any adverse action, including,
5 but not limited to, restricting or terminating any
6 person's clinical privileges, as a result of an adverse
7 action against a person's license, registration, permit,
8 or clinical privileges or other disciplinary action by
9 another state or health care institution that resulted
10 from the person's provision of, authorization of,
11 recommendation of, aiding or assistance with, referral
12 for, or participation in any health care service if the
13 adverse action was based solely on a violation of the
14 other state's law prohibiting the provision of such health
15 care and related services in the state or for a resident of
16 the state if that health care service would not have been
17 unlawful under the laws of this State and is consistent
18 with the applicable standard of conduct for a person
19 practicing in Illinois under this Act.

20 (1.5) Clinical training programs. The program director
21 of any post-graduate clinical training program shall
22 report to the Medical Board if a person engaged in a
23 post-graduate clinical training program at the
24 institution, including, but not limited to, a residency or
25 fellowship, separates from the program for any reason
26 prior to its conclusion. The program director shall

1 provide all documentation relating to the separation if,
2 after review of the report, the Medical Board determines
3 that a review of those documents is necessary to determine
4 whether a violation of this Act occurred.

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

14 (3) Professional liability insurers. Every insurance
15 company which offers policies of professional liability
16 insurance to persons licensed under this Act, or any other
17 entity which seeks to indemnify the professional liability
18 of a person licensed under this Act, shall report to the
19 Medical Board the settlement of any claim or cause of
20 action, or final judgment rendered in any cause of action,
21 which alleged negligence in the furnishing of medical care
22 by such licensed person when such settlement or final
23 judgment is in favor of the plaintiff. Such insurance
24 company shall not take any adverse action, including, but
25 not limited to, denial or revocation of coverage, or rate
26 increases, against a person authorized to practice under

1 this Act with respect to coverage for services provided in
2 the State if based solely on the person providing,
3 authorizing, recommending, aiding, assisting, referring
4 for, or otherwise participating in health care services in
5 this State in violation of another state's law, or a
6 revocation or other adverse action against the person's
7 license, registration, or permit in another state for
8 violation of such law if that health care service as
9 provided would have been lawful and consistent with the
10 applicable standard of conduct for a person practicing in
11 Illinois under this Act. Notwithstanding this provision,
12 it is against public policy to require coverage for an
13 illegal action.

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

18 (5) State agencies. All agencies, boards, commissions,
19 departments, or other instrumentalities of the government
20 of the State of Illinois shall report to the Medical Board
21 any instance arising in connection with the operations of
22 such agency, including the administration of any law by
23 such agency, in which a person licensed under this Act has
24 either committed an act or acts which may be a violation of
25 this Act or which may constitute unprofessional conduct
26 related directly to patient care or which indicates that a

1 person licensed under this Act may have a mental or
2 physical disability that may endanger patients under that
3 person's care.

4 (B) Mandatory reporting. All reports required by items
5 (34), (35), and (36) of subsection (A) of Section 22 and by
6 this Section 23 shall be submitted to the Medical Board in a
7 timely fashion. Unless otherwise provided in this Section, the
8 reports shall be filed in writing within 60 days after a
9 determination that a report is required under this Act. All
10 reports shall contain the following information:

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

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

15 (3) The name and date of birth of any patient or
16 patients whose treatment is a subject of the report, if
17 available, or other means of identification if such
18 information is not available, identification of the
19 hospital or other health care facility where the care at
20 issue in the report was rendered, provided, however, no
21 medical records may be revealed.

22 (4) A brief description of the facts which gave rise
23 to the issuance of the report, including the dates of any
24 occurrences deemed to necessitate the filing of the
25 report.

26 (5) If court action is involved, the identity of the

1 court in which the action is filed, along with the docket
2 number and date of filing of the action.

3 (6) Any further pertinent information which the
4 reporting party deems to be an aid in the evaluation of the
5 report.

6 The Medical Board or Department may also exercise the
7 power under Section 38 of this Act to subpoena copies of
8 hospital or medical records in mandatory report cases alleging
9 death or permanent bodily injury. Appropriate rules shall be
10 adopted by the Department with the approval of the Medical
11 Board.

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

17 Nothing contained in this Section shall act to, in any
18 way, waive or modify the confidentiality of medical reports
19 and committee reports to the extent provided by law. Any
20 information reported or disclosed shall be kept for the
21 confidential use of the Medical Board, the Medical
22 Coordinators, the Medical Board's attorneys, the medical
23 investigative staff, and authorized clerical staff, as
24 provided in this Act, and shall be afforded the same status as
25 is provided information concerning medical studies in Part 21
26 of Article VIII of the Code of Civil Procedure, except that the

1 Department may disclose information and documents to a
2 federal, State, or local law enforcement agency pursuant to a
3 subpoena in an ongoing criminal investigation or to a health
4 care licensing body or medical licensing authority of this
5 State or another state or jurisdiction pursuant to an official
6 request made by that licensing body or medical licensing
7 authority. Furthermore, information and documents disclosed to
8 a federal, State, or local law enforcement agency may be used
9 by that agency only for the investigation and prosecution of a
10 criminal offense, or, in the case of disclosure to a health
11 care licensing body or medical licensing authority, only for
12 investigations and disciplinary action proceedings with regard
13 to a license. Information and documents disclosed to the
14 Department of Public Health may be used by that Department
15 only for investigation and disciplinary action regarding the
16 license of a health care institution licensed by the
17 Department of Public Health.

18 (C) Immunity from prosecution. Any individual or
19 organization acting in good faith, and not in a willful ~~wilful~~
20 and wanton manner, in complying with this Act by providing any
21 report or other information to the Medical Board or a peer
22 review committee, or assisting in the investigation or
23 preparation of such information, or by voluntarily reporting
24 to the Medical Board or a peer review committee information
25 regarding alleged errors or negligence by a person licensed
26 under this Act, or by participating in proceedings of the

1 Medical Board or a peer review committee, or by serving as a
2 member of the Medical Board or a peer review committee, shall
3 not, as a result of such actions, be subject to criminal
4 prosecution or civil damages.

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

17 Should the Attorney General decline representation, the
18 member shall have the right to employ counsel of the member's
19 ~~his or her~~ choice, whose fees shall be provided by the State,
20 after approval by the Attorney General, unless there is a
21 determination by a court that the member's actions were not in
22 good faith or were willful ~~wilful~~ and wanton.

23 The member must notify the Attorney General within 7 days
24 of receipt of notice of the initiation of any action involving
25 services of the Medical Board. Failure to so notify the
26 Attorney General shall constitute an absolute waiver of the

1 right to a defense and indemnification.

2 The Attorney General shall determine within 7 days after
3 receiving such notice, whether the Attorney General ~~he or she~~
4 will undertake to represent the member.

5 (E) Deliberations of Medical Board. Upon the receipt of
6 any report called for by this Act, other than those reports of
7 impaired persons licensed under this Act required pursuant to
8 the rules of the Medical Board, the Medical Board shall notify
9 in writing, by mail or email, the person who is the subject of
10 the report. Such notification shall be made within 30 days of
11 receipt by the Medical Board of the report.

12 The notification shall include a written notice setting
13 forth the person's right to examine the report. Included in
14 such notification shall be the address at which the file is
15 maintained, the name of the custodian of the reports, and the
16 telephone number at which the custodian may be reached. The
17 person who is the subject of the report shall submit a written
18 statement responding, clarifying, adding to, or proposing the
19 amending of the report previously filed. The person who is the
20 subject of the report shall also submit with the written
21 statement any medical records related to the report. The
22 statement and accompanying medical records shall become a
23 permanent part of the file and must be received by the Medical
24 Board no more than 30 days after the date on which the person
25 was notified by the Medical Board of the existence of the
26 original report.

1 The Medical Board shall review all reports received by it,
2 together with any supporting information and responding
3 statements submitted by persons who are the subject of
4 reports. The review by the Medical Board shall be in a timely
5 manner but in no event, shall the Medical Board's initial
6 review of the material contained in each disciplinary file be
7 less than 61 days nor more than 180 days after the receipt of
8 the initial report by the Medical Board.

9 When the Medical Board makes its initial review of the
10 materials contained within its disciplinary files, the Medical
11 Board shall, in writing, make a determination as to whether
12 there are sufficient facts to warrant further investigation or
13 action. Failure to make such determination within the time
14 provided shall be deemed to be a determination that there are
15 not sufficient facts to warrant further investigation or
16 action.

17 Should the Medical Board find that there are not
18 sufficient facts to warrant further investigation or action,
19 the report shall be accepted for filing and the matter shall be
20 deemed closed and so reported to the Secretary. The Secretary
21 shall then have 30 days to accept the Medical Board's decision
22 or request further investigation. The Secretary shall inform
23 the Medical Board of the decision to request further
24 investigation, including the specific reasons for the
25 decision. The individual or entity filing the original report
26 or complaint and the person who is the subject of the report or

1 complaint shall be notified in writing by the Secretary of any
2 final action on their report or complaint. The Department
3 shall disclose to the individual or entity who filed the
4 original report or complaint, on request, the status of the
5 Medical Board's review of a specific report or complaint. Such
6 request may be made at any time, including prior to the Medical
7 Board's determination as to whether there are sufficient facts
8 to warrant further investigation or action.

9 (F) Summary reports. The Medical Board shall prepare, on a
10 timely basis, but in no event less than once every other month,
11 a summary report of final disciplinary actions taken upon
12 disciplinary files maintained by the Medical Board. The
13 summary reports shall be made available to the public upon
14 request and payment of the fees set by the Department. This
15 publication may be made available to the public on the
16 Department's website. Information or documentation relating to
17 any disciplinary file that is closed without disciplinary
18 action taken shall not be disclosed and shall be afforded the
19 same status as is provided by Part 21 of Article VIII of the
20 Code of Civil Procedure.

21 (G) Any violation of this Section shall be a Class A
22 misdemeanor.

23 (H) If any such person violates the provisions of this
24 Section an action may be brought in the name of the People of
25 the State of Illinois, through the Attorney General of the
26 State of Illinois, for an order enjoining such violation or

1 for an order enforcing compliance with this Section. Upon
2 filing of a verified petition in such court, the court may
3 issue a temporary restraining order without notice or bond and
4 may preliminarily or permanently enjoin such violation, and if
5 it is established that such person has violated or is
6 violating the injunction, the court may punish the offender
7 for contempt of court. Proceedings under this paragraph shall
8 be in addition to, and not in lieu of, all other remedies and
9 penalties provided for by this Section.

10 (I) The Department may adopt rules to implement,
11 administer, and enforce this Section.

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

13 (225 ILCS 60/26) (from Ch. 111, par. 4400-26)

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

15 Sec. 26. Advertising.

16 (1) Any person licensed under this Act may advertise the
17 availability of professional services in the public media or
18 on the premises where such professional services are rendered.
19 Such advertising shall be limited to the following
20 information:

21 (a) Publication of the person's name, title, office
22 hours, address and telephone number;

23 (b) Information pertaining to the person's areas of
24 specialization, including appropriate board certification
25 or limitation of professional practice;

1 (c) Information on usual and customary fees for
2 routine professional services offered, which information
3 shall include, notification that fees may be adjusted due
4 to complications or unforeseen circumstances;

5 (d) Announcement of the opening of, change of, absence
6 from, or return to business;

7 (e) Announcement of additions to or deletions from
8 professional licensed staff;

9 (f) The issuance of business or appointment cards.

10 (2) It is unlawful for any person licensed under this Act
11 to use claims of superior quality of care to entice the public.
12 It shall be unlawful to advertise fee comparisons of available
13 services with those of other persons licensed under this Act.

14 (3) This Act does not authorize the advertising of
15 professional services which the offeror of such services is
16 not licensed to render. Nor shall the advertiser use
17 statements which contain false, fraudulent, deceptive or
18 misleading material or guarantees of success, statements which
19 play upon the vanity or fears of the public, or statements
20 which promote or produce unfair competition.

21 (4) A licensee shall include in every advertisement for
22 services regulated under this Act the licensee's ~~his or her~~
23 title as it appears on the license or the initials authorized
24 under this Act.

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

1 (225 ILCS 60/36) (from Ch. 111, par. 4400-36)

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

3 Sec. 36. Investigation; notice.

4 (a) Upon the motion of either the Department or the
5 Medical Board or upon the verified complaint in writing of any
6 person setting forth facts which, if proven, would constitute
7 grounds for suspension or revocation under Section 22 of this
8 Act, the Department shall investigate the actions of any
9 person, so accused, who holds or represents that the person ~~he~~
10 ~~or she~~ holds a license. Such person is hereinafter called the
11 accused.

12 (b) The Department shall, before suspending, revoking,
13 placing on probationary status, or taking any other
14 disciplinary action as the Department may deem proper with
15 regard to any license at least 30 days prior to the date set
16 for the hearing, notify the accused in writing of any charges
17 made and the time and place for a hearing of the charges before
18 the Medical Board, direct the accused ~~him or her~~ to file the
19 accused's ~~his or her~~ written answer thereto to the Medical
20 Board under oath within 20 days after the service on the
21 accused ~~him or her~~ of such notice and inform the accused ~~him or~~
22 ~~her~~ that if the accused ~~he or she~~ fails to file such answer
23 default will be taken against the accused ~~him or her~~ and the
24 accused's ~~his or her~~ license may be suspended, revoked, placed
25 on probationary status, or have other disciplinary action,
26 including limiting the scope, nature or extent of the

1 accused's ~~his or her~~ practice, as the Department may deem
2 proper taken with regard thereto. The Department shall, at
3 least 14 days prior to the date set for the hearing, notify in
4 writing any person who filed a complaint against the accused
5 of the time and place for the hearing of the charges against
6 the accused before the Medical Board and inform such person
7 whether the accused ~~he or she~~ may provide testimony at the
8 hearing.

9 (c) (Blank).

10 (d) Such written notice and any notice in such proceedings
11 thereafter may be served by personal delivery, email to the
12 respondent's email address of record, or mail to the
13 respondent's address of record.

14 (e) All information gathered by the Department during its
15 investigation including information subpoenaed under Section
16 23 or 38 of this Act and the investigative file shall be kept
17 for the confidential use of the Secretary, the Medical Board,
18 the Medical Coordinators, persons employed by contract to
19 advise the Medical Coordinator or the Department, the Medical
20 Board's attorneys, the medical investigative staff, and
21 authorized clerical staff, as provided in this Act and shall
22 be afforded the same status as is provided information
23 concerning medical studies in Part 21 of Article VIII of the
24 Code of Civil Procedure, except that the Department may
25 disclose information and documents to a federal, State, or
26 local law enforcement agency pursuant to a subpoena in an

1 ongoing criminal investigation to a health care licensing body
2 of this State or another state or jurisdiction pursuant to an
3 official request made by that licensing body. Furthermore,
4 information and documents disclosed to a federal, State, or
5 local law enforcement agency may be used by that agency only
6 for the investigation and prosecution of a criminal offense
7 or, in the case of disclosure to a health care licensing body,
8 only for investigations and disciplinary action proceedings
9 with regard to a license issued by that licensing body.

10 (Source: P.A. 101-13, eff. 6-12-19; 101-316, eff. 8-9-19;
11 102-20, eff. 1-1-22; 102-558, eff. 8-20-21.)

12 (225 ILCS 60/37) (from Ch. 111, par. 4400-37)

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

14 Sec. 37. Disciplinary actions.

15 (a) At the time and place fixed in the notice, the Medical
16 Board provided for in this Act shall proceed to hear the
17 charges, and the accused person shall be accorded ample
18 opportunity to present in person, or by counsel, such
19 statements, testimony, evidence and argument as may be
20 pertinent to the charges or to any defense thereto. The
21 Medical Board may continue such hearing from time to time. If
22 the Medical Board is not sitting at the time and place fixed in
23 the notice or at the time and place to which the hearing has
24 been continued, the Department shall continue such hearing for
25 a period not to exceed 30 days.

1 (b) In case the accused person, after receiving notice,
2 fails to file an answer, their license may, in the discretion
3 of the Secretary, having received first the recommendation of
4 the Medical Board, be suspended, revoked or placed on
5 probationary status, or the Secretary may take whatever
6 disciplinary action as the Secretary ~~he or she~~ may deem
7 proper, including limiting the scope, nature, or extent of
8 said person's practice, without a hearing, if the act or acts
9 charged constitute sufficient grounds for such action under
10 this Act.

11 (c) The Medical Board has the authority to recommend to
12 the Secretary that probation be granted or that other
13 disciplinary or non-disciplinary action, including the
14 limitation of the scope, nature or extent of a person's
15 practice, be taken as it deems proper. If disciplinary or
16 non-disciplinary action, other than suspension or revocation,
17 is taken the Medical Board may recommend that the Secretary
18 impose reasonable limitations and requirements upon the
19 accused registrant to ensure compliance with the terms of the
20 probation or other disciplinary action, including, but not
21 limited to, regular reporting by the accused to the Department
22 of their actions, placing themselves under the care of a
23 qualified physician for treatment, or limiting their practice
24 in such manner as the Secretary may require.

25 (d) The Secretary, after consultation with the Chief
26 Medical Coordinator or Deputy Medical Coordinator, may

1 temporarily suspend the license of a physician without a
2 hearing, simultaneously with the institution of proceedings
3 for a hearing provided under this Section if the Secretary
4 possesses evidence that ~~finds that evidence in his or her~~
5 ~~possession~~ indicates that a physician's continuation in
6 practice would constitute an immediate danger to the public.
7 In the event that the Secretary suspends, temporarily, the
8 license of a physician without a hearing, a hearing by the
9 Medical Board shall be held within 15 days after such
10 suspension has occurred and shall be concluded without
11 appreciable delay.

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

13 (225 ILCS 60/38) (from Ch. 111, par. 4400-38)

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

15 Sec. 38. Subpoena; oaths.

16 (a) The Medical Board or Department has power to subpoena
17 and bring before it any person in this State and to take
18 testimony either orally or by deposition, or both, with the
19 same fees and mileage and in the same manner as is prescribed
20 by law for judicial procedure in civil cases.

21 (b) The Medical Board or Department, upon a determination
22 that probable cause exists that a violation of one or more of
23 the grounds for discipline listed in Section 22 has occurred
24 or is occurring, may subpoena the medical and hospital records
25 of individual patients of physicians licensed under this Act,

1 provided, that prior to the submission of such records to the
2 Medical Board, all information indicating the identity of the
3 patient shall be removed and deleted. Notwithstanding the
4 foregoing, the Medical Board and Department shall possess the
5 power to subpoena copies of hospital or medical records in
6 mandatory report cases under Section 23 alleging death or
7 permanent bodily injury when consent to obtain records is not
8 provided by a patient or legal representative. Prior to
9 submission of the records to the Medical Board, all
10 information indicating the identity of the patient shall be
11 removed and deleted. All medical records and other information
12 received pursuant to subpoena shall be confidential and shall
13 be afforded the same status as is provided information
14 concerning medical studies in Part 21 of Article VIII of the
15 Code of Civil Procedure. The use of such records shall be
16 restricted to members of the Medical Board, the medical
17 coordinators, and appropriate staff of the Department
18 designated by the Medical Board for the purpose of determining
19 the existence of one or more grounds for discipline of the
20 physician as provided for by Section 22 of this Act. Any such
21 review of individual patients' records shall be conducted by
22 the Medical Board in strict confidentiality, provided that
23 such patient records shall be admissible in a disciplinary
24 hearing, before the Medical Board, when necessary to
25 substantiate the grounds for discipline alleged against the
26 physician licensed under this Act, and provided further, that

1 nothing herein shall be deemed to supersede the provisions of
2 Part 21 of Article VIII of the Code of Civil Procedure, to the
3 extent applicable.

4 (c) The Secretary, hearing officer, and any member of the
5 Medical Board each have power to administer oaths at any
6 hearing which the Medical Board or Department is authorized by
7 law to conduct.

8 (d) Upon ~~The Medical Board, upon~~ a determination that
9 probable cause exists that a violation of one or more of the
10 grounds for discipline listed in Section 22 has occurred or is
11 occurring on the business premises of a physician licensed
12 under this Act, ~~may issue an order authorizing~~ an
13 appropriately qualified investigator employed by the
14 Department may ~~to~~ enter upon the business premises with due
15 consideration for patient care of the subject of the
16 investigation so as to inspect the physical premises and
17 equipment and furnishings therein. The right to inspection ~~no~~
18 ~~such order~~ shall not include the right of inspection of
19 business, medical, or personnel records located on the
20 premises without a subpoena issued in accordance with this
21 Section or Section 2105-105 of the Department of Professional
22 Regulation Law of the Civil Administrative Code of Illinois.
23 For purposes of this Section, "business premises" is defined
24 as the office or offices where the physician conducts the
25 practice of medicine. ~~Any such order shall expire and become~~
26 ~~void five business days after its issuance by the Medical~~

1 ~~Board.~~ The execution of any such inspection order shall be
2 valid only during the normal business hours of the facility or
3 office to be inspected.

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

5 (225 ILCS 60/40) (from Ch. 111, par. 4400-40)

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

7 Sec. 40. Findings and recommendations; rehearing.

8 (a) The Medical Board shall present to the Secretary a
9 written report of its findings and recommendations. A copy of
10 such report shall be served upon the accused person, either
11 personally or by mail or email. Within 20 days after such
12 service, the accused person may present to the Department the
13 accused person's ~~his or her~~ motion, in writing, for a
14 rehearing, which written motion shall specify the particular
15 ground therefor. If the accused person orders and pays for a
16 transcript of the record as provided in Section 39, the time
17 elapsing thereafter and before such transcript is ready for
18 delivery to them shall not be counted as part of such 20 days.

19 (b) At the expiration of the time allowed for filing a
20 motion for rehearing, the Secretary may take the action
21 recommended by the Medical Board. Upon the suspension,
22 revocation, placement on probationary status, or the taking of
23 any other disciplinary action, including the limiting of the
24 scope, nature, or extent of one's practice, deemed proper by
25 the Department, with regard to the license or permit, the

1 accused shall surrender the accused's ~~his or her~~ license or
2 permit to the Department, if ordered to do so by the
3 Department, and upon the accused's ~~his or her~~ failure or
4 refusal so to do, the Department may seize the same.

5 (c) Each order of revocation, suspension, or other
6 disciplinary action shall contain a brief, concise statement
7 of the ground or grounds upon which the Department's action is
8 based, as well as the specific terms and conditions of such
9 action. This document shall be retained as a permanent record
10 by the Department.

11 (d) (Blank).

12 (e) In those instances where an order of revocation,
13 suspension, or other disciplinary action has been rendered by
14 virtue of a physician's physical illness, including, but not
15 limited to, deterioration through the aging process, or loss
16 of motor skill which results in a physician's inability to
17 practice medicine with reasonable judgment, skill, or safety,
18 the Department shall only permit this document, and the record
19 of the hearing incident thereto, to be observed, inspected,
20 viewed, or copied pursuant to court order.

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

22 (225 ILCS 60/44) (from Ch. 111, par. 4400-44)

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

24 Sec. 44. None of the disciplinary functions, powers and
25 duties enumerated in this Act shall be exercised by the

1 Department except upon the action and report in writing of the
2 Medical Board.

3 In all instances, under this Act, in which the Medical
4 Board has rendered a recommendation to the Secretary with
5 respect to a particular physician, the Secretary may take
6 action contrary to the recommendation of the Medical Board. In
7 the event that the Secretary disagrees with or takes action
8 contrary to the recommendation of the Medical Board, the
9 Secretary may file with the Medical Board the Secretary's ~~his~~
10 ~~or her~~ specific written reasons of disagreement with the
11 Medical Board. Such reasons shall be filed within 30 days of
12 the occurrence of the Secretary's contrary position having
13 been taken.

14 The action and report in writing of a majority of the
15 Medical Board designated is sufficient authority upon which
16 the Secretary may act.

17 Whenever the Secretary is satisfied that substantial
18 justice has not been done in a formal disciplinary action, or
19 refusal to restore a license, the Secretary ~~he or she~~ may order
20 a rehearing.

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

22 (225 ILCS 60/49) (from Ch. 111, par. 4400-49)

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

24 Sec. 49. If any person does any of the following and does
25 not possess a valid license issued under this Act, that person

1 shall be sentenced as provided in Section 59: (i) holds
2 himself or herself out to the public as being engaged in the
3 diagnosis or treatment of physical or mental ailments or
4 conditions including, but not limited to, deformities,
5 diseases, disorders, or injuries of human beings; (ii)
6 suggests, recommends or prescribes any form of treatment for
7 the palliation, relief or cure of any physical or mental
8 ailment or condition of any person with the intention of
9 receiving, either directly or indirectly, any fee, gift, or
10 compensation whatever; (iii) diagnoses or attempts to
11 diagnose, operates upon, professes to heal, prescribes for, or
12 otherwise treats any ailment or condition, or supposed ailment
13 or condition, of another; (iv) maintains an office for
14 examination or treatment of persons afflicted, or alleged or
15 supposed to be afflicted, by any ailment or condition; (v)
16 manipulates or adjusts osseous or articular structures; or
17 (vi) attaches the title Doctor, Physician, Surgeon, M.D., D.O.
18 or D.C. or any other word or abbreviation to the person's ~~his~~
19 ~~or her~~ name indicating that the person ~~he or she~~ is engaged in
20 the treatment of human ailments or conditions as a business.

21 Whenever the Department has reason to believe that any
22 person has violated this Section the Department may issue a
23 rule to show cause why an order to cease and desist should not
24 be entered against that person. The rule shall clearly set
25 forth the grounds relied upon by the Department and shall
26 provide a period of 7 days from the date of the rule to file an

1 answer to the satisfaction of the Department. Failure to
2 answer to the satisfaction of the Department shall cause an
3 order to cease and desist to be issued immediately.

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

5 (225 ILCS 60/54) (from Ch. 111, par. 4400-54)

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

7 Sec. 54. A person who holds himself or herself out to treat
8 human ailments under a name other than the person's ~~his or her~~
9 own, or by personation of any physician, shall be punished as
10 provided in Section 59.

11 However, nothing in this Act shall be construed as
12 prohibiting partnerships, limited liability companies,
13 associations, or corporations in accordance with subsection
14 (c) of Section 22.2 of this Act.

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

16 (225 ILCS 60/54.2)

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

18 Sec. 54.2. Physician delegation of authority.

19 (a) Nothing in this Act shall be construed to limit the
20 delegation of patient care tasks or duties by a physician, to a
21 licensed practical nurse, a registered professional nurse, or
22 other licensed person practicing within the scope of the
23 licensed person's ~~his or her~~ individual licensing Act.
24 Delegation by a physician licensed to practice medicine in all

1 its branches to physician assistants or advanced practice
2 registered nurses is also addressed in Section 54.5 of this
3 Act. No physician may delegate any patient care task or duty
4 that is statutorily or by rule mandated to be performed by a
5 physician.

6 (b) In an office or practice setting and within a
7 physician-patient relationship, a physician may delegate
8 patient care tasks or duties to an unlicensed person who
9 possesses appropriate training and experience provided a
10 health care professional, who is practicing within the scope
11 of such licensed professional's individual licensing Act, is
12 on site to provide assistance.

13 (c) Any such patient care task or duty delegated to a
14 licensed or unlicensed person must be within the scope of
15 practice, education, training, or experience of the delegating
16 physician and within the context of a physician-patient
17 relationship.

18 (d) Nothing in this Section shall be construed to affect
19 referrals for professional services required by law.

20 (e) The Department shall have the authority to adopt rules
21 concerning a physician's delegation, including, but not
22 limited to, the use of light emitting devices for patient care
23 or treatment. An on-site physician examination prior to the
24 performance of a non-ablative laser procedure shall not be
25 required when:

26 (1) the laser hair removal facility follows a

1 physician delegation protocol, which shall be made
2 available to the Department upon request;

3 (2) the examination is performed by an advanced
4 practice registered nurse;

5 (3) the procedure is delegated by a physician and
6 performed by a registered nurse or licensed practical
7 nurse who has received appropriate, documented training
8 and education in the safe and effective use of each
9 system; and

10 (4) a physician is available by telephone or other
11 electronic means to respond promptly to any questions or
12 complications that may occur.

13 Nothing in this Section shall be construed to limit a
14 licensed advanced practice registered nurse with full practice
15 authority from practicing according to the Nurse Practice Act.

16 (f) Nothing in this Act shall be construed to limit the
17 method of delegation that may be authorized by any means,
18 including, but not limited to, oral, written, electronic,
19 standing orders, protocols, guidelines, or verbal orders.

20 (g) (Blank). ~~A physician licensed to practice medicine in~~
21 ~~all of its branches under this Act may delegate any and all~~
22 ~~authority prescribed to him or her by law to international~~
23 ~~medical graduate physicians, so long as the tasks or duties~~
24 ~~are within the scope of practice, education, training, or~~
25 ~~experience of the delegating physician who is on site to~~
26 ~~provide assistance. An international medical graduate working~~

1 ~~in Illinois pursuant to this subsection is subject to all~~
2 ~~statutory and regulatory requirements of this Act, as~~
3 ~~applicable, relating to the standards of care. An~~
4 ~~international medical graduate physician is limited to~~
5 ~~providing treatment under the supervision of a physician~~
6 ~~licensed to practice medicine in all of its branches. The~~
7 ~~supervising physician or employer must keep record of and make~~
8 ~~available upon request by the Department the following: (1)~~
9 ~~evidence of education certified by the Educational Commission~~
10 ~~for Foreign Medical Graduates; (2) evidence of passage of Step~~
11 ~~1, Step 2 Clinical Knowledge, and Step 3 of the United States~~
12 ~~Medical Licensing Examination as required by this Act; and (3)~~
13 ~~evidence of an unencumbered license from another country. This~~
14 ~~subsection does not apply to any international medical~~
15 ~~graduate whose license as a physician is revoked, suspended,~~
16 ~~or otherwise encumbered. This subsection is inoperative upon~~
17 ~~the adoption of rules implementing Section 15.5.~~

18 (Source: P.A. 103-1, eff. 4-27-23; 103-102, eff. 6-16-23;
19 103-814, eff. 1-1-25.)

20 (225 ILCS 60/54.5)

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

22 Sec. 54.5. Physician delegation of authority to physician
23 assistants, advanced practice registered nurses without full
24 practice authority, and prescribing psychologists.

25 (a) Physicians licensed to practice medicine in all its

1 branches may delegate care and treatment responsibilities to a
2 physician assistant under guidelines in accordance with the
3 requirements of the Physician Assistant Practice Act of 1987.
4 A physician licensed to practice medicine in all its branches
5 may enter into collaborative agreements with no more than 7
6 full-time equivalent physician assistants, except in a
7 hospital, hospital affiliate, or ambulatory surgical treatment
8 center as set forth by Section 7.7 of the Physician Assistant
9 Practice Act of 1987 and as provided in subsection (a-5).

10 (a-5) A physician licensed to practice medicine in all its
11 branches may collaborate with more than 7 physician assistants
12 when the services are provided in a federal primary care
13 health professional shortage area with a Health Professional
14 Shortage Area score greater than or equal to 12, as determined
15 by the United States Department of Health and Human Services.

16 The collaborating physician must keep appropriate
17 documentation of meeting this exemption and make it available
18 to the Department upon request.

19 (b) A physician licensed to practice medicine in all its
20 branches in active clinical practice may collaborate with an
21 advanced practice registered nurse in accordance with the
22 requirements of the Nurse Practice Act. Collaboration is for
23 the purpose of providing medical consultation, and no
24 employment relationship is required. A written collaborative
25 agreement shall conform to the requirements of Section 65-35
26 of the Nurse Practice Act. The written collaborative agreement

1 shall be for services for which the collaborating physician
2 can provide adequate collaboration. A written collaborative
3 agreement shall be adequate with respect to collaboration with
4 advanced practice registered nurses if all of the following
5 apply:

6 (1) The agreement is written to promote the exercise
7 of professional judgment by the advanced practice
8 registered nurse commensurate with the advanced practice
9 registered nurse's ~~his or her~~ education and experience.

10 (2) The advanced practice registered nurse provides
11 services based upon a written collaborative agreement with
12 the collaborating physician, except as set forth in
13 subsection (b-5) of this Section. With respect to labor
14 and delivery, the collaborating physician must provide
15 delivery services in order to participate with a certified
16 nurse midwife.

17 (3) Methods of communication are available with the
18 collaborating physician in person or through
19 telecommunications for consultation, collaboration, and
20 referral as needed to address patient care needs.

21 (b-5) An anesthesiologist or physician licensed to
22 practice medicine in all its branches may collaborate with a
23 certified registered nurse anesthetist in accordance with
24 Section 65-35 of the Nurse Practice Act for the provision of
25 anesthesia services. With respect to the provision of
26 anesthesia services, the collaborating anesthesiologist or

1 physician shall have training and experience in the delivery
2 of anesthesia services consistent with Department rules.
3 Collaboration shall be adequate if:

4 (1) an anesthesiologist or a physician participates in
5 the joint formulation and joint approval of orders or
6 guidelines and periodically reviews such orders and the
7 services provided patients under such orders; and

8 (2) for anesthesia services, the anesthesiologist or
9 physician participates through discussion of and agreement
10 with the anesthesia plan and is physically present and
11 available on the premises during the delivery of
12 anesthesia services for diagnosis, consultation, and
13 treatment of emergency medical conditions. Anesthesia
14 services in a hospital shall be conducted in accordance
15 with Section 10.7 of the Hospital Licensing Act and in an
16 ambulatory surgical treatment center in accordance with
17 Section 6.5 of the Ambulatory Surgical Treatment Center
18 Act.

19 (b-10) The anesthesiologist or operating physician must
20 agree with the anesthesia plan prior to the delivery of
21 services.

22 (c) The collaborating physician shall have access to the
23 medical records of all patients attended by a physician
24 assistant. The collaborating physician shall have access to
25 the medical records of all patients attended to by an advanced
26 practice registered nurse.

1 (d) (Blank).

2 (e) A physician shall not be liable for the acts or
3 omissions of a prescribing psychologist, physician assistant,
4 or advanced practice registered nurse solely on the basis of
5 having signed a supervision agreement or guidelines or a
6 collaborative agreement, an order, a standing medical order, a
7 standing delegation order, or other order or guideline
8 authorizing a prescribing psychologist, physician assistant,
9 or advanced practice registered nurse to perform acts, unless
10 the physician has reason to believe the prescribing
11 psychologist, physician assistant, or advanced practice
12 registered nurse lacked the competency to perform the act or
13 acts or commits willful and wanton misconduct.

14 (f) A collaborating physician may, but is not required to,
15 delegate prescriptive authority to an advanced practice
16 registered nurse as part of a written collaborative agreement,
17 and the delegation of prescriptive authority shall conform to
18 the requirements of Section 65-40 of the Nurse Practice Act.

19 (g) A collaborating physician may, but is not required to,
20 delegate prescriptive authority to a physician assistant as
21 part of a written collaborative agreement, and the delegation
22 of prescriptive authority shall conform to the requirements of
23 Section 7.5 of the Physician Assistant Practice Act of 1987.

24 (h) (Blank).

25 (i) A collaborating physician shall delegate prescriptive
26 authority to a prescribing psychologist as part of a written

1 collaborative agreement, and the delegation of prescriptive
2 authority shall conform to the requirements of Section 4.3 of
3 the Clinical Psychologist Licensing Act.

4 (j) As set forth in Section 22.2 of this Act, a licensee
5 under this Act may not directly or indirectly divide, share,
6 or split any professional fee or other form of compensation
7 for professional services with anyone in exchange for a
8 referral or otherwise, other than as provided in Section 22.2.

9 (Source: P.A. 103-228, eff. 1-1-24.)

10 (225 ILCS 60/58) (from Ch. 111, par. 4400-58)

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

12 Sec. 58. Any person who shall willfully ~~wilfully~~ swear or
13 affirm falsely, or make or file any affidavit willfully
14 ~~wilfully~~ and corruptly, in filing or prosecuting their
15 application for a license before the Department, or in
16 submitting any complaint, evidence or testimony to the
17 Department under the provisions of this Act, or under any rule
18 or regulation of the Department, shall be sentenced therefor
19 as the law shall prescribe at the time for perjury.

20 (Source: P.A. 85-4.)

21 (225 ILCS 60/66)

22 Sec. 66. Temporary permit for health care.

23 (a) The Department may issue a temporary permit to an
24 applicant who is licensed to practice as a physician in

1 another state. The temporary permit will authorize the
2 practice of providing health care to patients in this State if
3 all of the following apply:

4 (1) The Department determines that the applicant's
5 services will improve the welfare of Illinois residents
6 and non-residents requiring health care services.

7 (2) The applicant has graduated from a medical program
8 officially recognized by the jurisdiction in which it is
9 located for the purpose of receiving a license to practice
10 medicine in all of its branches, and maintains an
11 equivalent authorization to practice medicine in good
12 standing in the applicant's current state or territory of
13 licensure; and the applicant can furnish the Department
14 with a certified letter upon request from that
15 jurisdiction attesting to the fact that the applicant has
16 no pending action or violations against the applicant's
17 license.

18 The Department will not consider a physician's license
19 being revoked or otherwise disciplined by any state or
20 territory based solely on the physician providing,
21 authorizing, recommending, aiding, assisting, referring
22 for, or otherwise participating in any health care service
23 that is unlawful or prohibited in that state or territory,
24 if the provision of, authorization of, or participation in
25 that health care, medical service, or procedure related to
26 any health care service is not unlawful or prohibited in

1 this State.

2 (3) The applicant has sufficient training and
3 possesses the appropriate core competencies to provide
4 health care services, and is physically, mentally, and
5 professionally capable of practicing medicine with
6 reasonable judgment, skill, and safety and in accordance
7 with applicable standards of care.

8 (4) The applicant will be working pursuant to an
9 agreement with a sponsoring licensed hospital, medical
10 office, clinic, or other medical facility providing
11 abortion or other health care services. Such agreement
12 shall be executed by an authorized representative of the
13 licensed hospital, medical office, clinic, or other
14 medical facility, certifying that the physician holds an
15 active license and is in good standing in the state in
16 which they are licensed. If an applicant for a temporary
17 permit has been previously disciplined by another
18 jurisdiction, except as described in paragraph (2) of
19 subsection (a), further review may be conducted pursuant
20 to the Civil Administrative Code of Illinois and this Act.
21 The application shall include the physician's name,
22 contact information, state of licensure, and license
23 number.

24 (5) Payment of a \$75 fee.

25 The sponsoring licensed hospital, medical office, clinic,
26 or other medical facility engaged in the agreement with the

1 applicant shall notify the Department should the applicant at
2 any point leave or become separate from the sponsor.

3 The Department may adopt rules pursuant to this Section.

4 (b) A temporary permit under this Section shall expire 2
5 years after the date of issuance. The temporary permit may be
6 renewed for a \$45 fee for an additional 2 years. A holder of a
7 temporary permit may only renew one time.

8 (c) The temporary permit shall only permit the holder to
9 practice medicine within the scope of providing health care
10 services at the location or locations specified on the permit.

11 (d) An application for the temporary permit shall be made
12 to the Department, in writing, on forms prescribed by the
13 Department, and shall be accompanied by a nonrefundable
14 ~~non-refundable~~ fee of \$75. The Department shall grant or deny
15 an applicant a temporary permit within 60 days of receipt of a
16 completed application. The Department shall notify the
17 applicant of any deficiencies in the applicant's application
18 materials requiring corrections in a timely manner.

19 (e) An applicant for temporary permit may be requested to
20 appear before the Board to respond to questions concerning the
21 applicant's qualifications to receive the permit. An
22 applicant's refusal to appear before the Illinois State
23 Medical Board may be grounds for denial of the application by
24 the Department.

25 (f) The Secretary may summarily cancel any temporary
26 permit issued pursuant to this Section, without a hearing, if

1 the Secretary finds ~~that~~ evidence that ~~in his or her~~
2 ~~possession~~ indicates that a permit holder's continuation in
3 practice would constitute an imminent danger to the public or
4 violate any provision of this Act or its rules. If the
5 Secretary summarily cancels a temporary permit issued pursuant
6 to this Section or Act, the permit holder may petition the
7 Department for a hearing in accordance with the provisions of
8 Section 43 of this Act to restore the permit holder's ~~his or~~
9 ~~her~~ permit, unless the permit holder has exceeded the ~~his or~~
10 ~~her~~ renewal limit.

11 (g) In addition to terminating any temporary permit issued
12 pursuant to this Section or Act, the Department may issue a
13 monetary penalty not to exceed \$10,000 upon the temporary
14 permit holder and may notify any state in which the temporary
15 permit holder has been issued a permit that the permit
16 holder's ~~his or her~~ Illinois permit has been terminated and
17 the reasons for the termination. The monetary penalty shall be
18 paid within 60 days after the effective date of the order
19 imposing the penalty. The order shall constitute a judgment
20 and may be filed and execution had thereon in the same manner
21 as any judgment from any court of record. It is the intent of
22 the General Assembly that a permit issued pursuant to this
23 Section shall be considered a privilege and not a property
24 right.

25 (h) While working in Illinois, all temporary permit
26 holders are subject to all statutory and regulatory

1 requirements of this Act in the same manner as a licensee.
2 Failure to adhere to all statutory and regulatory requirements
3 may result in revocation or other discipline of the temporary
4 permit.

5 (i) If the Department becomes aware of a violation
6 occurring at the licensed hospital, medical office, clinic, or
7 other medical facility or via telehealth practice, the
8 Department shall notify the Department of Public Health.

9 (j) The Department may adopt emergency rules pursuant to
10 this Section. The General Assembly finds that the adoption of
11 rules to implement a temporary permit for health care services
12 is deemed an emergency and necessary for the public interest,
13 safety, and welfare.

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

15 (225 ILCS 60/70 new)

16 Sec. 70. Record retention. A physician shall retain all
17 medical records of adult patients not appropriately
18 transferred to another physician or entity for at least 6
19 years after the last date of service for each patient, except
20 as otherwise required by law. A physician shall retain all
21 medical records of minor patients not appropriately
22 transferred to another physician or entity for at least 6
23 years after the last date of service for each patient or until
24 the patient reaches the age of 21, whichever date is longer,
25 except as otherwise required by law.

1 Section 27. The Licensed Certified Professional Midwife
2 Practice Act is amended by adding Section 21 as follows:

3 (225 ILCS 64/21 new)

4 Sec. 21. Unlicensed practice.

5 (a) As used in this Section, "midwifery services" does not
6 include the services provided by an advanced practice
7 registered nurse certified as a nurse midwife under the Nurse
8 Practice Act.

9 (b) No person may provide, offer to provide, or attempt to
10 practice midwifery or hold oneself out as a licensed certified
11 professional midwife, a licensed midwife, a certified
12 professional midwife, or as a qualified provider of midwifery
13 services unless the person is licensed in accordance with this
14 Act.

15 Section 30. The Illinois Optometric Practice Act of 1987
16 is amended by changing Sections 3, 4, 5, 6, 7, 8, 9, 9.5, 10,
17 11, 12, 13, 16, 17, 18, 20, 22, 24, 24.2, 25, 26.1, 26.2, 26.7,
18 26.13, and 26.14 as follows:

19 (225 ILCS 80/3) (from Ch. 111, par. 3903)

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

21 Sec. 3. Practice of optometry defined; referrals;
22 manufacture of lenses and prisms.

1 (a) The practice of optometry is defined as the employment
2 of any and all means for the examination, diagnosis, and
3 treatment of the human visual system, the human eye, and its
4 appendages without the use of surgery or the use of lasers for
5 surgical purposes, including, but not limited to: the
6 appropriate use of ocular pharmaceutical agents; refraction
7 and other determinants of visual function; prescribing
8 corrective lenses or prisms; prescribing, dispensing, or
9 management of contact lenses; vision therapy; visual
10 rehabilitation; or any other procedures taught in schools and
11 colleges of optometry approved by the Department, and not
12 specifically restricted in this Act, subject to demonstrated
13 competency and training as required by the Board, and pursuant
14 to rule or regulation approved by the Board and adopted by the
15 Department.

16 A person shall be deemed to be practicing optometry within
17 the meaning of this Act who:

18 (1) In any way presents the person ~~himself or herself~~
19 to be qualified to practice optometry.

20 (2) Performs refractions or employs any other
21 determinants of visual function.

22 (3) Employs any means for the adaptation of lenses or
23 prisms.

24 (4) Prescribes corrective lenses, prisms, vision
25 therapy, visual rehabilitation, or ocular pharmaceutical
26 agents.

1 (5) Prescribes or manages contact lenses for
2 refractive, cosmetic, or therapeutic purposes.

3 (6) Evaluates the need for, or prescribes, low vision
4 aids to partially sighted persons.

5 (7) Diagnoses or treats any ocular abnormality,
6 disease, or visual or muscular anomaly of the human eye or
7 visual system.

8 (8) Practices, or offers or attempts to practice,
9 optometry as defined in this Act either on the person's
10 ~~his or her~~ own behalf or as an employee of a person, firm,
11 or corporation, whether under the supervision of the
12 person's ~~his or her~~ employer or not.

13 Nothing in this Section shall be interpreted (A) to
14 prevent a person from functioning as an assistant under the
15 direct supervision of a person licensed by the State of
16 Illinois to practice optometry or medicine in all of its
17 branches or (B) to prohibit visual screening programs that are
18 conducted without a fee (other than voluntary donations), by
19 charitable organizations acting in the public welfare under
20 the supervision of a committee composed of persons licensed by
21 the State of Illinois to practice optometry or persons
22 licensed by the State of Illinois to practice medicine in all
23 of its branches.

24 (b) When, in the course of providing optometric services
25 to any person, an optometrist licensed under this Act finds an
26 indication of a disease or condition of the eye which in the

1 optometrist's ~~his or her~~ professional judgment requires
2 professional service outside the scope of practice as defined
3 in this Act, the optometrist ~~he or she~~ shall refer such person
4 to a physician licensed to practice medicine in all of its
5 branches, or other appropriate health care practitioner.
6 Nothing in this Act shall preclude an optometrist from
7 rendering appropriate nonsurgical emergency care.

8 (c) Nothing contained in this Section shall prohibit a
9 person from manufacturing ophthalmic lenses and prisms or the
10 fabrication of contact lenses according to the specifications
11 prescribed by an optometrist or a physician licensed to
12 practice medicine in all of its branches, but shall
13 specifically prohibit (1) the sale or delivery of ophthalmic
14 lenses, prisms, and contact lenses without a prescription
15 signed by an optometrist or a physician licensed to practice
16 medicine in all of its branches and (2) the dispensing of
17 contact lenses by anyone other than a licensed optometrist,
18 licensed pharmacist, or a physician licensed to practice
19 medicine in all of its branches. For the purposes of this Act,
20 "contact lenses" include, but are not limited to, contact
21 lenses with prescriptive power and decorative and plano power
22 contact lenses. Nothing in this Section shall prohibit the
23 sale of contact lenses by an optical firm or corporation
24 primarily engaged in manufacturing or dealing in eyeglasses or
25 contact lenses with an affiliated optometrist who practices
26 and is licensed or has an ancillary registration for the

1 location where the sale occurs.

2 (d) Nothing in this Act shall restrict the filling of a
3 prescription by a pharmacist licensed under the Pharmacy
4 Practice Act.

5 (e) Nothing in this Act shall be construed to restrict the
6 dispensing and sale by an optometrist of ocular devices, such
7 as contact lenses, that contain and deliver ocular
8 pharmaceutical agents permitted for use or prescription under
9 this Act.

10 (f) (Blank). ~~On and after January 1, 2018, nothing in this~~
11 ~~Act shall prohibit an optometrist who is certified by a school~~
12 ~~of optometry approved by the Department from performing~~
13 ~~advanced optometric procedures, pursuant to educational~~
14 ~~requirements established by rule, that are consistent with the~~
15 ~~recommendations of the Collaborative~~
16 ~~Optometric/Ophthalmological Task Force created in Section 15.3~~
17 ~~of this Act and that are taught (1) at an accredited, private~~
18 ~~4 year school of optometry that is located in a city in~~
19 ~~Illinois with a population in excess of 1,500,000, or (2) at a~~
20 ~~school of optometry with a curriculum that is substantially~~
21 ~~similar to the curriculum taught at the school of optometry~~
22 ~~described in item (1) of this subsection. Advanced optometric~~
23 ~~procedures do not include the use of lasers.~~

24 (Source: P.A. 98-186, eff. 8-5-13; 99-909, eff. 1-1-17.)

25 (225 ILCS 80/4) (from Ch. 111, par. 3904)

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

2 Sec. 4. License requirement. No person shall practice, or
3 attempt to practice, optometry, as defined in this Act,
4 without a valid license as an optometrist issued by the
5 Department.

6 (Source: P.A. 85-896.)

7 (225 ILCS 80/5) (from Ch. 111, par. 3905)

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

9 Sec. 5. Title and designation of licensed optometrists.
10 Every person to whom a valid existing license as an
11 optometrist has been issued under this Act, shall be
12 designated professionally as an "optometrist" and not
13 otherwise, and any such licensed optometrist may, in
14 connection with the practice of the licensed optometrist's ~~his~~
15 ~~or her~~ profession, use the title or designation of
16 "optometrist", and, if entitled by degree from a college or
17 university recognized by the Department of Financial and
18 Professional Regulation, may use the title of "Doctor of
19 Optometry", or the abbreviation "O.D.". When the name of such
20 licensed optometrist is used professionally in oral, written,
21 or printed announcements, prescriptions, professional cards,
22 or publications for the information of the public, and is
23 preceded by the title "Doctor" or the abbreviation "Dr.", the
24 explanatory designation of "optometrist", "optometry", or
25 "Doctor of Optometry" shall be added immediately following

1 such title and name. When such announcement, prescription,
2 professional care or publication is in writing or in print,
3 such explanatory addition shall be in writing, type, or print
4 not less than one-half the size of that used in said name and
5 title. No person other than the holder of a valid existing
6 license under this Act shall use the title and designation of
7 "Doctor of Optometry", "O.D.", or "optometrist", either
8 directly or indirectly in connection with the licensee's ~~his~~
9 ~~or her~~ profession or business.

10 (Source: P.A. 94-787, eff. 5-19-06.)

11 (225 ILCS 80/6) (from Ch. 111, par. 3906)

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

13 Sec. 6. Display of license; change of address; record of
14 examinations and prescriptions.

15 (a) Every holder of a license under this Act shall display
16 such license on a conspicuous place in the office or offices
17 wherein such holder practices optometry and every holder
18 shall, whenever requested, exhibit such license to any
19 representative of the Department, and shall notify the
20 Department of the address or addresses and of every change
21 thereof, where such holder shall practice optometry.

22 (b) Every licensed optometrist shall keep a record of
23 examinations made and prescriptions issued, which record shall
24 include the names of persons examined and for whom
25 prescriptions were prepared, and shall be signed by the

1 licensed optometrist and shall be retained in the office in
2 which such professional service was rendered or in a secure
3 offsite storage facility. Such records shall be preserved by
4 the optometrist for a period designated by the Department. A
5 copy of such records shall be provided, upon written request,
6 to the person examined, or the person's ~~his or her~~ designee.

7 (Source: P.A. 97-1028, eff. 1-1-13.)

8 (225 ILCS 80/7) (from Ch. 111, par. 3907)

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

10 Sec. 7. Additional practice locations.

11 (a) Every holder of a license under this Act shall report
12 to the Department every additional location where the licensee
13 engages in the practice of optometry. Such reports shall be
14 made prior to practicing at the location and shall be done in a
15 manner prescribed by the Department.

16 (b) Failure to report a practice location or to maintain
17 evidence of such a report at the practice location shall be a
18 violation of this Act and shall be considered the unlicensed
19 practice of optometry. Registering a location where a licensee
20 does not practice shall also be a violation of this Act.

21 (c) Nothing contained herein, however, shall be construed
22 to require a licensed optometrist in active practice to report
23 a location to the Department when serving on the staff of a
24 hospital or an institution that receives no fees (other than
25 entrance registration fees) for the services rendered by the

1 optometrist and for which the optometrist receives no fees or
2 compensation directly or indirectly for such services
3 rendered.

4 (d) Nothing contained herein shall be construed to require
5 a licensed optometrist to report a location to the Department
6 when rendering necessary optometric services for the licensed
7 optometrist's ~~his or her~~ patients confined to their homes,
8 hospitals or institutions, or to act in an advisory capacity,
9 with or without remuneration, in any industry, school or
10 institution.

11 (Source: P.A. 96-270, eff. 1-1-10.)

12 (225 ILCS 80/8) (from Ch. 111, par. 3908)

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

14 Sec. 8. Permitted activities. This Act does not prohibit:

15 (1) Any person licensed in this State under any other
16 Act from engaging in the practice for which the person ~~he~~
17 ~~or she~~ is licensed.

18 (2) The practice of optometry by a person who is
19 employed by the United States government or any bureau,
20 division or agency thereof while in the discharge of the
21 employee's official duties.

22 (3) The practice of optometry that is included in
23 their program of study by students enrolled in schools of
24 optometry or in continuing education courses approved by
25 the Department.

1 (4) Persons, firms, and corporations who manufacture
2 or deal in eyeglasses ~~eye-glasses~~ or spectacles in a
3 store, shop, or other permanently established place of
4 business, and who neither practice nor attempt to practice
5 optometry from engaging the services of one or more
6 licensed optometrists, nor prohibit any such licensed
7 optometrist when so engaged, to practice optometry as
8 defined in Section 3 of this Act, when the person, or firm,
9 or corporation so conducts the person's, firm's, or
10 corporation's ~~his or her or its~~ business in a permanently
11 established place and in such manner that the person's,
12 firm's, or corporation's ~~his or her or its~~ activities, in
13 any department in which such optometrist is engaged,
14 insofar as the practice of optometry is concerned, are in
15 keeping with the limitations imposed upon individual
16 practitioners of optometry by subparagraphs 17, 23, 26,
17 27, 28, 29, and 30 of Section 24 of this Act; provided,
18 that such licensed optometrist or optometrists shall not
19 be exempt, by reason of such relationship, from compliance
20 with the provisions of this Act as prescribed for
21 individual practitioners of optometry.

22 (Source: P.A. 94-787, eff. 5-19-06.)

23 (225 ILCS 80/9) (from Ch. 111, par. 3909)

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

25 Sec. 9. Definitions. For purposes of ~~In~~ this Act, the

1 following definitions shall have the following meanings,
2 except where the context requires otherwise:

3 (1) "Department" means the Department of Financial and
4 Professional Regulation.

5 (2) "Secretary" means the Secretary of Financial and
6 Professional Regulation.

7 (3) "Board" means the Illinois Optometric Licensing
8 and Disciplinary Board appointed by the Secretary.

9 (4) "License" means the document issued by the
10 Department authorizing the person named thereon to
11 practice optometry.

12 (5) (Blank).

13 (6) "Direct supervision" means supervision of any
14 person assisting an optometrist, requiring that the
15 optometrist authorize the procedure, remain in the
16 facility while the procedure is performed, approve the
17 work performed by the person assisting before dismissal of
18 the patient, but does not mean that the optometrist must
19 be present with the patient, during the procedure. For the
20 dispensing of contact lenses, "direct supervision" means
21 that the optometrist is responsible for training the
22 person assisting the optometrist in the dispensing or sale
23 of contact lenses, but does not mean that the optometrist
24 must be present in the facility where the optometrist ~~he~~
25 ~~or she~~ practices under a license or ancillary registration
26 at the time the contacts are dispensed or sold. For the

1 practice of optometry through telehealth, "direct
2 supervision" means supervision by an optometrist of any
3 person located at a remote location who is assisting an
4 optometrist with procedures or optometric services
5 administered to a patient at the remote location when the
6 optometrist is at a distant site.

7 (7) "Address of record" means the designated address
8 recorded by the Department in the applicant's application
9 file or the licensee's license file maintained by the
10 Department's licensure maintenance unit.

11 (8) "Remote location" means the site at which the
12 patient is located at the time optometric services are
13 rendered through telehealth to that patient.

14 (9) "Distant site" means the location in Illinois from
15 which an optometrist is rendering services through
16 telehealth.

17 (10) "Interactive telecommunications system" means an
18 audio and video system permitting 2-way, real-time
19 interactive communication between a patient located at a
20 remote location and an optometrist located at a distant
21 site.

22 (11) "Telehealth" means the evaluation, diagnosis, or
23 interpretation of patient-specific data that is
24 transmitted by way of an interactive telecommunication
25 system between a remote location and an optometrist
26 located at a distant site that generates interaction or

1 treatment recommendations for a patient located at a
2 remote location. "Telehealth" includes the performance of
3 any of the activities set forth in Sections 3 and 15.1.

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

8 (Source: P.A. 102-153, eff. 1-1-22.)

9 (225 ILCS 80/9.5)

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

11 Sec. 9.5. Address of record; email address of record
12 Change of address. All applicants and licensees shall:

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

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

25 (Source: P.A. 99-909, eff. 1-1-17.)

1 (225 ILCS 80/10) (from Ch. 111, par. 3910)

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

3 Sec. 10. Powers and duties of Department; rules; report.

4 (a) The Department shall exercise the powers and duties
5 prescribed by the Civil Administrative Code of Illinois for
6 the administration of licensing acts and shall exercise such
7 other powers and duties necessary for effectuating the purpose
8 of this Act.

9 (b) The Secretary shall promulgate rules consistent with
10 the provisions of this Act, for the administration and
11 enforcement thereof and may prescribe forms that shall be
12 issued in connection therewith. The rules shall include
13 standards and criteria for licensure and certification, and
14 professional conduct and discipline.

15 (c) The Department shall consult with the Board in
16 promulgating rules. Notice of proposed rulemaking shall be
17 transmitted to the Board and the Department shall review the
18 Board's responses and any recommendations made therein. The
19 Department may solicit the advice of the Board on any matter
20 relating to the administration and enforcement of this Act.

21 (Source: P.A. 99-909, eff. 1-1-17.)

22 (225 ILCS 80/11) (from Ch. 111, par. 3911)

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

24 Sec. 11. Optometric Licensing and Disciplinary Board.

1 (a) The Secretary shall appoint an Illinois Optometric
2 Licensing and Disciplinary Board as follows: Seven persons who
3 shall be appointed by and shall serve in an advisory capacity
4 to the Secretary. Five members must be lawfully and actively
5 engaged in the practice of optometry in this State, one member
6 shall be a licensed optometrist, with a full-time faculty
7 appointment with a school of optometry located in this State
8 and recognized by the Department ~~the Illinois College of~~
9 ~~Optometry~~, and one member must be a member of the public who
10 shall be a voting member and is not licensed under this Act, or
11 a similar Act of another jurisdiction, or have any connection
12 with the profession. Neither the public member nor the faculty
13 member shall participate in the preparation or administration
14 of the examination of applicants for licensure.

15 (b) Members shall serve 4-year terms and until their
16 successors are appointed and qualified. No member shall be
17 appointed to the Board for more than 2 successive 4-year
18 terms, not counting any partial terms when appointed to fill
19 the unexpired portion of a vacated term. Appointments to fill
20 vacancies shall be made in the same manner as original
21 appointments, for the unexpired portion of the vacated term.

22 (c) The Board shall annually elect a chairperson and a
23 vice-chairperson, both of whom shall be licensed optometrists.

24 (d) The membership of the Board should reasonably reflect
25 representation from the geographic areas in this State.

26 (e) A majority of the Board members currently appointed

1 shall constitute a quorum. A vacancy in the membership of the
2 Board shall not impair the right of a quorum to perform all of
3 the duties of the Board.

4 (f) The Secretary may remove any member of the Board for
5 misconduct, incapacity, or neglect of duty, and the Secretary
6 shall be the sole judge of the sufficiency of cause for removal
7 ~~terminate the appointment of any member for cause.~~

8 (g) The members of the Board shall be reimbursed for all
9 authorized legitimate and necessary expenses incurred in
10 attending the meetings of the Board.

11 (h) Members of the Board shall have no liability in any
12 action based upon any disciplinary proceeding or other
13 activity performed in good faith as a member of the Board.

14 (i) The Secretary shall give due consideration to all
15 recommendations of the Board.

16 (j) Without, in any manner, limiting the power of the
17 Department to conduct investigations, the Board may recommend
18 to the Secretary that one or more licensed optometrists be
19 selected by the Secretary to conduct or assist in any
20 investigation pursuant to this Act. Such licensed optometrist
21 may receive remuneration as determined by the Secretary.

22 (Source: P.A. 99-909, eff. 1-1-17.)

23 (225 ILCS 80/12) (from Ch. 111, par. 3912)

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

25 Sec. 12. Applications for licenses.

1 (a) Applications for original licenses shall be made to
2 the Department in writing or electronically on forms
3 prescribed by the Department and shall be accompanied by the
4 required fee, which shall not be refundable. Any such
5 application shall require such information as in the judgment
6 of the Department will enable the Department to pass on the
7 qualifications of the applicant for a license.

8 (b) Applicants have 3 years from the date of application
9 to complete the application process. If the process has not
10 been completed within 3 years, the application shall be
11 denied, the application fees shall be forfeited, and the
12 applicant must reapply and meet the requirements in effect at
13 the time of reapplication.

14 (Source: P.A. 99-43, eff. 1-1-16.)

15 (225 ILCS 80/13) (from Ch. 111, par. 3913)

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

17 Sec. 13. Examination of applicants for licensure. The
18 Department shall promulgate rules establishing examination
19 requirements for applicants as optometrists. The examination
20 shall accurately evaluate the applicant's ability to perform
21 to the minimum standards of the practice of optometry.

22 Applicants for examination shall be required to pay,
23 either to the Department or the designated testing service, a
24 fee covering the cost of providing the examination.

25 The Department may employ consultants for the purpose of

1 preparing and conducting examinations.

2 (Source: P.A. 94-787, eff. 5-19-06.)

3 (225 ILCS 80/16) (from Ch. 111, par. 3916)

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

5 Sec. 16. Renewal, reinstatement or restoration of
6 licenses; military service.

7 (a) The expiration date and renewal period for each
8 license issued under this Act shall be set by rule.

9 (b) All renewal applicants shall provide proof of having
10 met the requirements of continuing education set forth in the
11 rules of the Department. The Department shall, by rule,
12 provide for an orderly process for the reinstatement of
13 licenses which have not been renewed due to failure to meet the
14 continuing education requirements. The continuing education
15 requirement may be waived for such good cause, including, but
16 not limited to, illness or hardship, as defined by rules of the
17 Department.

18 (c) The Department shall establish by rule a means for the
19 verification of completion of the continuing education
20 required by this Section. This verification may be
21 accomplished through audits of records maintained by
22 registrants; by requiring the filing of continuing education
23 certificates with the Department; or by other means
24 established by the Department.

25 ~~Any licensee seeking renewal of his or her license during~~

1 ~~the renewal cycle beginning April 1, 2008 must first complete~~
2 ~~a tested educational course in the use of oral pharmaceutical~~
3 ~~agents for the management of ocular conditions, as approved by~~
4 ~~the Board.~~

5 (d) Any optometrist who has permitted the optometrist's
6 ~~his or her~~ license to expire or who has had the optometrist's
7 ~~his or her~~ license on inactive status may have the
8 optometrist's ~~his or her~~ license restored by making
9 application to the Department and filing proof acceptable to
10 the Department of the optometrist's ~~his or her~~ fitness to have
11 the optometrist's ~~his or her~~ license restored and by paying
12 the required fees. Such proof of fitness may include evidence
13 certifying to active lawful practice in another jurisdiction
14 and must include proof of the completion of the continuing
15 education requirements specified in the rules for the
16 preceding license renewal period that has been completed
17 during the 2 years prior to the application for license
18 restoration.

19 (e) The Department shall determine, by an evaluation
20 program established by rule, an optometrist's ~~his or her~~
21 fitness for restoration of the optometrist's ~~his or her~~
22 license and shall establish procedures and requirements for
23 such restoration.

24 However, any optometrist whose license expired while the
25 person ~~he or she~~ was (1) in Federal Service on active duty with
26 the Armed Forces of the United States, or the State Militia

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

11 (f) All licenses without "Therapeutic Certification" on
12 March 31, 2006 shall be placed on nonrenewed ~~non-renewed~~
13 status and may only be renewed after the licensee meets those
14 requirements established by the Department that may not be
15 waived. All licensees on March 31, 2010 without a
16 certification of completion of an oral pharmaceutical course
17 as required by this Section shall be placed on nonrenewed
18 ~~non-renewed~~ status and may only be renewed after the licensee
19 meets those requirements established by the Department that
20 may not be waived.

21 (Source: P.A. 95-242, eff. 1-1-08; 96-270, eff. 1-1-10.)

22 (225 ILCS 80/17) (from Ch. 111, par. 3917)

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

24 Sec. 17. Inactive status.

25 (a) Any optometrist who notifies the Department in writing

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

7 (b) Any optometrist requesting restoration from inactive
8 status shall be required to pay the current renewal fee, to
9 provide proof of completion of the continuing education
10 requirements specified in the rules for the preceding license
11 renewal period that has been completed during the 2 years
12 prior to the application for restoration, and to restore the
13 optometrist's ~~his or her~~ license as provided by rule of the
14 Department. All licenses without "Therapeutic Certification"
15 that are on inactive status as of March 31, 2006 shall be
16 placed on nonrenewed ~~non-renewed~~ status and may only be
17 restored after the licensee meets those requirements
18 established by the Department that may not be waived.

19 (c) Any optometrist whose license is in an expired or
20 inactive status shall not practice optometry in the State of
21 Illinois.

22 (d) Any licensee who shall practice while the
23 optometrist's ~~his or her~~ license is lapsed or on inactive
24 status shall be considered to be practicing without a license
25 which shall be grounds for discipline under Section 24
26 subsection (a) of this Act.

1 (Source: P.A. 94-787, eff. 5-19-06.)

2 (225 ILCS 80/18) (from Ch. 111, par. 3918)

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

4 Sec. 18. Endorsement.

5 (a) The Department may, in its discretion, license as an
6 optometrist, without examination on payment of the required
7 fee, an applicant who is so licensed under the laws of another
8 state or jurisdiction of the United States. The Department may
9 issue a license, upon payment of the required fee and
10 recommendation of the Board, to an individual applicant who is
11 licensed in any foreign country or province whose standards,
12 in the opinion of the Board or Department, were, at the date of
13 the applicant's ~~his or her~~ licensure, substantially equivalent
14 to the requirements then in force in this State; or if the
15 applicant possesses individual qualifications and skills which
16 demonstrate substantial equivalence to current Illinois
17 requirements.

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

23 (Source: P.A. 99-909, eff. 1-1-17.)

24 (225 ILCS 80/20) (from Ch. 111, par. 3920)

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

2 Sec. 20. Fund.

3 (a) All moneys received by the Department pursuant to this
4 Act shall be deposited into ~~in~~ the Optometric Licensing and
5 Disciplinary Board Fund, which is hereby created as a special
6 fund in the State treasury ~~Treasury~~, and shall be used for the
7 administration of this Act, including: (a) by the Board and
8 Department in the exercise of its powers and performance of
9 its duties; (b) for costs directly related to license renewal
10 of persons licensed under this Act; and (c) for direct and
11 allocable indirect costs related to the public purposes of the
12 Department of Financial and Professional Regulation. Subject
13 to appropriation, moneys in the Optometric Licensing and
14 Disciplinary Board Fund may be used for the Optometric
15 Education Scholarship Program administered by the Illinois
16 Student Assistance Commission pursuant to Section 65.70 of the
17 Higher Education Student Assistance Act.

18 (b) Moneys in the Fund may be transferred to the
19 Professions Indirect Cost Fund as authorized under Section
20 2105-300 of the Department of Professional Regulation Law of
21 the Civil Administrative Code of Illinois ~~(20—ILCS~~
22 ~~2105/2105-300)~~.

23 (c) Money in the Optometric Licensing and Disciplinary
24 Board Fund may be invested and reinvested, with all earnings
25 received from such investment to be deposited into ~~in~~ the
26 Optometric Licensing and Disciplinary Board Fund and used for

1 the same purposes as fees deposited into ~~in~~ such fund.

2 (Source: P.A. 99-909, eff. 1-1-17.)

3 (225 ILCS 80/22) (from Ch. 111, par. 3922)

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

5 Sec. 22. Advertising.

6 (a) Any person licensed under this Act may advertise the
7 availability of professional services in the public media or
8 on the premises where such professional services are rendered
9 provided that such advertising is truthful and not misleading
10 and is in conformity with rules promulgated by the Department.

11 (b) It is unlawful for any person licensed under this Act
12 to use claims of superior quality of care to entice the public.

13 (Source: P.A. 99-43, eff. 1-1-16.)

14 (225 ILCS 80/24) (from Ch. 111, par. 3924)

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

16 Sec. 24. Grounds for disciplinary action.

17 (a) The Department may refuse to issue or to renew, or may
18 revoke, suspend, place on probation, reprimand or take other
19 disciplinary or non-disciplinary action as the Department may
20 deem appropriate, including fines not to exceed \$10,000 for
21 each violation, with regard to any license for any one or
22 combination of the causes set forth in subsection (a-3) of
23 this Section. All fines collected under this Section shall be
24 deposited into ~~in~~ the Optometric Licensing and Disciplinary

1 Board Fund. Any fine imposed shall be payable within 60 days
2 after the effective date of the order imposing the fine.

3 (a-3) Grounds for disciplinary action include the
4 following:

5 (1) Violations of this Act, or of the rules
6 promulgated hereunder.

7 (2) Conviction of or entry of a plea of guilty to any
8 crime under the laws of any U.S. jurisdiction thereof that
9 is a felony or that is a misdemeanor of which an essential
10 element is dishonesty, or any crime that is directly
11 related to the practice of the profession.

12 (3) Making any misrepresentation for the purpose of
13 obtaining a license.

14 (4) Professional incompetence or gross negligence in
15 the practice of optometry.

16 (5) Gross malpractice, prima facie evidence of which
17 may be a conviction or judgment of malpractice in any
18 court of competent jurisdiction.

19 (6) Aiding or assisting another person in violating
20 any provision of this Act or rules.

21 (7) Failing, within 60 days, to provide information in
22 response to a written request made by the Department that
23 has been sent by certified or registered mail to the
24 licensee's last known address.

25 (8) Engaging in dishonorable, unethical, or
26 unprofessional conduct of a character likely to deceive,

1 defraud, or harm the public.

2 (9) Habitual or excessive use or addiction to alcohol,
3 narcotics, stimulants or any other chemical agent or drug
4 that results in the inability to practice with reasonable
5 judgment, skill, or safety.

6 (10) Discipline by another U.S. jurisdiction or
7 foreign nation, if at least one of the grounds for the
8 discipline is the same or substantially equivalent to
9 those set forth herein.

10 (11) Violation of the prohibition against fee
11 splitting in Section 24.2 of this Act.

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

15 (13) Abandonment of a patient.

16 (14) Willfully making or filing false records or
17 reports in the licensee's ~~his or her~~ practice, including,
18 but not limited to, false records filed with State
19 agencies or departments.

20 (15) Willfully failing to report an instance of
21 suspected abuse or neglect as required by law.

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

1 (17) Solicitation of professional services other than
2 permitted advertising.

3 (18) Failure to provide a patient with a copy of the
4 patient's ~~his or her~~ record or prescription in accordance
5 with federal law.

6 (19) Conviction by any court of competent
7 jurisdiction, either within or without this State, of any
8 violation of any law governing the practice of optometry,
9 conviction in this or another State of any crime that is a
10 felony under the laws of this State or conviction of a
11 felony in a federal court, if the Department determines,
12 after investigation, that such person has not been
13 sufficiently rehabilitated to warrant the public trust.

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

16 (21) Continued practice by a person knowingly having
17 an infectious or contagious disease.

18 (22) 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 a
23 neglected child as defined in the Abused and Neglected
24 Child Reporting Act.

25 (23) Practicing or attempting to practice under a name
26 other than the full name as shown on the licensee's ~~his or~~

1 ~~her~~ license.

2 (24) Immoral conduct in the commission of any act,
3 such as sexual abuse, sexual misconduct or sexual
4 exploitation, related to the licensee's practice.

5 (25) Maintaining a professional relationship with any
6 person, firm, or corporation when the optometrist knows,
7 or should know, that such person, firm, or corporation is
8 violating this Act.

9 (26) Promotion of the sale of drugs, devices,
10 appliances or goods provided for a client or patient in
11 such manner as to exploit the patient or client for
12 financial gain of the licensee.

13 (27) Using the title "Doctor" or its abbreviation
14 without further qualifying that title or abbreviation with
15 the word "optometry" or "optometrist".

16 (28) Use by a licensed optometrist of the word
17 "infirmary", "hospital", "school", "university", in
18 English or any other language, in connection with the
19 place where optometry may be practiced or demonstrated
20 unless the licensee is employed by and practicing at a
21 location that is licensed as a hospital or accredited as a
22 school or university.

23 (29) Continuance of an optometrist in the employ of
24 any person, firm or corporation, or as an assistant to any
25 optometrist or optometrists, directly or indirectly, after
26 the optometrist's ~~his or her~~ employer or superior has been

1 found guilty of violating or has been enjoined from
2 violating the laws of the State of Illinois relating to
3 the practice of optometry, when the employer or superior
4 persists in that violation.

5 (30) The performance of optometric service in
6 conjunction with a scheme or plan with another person,
7 firm or corporation known to be advertising in a manner
8 contrary to this Act or otherwise violating the laws of
9 the State of Illinois concerning the practice of
10 optometry.

11 (31) Failure to provide satisfactory proof of having
12 participated in approved continuing education programs as
13 determined by the Board and approved by the Secretary.
14 Exceptions for extreme hardships are to be defined by the
15 rules of the Department.

16 (32) Willfully making or filing false records or
17 reports in the practice of optometry, including, but not
18 limited to, false records to support claims against the
19 medical assistance program of the Department of Healthcare
20 and Family Services (formerly Department of Public Aid)
21 under the Illinois Public Aid Code.

22 (33) Gross and willful overcharging for professional
23 services including filing false statements for collection
24 of fees for which services are not rendered, including,
25 but not limited to, filing false statements for collection
26 of monies for services not rendered from the medical

1 assistance program of the Department of Healthcare and
2 Family Services (formerly Department of Public Aid) under
3 the Illinois Public Aid Code.

4 (34) In the absence of good reasons to the contrary,
5 failure to perform a minimum eye examination as required
6 by the rules of the Department.

7 (35) Violation of the Health Care Worker Self-Referral
8 Act.

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

16 (a-5) In enforcing this Section, the Board or Department,
17 upon a showing of a possible violation, may compel any
18 individual licensed to practice under this Act, or who has
19 applied for licensure or certification pursuant to this Act,
20 to submit to a mental or physical examination, or both, as
21 required by and at the expense of the Department. The
22 examining physicians or clinical psychologists shall be those
23 specifically designated by the Department. The Board or the
24 Department may order the examining physician or clinical
25 psychologist to present testimony concerning this 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 or clinical
4 psychologist. Eye examinations may be provided by a licensed
5 optometrist. The individual to be examined may have, at the
6 individual's ~~his or her~~ own expense, another physician of the
7 individual's ~~his or her~~ choice present during all aspects of
8 the examination. Failure of any individual to submit to a
9 mental or physical examination, when directed, shall be
10 grounds for suspension of a license until such time as the
11 individual submits to the examination if the Board or
12 Department finds, after notice and hearing, that the refusal
13 to submit to the examination was without reasonable cause.

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

1 or continued, reinstated, renewed, disciplined, or supervised,
2 subject to such conditions, terms, or restrictions, who shall
3 fail to comply with such conditions, terms, or restrictions,
4 shall be referred to the Secretary for a determination as to
5 whether the individual shall have the individual's ~~his or her~~
6 license suspended immediately, pending a hearing by the Board.

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

17 (Source: P.A. 99-43, eff. 1-1-16; 99-909, eff. 1-1-17.)

18 (225 ILCS 80/24.2)

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

20 Sec. 24.2. Prohibition against fee splitting.

21 (a) A licensee under this Act may not directly or
22 indirectly divide, share or split any professional fee or
23 other form of compensation for professional services with
24 anyone in exchange for a referral or otherwise, other than as
25 provided in this Section 24.2.

1 (b) Nothing contained in this Section abrogates the right
2 of 2 or more licensed health care workers as defined in the
3 Health Care Worker Self-referral Act to each receive adequate
4 compensation for concurrently rendering services to a patient
5 and to divide the fee for such service, whether or not the
6 worker is employed, provided that the patient has full
7 knowledge of the division and the division is made in
8 proportion to the actual services personally performed and
9 responsibility assumed by each licensee consistent with the
10 licensee's ~~his or her~~ license, except as prohibited by law.

11 (c) Nothing contained in this Section prohibits a licensee
12 under this Act from practicing optometry through or within any
13 form of legal entity authorized to conduct business in this
14 State or from pooling, sharing, dividing, or apportioning the
15 professional fees and other revenues in accordance with the
16 agreements and policies of the entity provided:

17 (1) each owner of the entity is licensed under this
18 Act;

19 (2) the entity is organized under the Professional
20 Services Corporation Act or the Professional Association
21 Act;

22 (3) the entity is (i) a licensed hospital or hospital
23 affiliate or (ii) a licensed ambulatory surgical treatment
24 center owned in full or in part by Illinois-licensed
25 physicians or optometrists; or

26 (4) the entity is a combination or joint venture of

1 the entities authorized under this subsection (c).

2 (d) Nothing contained in this Section prohibits a licensee
3 under this Act from paying a fair market value fee to any
4 person or entity whose purpose is to perform billing,
5 administrative preparation, or collection services based upon
6 a percentage of professional service fees billed or collected,
7 a flat fee, or any other arrangement that directly or
8 indirectly divides professional fees, for the administrative
9 preparation of the licensee's claims or the collection of the
10 licensee's charges for professional services, provided that:

11 (i) the licensee or the licensee's practice under
12 subsection (c) at all times controls the amount of fees
13 charged and collected; and

14 (ii) all charges collected are paid directly to the
15 licensee or the licensee's practice or are deposited
16 directly into an account in the name of and under the sole
17 control of the licensee or the licensee's practice or
18 deposited into a "Trust Account" by a licensed collection
19 agency in accordance with the requirements of Section 8(c)
20 of the Illinois Collection Agency Act.

21 (e) Nothing contained in this Section prohibits the
22 granting of a security interest in the accounts receivable or
23 fees of a licensee under this Act or the licensee's practice
24 for bona fide advances made to the licensee or licensee's
25 practice provided the licensee retains control and
26 responsibility for the collection of the accounts receivable

1 and fees.

2 (f) Excluding payments that may be made to the owners of or
3 licensees in the licensee's practice under subsection (c), a
4 licensee under this Act may not divide, share or split a
5 professional service fee with, or otherwise directly or
6 indirectly pay a percentage of the licensee's professional
7 service fees, revenues or profits to anyone for: (i) the
8 marketing or management of the licensee's practice, (ii)
9 including the licensee or the licensee's practice on any
10 preferred provider list, (iii) allowing the licensee to
11 participate in any network of health care providers, (iv)
12 negotiating fees, charges or terms of service or payment on
13 behalf of the licensee, or (v) including the licensee in a
14 program whereby patients or beneficiaries are provided an
15 incentive to use the services of the licensee.

16 (g) Nothing contained in this Section prohibits the
17 payment of rent or other remunerations paid to an individual,
18 partnership, or corporation by a licensee for the lease,
19 rental, or use of space, owned or controlled by the
20 individual, partnership, corporation, or association.

21 (h) Nothing contained in this Section prohibits the
22 payment, at no more than fair market value, to an individual,
23 partnership, or corporation by a licensee for the use of
24 staff, administrative services, franchise agreements,
25 marketing required by franchise agreements, or equipment owned
26 or controlled by the individual, partnership, or corporation,

1 or the receipt thereof by a licensee.

2 (Source: P.A. 96-608, eff. 8-24-09; 97-563, eff. 8-25-11.)

3 (225 ILCS 80/25) (from Ch. 111, par. 3925)

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

5 Sec. 25. Returned checks; fines.

6 (a) Any person who delivers a check or other payment to the
7 Department that is returned to the Department unpaid by the
8 financial institution upon which it is drawn shall pay to the
9 Department, in addition to the amount already owed to the
10 Department, a fine of \$50. The fines imposed by this Section
11 are in addition to any other discipline provided under this
12 Act for unlicensed practice or practice on a nonrenewed
13 license.

14 (b) The Department shall notify the person that payment of
15 fees and fines shall be paid to the Department by certified
16 check or money order within 30 calendar days of the
17 notification. If, after the expiration of 30 days from the
18 date of the notification, the person has failed to submit the
19 necessary remittance, the Department shall automatically
20 terminate the license or deny the application, without
21 hearing.

22 (c) If, after termination or denial, the person seeks a
23 license, the person ~~he or she~~ shall apply to the Department for
24 restoration or issuance of the license and pay all fees and
25 fines due to the Department. The Department may establish a

1 fee for the processing of an application for restoration of a
2 license to pay all expenses of processing this application.

3 (d) The Secretary may waive the fines due under this
4 Section in individual cases where the Secretary finds that the
5 fines would be unreasonable or unnecessarily burdensome.

6 (Source: P.A. 94-787, eff. 5-19-06.)

7 (225 ILCS 80/26.1) (from Ch. 111, par. 3926.1)

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

9 Sec. 26.1. Injunctions; criminal offenses; cease and
10 desist orders.

11 (a) If any person violates the provision of this Act, the
12 Secretary may, in the name of the People of the State of
13 Illinois, through the Attorney General of the State of
14 Illinois, or the State's Attorney of any county in which the
15 action is brought, petition for an order enjoining such
16 violation or for an order enforcing compliance with this Act.
17 Upon the filing of a verified petition in court, the court may
18 issue a temporary restraining order, without notice or bond,
19 and may preliminarily and permanently enjoin such violation,
20 and if it is established that such person has violated or is
21 violating the injunction, the Court may punish the offender
22 for contempt of court. Proceedings under this Section shall be
23 in addition to, and not in lieu of, all other remedies and
24 penalties provided by this Act.

25 (b) If any person shall practice as an optometrist or hold

1 oneself ~~himself or herself~~ out as an optometrist without being
2 licensed under the provisions of this Act then any licensed
3 optometrist, any interested party or any person injured
4 thereby may, in addition to the Secretary, petition for relief
5 as provided in subsection (a) of this Section.

6 Whoever knowingly practices or offers to practice
7 optometry in this State without being licensed for that
8 purpose shall be guilty of a Class A misdemeanor and for each
9 subsequent conviction, shall be guilty of a Class 4 felony.
10 Notwithstanding any other provision of this Act, all criminal
11 fines, monies, or other property collected or received by the
12 Department under this Section or any other State or federal
13 statute, including, but not limited to, property forfeited to
14 the Department under Section 505 of the Illinois Controlled
15 Substances Act or Section 85 of the Methamphetamine Control
16 and Community Protection Act, shall be deposited into the
17 Optometric Licensing and Disciplinary Board Fund.

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

1 (Source: P.A. 94-556, eff. 9-11-05; 94-787, eff. 5-19-06.)

2 (225 ILCS 80/26.2) (from Ch. 111, par. 3926.2)

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

4 Sec. 26.2. Investigation; notice. The Department may
5 investigate the actions of any applicant or of any person or
6 persons holding or claiming to hold a license. The Department
7 shall, before suspending, revoking, placing on probationary
8 status, or taking any other disciplinary action as the
9 Department may deem proper with regard to any license, at
10 least 30 days prior to the date set for the hearing, notify the
11 accused in writing of any charges made and the time and place
12 for a hearing of the charges before the Board, direct the
13 accused ~~him or her~~ to file the accused's ~~his or her~~ written
14 answer to the Board under oath within 20 days after the service
15 on the accused ~~him or her~~ of the notice and inform the accused
16 ~~him or her~~ that if the accused ~~he or she~~ fails to file an
17 answer default will be taken against the accused ~~him or her~~ and
18 the accused's ~~his or her~~ license may be suspended, revoked,
19 placed on probationary status, or have other disciplinary
20 action, including limiting the scope, nature or extent of the
21 accused's ~~his or her~~ practice, as the Department may deem
22 proper taken with regard thereto. The written notice and any
23 notice in the subsequent proceeding may be served by personal
24 delivery or by regular or certified mail to the applicant's or
25 licensee's address of record. In case the person fails to file

1 an answer after receiving notice, the person's ~~his or her~~
2 license may, in the discretion of the Department, be
3 suspended, revoked, or placed on probationary status, or the
4 Department may take whatever disciplinary action deemed
5 proper, including limiting the scope, nature, or extent of the
6 person's practice or the imposition of a fine, without a
7 hearing, if the act or acts charged constitute sufficient
8 grounds for such action under this Act. At the time and place
9 fixed in the notice, the Department shall proceed to hear the
10 charges and the parties or their counsel shall be accorded
11 ample opportunity to present such statements, testimony,
12 evidence and argument as may be pertinent to the charges or to
13 their defense. The Department may continue the hearing from
14 time to time. At the discretion of the Secretary after having
15 first received the recommendation of the Board, the accused
16 person's license may be suspended, revoked, placed on
17 probationary status, or whatever disciplinary action as the
18 Secretary may deem proper, including limiting the scope,
19 nature, or extent of said person's practice, without a
20 hearing, if the act or acts charged constitute sufficient
21 grounds for such action under this Act.

22 (Source: P.A. 99-909, eff. 1-1-17.)

23 (225 ILCS 80/26.7) (from Ch. 111, par. 3926.7)

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

25 Sec. 26.7. Hearing officer. Notwithstanding the provisions

1 of Section 26.6 of this Act, the Secretary shall have the
2 authority to appoint any attorney duly licensed to practice
3 law in the State of Illinois to serve as the hearing officer in
4 any action for discipline of a license. The hearing officer
5 shall have full authority to conduct the hearing. The Board
6 shall have the right to have at least one member present at any
7 hearing conducted by such hearing officer. The hearing officer
8 shall report the hearing officer's ~~his or her~~ findings of
9 fact, conclusions of law and recommendations to the Board and
10 the Secretary. The Board shall review the report of the
11 hearing officer and present its findings of fact, conclusions
12 of law and recommendations to the Secretary. If the Secretary
13 disagrees in any regard with the report of the Board or hearing
14 officer, the Secretary ~~he or she~~ may issue an order in
15 contravention thereof. The Secretary shall specify with
16 particularity the reasons for such action in the final order.

17 (Source: P.A. 99-909, eff. 1-1-17.)

18 (225 ILCS 80/26.13) (from Ch. 111, par. 3926.13)

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

20 Sec. 26.13. Temporary suspension. The Secretary may
21 temporarily suspend the license of an optometrist without a
22 hearing, simultaneously with the institution of proceedings
23 for a hearing provided for in Section 26.2 of this Act, if the
24 Secretary finds that evidence in the Secretary's ~~his or her~~
25 possession indicates that continuation in practice would

1 constitute an imminent danger to the public. In the event that
2 the Secretary suspends, temporarily, this license without a
3 hearing, a hearing by the Department must be held within 30
4 days after such suspension has occurred, and be concluded
5 without appreciable delay.

6 (Source: P.A. 94-787, eff. 5-19-06.)

7 (225 ILCS 80/26.14) (from Ch. 111, par. 3926.14)

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

9 Sec. 26.14. Administrative Review Law; venue.

10 (a) All final administrative decisions of the Department
11 are subject to judicial review pursuant to the provisions of
12 the "Administrative Review Law", as amended, and all rules are
13 adopted pursuant thereto. The term "administrative decision"
14 is defined as in Section 3-101 of the Code of Civil Procedure.

15 (b) Proceedings for judicial review shall be commenced in
16 the circuit court of the county in which the party applying for
17 review resides; but if the party is not a resident of this
18 State, venue shall be Sangamon County.

19 (Source: P.A. 97-333, eff. 8-12-11.)

20 Section 35. The Illinois Physical Therapy Act is amended
21 by changing Section 2 as follows:

22 (225 ILCS 90/2) (from Ch. 111, par. 4252)

23 (Section scheduled to be repealed on January 1, 2031)

1 Sec. 2. Licensure requirement; exempt activities. No
2 person shall after the date of August 31, 1965 begin to
3 practice physical therapy in this State or hold oneself out as
4 being able to practice this profession, unless the person is
5 licensed as such in accordance with the provisions of this
6 Act. After July 1, 1991 (the effective date of Public Act
7 86-1396), no person shall practice or hold oneself out as a
8 physical therapist assistant unless the person is licensed as
9 such under this Act. A physical therapist shall use the
10 initials "PT" in connection with the physical therapist's name
11 to denote licensure under this Act, and a physical therapist
12 assistant shall use the initials "PTA" in connection with the
13 physical therapist assistant's name to denote licensure under
14 this Act.

15 This Act does not prohibit:

16 (1) Any person licensed in this State under any other
17 Act from engaging in the practice for which the person is
18 licensed.

19 (2) The practice of physical therapy by those persons,
20 practicing under the supervision of a licensed physical
21 therapist and who have met all of the qualifications as
22 provided in Sections 8 and 7, ~~8.1, and 9~~ of this Act, until
23 the next examination is given for physical therapists or
24 physical therapist assistants and the results have been
25 received by the Department and the Department has
26 determined the applicant's eligibility for a license.

1 Anyone failing to pass said examination shall not again
2 practice physical therapy until such time as an
3 examination has been successfully passed by such person.

4 (3) The practice of physical therapy for a period not
5 exceeding 6 months by a person who is in this State on a
6 temporary basis to assist in a case of medical emergency
7 or to engage in a special physical therapy project, and
8 who meets the qualifications for a physical therapist as
9 set forth in Sections 7 and 8 of this Act and is licensed
10 in another state as a physical therapist.

11 (4) Practice of physical therapy by qualified persons
12 who have filed for endorsement for no longer than one year
13 or until such time that notification of licensure has been
14 granted or denied, whichever period of time is lesser.

15 (5) One or more licensed physical therapists from
16 forming a professional service corporation under the
17 provisions of the Professional Service Corporation Act and
18 licensing such corporation for the practice of physical
19 therapy.

20 (6) Physical therapy aides from performing patient
21 care activities under the on-site supervision of a
22 licensed physical therapist or licensed physical therapist
23 assistant. These patient care activities shall not include
24 interpretation of referrals, evaluation procedures, the
25 planning of or major modifications of, patient programs.

26 (7) Physical therapist assistants from performing

1 patient care activities under the general supervision of a
2 licensed physical therapist. The physical therapist must
3 maintain continual contact with the physical therapist
4 assistant including periodic personal supervision and
5 instruction to ensure the safety and welfare of the
6 patient.

7 (8) The practice of physical therapy by a physical
8 therapy student or a physical therapist assistant student
9 under the on-site supervision of a licensed physical
10 therapist. The physical therapist shall be readily
11 available for direct supervision and instruction to ensure
12 the safety and welfare of the patient.

13 (9) The practice of physical therapy as part of an
14 educational program by a physical therapist licensed in
15 another state or country for a period not to exceed 6
16 months.

17 (10) (Blank).

18 (Source: P.A. 104-154, eff. 1-1-26; 104-417, eff. 8-15-25.)

19 Section 40. The Boxing and Full-contact Martial Arts Act
20 is amended by changing Sections 1, 2, 5, 6, 7, 8, 10, 11, 12,
21 14, 15, 16, 17.7, 17.8, 18, 19, 19.1, 23, 23.1, 24, and 25.1 as
22 follows:

23 (225 ILCS 105/1) (from Ch. 111, par. 5001)

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

1 Sec. 1. Short title and definitions.

2 (a) This Act may be cited as the Boxing and Full-contact
3 Martial Arts Act.

4 (b) As used in this Act:

5 "Department" means the Department of Financial and
6 Professional Regulation.

7 "Secretary" means the Secretary of Financial and
8 Professional Regulation or a person authorized by the
9 Secretary to act in the Secretary's stead.

10 "Board" means the State of Illinois Athletic Board.

11 "License" means the license issued for promoters,
12 professional contestants, amateur contestants
13 ~~professionals, amateurs,~~ or professional or amateur
14 officials in accordance with this Act.

15 "Contest" means a boxing or full-contact martial arts
16 competition in which contestants compete against each
17 other in matched bouts ~~all of the participants competing~~
18 ~~against one another are professionals or amateurs~~ and
19 where the public is able to attend or a fee is charged to
20 attend.

21 "Permit" means the authorization from the Department
22 to a promoter to conduct a contest ~~professional or amateur~~
23 ~~contests, or a combination of both~~.

24 "Professional promoter ~~Promoter~~" means a person who is
25 licensed and who holds a permit to conduct professional or
26 amateur contests, or a combination of both.

1 "Amateur promoter" means a person who is licensed and
2 who holds a permit to conduct amateur contests.

3 Unless the context indicates otherwise, "person"
4 includes, but is not limited to, an individual,
5 association, organization, business entity, gymnasium, or
6 club.

7 "Judge" means a person licensed by the Department who
8 is located at ringside or adjacent to the fighting area
9 during a contest and who has the responsibility of scoring
10 the performance of the contestants ~~participants~~ in that
11 ~~professional or amateur~~ contest.

12 "Referee" means a person licensed by the Department
13 who has the general supervision of and is present inside
14 of the ring or fighting area during a ~~professional or~~
15 ~~amateur~~ contest.

16 "Amateur contest" means a contest where only amateur
17 contestants are permitted to compete.

18 "Amateur contestant" means a contestant ~~person~~
19 licensed by the Department who is not competing for, and
20 has never received or competed for, any purse or other
21 article of value, directly or indirectly, either for
22 participating in any contest or for the expenses of
23 training therefor, other than a non-monetary prize that
24 does not exceed \$50 in value.

25 "Amateur official" means a referee or judge who is
26 licensed by the Department to participate as an official

1 in amateur contests.

2 "Professional contestant" means a contestant ~~person~~
3 licensed by the Department who competes for a money prize,
4 purse, or other type of compensation in a professional
5 contest ~~held in Illinois.~~

6 "Professional official" means a person who is in the
7 role of a second, referee, matchmaker, timekeeper, or
8 judge who is licensed by the Department and permitted to
9 participate as an official in any type of contest.

10 "Professional contest" means a contest where only
11 professional contestants are permitted to compete or a
12 contest where both professional contestants and amateur
13 contestants are permitted to compete.

14 "Second" means a person ~~licensed by the Department~~ who
15 is present at any ~~professional or amateur~~ contest to
16 provide assistance or advice to contestants ~~a professional~~
17 during the contest.

18 "Matchmaker" means a person ~~licensed by the Department~~
19 who arranges professional or amateur contestants by record
20 and skill level for bouts and submits those matches to the
21 Department for consideration ~~brings together professionals~~
22 ~~or amateurs~~ to compete in contests.

23 "Manager" means a person ~~licensed by the Department~~
24 who is not a promoter and who, under contract, agreement,
25 or other arrangement, undertakes to, directly or
26 indirectly, control or administer the affairs of

1 contestants.

2 "Timekeeper" means a person ~~licensed by the Department~~
3 who is the official timer of the length of rounds and the
4 intervals between the rounds.

5 "Purse" means the financial guarantee or any other
6 remuneration for which contestants are participating in a
7 professional contest.

8 "Physician" means a person licensed to practice
9 medicine in all its branches under the Medical Practice
10 Act of 1987.

11 "Martial arts" means a discipline or combination of
12 different disciplines that utilizes sparring techniques
13 without the intent to injure, disable, or incapacitate
14 one's opponent, such as, but not limited to, Karate, Kung
15 Fu, Jujutsu, and Tae Kwon Do.

16 "Full-contact martial arts" means the use of a
17 singular discipline or a combination of techniques from
18 different disciplines of the martial arts, including,
19 without limitation, full-force grappling, kicking, and
20 striking with the intent to injure, disable, or
21 incapacitate one's opponent.

22 "Contestant" means a person who competes in either a
23 boxing or full-contact martial arts contest.

24 "Address of record" means the designated address
25 recorded by the Department in the applicant's or
26 licensee's application file or license file as maintained

1 by the Department's licensure maintenance unit.

2 "Bout" means one match between 2 contestants.

3 "Sanctioning body" means an organization approved by
4 the Department under the requirements and standards stated
5 in this Act and the rules adopted under this Act to act as
6 a governing body that sanctions professional or amateur
7 ~~full-contact martial arts~~ contests.

8 "Email address of record" means the designated email
9 address recorded by the Department in the applicant's
10 application file or the licensee's license file as
11 maintained by the Department's licensure maintenance unit.

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

13 (225 ILCS 105/2) (from Ch. 111, par. 5002)

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

15 Sec. 2. State of Illinois Athletic Board.

16 (a) The Secretary shall appoint members to the State of
17 Illinois Athletic Board. The Board shall consist of 7 members
18 who shall serve in an advisory capacity to the Secretary. One
19 member of the Board shall be a physician licensed to practice
20 medicine in all of its branches. One member of the Board shall
21 be a member of the full-contact martial arts community. One
22 member of the Board shall be a member of either the
23 full-contact martial arts community or the boxing community.

24 (b) Board members shall serve 5-year terms and until their
25 successors are appointed and qualified.

1 (c) In appointing members to the Board, the Secretary
2 shall give due consideration to recommendations by members and
3 organizations of the martial arts and boxing industry.

4 (d) The membership of the Board should reasonably reflect
5 representation from the geographic areas in this State.

6 (e) No member shall be appointed to the Board for a term
7 that would cause the member's ~~his or her~~ continuous service on
8 the Board to be longer than 2 consecutive 5-year terms.

9 (f) The Secretary may terminate the appointment of any
10 member for cause that in the opinion of the Secretary
11 reasonably justified such termination, which may include, but
12 is not limited to, a Board member who does not attend 2
13 consecutive meetings.

14 (g) Appointments to fill vacancies shall be made in the
15 same manner as original appointments, for the unexpired
16 portion of the vacated term.

17 (h) Four members of the Board shall constitute a quorum. A
18 quorum is required for Board decisions.

19 (i) Members of the Board shall have no liability in any
20 action based upon activity performed in good faith as members
21 of the Board.

22 (j) Members of the Board may be reimbursed for all
23 legitimate, necessary, and authorized expenses.

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

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

2 Sec. 5. Powers and duties of the Department. The
3 Department shall, subject to the provisions of this Act,
4 exercise the following functions, powers, and duties:

5 (1) Ascertain the qualifications and fitness of
6 applicants for licenses ~~license~~ and permits.

7 (2) Adopt rules required for the administration of
8 this Act.

9 (3) Conduct hearings on proceedings to refuse to
10 issue, renew, or restore licenses and revoke, suspend,
11 place on probation, or reprimand those licensed under the
12 provisions of this Act.

13 (4) Issue licenses to those who meet the
14 qualifications of this Act and its rules.

15 (5) Conduct investigations related to possible
16 violations of this Act.

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

18 (225 ILCS 105/6) (from Ch. 111, par. 5006)

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

20 Sec. 6. Restricted contests and events.

21 (a) All professional and amateur contests, or a
22 combination of both, in which physical contact is made are
23 prohibited in Illinois unless authorized by the Department
24 pursuant to the requirements and standards stated in this Act
25 and the rules adopted pursuant to this Act. This subsection

1 (a) does not apply to any of the following contests or
2 contestants:

3 (1) Amateur ~~boxing or full-contact martial arts~~
4 contests conducted by accredited secondary schools,
5 colleges, or universities, although a fee may be charged.

6 (2) Amateur boxing contests that are sanctioned by USA
7 Boxing or any other sanctioning body ~~organization~~ approved
8 by the Department as determined by rule.

9 (3) Amateur boxing contests conducted by a State,
10 county, or municipal entity, including those events held
11 by any agency organized under these entities.

12 (4) Amateur martial arts contests that are not defined
13 as full-contact martial arts contests under this Act.

14 (5) Full-contact martial arts contests, as defined by
15 this Act, that are recognized by the International Olympic
16 Committee or are contested in the Olympic Games and are
17 not conducted in an enclosed fighting area or ring.

18 No other ~~amateur boxing or full-contact martial arts~~
19 contests are ~~shall be~~ permitted unless authorized by the
20 Department.

21 (b) The Department shall have the authority to determine
22 whether a ~~professional or amateur~~ contest is exempt for
23 purposes of this Section.

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

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

2 Sec. 7. Authorization to conduct contests; sanctioning
3 bodies.

4 (a) In order to conduct a professional contest, an amateur
5 contest, or a combination of both, in this State, a promoter
6 shall obtain a permit issued by the Department in accordance
7 with this Act and the rules ~~and regulations~~ adopted pursuant
8 thereto. This permit shall authorize one or more ~~professional~~
9 ~~or amateur~~ contests, ~~or a combination of both.~~

10 (b) Pursuant to rules adopted by the Department ~~Before~~
11 ~~January 1, 2023,~~ amateur boxing ~~full-contact martial arts~~
12 contests must have a permit issued by the Department ~~be~~
13 ~~registered~~ and be sanctioned by a sanctioning body approved by
14 the Department for that purpose under the requirements and
15 standards stated in this Act and the rules adopted under this
16 Act.

17 (c) A ~~On and after January 1, 2023,~~ a promoter for an
18 amateur full-contact martial arts contest shall obtain a
19 permit issued by the Department under the requirements and
20 standards set forth in this Act and the rules adopted under
21 this Act.

22 (d) The ~~On and after January 1, 2023,~~ the Department shall
23 not approve any sanctioning body for amateur full-contact
24 martial arts contests. A sanctioning body's approval by the
25 Department for amateur full-contact martial arts contests that
26 was received before the effective date of this amendatory Act

1 of the 104th General Assembly ~~before January 1, 2023~~ is
2 withdrawn ~~on January 1, 2023~~.

3 (e) A permit issued under this Act is not transferable.

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

5 (225 ILCS 105/8) (from Ch. 111, par. 5008)

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

7 Sec. 8. Permits.

8 (a) A promoter who desires to obtain a permit to conduct a
9 ~~professional or amateur contest, or a combination of both,~~
10 shall apply to the Department at least 30 calendar days prior
11 to the event, in writing or electronically, on forms
12 prescribed by the Department. The application shall be
13 accompanied by the required fee and shall contain, but not be
14 limited to, the following information to be submitted at times
15 specified by rule:

16 (1) the legal names and addresses of the promoter;

17 (2) the name of the matchmaker;

18 (3) the time and exact location of the professional or
19 amateur contest, or a combination of both. It is the
20 responsibility of the promoter to ensure that the building
21 to be used for the event complies with all laws,
22 ordinances, and regulations in the city, town, village, or
23 county where the contest is to be held;

24 (4) the signed and executed copy of the event venue
25 lease agreement; and

1 (5) the initial list of names of the professionals or
2 amateurs competing subject to Department approval.

3 (b) The Department may issue a permit to any promoter who
4 meets the requirements of this Act and the rules. The permit
5 shall only be issued for a specific date and location of a
6 ~~professional or amateur contest, or a combination of both,~~ and
7 shall not be transferable. The Department may allow a promoter
8 to amend a permit application to hold a ~~professional or~~
9 ~~amateur contest, or a combination of both,~~ in a different
10 location other than the application specifies if all
11 requirements of this Section are met, waiving the 30-day
12 provision of subsection (a).

13 (c) The Department shall be responsible for assigning the
14 judges, timekeepers, referees, and physicians for a
15 professional contest, an amateur contest, or a combination of
16 both. The Department may, at its sole discretion, permit a
17 promoter to assign a physician to a contest. Compensation
18 shall be determined by the Department, and it shall be the
19 responsibility of the promoter to pay the individuals
20 utilized.

21 (d) The promoter shall submit the following documents to
22 the Department at times specified by rule:

23 (1) proof of adequate security measures, as determined
24 by rule, to ensure the protection of the safety of
25 contestants and the general public while attending
26 professional contests, amateur contests, or a combination

1 of both;

2 (2) proof of adequate medical supervision, as
3 determined by rule, to ensure the protection of the health
4 and safety of contestants ~~professionals or amateurs~~ while
5 participating in contests;

6 (3) the complete and final list of names of the
7 contestants ~~professionals or amateurs~~ competing, subject
8 to Department approval, which shall be submitted up to 48
9 hours prior to the event date specified in the permit;

10 (4) proof of insurance for not less than \$50,000 as
11 further defined by rule for each contestant ~~professional~~
12 ~~or amateur~~ participating in a ~~professional or amateur~~
13 ~~contest, or a combination of both~~; insurance required
14 under this paragraph shall cover: (i) hospital,
15 medication, physician, and other such expenses as would
16 accrue in the treatment of an injury as a result of the
17 ~~professional or amateur~~ contest; (ii) payment to the
18 estate of the contestant ~~professional or amateur~~ in the
19 event of the contestant's ~~his or her~~ death as a result of
20 the contestant's ~~his or her~~ participation in the
21 ~~professional or amateur~~ contest; and (iii) accidental
22 death and dismemberment; the terms of the insurance
23 coverage shall require the promoter, not the ~~licensed~~
24 contestant, to pay the policy deductible for the medical,
25 surgical, or hospital care of a contestant for injuries a
26 contestant sustained while engaged in a contest; if a

1 ~~licensed~~ contestant pays for the medical, surgical, or
2 hospital care, the insurance proceeds shall be paid to the
3 contestant or the contestant's ~~his or her~~ beneficiaries as
4 reimbursement for such payment;

5 (5) the amount of the purses to be paid to the
6 professional contestant ~~professionals~~ for the event ~~as~~
7 ~~determined by rule~~;

8 (6) organizational or internationally accepted rules,
9 per discipline, for ~~professional or amateur full contact~~
10 ~~martial arts~~ contests if the Department does not provide
11 the rules for Department approval; and

12 (7) any other information the Department may require,
13 as determined by rule, to issue a permit.

14 (e) If the accuracy, relevance, or sufficiency of any
15 submitted documentation is questioned by the Department
16 because of lack of information, discrepancies, or conflicts in
17 information given or a need for clarification, the promoter
18 seeking a permit may be required to provide additional
19 information.

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

21 (225 ILCS 105/10) (from Ch. 111, par. 5010)

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

23 Sec. 10. Who must be licensed.

24 (a) In order to participate in contests the following
25 persons must each be licensed and in good standing with the

1 Department:

2 (1) professional contestants and amateur contestants;

3 (2) seconds for professional contests;

4 (3) referees for professional and amateur contests;

5 (4) judges for professional and amateur contests;

6 (5) managers for professional contests;

7 (6) matchmakers for professional contests; and

8 (7) timekeepers for professional contests.

9 Seconds, managers, matchmakers, and timekeepers
10 participating in amateur contests are not required to be
11 licensed. ~~(a) professionals and amateurs, (b) seconds, (c)~~
12 ~~referees, (d) judges, (e) managers, (f) matchmakers, and (g)~~
13 ~~timekeepers.~~

14 (b) In order to hold a contest ~~participate in professional~~
15 ~~or amateur contests or a combination of both~~, promoters must
16 be licensed and in good standing with the Department.

17 (c) Announcers may participate in ~~professional or amateur~~
18 ~~contests, or a combination of both~~, without being licensed
19 under this Act. It shall be the responsibility of the promoter
20 to ensure that announcers comply with the Act, and all rules
21 and regulations promulgated pursuant to this Act.

22 (d) A licensed promoter may not act as, and cannot be
23 licensed as, a second, contestant ~~professional~~, referee,
24 timekeeper, judge, or manager. If the promoter ~~he or she~~ is so
25 licensed, the promoter ~~he or she~~ must relinquish any of these
26 licenses to the Department for cancellation. A person

1 possessing a valid promoter's license may act as a matchmaker.

2 (e) (Blank). ~~Participants in amateur full-contact martial~~
3 ~~arts contests taking place before January 1, 2023 are not~~
4 ~~required to obtain licenses by the Department, except for~~
5 ~~promoters of amateur contests.~~

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

7 (225 ILCS 105/11) (from Ch. 111, par. 5011)

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

9 Sec. 11. Qualifications for license. The Department shall
10 grant licenses to the following persons if the following
11 qualifications are met:

12 (1) An applicant for licensure as a professional or
13 amateur must: (1) be 18 years old, (2) be of good moral
14 character, (3) file an application stating the applicant's
15 legal name (and no assumed or ring name may be used unless
16 such name is registered with the Department along with the
17 applicant's legal name), date of birth, place of current
18 residence, and a sworn statement that the applicant ~~he or~~
19 ~~she~~ is not currently in violation of any federal, State or
20 local laws or rules governing boxing or full-contact
21 martial arts, (4) file a certificate from a physician
22 licensed to practice medicine in all of its branches which
23 attests that the applicant is physically fit and qualified
24 to participate in ~~professional or amateur~~ contests, and
25 (5) pay the required fee and meet any other requirements

1 as determined by rule. Applicants over age 35 who have not
2 competed in a ~~professional or amateur~~ contest within the
3 12 months preceding their application for licensure or
4 have insufficient experience to participate in a
5 ~~professional or amateur~~ contest may be required to appear
6 before the Department to determine their fitness to
7 participate in a ~~professional or amateur~~ contest.

8 (2) An applicant for licensure as a referee, judge,
9 manager, second, matchmaker, or timekeeper must: (1) be of
10 good moral character, (2) file an application stating the
11 applicant's name, date of birth, and place of current
12 residence along with a certifying statement that the
13 applicant ~~he or she~~ is not currently in violation of any
14 federal, State, or local laws or rules governing boxing,
15 or full-contact martial arts, (3) have had satisfactory
16 experience in the applicant's ~~his or her~~ field as defined
17 by rule, (4) pay the required fee, and (5) meet any other
18 requirements as determined by rule.

19 (3) An applicant for licensure as a promoter must: (1)
20 be of good moral character, (2) file an application with
21 the Department stating the applicant's name, date of
22 birth, place of current residence along with a certifying
23 statement that the applicant ~~he or she~~ is not currently in
24 violation of any federal, State, or local laws or rules
25 governing boxing or full-contact martial arts, (3) pay the
26 required fee and meet any other requirements as

1 established by rule, and (4) in addition to the foregoing,
2 an applicant for licensure as a promoter ~~of professional~~
3 ~~or amateur contests or a combination of both professional~~
4 ~~and amateur bouts in one contest~~ shall also provide (i)
5 proof of a surety bond of no less than \$5,000 to cover
6 financial obligations under this Act, payable to the
7 Department and conditioned for the payment of the tax
8 imposed by this Act and compliance with this Act, and the
9 rules adopted under this Act, and (ii) a \$10,000
10 performance bond guaranteeing payment of all obligations
11 relating to the promotional activities payable to the
12 Department and conditioned for the payment of the tax
13 imposed by this Act and its rules.

14 (4) All applicants shall submit an application to the
15 Department, in writing or electronically, on forms
16 prescribed by the Department, containing such information
17 as determined by rule.

18 In determining good moral character, the Department may
19 take into consideration any violation of any of the provisions
20 of Section 16 of this Act as to referees, judges, managers,
21 matchmakers, timekeepers, or promoters and any felony
22 conviction of the applicant, but such a conviction shall not
23 operate as a bar to licensure. No license issued under this Act
24 is transferable.

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

1 (225 ILCS 105/12) (from Ch. 111, par. 5012)

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

3 Sec. 12. Contests ~~Professional or amateur contests.~~

4 (a) A ~~The professional or amateur~~ contest, ~~or a~~
5 ~~combination of both,~~ shall be held in an area where adequate
6 neurosurgical facilities are immediately available for skilled
7 emergency treatment of an injured contestant ~~professional or~~
8 ~~amateur.~~

9 (b) Each contestant ~~professional or amateur~~ shall be
10 examined before the contest and promptly after each bout by a
11 physician. The physician shall determine, prior to the
12 contest, if each contestant ~~professional or amateur~~ is
13 physically fit to compete in the contest. After the bout the
14 physician shall examine the contestant ~~professional or amateur~~
15 to determine possible injury. If the contestant's
16 ~~professional's or amateur's~~ physical condition so indicates,
17 the physician shall recommend to the Department immediate
18 medical suspension. The physician or a licensed paramedic must
19 check the vital signs of all contestants as established by
20 rule.

21 (c) The physician may, at any time during the ~~professional~~
22 ~~or amateur~~ bout, stop the ~~professional or amateur~~ bout to
23 examine a ~~professional or amateur~~ contestant and may direct
24 the referee to terminate the bout when, in the physician's
25 opinion, continuing the bout could result in serious injury to
26 the contestant ~~professional or amateur~~. If the contestant's

1 ~~professional's or amateur's~~ physical condition so indicates,
2 the physician shall recommend to the Department immediate
3 medical suspension. The physician shall certify to the
4 condition of the contestant ~~professional or amateur~~ in
5 writing, over the physician's ~~his or her~~ signature on forms
6 prescribed by the Department. Such reports shall be submitted
7 to the Department in a timely manner.

8 (d) No ~~professional or amateur~~ contest, ~~or a combination~~
9 ~~of both,~~ shall be allowed to begin or be held unless at least
10 one physician, at least one EMT and one paramedic, and one
11 ambulance have been contracted with solely for the care of
12 contestants ~~professionals or amateurs~~ who are competing as
13 defined by rule.

14 (e) No professional boxing bout shall be more than 12
15 rounds in length. The rounds shall not be more than 3 minutes
16 each with a minimum one-minute interval between them. ~~and no~~

17 (e-5) No contestant ~~professional boxer~~ shall be permitted
18 ~~allowed~~ to participate in more than one contest within a ~~7-day~~
19 period determined by rule.

20 (e-10) The number and length of rounds for all other
21 full-contact martial arts bouts ~~professional or amateur boxing~~
22 ~~or full-contact martial arts contests, or a combination of~~
23 ~~both,~~ shall be determined by rule.

24 (f) The number and types of amateur or professional
25 officials required for each ~~professional or amateur~~ contest, ~~or~~
26 ~~a combination of both,~~ shall be determined by the

1 Department based on how many bouts are to be held at the
2 contest rule.

3 (g) The Department or its representative shall have
4 discretion to declare a price, remuneration, or purse or any
5 part of it belonging to the professional withheld if in the
6 judgment of the Department or its representative the
7 professional is not honestly competing.

8 (h) The Department shall have the authority to prevent a
9 ~~professional or amateur contest, or a combination of both,~~
10 from being held and shall have the authority to stop a
11 ~~professional or amateur contest, or a combination of both,~~ for
12 noncompliance with any part of this Act or rules or when, in
13 the judgment of the Department, or its representative,
14 continuation of the event would endanger the health, safety,
15 and welfare of the professionals or amateurs or spectators.
16 The Department's authority to stop a contest on the basis that
17 the ~~professional or amateur contest, or a combination of both,~~
18 would endanger the health, safety, and welfare of the
19 professionals or amateurs or spectators shall extend to any
20 ~~professional or amateur contest, or a combination of both,~~
21 regardless of whether that amateur contest is exempted from
22 the prohibition in Section 6 of this Act.

23 (i) A professional contestant shall only compete against
24 another professional contestant. An amateur contestant shall
25 only compete against another amateur contestant. A contest may
26 involve bouts between professional contestants and bouts

1 between amateur contestants, but a professional contestant
2 shall not compete against an amateur contestant.

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

4 (225 ILCS 105/14) (from Ch. 111, par. 5014)

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

6 Sec. 14. Failure to report ticket sales and tax. If the
7 permit holder fails to make a report as required by Section 13,
8 or if such report is unsatisfactory, the Department may
9 examine or cause to be examined the books and records of any
10 such holder or the holder's ~~his~~ associates or any other person
11 as a witness under oath to determine the total amount of tax
12 due under this Act.

13 If it is determined that there has been a default in the
14 payment of a tax, the promoter shall be given 20 days' ~~days~~
15 notice of the amount due which shall include the expenses
16 incurred in making the examination.

17 If the promoter does not pay the amount due, the promoter
18 ~~he~~ shall be disqualified from obtaining a permit under this
19 Act and the Attorney General shall institute suit upon the
20 bond filed pursuant to this Act to recover the tax or penalties
21 imposed by this Act.

22 (Source: P.A. 91-408, eff. 1-1-00.)

23 (225 ILCS 105/15) (from Ch. 111, par. 5015)

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

1 Sec. 15. Inspectors. The Secretary may appoint inspectors
2 to assist the Department staff in the administration of the
3 Act. Each inspector appointed by the Secretary shall receive
4 compensation for each day the inspector ~~he or she~~ is engaged in
5 the transacting of business of the Department. The inspector
6 or inspectors shall supervise each professional contest,
7 amateur contest, or combination of both and, at the
8 Department's discretion, may supervise any contest to ensure
9 that the provisions of the Act are strictly enforced.

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

11 (225 ILCS 105/16) (from Ch. 111, par. 5016)

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

13 Sec. 16. Discipline and sanctions.

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

21 (1) gambling, betting, or wagering on the result of or
22 a contingency connected with a ~~professional or amateur~~
23 contest, ~~or a combination of both,~~ or permitting such
24 activity to take place;

25 (2) participating in or permitting a sham or fake

1 ~~professional or amateur~~ contest, or a combination of both;

2 (3) holding the ~~professional or amateur~~ contest, ~~or a~~
3 ~~combination of both,~~ at any other time or place than is
4 stated on the permit application;

5 (4) permitting any contestant ~~professional or amateur~~
6 other than those stated on the permit application to
7 participate in a ~~professional or amateur~~ contest, ~~or a~~
8 ~~combination of both,~~ except as provided in Section 9;

9 (5) violation or aiding in the violation of any of the
10 provisions of this Act or any rules or regulations
11 promulgated thereto;

12 (6) violation of any federal, State, or local laws of
13 the United States or other jurisdiction governing
14 ~~professional or amateur~~ contests or any regulation
15 promulgated pursuant thereto;

16 (7) charging a greater rate or rates of admission than
17 is specified on the permit application;

18 (8) failure to obtain all the necessary permits or
19 licenses as required under this Act;

20 (9) failure to file the necessary bond or to pay the
21 gross receipts or broadcast tax as required by this Act;

22 (10) engaging in dishonorable, unethical or
23 unprofessional conduct of a character likely to deceive,
24 defraud or harm the public, or which is detrimental to
25 honestly conducted contests;

26 (11) employment of fraud, deception or any unlawful

1 means in applying for or securing a permit or license
2 under this Act;

3 (12) permitting a physician making the physical
4 examination to knowingly certify falsely to the physical
5 condition of a contestant ~~professional or amateur~~;

6 (13) permitting professional ~~professionals~~ or amateur
7 contestants ~~amateurs~~ of widely disparate weights or
8 abilities to engage in ~~professional or amateur~~ contests,
9 respectively;

10 (14) participating in a contest while under medical
11 suspension in this State or in any other state, territory
12 or country;

13 (15) physical illness, including, but not limited to,
14 deterioration through the aging process, or loss of motor
15 skills which results in the inability to participate in
16 contests with reasonable judgment, skill, or safety;

17 (16) allowing one's license or permit issued under
18 this Act to be used by another person;

19 (17) failing, within 30 days ~~a reasonable time~~, to
20 provide any information requested by the Department ~~as a~~
21 ~~result of a formal or informal complaint~~;

22 (18) professional incompetence;

23 (19) failure to file a return, or to pay the tax,
24 penalty or interest shown in a filed return, or to pay any
25 final assessment of tax, penalty or interest, as required
26 by any tax Act administered by the Illinois Department of

1 Revenue, until such time as the requirements of any such
2 tax Act are satisfied;

3 (20) (blank);

4 (21) habitual or excessive use or addiction to
5 alcohol, narcotics, stimulants, or any other chemical
6 agent or drug that results in an inability to participate
7 in an event;

8 (22) failure to stop a ~~professional or amateur~~
9 ~~contest, or a combination of both,~~ when requested to do so
10 by the Department;

11 (23) failure of a promoter to adequately supervise and
12 enforce this Act and its rules as applicable to amateur
13 contests, as set forth in rule; or

14 (24) a finding by the Department that the licensee,
15 after having his or her license placed on probationary
16 status, has violated the terms of probation.

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

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

1 licensure pursuant to this Act, to submit to a mental or
2 physical examination, or both, as required by and at the
3 expense of the Department. The examining physicians or
4 clinical psychologists shall be those specifically designated
5 by the Department. The Department may order the examining
6 physician or clinical psychologist to present testimony
7 concerning this mental or physical examination of the licensee
8 or applicant. No information shall be excluded by reason of
9 any common law or statutory privilege relating to
10 communications between the licensee or applicant and the
11 examining physician or clinical psychologist. Eye examinations
12 may be provided by a physician licensed to practice medicine
13 in all of its branches or a licensed and certified therapeutic
14 optometrist. The individual to be examined may have, at the
15 individual's ~~his or her~~ own expense, another physician of the
16 individual's ~~his or her~~ choice present during all aspects of
17 the examination. Failure of any individual to submit to a
18 mental or physical examination, when directed, shall be
19 grounds for suspension or revocation of a license.

20 (d) A contestant who tests positive for a banned
21 substance, as defined by rule, shall have the contestant's ~~his~~
22 ~~or her~~ license immediately suspended. The license shall be
23 subject to other discipline as authorized in this Section.

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

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

2 Sec. 17.7. Restoration of license from discipline.

3 (a) At any time after the successful completion of a term
4 of indefinite probation, suspension, or revocation of a
5 license under this Act, the Department may restore the license
6 to the licensee unless, after an investigation and a hearing,
7 the Secretary determines that restoration is not in the public
8 interest.

9 (b) If circumstances of suspension or revocation so
10 indicate, the Department may require an examination of the
11 licensee prior to restoring the licensee's ~~his or her~~ license.

12 (c) No person whose license has been revoked as authorized
13 in this Act may apply for restoration of that license until
14 allowed under the Civil Administrative Code of Illinois.

15 (d) A license that has been suspended or revoked shall be
16 considered nonrenewed for purposes of restoration under this
17 Section and a licensee restoring the licensee's ~~his or her~~
18 license from suspension or revocation must comply with the
19 requirements for renewal as set forth in this Act and its
20 rules.

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

22 (225 ILCS 105/17.8)

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

24 Sec. 17.8. Surrender of license. Upon the revocation or
25 suspension of a license, the licensee shall immediately

1 surrender the licensee's ~~his or her~~ license to the Department.
2 If the licensee fails to do so, the Department has the right to
3 seize the license.

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

5 (225 ILCS 105/18) (from Ch. 111, par. 5018)

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

7 Sec. 18. Investigations; notice and hearing.

8 (a) The Department may investigate the actions of any
9 applicant or of any person or entity holding or claiming to
10 hold a license under this Act.

11 (b) The Department shall, before disciplining an applicant
12 or licensee, at least 30 days prior to the date set for the
13 hearing: (i) notify, in writing, the accused of the charges
14 made and the time and place for the hearing on the charges;
15 (ii) direct the accused ~~him or her~~ to file a written answer to
16 the charges, under oath, within 20 days after service of the
17 notice; and (iii) inform the applicant or licensee that
18 failure to file an answer will result in a default being
19 entered against the applicant or licensee.

20 (c) Written or electronic notice, and any notice in the
21 subsequent proceedings, may be served by personal delivery, by
22 email, or by mail to the applicant or licensee at the
23 applicant's or licensee's ~~his or her~~ address of record or
24 email address of record.

25 (d) At the time and place fixed in the notice, the hearing

1 officer appointed by the Secretary shall proceed to hear the
2 charges, and the parties or their counsel shall be accorded
3 ample opportunity to present any statement, testimony,
4 evidence, and argument as may be pertinent to the charges or to
5 their defense. The hearing officer may continue the hearing
6 from time to time.

7 (e) If the licensee or applicant, after receiving the
8 notice, fails to file an answer, the license's or applicant's
9 ~~his or her~~ license may, in the discretion of the Secretary, be
10 suspended, revoked, or placed on probationary status or be
11 subject to whatever disciplinary action the Secretary
12 considers proper, including limiting the scope, nature, or
13 extent of the person's practice or imposition of a fine,
14 without hearing, if the act or acts charged constitute
15 sufficient grounds for the action under this Act.

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

17 (225 ILCS 105/19) (from Ch. 111, par. 5019)

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

19 Sec. 19. Hearing; motion for rehearing.

20 (a) The hearing officer appointed by the Secretary shall
21 hear evidence in support of the formal charges and evidence
22 produced by the applicant or licensee. At the conclusion of
23 the hearing, the hearing officer shall present to the
24 Secretary a written report of the hearing officer's ~~his or her~~
25 findings of fact, conclusions of law, and recommendations.

1 (b) A copy of the hearing officer's report shall be served
2 upon the applicant or licensee, either personally or as
3 provided in this Act for the service of the notice of hearing.
4 Within 20 calendar days after such service, the applicant or
5 licensee may present to the Department a motion, in writing,
6 for a rehearing that shall specify the particular grounds for
7 rehearing. The Department may respond to the motion for
8 rehearing within 20 calendar days after its service on the
9 Department. If no motion for rehearing is filed, then upon the
10 expiration of the time specified for filing such a motion, or
11 upon denial of a motion for rehearing, the Secretary may enter
12 an order in accordance with the recommendations of the hearing
13 officer. If the applicant or licensee orders from the
14 reporting service and pays for a transcript of the record
15 within the time for filing a motion for rehearing, the 20
16 calendar day period within which a motion may be filed shall
17 commence upon delivery of the transcript to the applicant or
18 licensee.

19 (c) If the Secretary disagrees in any regard with the
20 report of the hearing officer, the Secretary may issue an
21 order contrary to the report.

22 (d) Whenever the Secretary is not satisfied that
23 substantial justice has been done, the Secretary may order a
24 hearing by the same or another hearing officer.

25 (e) At any point in any investigation or disciplinary
26 proceeding provided for in this Act, both parties may agree to

1 a negotiated consent order. The consent order shall be final
2 upon signature of the Secretary.

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

4 (225 ILCS 105/19.1) (from Ch. 111, par. 5019.1)

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

6 Sec. 19.1. Hearing officer. Notwithstanding any provision
7 of this Act, the Secretary has the authority to appoint an
8 attorney duly licensed to practice law in the State of
9 Illinois to serve as the hearing officer in any action for
10 refusal to issue or renew a license or discipline a license.
11 The hearing officer shall have full authority to conduct the
12 hearing. The hearing officer shall report the hearing
13 officer's ~~his or her~~ findings of fact, conclusions of law, and
14 recommendations to the Secretary.

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

16 (225 ILCS 105/23) (from Ch. 111, par. 5023)

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

18 Sec. 23. Fees.

19 (a) The fees for the administration and enforcement of
20 this Act, including, but not limited to, original licensure,
21 renewal, and restoration shall be set by rule. The fees shall
22 not be refundable. All of the fees, taxes, and fines collected
23 under this Act shall be deposited into the General Professions
24 Dedicated Fund.

1 (b) (Blank). ~~Before January 1, 2023, there shall be no~~
2 ~~fees for amateur full contact martial arts events; except that~~
3 ~~until January 1, 2023, the applicant fees for promoters of~~
4 ~~amateur events where only amateur bouts are held shall be~~
5 ~~\$300.~~

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

7 (225 ILCS 105/23.1) (from Ch. 111, par. 5023.1)

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

9 Sec. 23.1. Returned checks; fines. Any person who delivers
10 a check or other payment to the Department that is returned to
11 the Department unpaid by the financial institution upon which
12 it is drawn shall pay to the Department, in addition to the
13 amount already owed to the Department, a fine of \$50. The fines
14 imposed by this Section are in addition to any other
15 discipline provided under this Act for unlicensed practice or
16 practice on a nonrenewed license. The Department shall notify
17 the person that payment of fees and fines shall be paid to the
18 Department by certified check or money order within 30
19 calendar days of the notification. If, after the expiration of
20 30 days from the date of the notification, the person has
21 failed to submit the necessary remittance, the Department
22 shall automatically terminate the license or deny the
23 application, without hearing. If, after termination or denial,
24 the person seeks a license, the person ~~he or she~~ shall apply to
25 the Department for restoration or issuance of the license and

1 pay all fees and fines due to the Department. The Department
2 may establish a fee for the processing of an application for
3 restoration of a license to pay all expenses of processing
4 this application. The Secretary may waive the fines due under
5 this Section in individual cases where the Secretary finds
6 that the fines would be unreasonable or unnecessarily
7 burdensome.

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

9 (225 ILCS 105/24) (from Ch. 111, par. 5024)

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

11 Sec. 24. Unlicensed practice; violations; civil penalty.

12 (a) Any person who practices, offers to practice, attempts
13 to practice, or holds oneself ~~himself or herself~~ out as being
14 able to engage in practices requiring a license under this Act
15 without being licensed or exempt under this Act shall, in
16 addition to any other penalty provided by law, pay a civil
17 penalty to the Department in an amount not to exceed \$10,000
18 for each offense, as determined by the Department. The civil
19 penalty shall be assessed by the Department after a hearing is
20 held in accordance with the provision set forth in this Act
21 regarding the provision of a hearing for the discipline of a
22 licensee.

23 (b) The Department may investigate any actual, alleged, or
24 suspected unlicensed activity.

25 (c) The civil penalty shall be paid within 60 days after

1 the effective date of the order imposing the civil penalty.
2 The order shall constitute a judgment and may be filed and
3 executed thereon in the same manner as any judgment from any
4 court of record.

5 (d) A person or entity not licensed under this Act who has
6 violated any provision of this Act or its rules is guilty of a
7 Class A misdemeanor for the first offense and a Class 4 felony
8 for a second and subsequent offenses.

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

10 (225 ILCS 105/25.1)

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

12 Sec. 25.1. Medical suspension.

13 (a) A licensee who is determined by the examining
14 physician or Department to be unfit to compete or officiate
15 shall be prohibited from participating in a contest in
16 Illinois and, if actively licensed, shall be medically
17 suspended until it is shown that the licensee ~~he or she~~ is fit
18 for further competition or officiating.

19 (b) If the referee has stopped the bout or rendered a
20 decision of technical knockout against a contestant
21 ~~professional or amateur~~, the contestant ~~professional or~~
22 ~~amateur~~ shall be medically suspended immediately for a period
23 of not less than 30 days.

24 (c) In a full-contact martial arts contest, if the
25 contestant ~~professional or amateur~~ has tapped out, has

1 submitted, or the referee has stopped the bout, the
2 Department, in consultation with the ringside physician, shall
3 determine the length of suspension.

4 (d) If the contestant ~~professional or amateur~~ has been
5 knocked unconscious, the contestant ~~he or she~~ shall be
6 medically suspended immediately for a period of not less than
7 45 days.

8 (e) A contestant ~~licensee~~ may receive a medical suspension
9 for any injury sustained as a result of a bout that shall not
10 be less than 7 days.

11 (f) A contestant ~~licensee~~ may receive additional terms and
12 conditions for a medical suspension beyond a prescribed
13 passage of time as authorized under this Section.

14 (g) If a contestant ~~licensee~~ receives a medical suspension
15 that includes terms and conditions in addition to the
16 prescribed passage of time as authorized under this Section,
17 before the removal of the medical suspension, a licensee
18 shall:

19 (1) satisfactorily pass a Department-prescribed
20 medical examination;

21 (2) provide those examination results to the
22 Department;

23 (3) provide any additional requested documentation as
24 directed by the licensee's examining physician or
25 Department where applicable; and

26 (4) if the licensee's examining physician requires any

1 necessary additional medical procedures during the
2 examination related to the injury that resulted in the
3 medical suspension, those results shall be provided to the
4 Department.

5 (h) Any medical suspension imposed as authorized under
6 this Act upon ~~against~~ a contestant ~~licensee~~ shall be reported
7 to the Department's record keeper as determined by rule.

8 (i) A medical suspension as authorized under this Section
9 shall not be considered a suspension under Section 16 of this
10 Act. A violation of the terms of a medical suspension
11 authorized under this Section shall subject a licensee to
12 discipline under Section 16 of this Act.

13 (j) A ~~professional or amateur~~ contestant who has been
14 placed on medical suspension under the laws of another state,
15 the District of Columbia, or a territory of the United States
16 for substantially similar reasons as this Section shall be
17 prohibited from participating in a contest as authorized under
18 this Act until the requirements of subsection (g) of this
19 Section have been met or the medical suspension has been
20 removed by that jurisdiction.

21 (k) A medical suspension authorized under this Section
22 shall begin the day after the bout a licensee participated in.
23 (Source: P.A. 102-20, eff. 1-1-22.)

24 Section 45. The Sex Offender Evaluation and Treatment
25 Provider Act is amended by changing Sections 10, 30, 35, 40,

1 45, 50, 65, 75, 85, 90, 95, 100, 105, 110, 115, 125, 130, 135,
2 and 145 and by adding Section 10.5 as follows:

3 (225 ILCS 109/10)

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

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

9 "Associate sex offender provider" means a person licensed
10 under this Act to conduct sex offender evaluations or provide
11 sex offender treatment services under the supervision of a
12 licensed sex offender evaluator or a licensed sex offender
13 treatment provider.

14 ~~"Board" means the Sex Offender Evaluation and Treatment~~
15 ~~Licensing and Disciplinary Board.~~

16 "Department" means the Department of Financial and
17 Professional Regulation.

18 "Email address of record" means the designated email
19 address recorded by the Department in the applicant's
20 application file or the licensee's license file, as maintained
21 by the Department's licensure maintenance unit.

22 "Licensee" means a person who has obtained a license under
23 this Act.

24 "Secretary" means the Secretary of Financial and
25 Professional Regulation.

1 "Sex offender evaluation" means a sex-offender specific
2 evaluation that systematically uses a variety of standardized
3 measurements, assessments and information gathered
4 collaterally and through face-to-face interviews. Sex-offender
5 specific evaluations assess risk to the community; identify
6 and document treatment and developmental needs, including safe
7 and appropriate placement settings; determine amenability to
8 treatment; and are the foundation of treatment, supervision,
9 and placement recommendations.

10 "Sex offender evaluator" means a person licensed under
11 this Act to conduct sex offender evaluations.

12 "Sex offender treatment" means a comprehensive set of
13 planned therapeutic interventions and experiences to reduce
14 the risk of further sexual offending and abusive behaviors by
15 the offender. Treatment may include adjunct therapies to
16 address the unique needs of the individual, but must include
17 offense specific services by a treatment provider who meets
18 the qualifications in Section 30 of this Act. Treatment
19 focuses on the situations, thoughts, feelings, and behavior
20 that have preceded and followed past offending (abuse cycles)
21 and promotes change in each area relevant to the risk of
22 continued abusive, offending, or deviant sexual behaviors. Due
23 to the heterogeneity of the persons who commit sex offenses,
24 treatment is provided based on the individualized evaluation
25 and assessment. Treatment is designed to stop sex offending
26 and abusive behavior, while increasing the offender's ability

1 to function as a healthy, pro-social member of the community.
2 Progress in treatment is measured by change rather than the
3 passage of time.

4 "Sex offender treatment provider" means a person licensed
5 under this Act to provide sex offender treatment.

6 (Source: P.A. 97-1098, eff. 7-1-13.)

7 (225 ILCS 109/10.5 new)

8 Sec. 10.5. Address of record; email address of record. All
9 applicants and licensees shall:

10 (1) Provide a valid address and email address to the
11 Department, which shall serve as the address of record and
12 email address of record, respectively, at the time of
13 application for licensure or renewal of a license; and

14 (2) Inform the Department of any change of address of
15 record or email address of record within 14 days after
16 such change, either through the Department's website or by
17 contacting the Department's licensure maintenance unit.

18 (225 ILCS 109/30)

19 Sec. 30. Social Security Number or individual taxpayer
20 identification number on license application. In addition to
21 any other information required to be contained in the
22 application, every application for an original, renewal,
23 reinstated, or restored license under this Act shall include
24 the applicant's Social Security number or individual taxpayer

1 identification number.

2 (Source: P.A. 97-1098, eff. 7-1-13.)

3 (225 ILCS 109/35)

4 Sec. 35. Qualifications for licensure.

5 (a)(1) A person is qualified for licensure as a sex
6 offender evaluator if that person:

7 (A) has applied in writing on forms prepared and
8 furnished by the Department;

9 (B) has not engaged or is not engaged in any practice
10 or conduct that would be grounds for disciplining a
11 licensee under Section 75 of this Act; and

12 (C) satisfies the licensure and experience
13 requirements of paragraph (2) of this subsection (a).

14 (2) A person who applies to the Department shall be issued
15 a sex offender evaluator license by the Department if the
16 person meets the qualifications set forth in paragraph (1) of
17 this subsection (a) and provides evidence to the Department
18 that the person:

19 (A) is a physician licensed to practice medicine in
20 all of its branches under the Medical Practice Act of 1987
21 or licensed under the laws of another state; an advanced
22 practice registered nurse with psychiatric specialty
23 licensed under the Nurse Practice Act or licensed under
24 the laws of another state; a clinical psychologist
25 licensed under the Clinical Psychologist Licensing Act or

1 licensed under the laws of another state; a licensed
2 clinical social worker licensed under the Clinical Social
3 Work and Social Work Practice Act or licensed under the
4 laws of another state; a licensed clinical professional
5 counselor licensed under the Professional Counselor and
6 Clinical Professional Counselor Licensing and Practice Act
7 or licensed under the laws of another state; or a licensed
8 marriage and family therapist licensed under the Marriage
9 and Family Therapy Licensing Act or licensed under the
10 laws of another state;

11 (B) has 400 hours of supervised experience in the
12 treatment or evaluation of sex offenders in the last 4
13 years, at least 200 of which are face-to-face therapy or
14 evaluation with sex offenders;

15 (C) has completed at least 10 sex offender evaluations
16 under supervision in the past 4 years; and

17 (D) has at least 40 hours of documented training in
18 the specialty of sex offender evaluation, treatment, or
19 management.

20 ~~Until January 1, 2015, the requirements of subparagraphs~~
21 ~~(B) and (D) of paragraph (2) of this subsection (a) are~~
22 ~~satisfied if the applicant has been listed on the Sex Offender~~
23 ~~Management Board's Approved Provider List for a minimum of 2~~
24 ~~years before application for licensure. Until January 1, 2015,~~
25 ~~the requirements of subparagraph (C) of paragraph (2) of this~~
26 ~~subsection (a) are satisfied if the applicant has completed at~~

1 ~~least 10 sex offender evaluations within the 4 years before~~
2 ~~application for licensure.~~

3 (b) (1) A person is qualified for licensure as a sex
4 offender treatment provider if that person:

5 (A) has applied in writing on forms prepared and
6 furnished by the Department;

7 (B) has not engaged or is not engaged in any practice
8 or conduct that would be grounds for disciplining a
9 licensee under Section 75 of this Act; and

10 (C) satisfies the licensure and experience
11 requirements of paragraph (2) of this subsection (b).

12 (2) A person who applies to the Department shall be issued
13 a sex offender treatment provider license by the Department if
14 the person meets the qualifications set forth in paragraph (1)
15 of this subsection (b) and provides evidence to the Department
16 that the person:

17 (A) is a physician licensed to practice medicine in
18 all of its branches under the Medical Practice Act of 1987
19 or licensed under the laws of another state; an advanced
20 practice registered nurse with psychiatric specialty
21 licensed under the Nurse Practice Act or licensed under
22 the laws of another state; a clinical psychologist
23 licensed under the Clinical Psychologist Licensing Act or
24 licensed under the laws of another state; a licensed
25 clinical social worker licensed under the Clinical Social
26 Work and Social Work Practice Act or licensed under the

1 laws of another state; a licensed clinical professional
2 counselor licensed under the Professional Counselor and
3 Clinical Professional Counselor Licensing and Practice Act
4 or licensed under the laws of another state; or a licensed
5 marriage and family therapist licensed under the Marriage
6 and Family Therapy Licensing Act or licensed under the
7 laws of another state;

8 (B) has 400 hours of supervised experience in the
9 treatment of sex offenders in the last 4 years, at least
10 200 of which are face-to-face therapy with sex offenders;
11 and

12 (C) has at least 40 hours documented training in the
13 specialty of sex offender evaluation, treatment, or
14 management.

15 ~~Until January 1, 2015, the requirements of subparagraphs~~
16 ~~(B) and (C) of paragraph (2) of this subsection (b) are~~
17 ~~satisfied if the applicant has been listed on the Sex Offender~~
18 ~~Management Board's Approved Provider List for a minimum of 2~~
19 ~~years before application.~~

20 (c) (1) A person is qualified for licensure as an associate
21 sex offender provider if that person:

22 (A) has applied in writing on forms prepared and
23 furnished by the Department;

24 (B) has not engaged or is not engaged in any practice
25 or conduct that would be grounds for disciplining a
26 licensee under Section 75 of this Act; and

1 (C) satisfies the education and experience
2 requirements of paragraph (2) of this subsection (c).

3 (2) A person who applies to the Department shall be issued
4 an associate sex offender provider license by the Department
5 if the person meets the qualifications set forth in paragraph
6 (1) of this subsection (c) and provides evidence to the
7 Department that the person holds a master's degree or higher
8 in social work, psychology, marriage and family therapy,
9 counseling or closely related behavioral science degree, or
10 psychiatry.

11 (Source: P.A. 100-201, eff. 8-18-17; 100-513, eff. 1-1-18.)

12 (225 ILCS 109/40)

13 Sec. 40. Application; exemptions.

14 (a) No person may act as a sex offender evaluator, sex
15 offender treatment provider, or associate sex offender
16 provider as defined in this Act for the provision of sex
17 offender evaluations or sex offender treatment pursuant to the
18 Sex Offender Management Board Act, the Sexually Dangerous
19 Persons Act, or the Sexually Violent Persons Commitment Act
20 unless the person is licensed to do so by the Department. Any
21 evaluation or treatment services provided by a licensed health
22 care professional not licensed under this Act shall not be
23 valid under the Sex Offender Management Board Act, the
24 Sexually Dangerous Persons Act, or the Sexually Violent
25 Persons Commitment Act. No business shall provide, attempt to

1 provide, or offer to provide sex offender evaluation services
2 unless it is organized under the Professional Service
3 Corporation Act, the Medical Corporation Act, or the
4 Professional Limited Liability Company Act.

5 (b) Nothing in this Act shall be construed to require any
6 licensed physician, advanced practice registered nurse,
7 physician assistant, or other health care professional to be
8 licensed under this Act for the provision of services for
9 which the person is otherwise licensed. This Act does not
10 prohibit a person licensed under any other Act in this State
11 from engaging in the practice for which the person ~~he or she~~ is
12 licensed. This Act only applies to the provision of sex
13 offender evaluations or sex offender treatment provided for
14 the purposes of complying with the Sex Offender Management
15 Board Act, the Sexually Dangerous Persons Act, or the Sexually
16 Violent Persons Commitment Act.

17 (Source: P.A. 99-227, eff. 8-3-15; 100-513, eff. 1-1-18.)

18 (225 ILCS 109/45)

19 Sec. 45. License renewal; restoration.

20 (a) The expiration date and renewal period for a license
21 issued under this Act shall be set by rule. The holder of a
22 license under this Act may renew that license during the
23 90-day ~~90-day~~ period immediately preceding the expiration date
24 upon payment of the required renewal fees and demonstrating
25 compliance with any continuing education requirements. The

1 Department shall adopt rules establishing minimum requirements
2 of continuing education and means for verification of the
3 completion of the continuing education requirements. The
4 Department may, by rule, specify circumstances under which the
5 continuing education requirements may be waived.

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

15 (c) A licensee whose license expired while the licensee ~~he~~
16 ~~or she~~ was (1) in Federal Service on active duty with the Armed
17 Forces of the United States, or the State Militia called into
18 service or training, or (2) in training or education under the
19 supervision of the United States preliminary to induction into
20 the military service, may have the ~~his or her~~ license renewed
21 or restored without paying any lapsed renewal fees if within 2
22 years after honorable termination of service, training or
23 education, the licensee ~~he or she~~ furnishes the Department
24 with satisfactory evidence to the effect that the licensee ~~he~~
25 ~~or she~~ has been so engaged and that the licensee's ~~his or her~~
26 service, training or education has been terminated.

1 (Source: P.A. 97-1098, eff. 7-1-13.)

2 (225 ILCS 109/50)

3 Sec. 50. Inactive status.

4 (a) A licensee who notifies the Department in writing on
5 forms prescribed by the Department may elect to place the
6 licensee's ~~his or her~~ license on an inactive status and shall,
7 subject to rules of the Department, be excused from payment of
8 renewal fees until the licensee ~~he or she~~ notifies the
9 Department in writing of the licensee's ~~his or her~~ intent to
10 restore the ~~his or her~~ license.

11 (b) A licensee requesting restoration from inactive status
12 shall be required to pay the current renewal fee and shall be
13 required to restore the ~~his or her~~ license as provided in
14 Section 45 of this Act.

15 (c) A licensee whose license is in an inactive status
16 shall not practice in the State of Illinois.

17 (d) A licensee who provides sex offender evaluation or
18 treatment services while the licensee's ~~his or her~~ license is
19 lapsed or on inactive status shall be considered to be
20 practicing without a license which shall be grounds for
21 discipline under this Act.

22 (Source: P.A. 97-1098, eff. 7-1-13.)

23 (225 ILCS 109/65)

24 Sec. 65. Payments; penalty for insufficient funds. A

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

24 (Source: P.A. 97-1098, eff. 7-1-13.)

1 Sec. 75. Refusal, revocation, or suspension.

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) discipline by the Department under other state law
11 and rules which the licensee is subject to;

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

21 (4) professional incompetence;

22 (5) advertising in a false, deceptive, or misleading
23 manner;

24 (6) aiding, abetting, assisting, procuring, advising,
25 employing, or contracting with any unlicensed person to
26 provide sex offender evaluation or treatment services

1 contrary to any rules or provisions of this Act;

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

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

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

13 (10) knowingly delegating professional
14 responsibilities to a person unqualified by training,
15 experience, or licensure to perform;

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

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

22 (13) having a pattern of practice or other behavior
23 that demonstrates incapacity or incompetence to practice
24 under this Act;

25 (14) discipline by another state, District of
26 Columbia, territory, or foreign nation, if at least one of

1 the grounds for the discipline is the same or
2 substantially equivalent to those set forth in this
3 Section;

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

7 (16) willfully making or filing false records or
8 reports in the licensee's ~~his or her~~ practice, including,
9 but not limited to, false records filed with State
10 agencies or departments;

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

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

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

24 (20) charging for professional services not rendered,
25 including filing false statements for the collection of
26 fees for which services are not rendered; or

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

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

5 (b) The Department may refuse to issue or may suspend the
6 license of any person who fails to file a tax return, to pay
7 the tax, penalty, or interest shown in a filed tax return, or
8 to pay any final assessment of tax, penalty, or interest, as
9 required by any tax Act administered by the Illinois
10 Department of Revenue, until such time as the requirements of
11 the tax Act are satisfied in accordance with subsection (g) of
12 Section 2105-15 of the Civil Administrative Code of Illinois.

13 (c) (Blank).

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

25 (e) The determination by a circuit court that a licensee
26 is subject to involuntary admission or judicial admission, as

1 provided in the Mental Health and Developmental Disabilities
2 Code, operates as an automatic suspension. The suspension will
3 end only upon a finding by a court that the patient is no
4 longer subject to involuntary admission or judicial admission
5 and the issuance of a court order so finding and discharging
6 the patient.

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

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

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

1 applicable federal statutes and regulations safeguarding the
2 confidentiality of medical records.

3 An individual licensed under this Act and subject to
4 action under this Section shall be afforded an opportunity to
5 demonstrate to the Department or Board that he or she can
6 resume practice in compliance with acceptable and prevailing
7 standards under the provisions of his or her license.

8 (Source: P.A. 100-872, eff. 8-14-18; 101-81, eff. 7-12-19.)

9 (225 ILCS 109/85)

10 Sec. 85. Violations; injunctions; cease and desist order.

11 (a) If a person violates a provision of this Act, the
12 Secretary may, in the name of the People of the State of
13 Illinois, through the Attorney General, petition for an order
14 enjoining the violation or for an order enforcing compliance
15 with this Act. Upon the filing of a verified petition in court,
16 the court may issue a temporary restraining order, without
17 notice or bond, and may preliminarily and permanently enjoin
18 the violation. If it is established that the person has
19 violated or is violating the injunction, the court may punish
20 the offender for contempt of court. Proceedings under this
21 Section are in addition to, and not in lieu of, all other
22 remedies and penalties provided by this Act.

23 (b) If a person engages in sex offender evaluation or
24 treatment or holds oneself ~~himself or herself~~ out as licensee
25 without having a valid license under this Act, then any

1 licensee, any interested party or any person injured thereby
2 may, in addition to the Secretary, petition for relief as
3 provided in subsection (a) of this Section.

4 (c) Whenever in the opinion of the Department a person has
5 violated 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 that person ~~him or her~~. The rule shall
8 clearly set forth the grounds relied upon by the Department
9 and shall provide a period of 7 days from the date of the rule
10 to file an answer to the satisfaction of the Department.
11 Failure to answer to the satisfaction of the Department shall
12 cause an order to cease and desist to be issued immediately.

13 (Source: P.A. 97-1098, eff. 7-1-13.)

14 (225 ILCS 109/90)

15 Sec. 90. Unlicensed practice; violation; civil penalty.

16 (a) A person who holds oneself ~~himself or herself~~ out to
17 practice as a licensee without being licensed under this Act
18 shall, in addition to any other penalty provided by law, pay a
19 civil penalty to the Department in an amount not to exceed
20 \$10,000 for each offense, as determined by the Department. The
21 civil penalty shall be assessed by the Department after a
22 hearing is held in accordance with the provisions of this Act
23 regarding a hearing for the discipline of a licensee.

24 (b) The Department may investigate any and all unlicensed
25 activity.

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

6 (Source: P.A. 97-1098, eff. 7-1-13.)

7 (225 ILCS 109/95)

8 Sec. 95. Investigation; notice and hearing. The
9 Department may investigate the actions or qualifications of
10 any person or persons holding or claiming to hold a license.
11 Before suspending, revoking, placing on probationary status,
12 or taking any other disciplinary action as the Department may
13 deem proper with regard to any license, at least 30 days before
14 the date set for the hearing, the Department shall (i) notify
15 the accused in writing of any charges made and the time and
16 place for a hearing on the charges before the Department
17 ~~Board~~, (ii) direct the accused ~~him or her~~ to file a written
18 answer to the charges with the Department ~~Board~~ under oath
19 within 20 days after the service on the accused ~~him or her~~ of
20 the notice, and (iii) inform the accused ~~him or her~~ that if the
21 accused ~~he or she~~ fails to file an answer, default will be
22 taken against the accused ~~him or her~~ and the accused's ~~his or~~
23 ~~her~~ license may be suspended, revoked, placed on probationary
24 status, or other disciplinary action taken with regard to the
25 license, including limiting the scope, nature, or extent of

1 his or her practice, as the Department may deem proper. In case
2 the person, after receiving notice, fails to file an answer,
3 the person's ~~his or her~~ license may, in the discretion of the
4 Department, be suspended, revoked, placed on probationary
5 status, or the Department may take whatever disciplinary
6 action is deemed proper, including limiting the scope, nature,
7 or extent of the person's practice or the imposition of a fine,
8 without a hearing, if the act or acts charged constitute
9 sufficient grounds for that action under this Act. Written
10 notice may be served by ~~personal delivery or by registered or~~
11 ~~certified~~ mail to the applicant or licensee at the applicant's
12 or licensee's ~~his or her~~ last address of record with the
13 Department. In case the person fails to file an answer after
14 receiving notice, the person's ~~his or her~~ license may, in the
15 discretion of the Department, be suspended, revoked, or placed
16 on probationary status, or the Department may take whatever
17 disciplinary action is deemed proper, including limiting the
18 scope, nature, or extent of the person's practice or the
19 imposition of a fine, without a hearing, if the act or acts
20 charged constitute sufficient grounds for that action under
21 this Act. The written answer shall be served by personal
22 delivery, certified delivery, or certified or registered mail
23 to the Department. At the time and place fixed in the notice,
24 the Department shall proceed to hear the charges and the
25 parties or their counsel shall be accorded ample opportunity
26 to present statements, testimony, evidence, and argument as

1 may be pertinent to the charges or to the defense thereto. The
2 Department may continue the hearing from time to time. At the
3 discretion of the Secretary after having first received the
4 recommendation of the hearing officer ~~Board~~, the accused
5 person's license may be suspended or revoked, if the evidence
6 constitutes sufficient grounds for that action under this Act.
7 (Source: P.A. 97-1098, eff. 7-1-13.)

8 (225 ILCS 109/100)

9 Sec. 100. Record of proceeding. The Department, at its
10 expense, shall preserve a record of all proceedings at the
11 formal hearing of any case. The notice of hearing, complaint
12 and all other documents in the nature of pleadings and written
13 motions filed in the proceedings, the transcript of testimony,
14 the report of the hearing officer ~~Board~~ and orders of the
15 Department shall be in the record of the proceedings. The
16 Department shall furnish a transcript of the record to any
17 person interested in the hearing upon payment of the fee
18 required under Section 2105-115 of the Department of
19 Professional Regulation Law.

20 (Source: P.A. 97-1098, eff. 7-1-13.)

21 (225 ILCS 109/105)

22 Sec. 105. Subpoenas; oaths; attendance of witnesses. The
23 Department has the power to subpoena and to bring before it any
24 person and to take testimony either orally or by deposition,

1 or both, with the same fees and mileage and in the same manner
2 as prescribed in civil cases in the courts of this State.

3 The Secretary and ~~7~~ the designated hearing officer have
4 the ~~, and every member of the Board has~~ power to administer
5 oaths to witnesses at any hearing that the Department is
6 authorized to conduct and any other oaths authorized in any
7 Act administered by the Department. A circuit court may, upon
8 application of the Department or its designee, or of the
9 applicant or licensee against whom proceedings under this Act
10 are pending, enter an order requiring the attendance of
11 witnesses and their testimony, and the production of
12 documents, papers, files, books and records in connection with
13 any hearing or investigation. The court may compel obedience
14 to its order by proceedings for contempt.

15 (Source: P.A. 97-1098, eff. 7-1-13.)

16 (225 ILCS 109/110)

17 Sec. 110. Recommendations for disciplinary action. At the
18 conclusion of the hearing, the hearing officer ~~Board~~ shall
19 present to the Secretary a written report of the hearing
20 officer's ~~its~~ findings and recommendations. The report shall
21 contain a finding whether or not the accused person violated
22 this Act or failed to comply with the conditions required in
23 this Act. The hearing officer ~~Board~~ shall specify the nature
24 of the violation or failure to comply, and shall make its
25 recommendations to the Secretary.

1 The report of findings and recommendations of the hearing
2 officer Board shall be the basis for the Department's order
3 for refusal or for the granting of a license, or for any
4 disciplinary action, unless the Secretary shall determine that
5 the hearing officer's Board's report is contrary to the
6 manifest weight of the evidence, in which case the Secretary
7 may issue an order in contravention of the hearing officer's
8 Board's report. The finding is not admissible in evidence
9 against the person in a criminal prosecution brought for the
10 violation of this Act, but the hearing and finding are not a
11 bar to a criminal prosecution brought for the violation of
12 this Act.

13 (Source: P.A. 97-1098, eff. 7-1-13.)

14 (225 ILCS 109/115)

15 Sec. 115. Rehearing. In a hearing involving disciplinary
16 action against a licensee, a copy of the hearing officer's
17 Board's report shall be served upon the respondent by the
18 Department, either personally or as provided in this Act for
19 the service of the notice of hearing. Within 20 calendar days
20 after service, the respondent may present to the Department a
21 motion in writing for a rehearing that shall specify the
22 particular grounds for rehearing. If no motion for rehearing
23 is filed, then upon the expiration of the time specified for
24 filing a motion, or if a motion for rehearing is denied, then
25 upon denial, the Secretary may enter an order in accordance

1 with recommendations of the hearing officer ~~Board~~, except as
2 provided in this Act. If the respondent orders from the
3 reporting service, and pays for, a transcript of the record
4 within the time for filing a motion for rehearing, the 20
5 calendar day period within which a motion may be filed shall
6 commence upon the delivery of the transcript to the
7 respondent.

8 (Source: P.A. 97-1098, eff. 7-1-13.)

9 (225 ILCS 109/125)

10 Sec. 125. Appointment of a hearing officer. The Secretary
11 has the authority to appoint any attorney duly licensed to
12 practice law in the State of Illinois to serve as the hearing
13 officer in any action for refusal to issue or renew a license,
14 or to discipline a licensee. The hearing officer has full
15 authority to conduct the hearing. The hearing officer shall
16 report the ~~his or her~~ findings and recommendations to ~~the~~
17 ~~Board and~~ the Secretary. In the hearing officer's report, the
18 hearing officer shall make a finding of whether or not the
19 charged licensee or applicant violated a provision of this Act
20 or any rules adopted under this Act. Upon presenting the
21 report to the Secretary, the Secretary may issue an order
22 based on the report of the hearing officer. If the Secretary
23 disagrees with the report of the hearing officer, the
24 Secretary may issue an order in contravention of the hearing
25 officer's report. The finding by the hearing officer shall not

1 be admissible in evidence against the person in a criminal
2 prosecution brought for a violation of this Act nor shall a
3 finding by the hearing officer be a bar to a criminal
4 prosecution brought for a violation of this Act. ~~The Board has~~
5 ~~60 calendar days from receipt of the report to review the~~
6 ~~report of the hearing officer and present its findings of~~
7 ~~fact, conclusions of law and recommendations to the Secretary.~~
8 ~~If the Board fails to present its report within the 60 calendar~~
9 ~~day period, the respondent may request in writing a direct~~
10 ~~appeal to the Secretary, in which case the Secretary shall,~~
11 ~~within 7 calendar days after receipt of the request, issue an~~
12 ~~order directing the Board to issue its findings of fact,~~
13 ~~conclusions of law, and recommendations to the Secretary~~
14 ~~within 30 calendar days after that order. If the Board fails to~~
15 ~~issue its findings of fact, conclusions of law, and~~
16 ~~recommendations within that time frame to the Secretary after~~
17 ~~the entry of the order, the Secretary shall, within 30~~
18 ~~calendar days thereafter, issue an order based upon the report~~
19 ~~of the hearing officer and the record of the proceedings or~~
20 ~~issue an order remanding the matter back to the hearing~~
21 ~~officer for additional proceedings in accordance with the~~
22 ~~order. If (i) a direct appeal is requested, (ii) the Board~~
23 ~~fails to issue its findings of fact, conclusions of law, and~~
24 ~~recommendations within the 30 day mandate from the Secretary~~
25 ~~or the Secretary fails to order the Board to do so, and (iii)~~
26 ~~the Secretary fails to issue an order within 30 calendar days~~

1 ~~thereafter, then the hearing officer's report is deemed~~
2 ~~accepted and a final decision of the Secretary.~~

3 Notwithstanding any other provision of this Section, if the
4 Secretary, upon review, determines that substantial justice
5 has not been done in the revocation, suspension, or refusal to
6 issue or renew a license or other disciplinary action taken as
7 the result of the entry of the hearing officer's report, the
8 Secretary may order a rehearing by the same or other hearing
9 officer. If the Secretary disagrees with the recommendation of
10 the ~~Board or the~~ hearing officer, the Secretary may issue an
11 order in contravention of the recommendation.

12 (Source: P.A. 97-1098, eff. 7-1-13.)

13 (225 ILCS 109/130)

14 Sec. 130. Order; certified copy. An order or a certified
15 copy of the order, over the seal of the Department and
16 purporting to be signed by the Secretary, shall be prima facie
17 proof:

18 (a) that the signature is the genuine signature of the
19 Secretary;

20 (b) that the Secretary is duly appointed and
21 qualified; and

22 (c) (blank). ~~that the Board and its members are~~
23 ~~qualified to act.~~

24 (Source: P.A. 97-1098, eff. 7-1-13.)

1 (225 ILCS 109/135)

2 Sec. 135. Restoration. At any time after the suspension
3 or revocation of a license, the Department may restore the
4 license to the accused person, upon the filing of an
5 application, the filing of proof of fitness acceptable to the
6 Department, and the payment of the required restoration fee
7 ~~written recommendation of the Board,~~ unless after an
8 investigation and a hearing the Department ~~Board~~ determines
9 that restoration is not in the public interest.

10 (Source: P.A. 97-1098, eff. 7-1-13.)

11 (225 ILCS 109/145)

12 Sec. 145. Summary suspension. The Secretary may summarily
13 suspend the license of a licensee without a hearing,
14 simultaneously with the institution of proceedings for a
15 hearing provided for in this Act, if the Secretary finds that
16 evidence in the Secretary's ~~his or her~~ possession indicates
17 that a licensee's continuation in practice would constitute an
18 imminent danger to the public. In the event that the Secretary
19 summarily suspends the license of a licensee without a
20 hearing, a hearing ~~by the Board~~ must be held within 30 calendar
21 days after the suspension has occurred.

22 (Source: P.A. 97-1098, eff. 7-1-13.)

23 (225 ILCS 109/70 rep.)

24 Section 50. The Sex Offender Evaluation and Treatment

1 Provider Act is amended by repealing Section 70.

2 Section 55. The Barber, Cosmetology, Esthetics, Hair
3 Braiding, and Nail Technology Act of 1985 is amended by
4 changing Section 3D-5 as follows:

5 (225 ILCS 410/3D-5)

6 (Section scheduled to be repealed on January 1, 2031)

7 Sec. 3D-5. Requisites for ownership or operation of
8 cosmetology, esthetics, hair braiding, and nail technology
9 salons and barber shops.

10 (a) No person, firm, partnership, limited liability
11 company, professional limited liability company, corporation,
12 or professional service corporation shall own or operate a
13 cosmetology, esthetics, hair braiding, or nail technology
14 salon or barber shop or employ, rent space to, or
15 independently contract with any licensee under this Act
16 without applying on forms provided by the Department for a
17 certificate of registration. This registration shall be in
18 addition to and shall not replace or supersede any other
19 business license, registration, or permit that may be required
20 by local municipalities or other governmental entities to own
21 or operate a business in the governmental entity's
22 jurisdiction. The issuance of a license, registration, or
23 permit by a municipality or another governmental entity to a
24 salon or shop shall not waive the requirement to obtain a

1 certificate of registration from the Department to own or
2 operate a salon or shop.

3 (b) The application for a certificate of registration
4 under this Section shall set forth the name, address, and
5 telephone number of the proposed cosmetology, esthetics, hair
6 braiding, or nail technology salon or barber shop; the name,
7 address, and telephone number of the person, firm,
8 partnership, limited liability company, professional limited
9 liability company, corporation, or professional service
10 corporation that is to own or operate the salon or shop; the
11 license number of the owner or operator of the shop if they are
12 licensed under the Act or the name and license number of the
13 individual manager of the salon or shop; and, if the salon or
14 shop is to be owned or operated by an entity other than an
15 individual, the name, address, and telephone number of the
16 managing partner or the chief executive officer of the
17 corporation or other entity that owns or operates the salon or
18 shop. A person who is not licensed under the Act may own or
19 operate a salon or shop, but may not practice barbering,
20 cosmetology, esthetics, hair braiding, or nail technology. An
21 unlicensed owner or operator of a salon or shop shall employ at
22 least one person as a manager who holds a license under the Act
23 and manages the salon or shop. The licensed owner, operator,
24 or manager of a salon or shop shall ensure that the salon or
25 shop operates in compliance with this Act and any applicable
26 rules, and the owner's, operator's, or manager's name and

1 license number shall be posted with the certificate of
2 registration at the salon or shop.

3 (c) The Department shall be notified by the owner or
4 operator of a salon or shop that is moved to a new location. If
5 there is a change in the ownership or operation or manager of a
6 salon or shop, the new owner, operator, or manager shall
7 report that change to the Department along with completion of
8 any additional requirements set forth by rule.

9 (d) If a person, firm, partnership, limited liability
10 company, professional limited liability company, corporation,
11 or professional service corporation owns or operates more than
12 one shop or salon, a separate certificate of registration must
13 be obtained for each salon or shop.

14 (e) A certificate of registration granted under this
15 Section may be revoked in accordance with the provisions of
16 Article IV and the holder of the certificate and any licensed
17 managers may be otherwise disciplined by the Department in
18 accordance with rules adopted under this Act.

19 (f) The Department may promulgate rules to establish
20 additional requirements for owning or operating a salon or
21 shop.

22 (g) The requirement of a certificate of registration as
23 set forth in this Section shall also apply to any person, firm,
24 partnership, limited liability company, professional limited
25 liability company, corporation, or professional service
26 corporation providing barbering, cosmetology, esthetics, hair

1 braiding, or nail technology services at any location not
2 owned or rented by such person, firm, partnership, limited
3 liability company, professional limited liability company,
4 corporation, or professional service corporation for these
5 purposes or from a mobile shop or salon. Notwithstanding any
6 provision of this Section, applicants for a certificate of
7 registration under this subsection (g) shall report in its
8 application the address and telephone number of its office and
9 shall not be required to report the location where services
10 are or will be rendered. Nothing in this subsection (g) shall
11 apply to a sole proprietor who has no employees or contractors
12 and is not operating a mobile shop or salon.

13 (h) Nothing in this Act shall prohibit the use of the terms
14 "electrology", "electrologist", "massage", "massage therapy",
15 or "massage therapist" by a salon or shop registered under
16 this Act as long as the salon or shop offers electrology
17 services in accordance with the Electrologist Licensing Act or
18 massage therapy services in accordance with the Massage
19 Therapy Practice Act.

20 (Source: P.A. 104-153, eff. 1-1-26.)

21 Section 60. The Electrologist Licensing Act is amended by
22 changing Section 20 as follows:

23 (225 ILCS 412/20)

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

1 Sec. 20. Exemptions. This Act does not prohibit:

2 (1) A person licensed in this State under any other
3 Act from engaging in the practice for which that person is
4 licensed.

5 (2) The practice of electrology 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 electrology included in a program
10 of study by students enrolled in schools or in refresher
11 courses approved by the Department.

12 Nothing in this Act shall be construed to prevent a person
13 who is licensed under this Act and functioning as an assistant
14 to a person who is licensed to practice medicine in all of its
15 branches from providing delegated services. Such delegated
16 services may not be performed by a person while holding
17 himself or herself out as an electrologist or in any manner
18 that indicates that the services are part of the practice of
19 electrology.

20 Nothing in this Act shall prohibit the use of the terms
21 "electrology" or "electrologist" by a salon or shop registered
22 under the Barber, Cosmetology, Esthetics, Hair Braiding, and
23 Nail Technology Act of 1985 as long as the salon offers
24 electrology services in accordance with this Act.

25 (Source: P.A. 96-569, eff. 8-18-09.)

1 Section 65. The Professional Service Corporation Act is
2 amended by changing Section 3.6 as follows:

3 (805 ILCS 10/3.6) (from Ch. 32, par. 415-3.6)

4 Sec. 3.6. "Related professions" and "related professional
5 services" mean more than one personal service which requires
6 as a condition precedent to the rendering thereof the
7 obtaining of a license and which prior to October 1, 1973 could
8 not be performed by a corporation by reason of law; provided,
9 however, that these terms shall be restricted to:

10 (1) a combination of 2 or more of the following
11 personal services: (a) "architecture" as defined in
12 Section 5 of the Illinois Architecture Practice Act of
13 1989, (b) "professional engineering" as defined in Section
14 4 of the Professional Engineering Practice Act of 1989,
15 (c) "structural engineering" as defined in Section 5 of
16 the Structural Engineering Practice Act of 1989, (d) "land
17 surveying" as defined in Section 2 of the Illinois
18 Professional Land Surveyor Act of 1989;

19 (2) a combination of the following personal services:
20 (a) the practice of medicine by persons licensed under the
21 Medical Practice Act of 1987, (b) the practice of podiatry
22 as defined in the Podiatric Medical Practice Act of 1987,
23 (c) the practice of dentistry as defined in the Illinois
24 Dental Practice Act, (d) the practice of optometry as
25 defined in the Illinois Optometric Practice Act of 1987;

1 (3) a combination of 2 or more of the following
2 personal services: (a) the practice of clinical psychology
3 by persons licensed under the Clinical Psychologist
4 Licensing Act, (b) the practice of social work or clinical
5 social work by persons licensed under the Clinical Social
6 Work and Social Work Practice Act, (c) the practice of
7 marriage and family therapy by persons licensed under the
8 Marriage and Family Therapy Licensing Act, (d) the
9 practice of professional counseling or clinical
10 professional counseling by persons licensed under the
11 Professional Counselor and Clinical Professional Counselor
12 Licensing and Practice Act, or (e) the practice of sex
13 offender evaluations by persons licensed under the Sex
14 Offender Evaluation and Treatment Provider Act; ~~or~~

15 (4) a combination of 2 or more of the following
16 personal services: (a) the practice of acupuncture by
17 persons licensed under the Acupuncture Practice Act, (b)
18 the practice of massage by persons licensed under the
19 Massage Therapy Practice Act, (c) the practice of
20 naprapathy by persons licensed under the Naprapathic
21 Practice Act, (d) the practice of occupational therapy by
22 persons licensed under the Illinois Occupational Therapy
23 Practice Act, (e) the practice of physical therapy by
24 persons licensed under the Illinois Physical Therapy Act,
25 or (f) the practice of speech-language therapy by persons
26 licensed under the Illinois Speech-Language Pathology and

1 Audiology Practice Act; ~~or-~~

2 (5) a combination of 2 or more of the following
3 personal services: (a) services provided by persons
4 licensed under the Barber, Cosmetology, Esthetics, Hair
5 Braiding, and Nail Technology Act of 1985, (b) the
6 practice of massage therapy by persons licensed under the
7 Massage Therapy Practice Act, or (c) the practice of
8 electrology by persons licensed under the Electrologist
9 Licensing Act.

10 (Source: P.A. 101-95, eff. 7-19-19; 102-20, eff. 1-1-22.)

11 Section 70. The Professional Limited Liability Company Act
12 is amended by changing Section 13 as follows:

13 (805 ILCS 185/13)

14 Sec. 13. Nature of business.

15 (a) A professional limited liability company may be formed
16 to provide a professional service or services licensed by the
17 Department except:

18 (1) the practice of dentistry unless all the members
19 and managers are licensed as dentists under the Illinois
20 Dental Practice Act;

21 (2) the practice of medicine unless all the managers,
22 if any, are licensed to practice medicine under the
23 Medical Practice Act of 1987 and each member is either:

24 (A) licensed to practice medicine under the

1 Medical Practice Act of 1987;

2 (B) a registered medical corporation or
3 corporations organized pursuant to the Medical
4 Corporation Act;

5 (C) a professional corporation organized pursuant
6 to the Professional Service Corporation Act of
7 physicians licensed to practice under the Medical
8 Practice Act of 1987;

9 (D) a hospital or hospital affiliate as defined in
10 Section 10.8 of the Hospital Licensing Act; or

11 (E) a professional limited liability company that
12 satisfies the requirements of subparagraph (A), (B),
13 (C), or (D);

14 (3) the practice of real estate unless all the members
15 and managers, if any, that actively participate in the
16 real estate activities of the professional limited
17 liability company are licensed to practice as a managing
18 broker or broker pursuant to the Real Estate License Act
19 of 2000. All nonparticipating members or managers shall
20 submit affidavits of nonparticipation as required by the
21 Department and the Real Estate License Act of 2000;

22 (4) the practice of clinical psychology unless all the
23 managers and members are licensed to practice as a
24 clinical psychologist under the Clinical Psychologist
25 Licensing Act;

26 (5) the practice of social work unless all the

1 managers and members are licensed to practice as a
2 clinical social worker or social worker under the Clinical
3 Social Work and Social Work Practice Act;

4 (6) the practice of marriage and family therapy unless
5 all the managers and members are licensed to practice as a
6 marriage and family therapist under the Marriage and
7 Family Therapy Licensing Act;

8 (7) the practice of professional counseling unless all
9 the managers and members are licensed to practice as a
10 clinical professional counselor or a professional
11 counselor under the Professional Counselor and Clinical
12 Professional Counselor Licensing and Practice Act;

13 (8) the practice of sex offender evaluation and
14 treatment unless all the managers and members are licensed
15 to practice as a sex offender evaluator or sex offender
16 treatment provider under the Sex Offender Evaluation and
17 Treatment Provider Act; or

18 (9) the practice of veterinary medicine unless all the
19 managers and members are licensed to practice as a
20 veterinarian under the Veterinary Medicine and Surgery
21 Practice Act of 2004.

22 (b) Notwithstanding any provision of this Section, any of
23 the following professional services may be combined and
24 offered within a single professional limited liability company
25 provided that each professional service is offered only by
26 persons licensed to provide that professional service and all

1 managers and members are licensed in at least one of the
2 professional services offered by the professional limited
3 liability company:

4 (1) the practice of medicine by physicians licensed
5 under the Medical Practice Act of 1987, the practice of
6 podiatry by podiatric physicians licensed under the
7 Podiatric Medical Practice Act of 1987, the practice of
8 dentistry by dentists licensed under the Illinois Dental
9 Practice Act, and the practice of optometry by
10 optometrists licensed under the Illinois Optometric
11 Practice Act of 1987;

12 (2) the practice of clinical psychology by clinical
13 psychologists licensed under the Clinical Psychologist
14 Licensing Act, the practice of social work by clinical
15 social workers or social workers licensed under the
16 Clinical Social Work and Social Work Practice Act, the
17 practice of marriage and family counseling by marriage and
18 family therapists licensed under the Marriage and Family
19 Therapy Licensing Act, the practice of professional
20 counseling by professional counselors and clinical
21 professional counselors licensed under the Professional
22 Counselor and Clinical Professional Counselor Licensing
23 and Practice Act, and the practice of sex offender
24 evaluation and treatment by sex offender evaluators and
25 sex offender treatment providers licensed under the Sex
26 Offender Evaluation and Treatment Provider Act;

1 (3) the practice of architecture by persons licensed
2 under the Illinois Architecture Practice Act of 1989, the
3 practice of professional engineering by persons licensed
4 under the Professional Engineering Practice Act of 1989,
5 the practice of structural engineering by persons licensed
6 under the Structural Engineering Practice Act of 1989, and
7 the practice of land surveying by persons licensed under
8 the Illinois Professional Land Surveyor Act of 1989; ~~or~~

9 (4) the practice of acupuncture by persons licensed
10 under the Acupuncture Practice Act, the practice of
11 massage by persons licensed under the Massage Licensing
12 Act, the practice of naprapathy by persons licensed under
13 the Naprapathic Practice Act, the practice of occupational
14 therapy by persons licensed under the Illinois
15 Occupational Therapy Practice Act, the practice of
16 physical therapy by persons licensed under the Illinois
17 Physical Therapy Act, and the practice of speech-language
18 pathology by persons licensed under the Illinois
19 Speech-Language Pathology and Audiology Practice Act; ~~or-~~

20 (5) services provided by persons licensed under the
21 Barber, Cosmetology, Esthetics, Hair Braiding, and Nail
22 Technology Act of 1985, the practice of massage therapy by
23 persons licensed under the Massage Therapy Practice Act,
24 and the practice of electrology by persons licensed under
25 the Electrologist Licensing Act.

26 (Source: P.A. 102-970, eff. 5-27-22.)

1 Section 99. Effective date. This Act takes effect upon
2 becoming law.".