

**104TH GENERAL ASSEMBLY****State of Illinois****2025 and 2026****SB3895**

Introduced 2/6/2026, by Sen. Suzy Glowiak Hilton

**SYNOPSIS AS INTRODUCED:**

See Index

Amends the Regulatory Sunset Act. Changes the repeal date of the Clinical Psychologist Licensing Act, the Illinois Optometric Practice Act of 1987, the Marriage and Family Therapy Licensing Act, the Boxing and Full-contact Martial Arts Act, the Massage Therapy Practice Act, the Medical Practice Act of 1987, and the Licensed Certified Professional Midwife Practice Act to January 1, 2032 (rather than January 1, 2027). Amends the Clinical Psychologist Licensing Act. Makes changes in provisions concerning written collaborative agreements; temporary authorization of practice by persons licensed in other jurisdictions; and disciplinary action. Amends the Marriage and Family Therapy Licensing Act. Makes changes in provisions concerning exemptions and restrictions and limitations. Amends the Massage Therapy Practice Act. Makes changes in provisions concerning licensure requirements and grounds for discipline. Amends the Medical Practice Act of 1987. Makes changes in provisions concerning certain permits; disciplinary action; and physician delegation of authority. Amends the Illinois Optometric Practice Act of 1987. Makes changes in provisions concerning permitted activities and grounds for disciplinary action. Amends the Illinois Physical Therapy Act. Makes changes in provisions concerning exempt activities. Amends the Boxing and Full-contact Martial Arts Act. Makes changes in provisions concerning the authorization to conduct contests; professional or amateur contests; and medical suspension. Amends the Sex Offender Evaluation and Treatment Provider Act. Makes changes in provisions concerning qualifications for licensure and the appointment of a hearing officer. Repeals provisions concerning a roster of names maintained by the Department of Financial and Professional Regulation. Amends the Barber, Cosmetology, Esthetics, Hair Braiding, and Nail Technology Act of 1985. Makes changes in provisions concerning the requisites for ownership or operation of salons and shops. Amends the Electrologist Licensing Act. Makes changes in provisions concerning exemptions. Amends the Professional Service Corporation Act. Makes changes in the definition of "related professional services". Amends the Professional Limited Liability Company Act. Makes changes in provisions concerning the nature of business. Makes other changes. Effective immediately.

LRB104 18002 AAS 31439 b

**A BILL FOR**

1 AN ACT concerning regulation.

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

4 Section 5. The 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.

17 The Community Association Manager Licensing and  
18 Disciplinary Act.

19 The Detection of Deception Examiners Act.

20 The Home Inspector License Act.

21 ~~The Massage Licensing Act.~~

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

23 The Petroleum Equipment Contractors Licensing Act.

1 The Radiation Protection Act of 1990.  
2 The Real Estate Appraiser Licensing Act of 2002.  
3 The Registered Interior Designers Act.  
4 The Landscape Architecture Registration Act.  
5 The Water Well and Pump Installation Contractor's License  
6 Act.

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

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

12 (5 ILCS 80/4.42)

13 Sec. 4.42. Acts repealed on January 1, 2032. The following  
14 Acts are repealed on January 1, 2032:

15 The Collateral Recovery Act.

16 The Clinical Psychologist Licensing Act.

17 The Illinois Optometric Practice Act of 1987.

18 The Marriage and Family Therapy Licensing Act.

19 The Boxing and Full-contact Martial Arts Act.

20 The Massage Therapy Practice Act.

21 The Medical Practice Act of 1987.

22 The Licensed Certified Professional Midwife Practice Act.

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

24 Section 10. The Clinical Psychologist Licensing Act is

1 amended by changing Sections 2, 2.5, 3, 4, 4.3, 4.5, 5, 7, 10,  
2 11, 11.5, 12.5, 13, 14, 15, 16, 16.1, 21, 21.2, 25, 26, 26.5,  
3 and 27 as follows:

4 (225 ILCS 15/2) (from Ch. 111, par. 5352)

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

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

7 (1) "Department" means the Department of Financial and  
8 Professional Regulation.

9 (2) "Secretary" means the Secretary of Financial and  
10 Professional Regulation.

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

13 (4) (Blank).

14 (5) "Clinical psychology" means the independent  
15 evaluation, classification, diagnosis, and treatment of  
16 mental, emotional, behavioral or nervous disorders or  
17 conditions, developmental disabilities, alcoholism and  
18 substance abuse, disorders of habit or conduct, and the  
19 psychological aspects of physical illness. The practice of  
20 clinical psychology includes psychoeducational  
21 evaluation, therapy, remediation and consultation, the use  
22 of psychological and neuropsychological testing,  
23 assessment, psychotherapy, psychoanalysis, hypnosis,  
24 biofeedback, and behavioral modification when any of these  
25 are used for the purpose of preventing or eliminating

1 psychopathology, or for the amelioration of psychological  
2 disorders of individuals or groups. "Clinical psychology"  
3 does not include the use of hypnosis by unlicensed persons  
4 pursuant to Section 3.

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

15 (7) "Clinical psychological services" refers to any  
16 services under paragraph (5) of this Section if the words  
17 "psychological", "psychologic", "psychologist",  
18 "psychology" or "clinical psychologist" are used to  
19 describe such services by the person or organization  
20 offering to render or rendering them.

21 (8) "Collaborating physician" means a physician  
22 licensed to practice medicine in all of its branches in  
23 Illinois who generally prescribes medications for the  
24 treatment of mental health disease or illness to the  
25 physician's ~~his or her~~ patients in the normal course of  
26 the physician's ~~his or her~~ clinical medical practice.

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

7           (10) "Prescriptive authority" means the authority to  
8           prescribe, administer, discontinue, or distribute drugs or  
9           medicines.

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

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

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

18          (14) "Address of record" means the designated address  
19          recorded by the Department in the applicant's application  
20          file or the licensee's license file maintained by the  
21          Department's licensure maintenance unit.

22          (15) "Email address of record" means the designated  
23          email address recorded by the Department in the  
24          applicant's application file or the licensee's license  
25          file, as maintained by the Department's licensure  
26          maintenance unit.

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

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

5           (225 ILCS 15/2.5)

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

7       Sec. 2.5. Address of record; email address of record  
8 ~~Change of address.~~ All applicants and licensees shall:

9           (1) provide a valid address and email address to the  
10 Department, which shall serve as the address of record and  
11 email address of record, respectively, at the time of  
12 application for licensure or renewal of a license; and

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

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

22           (225 ILCS 15/3) (from Ch. 111, par. 5353)

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

24       Sec. 3. Necessity of license; corporations, professional

1 limited liability companies, partnerships, and associations;  
2 display of license.

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

15 No person may engage in the practice of clinical  
16 psychology, as defined in paragraph (5) of Section 2 of this  
17 Act, without a license granted under this Act, except as  
18 otherwise provided in this Act.

19 (b) No business organization shall provide, attempt to  
20 provide, or offer to provide clinical psychological services  
21 unless every member, shareholder, director, officer, holder of  
22 any other ownership interest, agent, and employee who renders  
23 clinical psychological services holds a currently valid  
24 license issued under this Act. No corporation or limited  
25 liability company shall be created that (i) has a stated  
26 purpose that includes clinical psychology, or (ii) practices

1 or holds itself out as available to practice clinical  
2 psychology, unless it is organized under the Professional  
3 Service Corporation Act or the Professional Limited Liability  
4 Company Act.

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

19 (c-5) Nothing in this Act shall preclude individuals  
20 licensed under this Act from practicing directly or indirectly  
21 for a physician licensed to practice medicine in all its  
22 branches under the Medical Practice Act of 1987 or for any  
23 legal entity as provided under subsection (c) of Section 22.2  
24 of the Medical Practice Act of 1987.

25 Nothing in this Act shall preclude individuals licensed  
26 under this Act from practicing directly or indirectly for any

1 hospital licensed under the Hospital Licensing Act or any  
2 hospital affiliate as defined in Section 10.8 of the Hospital  
3 Licensing Act and any hospital authorized under the University  
4 of Illinois Hospital Act.

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

20 (e) Nothing in this Act shall be construed to limit the  
21 services and use of official title on the part of a person, not  
22 licensed under the provisions of this Act, in the employ of a  
23 State, county, or municipal agency or other political  
24 subdivision insofar that such services are a part of the  
25 duties in the person's ~~his or her~~ salaried position, and  
26 insofar that such services are performed solely on behalf of

1 the person's ~~his or her~~ employer.

2 Nothing contained in this Section shall be construed as  
3 permitting such person to offer their services as  
4 psychologists to any other persons and to accept remuneration  
5 for such psychological services other than as specifically  
6 excepted herein, unless they have been licensed under the  
7 provisions of this Act.

8 (f) Duly recognized members of any bona fide ~~bonafide~~  
9 religious denomination shall not be restricted from  
10 functioning in their ministerial capacity provided they do not  
11 represent themselves as being clinical psychologists or  
12 providing clinical psychological services.

13 (g) Nothing in this Act shall prohibit individuals not  
14 licensed under the provisions of this Act who work in  
15 self-help groups or programs or not-for-profit organizations  
16 from providing services in those groups, programs, or  
17 organizations, provided that such persons are not in any  
18 manner held out to the public as rendering clinical  
19 psychological services as defined in paragraph 7 of Section 2  
20 of this Act.

21 (h) Nothing in this Act shall be construed to prevent a  
22 person from practicing hypnosis without a license issued under  
23 this Act provided that the person (1) does not otherwise  
24 engage in the practice of clinical psychology, including, but  
25 not limited to, the independent evaluation, classification,  
26 and treatment of mental, emotional, behavioral, or nervous

1 disorders or conditions, developmental disabilities,  
2 alcoholism and substance abuse, disorders of habit or conduct,  
3 and the psychological aspects of physical illness, (2) does  
4 not otherwise engage in the practice of medicine, including,  
5 but not limited to, the diagnosis or treatment of physical or  
6 mental ailments or conditions, and (3) does not hold the  
7 person ~~himself or herself~~ out to the public by a title or  
8 description stating or implying that the individual is a  
9 clinical psychologist or is licensed to practice clinical  
10 psychology.

11 (i) Every licensee under this Act shall prominently  
12 display the license at the licensee's principal office, place  
13 of business, or place of employment and, whenever requested by  
14 any representative of the Department, must exhibit the  
15 license.

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

17 (225 ILCS 15/4) (from Ch. 111, par. 5354)

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

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

20 (a) Nothing in this Act shall be construed to limit the  
21 activities of and services of a student, intern or resident in  
22 psychology seeking to fulfill educational requirements or the  
23 experience requirements in order to qualify for a license  
24 under this Act, or an individual seeking to fulfill the  
25 postdoctoral experience requirements in order to qualify for

1 licensure under this Act provided that such activities and  
2 services are under the direct supervision, order, control and  
3 full professional responsibility of a licensed clinical  
4 psychologist and provided that such student, intern, or  
5 resident be designated by a title "intern" or "resident" or  
6 other designation of trainee status. Supervised experience in  
7 which the supervisor receives monetary payment or other  
8 considerations from the supervisee or in which the supervisor  
9 is hired by or otherwise employed by the supervisee shall not  
10 be accepted by the Department as fulfilling the practicum,  
11 internship or 2 years of satisfactory supervised experience  
12 requirements for licensure. Nothing contained in this Section  
13 shall be construed as permitting such students, interns, or  
14 residents to offer their services as clinical psychologists to  
15 any other person or persons and to accept remuneration for  
16 such clinical psychological services other than as  
17 specifically excepted herein, unless they have been licensed  
18 under the provisions of this Act. Students, interns, and  
19 residents providing services pursuant to the exemption under  
20 this subsection (a) who violate any provision of this Act or  
21 its rules shall be subject to the provisions of Sections 16.5  
22 and 27.2.

23 (b) Nothing in this Act shall be construed as permitting  
24 persons licensed as clinical psychologists to engage in any  
25 manner in the practice of medicine as defined in the laws of  
26 this State. Persons licensed as clinical psychologists who

1 render services to persons in need of mental treatment or who  
2 are mentally ill shall as appropriate initiate genuine  
3 collaboration with a physician licensed in Illinois to  
4 practice medicine in all its branches.

5 (c) Nothing in this Act shall be construed as restricting  
6 an individual certified as a school psychologist by the State  
7 Board of Education, who is at least 21 years of age and has had  
8 at least 3 years of full-time experience as a certified school  
9 psychologist, from using the title school psychologist and  
10 offering school psychological services limited to those  
11 services set forth in the rules and regulations that govern  
12 the administration and operation of special education  
13 pertaining to children and youth ages 0-21 prepared by the  
14 State Board of Education. Anyone offering such services under  
15 the provisions of this paragraph shall use the term school  
16 psychologist and describe such services as "School  
17 Psychological Services". This exemption shall be limited to  
18 the practice of school psychology only as manifested through  
19 psychoeducational problems, and shall not be construed to  
20 allow a school psychologist to function as a general  
21 practitioner of clinical psychology, unless otherwise licensed  
22 under this Act. However, nothing in this paragraph prohibits a  
23 school psychologist from making evaluations, recommendations  
24 or interventions regarding the placement of children in  
25 educational programs or special education classes, nor shall  
26 it prohibit school psychologists from providing clinical

1 psychological services under the supervision of a licensed  
2 clinical psychologist. This paragraph shall not be construed  
3 to mandate insurance companies to reimburse school  
4 psychologists directly for the services of school  
5 psychologists. Nothing in this paragraph shall be construed to  
6 exclude anyone duly licensed under this Act from offering  
7 psychological services in the school setting. School  
8 psychologists providing services under the provisions of this  
9 paragraph shall not provide such services outside their  
10 employment to any child who is a student in the district or  
11 districts which employ such school psychologist. School  
12 psychologists, as described in this paragraph, shall be under  
13 the regulatory authority of the State Board of Education and  
14 the State Teacher Certification Board.

15 (d) Nothing in this Act shall be construed to limit the  
16 activities and use of the official title of "psychologist" on  
17 the part of a person not licensed under this Act who possesses  
18 a doctoral degree earned in a program concentrated primarily  
19 on the study of psychology and is an academic employee of a  
20 duly chartered institution of higher education insofar as such  
21 person engages in public speaking with or without  
22 remuneration, provided that such person is not in any manner  
23 held out to the public as practicing clinical psychology as  
24 defined in paragraph 5 of Section 2 of this Act, unless the  
25 person ~~he or she~~ has been licensed under the provisions of this  
26 Act.

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

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

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

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

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

2 Sec. 4.3. Written collaborative agreements.

3 (a) A written collaborative agreement is required for all  
4 prescribing psychologists practicing under a prescribing  
5 psychologist license issued pursuant to Section 4.2 of this  
6 Act.

7 (b) A written delegation of prescriptive authority by a  
8 collaborating physician may only include medications for the  
9 treatment of mental health disease or illness the  
10 collaborating physician generally provides to the  
11 collaborating physician's ~~his or her~~ patients in the normal  
12 course of the collaborating physician's ~~his or her~~ clinical  
13 practice with the exception of the following:

14 (1) patients who are less than 17 years of age or over  
15 65 years of age;

16 (2) patients during pregnancy;

17 (3) patients with serious medical conditions, such as  
18 heart disease, cancer, stroke, or seizures, and with  
19 developmental disabilities and intellectual disabilities;  
20 and

21 (4) prescriptive authority for benzodiazepine Schedule  
22 III controlled substances.

23 (c) The collaborating physician shall file with the  
24 Department notice of delegation of prescriptive authority and  
25 termination of the delegation, in accordance with rules of the  
26 Department. Upon receipt of this notice delegating authority

1 to prescribe any nonnarcotic Schedule III through V controlled  
2 substances, the licensed clinical psychologist shall be  
3 eligible to register for a mid-level practitioner controlled  
4 substance license under Section 303.05 of the Illinois  
5 Controlled Substances Act.

6 (d) All of the following shall apply to delegation of  
7 prescriptive authority:

8 (1) Any delegation of Schedule III through V  
9 controlled substances shall identify the specific  
10 controlled substance by brand name or generic name. No  
11 controlled substance to be delivered by injection may be  
12 delegated. No Schedule II controlled substance shall be  
13 delegated.

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

17 Any prescribing psychologist who writes a prescription for  
18 a controlled substance without having valid and appropriate  
19 authority may be fined by the Department not more than \$50 per  
20 prescription and the Department may take any other  
21 disciplinary action provided for in this Act.

22 All prescriptions written by a prescribing psychologist  
23 must contain the name of the prescribing psychologist and the  
24 prescribing psychologist's ~~his or her~~ signature. The  
25 prescribing psychologist shall sign the prescribing  
26 psychologist's ~~his or her~~ own name.

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

16           (f) The agreement shall promote the exercise of  
17 professional judgment by the prescribing psychologist  
18 corresponding to the prescribing psychologist's ~~his or her~~  
19 education and experience.

20           (g) The collaborative agreement shall not be construed to  
21 require the personal presence of a physician at the place  
22 where services are rendered. Methods of communication shall be  
23 available for consultation with the collaborating physician in  
24 person or by telecommunications in accordance with established  
25 written guidelines as set forth in the written agreement.

26           (h) Collaboration and consultation pursuant to all

1 collaboration agreements shall be adequate if a collaborating  
2 physician does each of the following:

3 (1) participates in the joint formulation and joint  
4 approval of orders or guidelines with the prescribing  
5 psychologist and the collaborating physician ~~he or she~~  
6 periodically reviews the prescribing psychologist's orders  
7 and the services provided patients under the orders in  
8 accordance with accepted standards of medical practice and  
9 prescribing psychologist practice;

10 (2) provides collaboration and consultation with the  
11 prescribing psychologist in person at least once a month  
12 for review of safety and quality clinical care or  
13 treatment;

14 (3) is available through telecommunications for  
15 consultation on medical problems, complications,  
16 emergencies, or patient referral; and

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

20 (i) The written collaborative agreement shall contain  
21 provisions detailing notice for termination or change of  
22 status involving a written collaborative agreement, except  
23 when the notice is given for just cause.

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

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

4 (l) A prescribing psychologist shall inform each  
5 collaborating physician of all collaborative agreements the  
6 prescribing psychologist ~~he or she~~ has signed and provide a  
7 copy of these to any collaborating physician.

8 (m) No collaborating physician shall enter into more than  
9 3 collaborative agreements with prescribing psychologists.

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

11 (225 ILCS 15/4.5)

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

13 Sec. 4.5. Endorsement; prescribing psychologists.

14 (a) Individuals who are already licensed as medical or  
15 prescribing psychologists in another state may apply for an  
16 Illinois prescribing psychologist license by endorsement from  
17 that state, or acceptance of that state's examination if they  
18 meet the requirements set forth in this Act and its rules,  
19 including proof of successful completion of the educational,  
20 testing, and experience standards. Applicants from other  
21 states may not be required to pass the examination required  
22 for licensure as a prescribing psychologist in Illinois if  
23 they meet requirements set forth in this Act and its rules,  
24 such as proof of education, testing, payment of any fees, and  
25 experience.

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

10 (c) Individuals applying for a prescribing psychologist  
11 license by endorsement shall be required to first obtain a  
12 clinical psychologist license under this Act.

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

14 (225 ILCS 15/5) (from Ch. 111, par. 5355)

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

16 Sec. 5. Confidentiality of information. No clinical  
17 psychologist shall disclose any information the clinical  
18 psychologist ~~he or she~~ may have acquired from persons  
19 consulting the clinical psychologist ~~him or her~~ in the  
20 clinical psychologist's ~~his or her~~ professional capacity, to  
21 any persons except only: (1) in trials for homicide when the  
22 disclosure relates directly to the fact or immediate  
23 circumstances of the homicide, (2) in all proceedings the  
24 purpose of which is to determine mental competency, or in  
25 which a defense of mental incapacity is raised, (3) in

1 actions, civil or criminal, against the psychologist for  
2 malpractice, (4) with the expressed consent of the client, or  
3 in the case of the client's ~~his or her~~ death or disability, the  
4 client's ~~or his or her~~ personal representative or other person  
5 authorized to sue or of the beneficiary of an insurance policy  
6 on the client's ~~his or her~~ life, health, or physical  
7 condition, or (5) upon an issue as to the validity of a  
8 document as a will of a client. In the event of a conflict  
9 between the application of this Section and the Mental Health  
10 and Developmental Disabilities Confidentiality Act to a  
11 specific situation, the provisions of the Mental Health and  
12 Developmental Disabilities Confidentiality Act shall control.

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

14 (225 ILCS 15/7) (from Ch. 111, par. 5357)

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

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

18 The Board shall consist of 11 persons: 4 of whom are  
19 licensed clinical psychologists and actively engaged in the  
20 practice of clinical psychology; 2 of whom are licensed  
21 prescribing psychologists; 2 of whom are physicians licensed  
22 to practice medicine in all its branches in Illinois who  
23 generally prescribe medications for the treatment of mental  
24 health disease or illness in the normal course of clinical  
25 medical practice, one of whom shall be a psychiatrist and the

1 other a primary care or family physician; 2 of whom are  
2 licensed clinical psychologists and are full-time ~~full-time~~  
3 faculty members of accredited colleges or universities who are  
4 engaged in training clinical psychologists; and one of whom is  
5 a public member who is not a licensed health care provider. In  
6 appointing members of the Board, the Secretary shall give due  
7 consideration to the adequate representation of the various  
8 fields of health care psychology such as clinical psychology,  
9 school psychology and counseling psychology. In appointing  
10 members of the Board, the Secretary shall give due  
11 consideration to recommendations by members of the profession  
12 of clinical psychology and by the Statewide ~~State-wide~~  
13 organizations representing the interests of clinical  
14 psychologists and organizations representing the interests of  
15 academic programs as well as recommendations by approved  
16 doctoral level psychology programs in the State of Illinois,  
17 and, with respect to the 2 physician members of the Board, the  
18 Secretary shall give due consideration to recommendations by  
19 the Statewide professional associations or societies  
20 representing physicians licensed to practice medicine in all  
21 its branches in Illinois. The members shall be appointed for a  
22 term of 4 years. No member shall be eligible to serve for more  
23 than 2 full terms. Any appointment to fill a vacancy shall be  
24 for the unexpired portion of the term. A member appointed to  
25 fill a vacancy for an unexpired term for a duration of 2 years  
26 or more may be reappointed for a maximum of one term and a

1 member appointed to fill a vacancy for an unexpired term for a  
2 duration of less than 2 years may be reappointed for a maximum  
3 of 2 terms. The Secretary may remove any member for cause at  
4 any time prior to the expiration of the member's ~~his or her~~  
5 term.

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

15 The Board shall annually elect a chairperson and vice  
16 chairperson.

17 The members of the Board shall be reimbursed for all  
18 authorized legitimate and necessary expenses incurred in  
19 attending the meetings of the Board.

20 The Secretary shall give due consideration to all  
21 recommendations of the Board.

22 The Board may make recommendations on all matters relating  
23 to continuing education including the number of hours  
24 necessary for license renewal, waivers for those unable to  
25 meet such requirements and acceptable course content. Such  
26 recommendations shall not impose an undue burden on the

1 Department or an unreasonable restriction on those seeking  
2 license renewal.

3 The 2 licensed prescribing psychologist members of the  
4 Board and the 2 physician members of the Board shall only  
5 deliberate and make recommendations related to the licensure  
6 and discipline of prescribing psychologists. Four members  
7 shall constitute a quorum, except that all deliberations and  
8 recommendations related to the licensure and discipline of  
9 prescribing psychologists shall require a quorum of 6 members.  
10 A quorum is required for all Board decisions.

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

14 The Secretary may terminate the appointment of any member  
15 for cause which in the sole opinion of the Secretary  
16 reasonably justifies such termination.

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

18 (225 ILCS 15/10) (from Ch. 111, par. 5360)

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

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

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

25 (2) (blank);

1           (3) is a graduate of a doctoral program from a  
2 college, university or school accredited by the regional  
3 accrediting body which is recognized by the Council on  
4 Postsecondary Accreditation and is in the jurisdiction in  
5 which it is located for purposes of granting the doctoral  
6 degree and either:

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

18           (b) holds a doctoral degree from a recognized  
19 college, university or school which the Department,  
20 through its rules, establishes as being equivalent to  
21 a clinical, school or counseling psychology program  
22 and has completed at least one course in each of the  
23 following 7 content areas, in actual attendance at a  
24 recognized university, college or school whose  
25 graduates would be eligible for licensure under this  
26 Act: scientific and professional ethics, biological

1 basis of behavior, cognitive-affective basis of  
2 behavior, social basis of behavior, individual  
3 differences, assessment, and treatment modalities; and  
4 has completed 2 years of satisfactory supervised  
5 experience in clinical, school or counseling  
6 psychology, at least one of which is an internship and  
7 one of which is postdoctoral; or

8 (c) holds a doctorate in psychology or in a  
9 program whose content is psychological in nature from  
10 an accredited college, university or school not  
11 meeting the standards of paragraph (a) or (b) of this  
12 subsection (3) and provides evidence of the completion  
13 of at least one course in each of the 7 content areas  
14 specified in paragraph (b) in actual attendance at a  
15 recognized university, school or college whose  
16 graduate would be eligible for licensure under this  
17 Act; and has completed an appropriate practicum, an  
18 internship or equivalent supervised clinical  
19 experience in an organized mental health care setting  
20 and 2 years of satisfactory supervised experience in  
21 clinical or counseling psychology, at least one of  
22 which is postdoctoral; and

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

26 Applicants for licensure under subsection (3) (a) and (3) (b) of

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

14 Programs leading to a doctoral degree require minimally  
15 the equivalent of 3 full-time academic years of graduate  
16 study, at least 2 years of which are at the institution from  
17 which the degree is granted, and of which at least one year or  
18 its equivalent is in residence at the institution from which  
19 the degree is granted. Course work for which credit is given  
20 for life experience will not be accepted by the Department as  
21 fulfilling the educational requirements for licensure.  
22 Residence requires interaction with psychology faculty and  
23 other matriculated psychology students; one year's residence  
24 or its equivalent is defined as follows:

25 (a) 30 semester hours taken on a full-time or  
26 part-time basis at the institution accumulated within 24

1 months, or

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

12 To meet the requirement for satisfactory supervised  
13 experience, under this Act the supervision must be performed  
14 pursuant to the order, control and full professional  
15 responsibility of a licensed clinical psychologist. The  
16 clients shall be the clients of the agency or supervisor  
17 rather than the supervisee. Supervised experience in which the  
18 supervisor receives monetary payment or other consideration  
19 from the supervisee or in which the supervisor is hired by or  
20 otherwise employed by the supervisee shall not be accepted by  
21 the Department as fulfilling the practicum, internship or 2  
22 years of satisfactory supervised experience requirements for  
23 licensure.

24 Examinations for applicants under this Act shall be held  
25 at the direction of the Department from time to time but not  
26 less than once each year. The scope and form of the examination

1 shall be determined by the Department.

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

11 Applicants have 3 years from the date of application to  
12 complete the application process. If the process has not been  
13 completed in 3 years, the application shall be denied, the fee  
14 shall be forfeited, and the applicant must reapply and meet  
15 the requirements in effect at the time of reapplication.

16 An applicant has one year from the date of notification of  
17 successful completion of the examination to apply to the  
18 Department for a license. If an applicant fails to apply  
19 within one year, the applicant shall be required to take and  
20 pass the examination again unless licensed in another  
21 jurisdiction of the United States within one year of passing  
22 the examination.

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

24 (225 ILCS 15/11) (from Ch. 111, par. 5361)

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

1           Sec. 11. Endorsement; clinical psychologists ~~Persons~~  
2 ~~licensed in other jurisdictions.~~

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

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

17           (1) has been licensed based on a doctorate degree to  
18 practice psychology in one or more other states or Canada  
19 for at least 30 months during the 5 consecutive years  
20 preceding application ~~20 years;~~

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

24           (3) (blank);

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

1 (5) complies with all additional rules promulgated  
2 under this subsection.

3 The Department may promulgate rules to further define  
4 these licensing criteria.

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

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

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

16 (225 ILCS 15/11.5)

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

18 Sec. 11.5. Temporary authorization of practice by persons  
19 licensed in other jurisdictions.

20 (a) A person licensed in another jurisdiction is  
21 authorized to render ~~The Department, in its discretion, may~~  
22 ~~issue a temporary permit authorizing the rendering of~~ clinical  
23 psychological services, as defined in Section 2 of this Act,  
24 in this State for up to 10 calendar days per year,  
25 consecutively or in aggregate if the ~~. This temporary permit~~

1 ~~may be issued to an individual who~~ is licensed in good standing  
2 to practice psychology independently and at the doctoral level  
3 in another state, province, or territory. Any portion of a  
4 calendar day in which the psychologist provides services in  
5 this State is considered one working day. In no case shall a  
6 person practicing pursuant to this subsection (a) establish a  
7 permanent office location in Illinois, nor prepare or publish  
8 letterhead, business cards, or similar publicity materials  
9 listing an Illinois address or Illinois-based phone number.  
10 Time devoted to providing testimony in court or in deposition  
11 shall not be counted as part of the 10 calendar days allowed  
12 under this subsection (a).

13 ~~An applicant for a temporary permit under this subsection~~  
14 ~~(a) must apply to the Department on forms and in the manner~~  
15 ~~prescribed by the Department. The application shall require~~  
16 ~~that the applicant submit to the Department (i) satisfactory~~  
17 ~~proof that the applicant is licensed in good standing to~~  
18 ~~practice psychology independently and at the doctoral level in~~  
19 ~~another state, province, or territory, including the sworn~~  
20 ~~statement of the applicant that his or her license is not~~  
21 ~~encumbered in any manner by any licensing authority, (ii) the~~  
22 ~~name of the state, province, or territory in which the~~  
23 ~~applicant is licensed, and (iii) the applicant's license~~  
24 ~~number or other appropriate identifier issued by the licensing~~  
25 ~~authority to the applicant.~~

26 (b) The Secretary may temporarily authorize an individual

1 to practice clinical psychology who (i) holds an active,  
2 unencumbered license in good standing in another jurisdiction  
3 and (ii) has applied for a license under this Act due to a  
4 natural disaster or catastrophic event in the jurisdiction in  
5 which the individual ~~he or she~~ is licensed. The temporary  
6 authorization granted under this subsection (b) expires upon  
7 the issuance of a license under this Act or upon the  
8 notification that licensure has been denied by the Department.

9 (c) Any psychologist practicing pursuant to subsection (a)  
10 or (b) of this Section shall conform the psychologist's ~~his or~~  
11 ~~her~~ practice to the mandates of and shall be subject to the  
12 prohibitions and sanctions, as well as the provisions on  
13 hearings and investigations, contained in this Act and any  
14 rules adopted thereunder while the psychologist ~~he or she~~ is  
15 practicing in this State.

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

17 (225 ILCS 15/12.5)

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

19 Sec. 12.5. 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 license under  
23 this Act shall include the applicant's Social Security Number  
24 or individual taxpayer identification number, which shall be  
25 retained in the agency's records pertaining to the license. As

1 soon as practical, the Department shall assign a customer's  
2 identification number to each applicant for a license.

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

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

6 (225 ILCS 15/13) (from Ch. 111, par. 5363)

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

8 Sec. 13. License renewal; restoration.

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

21 A clinical psychologist who has permitted the clinical  
22 psychologist's ~~his or her~~ license to expire or who has had the  
23 clinical psychologist's ~~his or her~~ license on inactive status  
24 may have the clinical psychologist's ~~his or her~~ license  
25 restored by making application to the Department and filing

1 proof acceptable to the Department, as defined by rule, of the  
2 clinical psychologist's ~~his or her~~ fitness to have the  
3 clinical psychologist's ~~his or her~~ license restored, including  
4 evidence certifying to active practice in another jurisdiction  
5 satisfactory to the Department and by paying the required  
6 restoration fee.

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

15 However, any clinical psychologist ~~whose~~ license that  
16 expires ~~expired~~ while the clinical psychologist ~~he or she~~ was  
17 (1) in Federal Service on active duty with the Armed Forces of  
18 the United States, or the State Militia called into service or  
19 training, or (2) in training or education under the  
20 supervision of the United States preliminary to induction into  
21 the military service, may have the ~~his or her~~ license renewed  
22 or restored without paying any lapsed renewal fees if within 2  
23 years after honorable termination of such service, training or  
24 education the clinical psychologist ~~he or she~~ furnishes the  
25 Department with satisfactory evidence to the effect that the  
26 clinical psychologist ~~he or she~~ has been so engaged and that

1 the clinical psychologist's ~~his or her~~ service, training, or  
2 education has been so terminated.

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

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

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

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

17 Sec. 14. Inactive status. Any clinical psychologist who  
18 notifies the Department in writing on forms prescribed by the  
19 Department, may elect to place the clinical psychologist's ~~his~~  
20 ~~or her~~ license on an inactive status and shall, subject to  
21 rules of the Department, be excused from payment of renewal  
22 fees until the clinical psychologist ~~he or she~~ notifies the  
23 Department in writing of the clinical psychologist's ~~his or~~  
24 ~~her~~ intent to restore the clinical psychologist's ~~his or her~~  
25 license.

1 Any clinical psychologist requesting restoration from  
2 inactive status shall be required to pay the current renewal  
3 fee and shall be required to restore the clinical  
4 psychologist's ~~his or her~~ license as provided in Section 13 of  
5 this Act.

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

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

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

13 (225 ILCS 15/15) (from Ch. 111, par. 5365)

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

15 Sec. 15. Disciplinary action; grounds.

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

23 (1) Conviction of, or entry of a plea of guilty or nolo  
24 contendere to, any crime that is a felony under the laws of  
25 the United States or any state or territory thereof or

1           that is a misdemeanor of which an essential element is  
2           dishonesty, or any crime that is directly related to the  
3           practice of the profession.

4           (2) Gross negligence in the rendering of clinical  
5           psychological services.

6           (3) Using fraud or making any misrepresentation in  
7           applying for a license or in passing the examination  
8           provided for in this Act.

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

13          (5) Violation of any provision of this Act or the  
14          rules promulgated thereunder.

15          (6) Professional connection or association with any  
16          person, firm, association, partnership or corporation  
17          holding ~~himself, herself, themselves,~~ or itself out in any  
18          manner contrary to this Act.

19          (7) Unethical, unauthorized, or unprofessional conduct  
20          as defined by rule. In establishing those rules, the  
21          Department shall consider, though is not bound by, the  
22          ethical standards for psychologists promulgated by  
23          recognized national psychology associations.

24          (8) Aiding or assisting another person in violating  
25          any provisions of this Act or the rules promulgated  
26          thereunder.

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

3           (10) Habitual or excessive use or addiction to  
4 alcohol, narcotics, stimulants, or any other chemical  
5 agent or drug that results in a clinical psychologist's  
6 inability to practice with reasonable judgment, skill, or  
7 safety.

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

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

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

4           (14) Willfully making or filing false records or  
5           reports, including, but not limited to, false records or  
6           reports filed with State agencies or departments.

7           (15) Physical illness, including, but not limited to,  
8           deterioration through the aging process, mental illness,  
9           or disability that results in the inability to practice  
10          the profession with reasonable judgment, skill, and  
11          safety.

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

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

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

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

1           (20) Failing to report to the Department any adverse  
2 judgment, settlement, or award arising from a liability  
3 claim related to an act or conduct similar to an act or  
4 conduct that would constitute grounds for action as set  
5 forth in this Section.

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

16           (22)       Prescribing,       selling,       administering,  
17 distributing, giving, or self-administering (A) any drug  
18 classified as a controlled substance (designated product)  
19 for other than medically accepted therapeutic purposes or  
20 (B) any narcotic drug.

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

24           (24) Exceeding the terms of a collaborative agreement  
25 or the prescriptive authority delegated to a licensee by  
26 the licensee's ~~his or her~~ collaborating physician or

1 established under a written collaborative agreement.

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

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

23 In enforcing this Section, the Department or Board upon a  
24 showing of a possible violation may compel any person licensed  
25 to practice under this Act, or who has applied for licensure or  
26 certification pursuant to this Act, to submit to a mental or

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

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

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

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

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

25 (b) The Department shall not revoke, suspend, place on  
26 probation, reprimand, refuse to issue or renew, or take any

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

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

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

25 (e) The Department shall not revoke, suspend, summarily  
26 suspend, place on prohibition, reprimand, refuse to issue or

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

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

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

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

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

17 Sec. 16. Investigations; notice; hearing.

18 (a) The Department may investigate the actions of any  
19 applicant or of any person or persons holding or claiming to  
20 hold a license or registration under this Act.

21 (b) The Department shall, before disciplining an applicant  
22 or licensee, at least 30 days before the date set for the  
23 hearing, (i) notify the accused in writing of the charges made  
24 and the time and place for the hearing on the charges, (ii)  
25 direct the applicant or licensee ~~him or her~~ to file a written

1 answer to the charges under oath within 20 days after service,  
2 and (iii) inform the applicant or licensee that failure to  
3 answer will result in a default being entered against the  
4 applicant or licensee.

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

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

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

24 (225 ILCS 15/16.1)

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

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

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

11           (225 ILCS 15/21) (from Ch. 111, par. 5371)

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

13           Sec. 21. Restoration of license. At any time after the  
14 suspension or revocation of any license, the Department may  
15 restore it to the licensee upon the written recommendation of  
16 the Board unless after an investigation and hearing the Board  
17 or Department determines that restoration is not in the public  
18 interest. Where circumstances of suspension or revocation so  
19 indicate, the Department may require an examination of the  
20 accused person prior to restoring the accused person's ~~his or~~  
21 ~~her~~ license.

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

23           (225 ILCS 15/21.2)

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

1           Sec. 21.2. Surrender of license. Upon the revocation or  
2 suspension of a license, the licensee shall immediately  
3 surrender the licensee's ~~his or her~~ license to the Department.  
4 If the licensee fails to do so, the Department has the right to  
5 seize the license.

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

7           (225 ILCS 15/25) (from Ch. 111, par. 5375)

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

9           Sec. 25. Returned checks; fines. Any person who delivers a  
10 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 certificate or  
23 deny the application, without hearing. If, after termination  
24 or denial, the person seeks a license or certificate, the  
25 person ~~he or she~~ shall apply to the Department for restoration

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

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

9 (225 ILCS 15/26) (from Ch. 111, par. 5376)

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

11 Sec. 26. Rendering services without a license. Any person  
12 rendering or offering to render clinical psychological  
13 services as defined in Section 2 of this Act or represents the  
14 person ~~himself or herself~~ or the person's ~~his or her~~ services  
15 as clinical psychological services as defined in Section 2 of  
16 this Act, when the person ~~he or she~~ does not possess a  
17 currently valid license as defined herein commits a Class B  
18 misdemeanor, for a first offense; and for a second or  
19 subsequent violation commits a Class 4 felony.

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

21 (225 ILCS 15/26.5)

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

23 Sec. 26.5. Advertising services. A licensee shall include  
24 in every advertisement for services regulated under this Act

1 the licensee's ~~his or her~~ title as it appears on the license or  
2 the initials authorized under this Act.

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

4 (225 ILCS 15/27) (from Ch. 111, par. 5377)

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

6 Sec. 27. Injunctions. It is hereby declared to be a public  
7 nuisance for any person to render or offer to render clinical  
8 psychological services as defined in Section 2 of this Act or  
9 to represent oneself ~~himself~~ as a clinical psychologist or  
10 that the services the person ~~he or she~~ renders are clinical  
11 psychological services as defined in Section 2 of this Act,  
12 without having in effect a currently valid license as defined  
13 in this Act. The Secretary, Attorney General, or the State's  
14 Attorney of the county in which such nuisance has occurred may  
15 file a complaint in the circuit court in the name of the People  
16 of the State of Illinois perpetually to enjoin such person  
17 from performing such unlawful acts. Upon the filing of a  
18 verified complaint in such cause, the court, if satisfied that  
19 such unlawful act has been performed and may continue to be  
20 performed, shall enter a temporary restraining order or  
21 preliminary injunction without notice or bond enjoining the  
22 defendant from performing such unlawful act.

23 If it is established that the defendant contrary to this  
24 Act has been rendering or offering to render clinical  
25 psychological services as defined in Section 2 of this Act or

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

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

15 Section 15. The Marriage and Family Therapy Licensing Act  
16 is amended by changing Sections 10, 15, 20, 25, 30, 45, 60, 65,  
17 75, 85, 90, 91, 95, 135, and 145 as follows:

18 (225 ILCS 55/10) (from Ch. 111, par. 8351-10)

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

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

21 "Address of record" means the designated address recorded  
22 by the Department in the applicant's application file or the  
23 licensee's license file maintained by the Department's  
24 licensure maintenance unit.

1 "Advertise" means, but is not limited to, issuing or  
2 causing to be distributed any card, sign, website, or other  
3 similar type of publication or electronic format or a device  
4 to any person; or causing, permitting or allowing any sign or  
5 marking on or in any building, structure, newspaper, magazine  
6 or directory, or on radio, ~~or~~ television, a website, or  
7 another similar type of electronic format; or advertising by  
8 any other means designed to secure public attention.

9 "Approved program" means an approved comprehensive program  
10 of study in marriage and family therapy in a regionally  
11 accredited educational institution approved by the Department  
12 for the training of marriage and family therapists.

13 "Associate licensed marriage and family therapist" means a  
14 person to whom an associate licensed marriage and family  
15 therapist license has been issued under this Act.

16 "Board" means the Illinois Marriage and Family Therapy  
17 Licensing and Disciplinary Board.

18 "Department" means the Department of Financial and  
19 Professional Regulation.

20 "Email address of record" means the designated email  
21 address recorded by the Department in the applicant's  
22 application file or the licensee's license file, as maintained  
23 by the Department's licensure maintenance unit.

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

1           "Independent practice of marriage and family therapy"  
2           means the application of marriage and family therapy knowledge  
3           and skills by a licensed marriage and family therapist who  
4           regulates and is responsible for the therapist's own practice  
5           or treatment procedures.

6           "License" means that which is required to practice  
7           marriage and family therapy under this Act, the qualifications  
8           for which include specific education, acceptable experience  
9           and examination requirements.

10          "Licensed marriage and family therapist" means a person to  
11          whom a marriage and family therapist license has been issued  
12          under this Act.

13          "Marriage and family therapy" means the evaluation and  
14          treatment of mental and emotional problems within the context  
15          of human relationships. Marriage and family therapy involves  
16          the use of psychotherapeutic methods to ameliorate  
17          interpersonal and intrapersonal conflict and to modify  
18          perceptions, beliefs and behavior in areas of human life that  
19          include, but are not limited to, premarriage, marriage,  
20          sexuality, family, divorce adjustment, and parenting.

21          "Person" means any individual, firm, corporation,  
22          partnership, organization, or body politic.

23          "Practice of marriage and family therapy" means the  
24          rendering of marriage and family therapy services to  
25          individuals, couples, and families as defined in this Section,  
26          either singly or in groups, whether the services are offered

1 directly to the general public or through organizations,  
2 either public or private, for a fee, monetary or otherwise.

3 "Secretary" means the Secretary of Financial and  
4 Professional Regulation.

5 ~~"Title or description" means to hold oneself out as a  
6 licensed marriage and family therapist or an associate  
7 licensed marriage and family therapist to the public by means  
8 of stating on signs, mailboxes, address plates, stationery,  
9 announcements, calling cards or other instruments of  
10 professional identification.~~

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

12 (225 ILCS 55/15) (from Ch. 111, par. 8351-15)

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

14 Sec. 15. Exemptions.

15 (a) (Blank). ~~Nothing contained in this Act shall restrict  
16 any person not licensed under this Act from performing  
17 marriage and family therapy if that person does not represent  
18 himself or herself as a "licensed marriage and family  
19 therapist" or an "associate licensed marriage and family  
20 therapist".~~

21 (b) Nothing in this Act shall be construed as permitting  
22 persons licensed as marriage and family therapists and  
23 associate licensed marriage and family therapists to engage in  
24 any manner in the practice of medicine as defined in the laws  
25 of this State.

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

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

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

23 (f) This Act does not prohibit:

24 (1) A person from practicing marriage and family  
25 therapy as part of the person's ~~his or her~~ duties as an  
26 employee of a recognized academic institution, or a

1 federal, State, county, or local governmental institution  
2 or agency while performing those duties for which the  
3 person ~~he or she~~ was employed by the institution, agency  
4 or facility.

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

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

21 (4) A person licensed in this State under any other  
22 Act from engaging the practice for which the person ~~he or~~  
23 ~~she~~ is licensed.

24 (5) A person from practicing marriage and family  
25 therapy if the person is a marriage and family therapist  
26 regulated under the laws of another State, territory of

1 the United States or country and who has applied in  
2 writing to the Department, on forms prepared and furnished  
3 by the Department, for licensing as a marriage and family  
4 therapist and who is qualified to receive a license under  
5 Section 40 until the expiration of 6 months after the  
6 filing of the written application, the withdrawal of the  
7 application, a notice of intent to deny the application,  
8 or the denial of the application by the Department,  
9 whichever occurs first.

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

11 (225 ILCS 55/20) (from Ch. 111, par. 8351-20)

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

13 Sec. 20. Powers and duties of the Department. Subject to  
14 the provisions of this Act, the Department shall exercise the  
15 following functions, powers, and duties:

16 (a) Conduct or authorize examinations to ascertain the  
17 fitness and qualifications of applicants for licensure and  
18 issue licenses to those who are found to be fit and  
19 qualified.

20 (b) Adopt rules required for the administration of  
21 this Act, including, but not limited to, rules for a  
22 method of examination of candidates and for determining  
23 approved graduate programs. All examinations, either  
24 conducted or authorized, must allow reasonable  
25 accommodations for an applicant whose primary language is

1 not English if an examination in the applicant's primary  
2 language is not available. All examinations either  
3 conducted or authorized must comply with all  
4 communication, access, and reasonable modification  
5 requirements in Section 504 of the federal Rehabilitation  
6 Act of 1973 and Title II of the Americans with  
7 Disabilities Act of 1990.

8 (b-5) Prescribe forms to be issued for the  
9 administration and enforcement of this Act consistent with  
10 and reflecting the requirements of this Act and rules  
11 adopted pursuant to this Act.

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

16 (d) Conduct investigations related to possible  
17 violations of this Act.

18 The Board may make recommendations on matters relating to  
19 continuing education, including the number of hours necessary  
20 for license renewal, waivers for those unable to meet the  
21 requirements, and acceptable course content.

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

23 (225 ILCS 55/25) (from Ch. 111, par. 8351-25)

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

25 Sec. 25. Marriage and Family Therapy Licensing and

1 Disciplinary Board.

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

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

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

24 (d) One member ~~Two members~~ shall be a representative  
25 ~~representatives~~ of the general public who has ~~have~~ no direct  
26 affiliation or work experience with the practice of marriage

1 and family therapy, social work or clinical social work,  
2 professional counseling or clinical professional counseling,  
3 or clinical psychology and who clearly represents ~~represent~~  
4 consumer interests.

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

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

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

17 (h) The Secretary may remove any member of the Board for  
18 any cause that, in the sole opinion of the Secretary,  
19 reasonably justifies termination.

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

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

26 (k) 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 exercise all  
3 the rights and perform all the duties of the Board.

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

5 (225 ILCS 55/30) (from Ch. 111, par. 8351-30)

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

7 Sec. 30. Application.

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

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

22 (c) A license shall not be denied to an applicant because  
23 of the applicant's race, religion, creed, national origin,  
24 real or perceived immigration status, political beliefs or  
25 activities, age, sex, sexual orientation, or physical

1 disability that does not affect a person's ability to practice  
2 with reasonable judgment, skill, or safety.

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

4 (225 ILCS 55/45) (from Ch. 111, par. 8351-45)

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

6 Sec. 45. Licenses; renewals; restoration; person in  
7 military service.

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

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

22 (c) If the person has not maintained an active practice in  
23 another jurisdiction satisfactory to the Department, the Board  
24 shall determine, by an evaluation program established by rule,  
25 the person's fitness to resume active status and may require

1 the person to complete a period of evaluated clinical  
2 experience and successful completion of a practical  
3 examination.

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

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

24 (e) Any person requesting that the person's ~~his or her~~  
25 license be changed from inactive to active status shall be  
26 required to pay the current renewal fee and shall also

1 demonstrate compliance with the continuing education  
2 requirements.

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

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

13 (h) (Blank).

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

15 (225 ILCS 55/60) (from Ch. 111, par. 8351-60)

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

17 Sec. 60. Payments; penalty for insufficient funds. Any  
18 person who delivers a check or other payment to the Department  
19 that is returned to the Department unpaid by the financial  
20 institution upon which it is drawn shall pay to the  
21 Department, in addition to the amount already owed to the  
22 Department, a fine of \$50. The fines imposed by this Section  
23 are in addition to any other discipline provided under this  
24 Act prohibiting unlicensed practice or practice on a  
25 nonrenewed license. The Department shall notify the person

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

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

17 (225 ILCS 55/65) (from Ch. 111, par. 8351-65)

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

19 Sec. 65. Endorsement. The Department may issue a license  
20 as a licensed marriage and family therapist, without the  
21 required examination, to an applicant licensed under the laws  
22 of another state if the requirements for licensure in that  
23 state are, on the date of licensure, substantially equivalent  
24 to the requirements of this Act or to a person who, at the time  
25 of the person's ~~his or her~~ application for licensure,

1 possessed individual qualifications that were substantially  
2 equivalent to the requirements then in force in this State. An  
3 applicant under this Section shall pay all of the required  
4 fees.

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

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

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

1 reapplication.

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

3 (225 ILCS 55/75) (from Ch. 111, par. 8351-75)

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

5 Sec. 75. License; restrictions and limitations.

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

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

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

14 (3) offer to render or render to individuals,  
15 corporations, or the public associate licensed marriage  
16 and family services.

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

19 (1) in any manner hold oneself out to the public as a  
20 marriage and family therapist or a licensed marriage and  
21 family therapist;

22 (2) attach the title "marriage and family therapist"  
23 or "licensed marriage and family therapist" or use the  
24 credential "M.F.T." or "L.M.F.T."; or

25 (3) offer to render or render to individuals,

1       corporations, or the public marriage and family therapist  
2       services.

3       (c) No business organization shall provide, attempt to  
4 provide, or offer to provide marriage and family therapy  
5 services unless every member, partner, shareholder, director,  
6 officer, holder of any other ownership interest, agent, and  
7 employee who renders marriage and family therapy services  
8 holds a currently valid license issued under this Act. No  
9 business shall be created that (1) has a stated purpose that  
10 includes marriage and family therapy, or (2) practices or  
11 holds itself out as available to practice marriage and family  
12 therapy, unless it is organized under the Professional Service  
13 Corporation Act or Professional Limited Liability Company Act.  
14 Nothing in this Act shall preclude individuals licensed under  
15 this Act from practicing directly or indirectly for a  
16 physician licensed to practice medicine in all its branches  
17 under the Medical Practice Act of 1987 or for any legal entity  
18 as provided under subsection (c) of Section 22.2 of the  
19 Medical Practice Act of 1987.

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

21       (225 ILCS 55/85) (from Ch. 111, par. 8351-85)

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

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

24       (a) The Department may refuse to issue or renew a license,  
25 or may revoke, suspend, reprimand, place on probation, or take

1 any other disciplinary or non-disciplinary action as the  
2 Department may deem proper, including the imposition of fines  
3 not to exceed \$10,000 for each violation, with regard to any  
4 license issued under the provisions of this Act for any one or  
5 combination of the following grounds:

6 (1) Material misstatement in furnishing information to  
7 the Department.

8 (2) Violation of any provision of this Act or its  
9 rules.

10 (3) Conviction of or entry of a plea of guilty or nolo  
11 contendere, finding of guilt, jury verdict, or entry of  
12 judgment or sentencing, 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 that is  
16 (i) a felony or (ii) a misdemeanor, an essential element  
17 of which is dishonesty or that is directly related to the  
18 practice of the profession.

19 (4) Fraud or misrepresentation in applying for or  
20 procuring a license under this Act or in connection with  
21 applying for renewal or restoration of a license under  
22 this Act or its rules.

23 (5) Professional incompetence.

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

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

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

3           (9) Engaging in dishonorable, unethical, or  
4 unprofessional conduct of a character likely to deceive,  
5 defraud or harm the public as defined by the rules of the  
6 Department, or violating the rules of professional conduct  
7 adopted by the Department.

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

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

15           (12) Directly or indirectly giving to or receiving  
16 from any person, firm, corporation, partnership, or  
17 association any fee, commission, rebate, or other form of  
18 compensation for any professional services not actually or  
19 personally rendered. Nothing in this paragraph (12)  
20 affects any bona fide independent contractor or employment  
21 arrangements among health care professionals, health  
22 facilities, health care providers, or other entities,  
23 except as otherwise prohibited by law. Any employment  
24 arrangements may include provisions for compensation,  
25 health insurance, pension, or other employment benefits  
26 for the provision of services within the scope of the

1 licensee's practice under this Act. Nothing in this  
2 paragraph (12) shall be construed to require an employment  
3 arrangement to receive professional fees for services  
4 rendered.

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

9 (14) Abandonment of a patient without cause.

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

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

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

24 (18) Physical illness or mental illness or impairment,  
25 including, but not limited to, deterioration through the  
26 aging process or loss of motor skill that results in the

1 inability to practice the profession with reasonable  
2 judgment, skill, or safety.

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

5 (20) A pattern of practice or other behavior that  
6 demonstrates incapacity or incompetence to practice under  
7 this Act.

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

10 (22) Gross, willful, and continued overcharging for  
11 professional services, including filing false statements  
12 for collection of fees or moneys for which services are  
13 not rendered.

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

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

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

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

1 Adult Protective Services Act.

2 (b) (Blank).

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

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

22 (d-5) The Department shall not revoke, suspend, summarily  
23 suspend, place on prohibition, reprimand, refuse to issue or  
24 renew, or take any other disciplinary or non-disciplinary  
25 action against a person's authorization to practice under this  
26 Act based solely upon the person authorizing, recommending,

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

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

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

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

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

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

16 (d-30) The Department may not revoke, suspend, summarily  
17 suspend, place on prohibition, reprimand, refuse to issue or  
18 renew, or take any other disciplinary or non-disciplinary  
19 action against a person's authorization to practice under this  
20 Act based upon the person's license, registration, or permit  
21 being revoked or suspended, or the person being otherwise  
22 disciplined, by any other state if that revocation,  
23 suspension, or other form of discipline was based solely upon  
24 an immigration violation by the person.

25 (e) In enforcing this Section, the Department or Board  
26 upon a showing of a possible violation may compel an

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

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

24 The Department may order the examining physician or any  
25 member of the multidisciplinary team to provide to the  
26 Department any and all records, including business records,

1 that relate to the examination and evaluation, including any  
2 supplemental testing performed.

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

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

23 Failure of an individual to submit to a mental or physical  
24 examination, when ordered, shall result in an automatic  
25 suspension of the individual's ~~his or her~~ license until the  
26 individual submits to the examination.

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

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 Department within 30  
21 days after the suspension and completed without appreciable  
22 delay. The Department and Board shall have the authority to  
23 review the subject individual's record of treatment and  
24 counseling regarding the impairment to the extent permitted by  
25 applicable federal statutes and regulations safeguarding the  
26 confidentiality of medical records.

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

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

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

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

13           (225 ILCS 55/90) (from Ch. 111, par. 8351-90)

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

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

16           (a) If any person violates a provision of this Act, the  
17 Secretary may, in the name of the People of the State of  
18 Illinois, through the Attorney General of the State of  
19 Illinois, petition for an order enjoining the violation or for  
20 an order enforcing compliance with this Act. Upon the filing  
21 of a verified petition in court, the court may issue a  
22 temporary restraining order, without notice or bond, and may  
23 preliminarily and permanently enjoin the violation. If it is  
24 established that the person has violated or is violating the  
25 injunction, the Court may punish the offender for contempt of

1 court. Proceedings under this Section are in addition to, and  
2 not in lieu of, all other remedies and penalties provided by  
3 this Act.

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

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

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

21 (225 ILCS 55/91)

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

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

24 (a) Any person who practices, offers to practice, attempts  
25 to practice, or holds oneself ~~himself or herself~~ out to

1 practice as a licensed marriage and family therapist or an  
2 associate licensed marriage and family therapist without being  
3 licensed under this Act shall, in addition to any other  
4 penalty provided by law, pay a civil penalty to the Department  
5 in an amount not to exceed \$10,000 for each offense, as  
6 determined by the Department. The civil penalty shall be  
7 assessed by the Department after a hearing is held in  
8 accordance with the provisions set forth in this Act regarding  
9 the provision of a hearing for the discipline of a licensee.

10 (b) The Department may investigate any and all unlicensed  
11 activity.

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

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

18 (225 ILCS 55/95) (from Ch. 111, par. 8351-95)

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

20 Sec. 95. Investigation; notice and hearing.

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

24 (b) The Department shall, before disciplining an applicant  
25 or licensee, at least 30 days before the date set for the

1 hearing, (i) notify the accused in writing of any charges made  
2 and the time and place for a hearing on the charges, (ii)  
3 direct the accused ~~him or her~~ to file a written answer to the  
4 charges under oath within 20 days after the service on the  
5 accused ~~him or her~~ of such notice, and (iii) inform the  
6 applicant or licensee that failure to file an answer will  
7 result in a default being entered against the applicant or  
8 licensee.

9 (c) At the time and place fixed in the notice, the Board or  
10 hearing officer appointed by the Secretary shall proceed to  
11 hear the charges, and the parties or their counsel shall be  
12 accorded ample opportunity to present any pertinent  
13 statements, testimony, evidence, and arguments. The Board or  
14 hearing officer may continue the hearing from time to time. In  
15 case the person, after receiving notice, fails to file an  
16 answer, the person's ~~his or her~~ license may, in the discretion  
17 of the Secretary having first received the recommendation of  
18 the Board,<sup>7</sup> be suspended, revoked, or placed on probationary  
19 status, or be subject to whatever disciplinary action the  
20 Secretary considers proper, including limiting the scope,  
21 nature, or extent of the person's practice or the imposition  
22 of a fine, without a hearing, if the act or acts charged  
23 constitute sufficient grounds for such action under this Act.

24 (d) Written or electronic notice, and any notice in the  
25 subsequent proceeding, may be served by personal delivery, by  
26 email, or by mail to the applicant or licensee at the

1 applicant's or licensee's ~~his or her~~ address of record or  
2 email address of record.

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

4 (225 ILCS 55/135) (from Ch. 111, par. 8351-135)

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

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

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

19 (225 ILCS 55/145) (from Ch. 111, par. 8351-145)

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

21 Sec. 145. Summary suspension. The Secretary may summarily  
22 suspend the license of a marriage and family therapist or an  
23 associate licensed marriage and family therapist without a  
24 hearing, simultaneously with the institution of proceedings

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

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

12 Section 20. The Massage Therapy Practice Act is amended by  
13 changing Sections 15, 17, 19, 25, 30, 32, 35, 45, 50, 68, 70,  
14 75, 90, 95, 100, 105, and 165 as follows:

15 (225 ILCS 57/15)

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

17 Sec. 15. Licensure requirements.

18 (a) Persons engaged in massage for compensation must be  
19 licensed by the Department. The Department shall issue a  
20 license to an individual who meets all of the following  
21 requirements:

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

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

12          (3) The applicant has successfully completed a massage  
13          therapy program approved by the Department that requires a  
14          minimum of ~~500 hours, except applicants applying on or~~  
15          ~~after January 1, 2014 shall meet a minimum requirement of~~  
16          600 hours, and has passed a competency examination  
17          approved by the Department.

18          (b) Each applicant for licensure as a massage therapist  
19          shall have the applicant's ~~his or her~~ fingerprints submitted  
20          to the Illinois State Police in an electronic format that  
21          complies with the form and manner for requesting and  
22          furnishing criminal history record information as prescribed  
23          by the Illinois State Police. These fingerprints shall be  
24          checked against the Illinois State Police and Federal Bureau  
25          of Investigation criminal history record databases now and  
26          hereafter filed. The Illinois State Police shall charge

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

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

18 (Source: P.A. 102-20, eff. 1-1-22; 102-538, eff. 8-20-21;  
19 102-813, eff. 5-13-22.)

20 (225 ILCS 57/17)

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

22 Sec. 17. Social Security number or individual taxpayer  
23 identification number on license application. In addition to  
24 any other information required to be contained in the  
25 application, every application for an original, renewal,

1 reinstated, or restored license as a massage therapist under  
2 this Act shall include the applicant's Social Security number  
3 or individual taxpayer identification number.

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

5 (225 ILCS 57/19)

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

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

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

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

24 (225 ILCS 57/25)

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

2 Sec. 25. Exemptions.

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

6 (b) Persons exempted under this Section include, but are  
7 not limited to, physicians, podiatric physicians, naprapaths,  
8 and physical therapists.

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

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

20 (e) Nothing in this Act prohibits practitioners that do  
21 not involve intentional soft tissue manipulation, including, but not limited to,  
22 Alexander Technique, Feldenkrais, Reike,  
23 and Therapeutic Touch, from practicing.

24 (f) Practitioners of certain service marked bodywork  
25 approaches that do involve intentional soft tissue  
26 manipulation, including, but not limited to, Rolfing, Trager

1 Approach, Polarity Therapy, and Orthobionomy, are exempt from  
2 this Act if they are approved by their governing body based on  
3 a minimum level of training, demonstration of competency, and  
4 adherence to ethical standards.

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

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

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

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

19 (k) Nothing in this Act applies to the practice of massage  
20 therapy by a person either actively licensed as a massage  
21 therapist in another state or currently certified by the  
22 National Certification Board of Therapeutic Massage and  
23 Bodywork or other national certifying body if said person's  
24 state does not license massage therapists, if the person  
25 performs ~~he or she is performing his or her~~ duties for a  
26 Department-approved educational program for less than 30 days

1 in a calendar year, a Department-approved continuing education  
2 program for less than 30 days in a calendar year, a  
3 non-Illinois based team or professional organization, or for a  
4 national athletic event held in this State, so long as the  
5 massage therapist ~~he or she~~ restricts the massage therapist's  
6 ~~his or her~~ practice to the massage therapist's ~~his or her~~ team  
7 or organization or to event participants during the course of  
8 the massage therapist's ~~his or her~~ team's or organization's  
9 stay in this State or for the duration of the event.

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

11 (225 ILCS 57/30)

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

13 Sec. 30. Title protection.

14 (a) Persons regulated by this Act are designated as  
15 massage therapists and therefore are exclusively entitled to  
16 utilize the terms "massage", "massage therapy", "licensed  
17 massage therapist", "LMT", "MT", and "massage therapist" when  
18 advertising or printing promotional material.

19 (b) Anyone who knowingly aids and abets one or more  
20 persons not authorized to use a professional title regulated  
21 by this Act or knowingly employs persons not authorized to use  
22 the regulated professional title in the course of their  
23 employment, commits a violation of this Act.

24 (c) Anyone not authorized, under the definitions of this  
25 Act, to utilize the term "massage", "massage therapy",

1 "licensed massage therapist", "LMT", "MT", or "massage  
2 therapist" and who knowingly utilizes these terms when  
3 advertising commits a violation of this Act.

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

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

11 (225 ILCS 57/32)

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

13 Sec. 32. Display. Every holder of a license shall display  
14 it, or a copy, in a conspicuous place in the holder's principal  
15 place of practice and ~~office or~~ any other location where the  
16 holder renders massage therapy services, and shall also  
17 present the holder's license and either an employer-issued  
18 badge that includes the holder's name and a photograph of the  
19 holder or a valid government identification that includes a  
20 photograph of the holder upon request of a client. A holder  
21 shall provide valid government identification that includes a  
22 photograph of the holder to a Department representative upon  
23 request when providing massage therapist services at any  
24 location. Every displayed license shall have the license  
25 number visible.

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

2 (225 ILCS 57/35)

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

4 Sec. 35. Massage Licensing Board.

5 (a) The Secretary shall appoint a Massage Licensing Board,  
6 which shall serve in an advisory capacity to the Secretary.  
7 The Board shall consist of 7 members, of whom 6 shall be  
8 practicing massage therapists with at least 3 years of  
9 experience in massage. One of the massage therapist members  
10 shall represent a massage therapy school from the private  
11 sector and one of the massage therapist members shall  
12 represent a massage therapy school from the public sector. One  
13 of the massage therapist members shall be an owner of a massage  
14 business. One member of the Board shall be a member of the  
15 public who is not licensed under this Act, does not have any  
16 interest in massage therapy schools, does not own a massage  
17 therapy business, does not have any interest in businesses  
18 related to massage therapy, is not licensed as a healthcare  
19 worker in this State, as defined in the Health Care Worker  
20 Self-Referral Act, is not licensed under the Barber,  
21 Cosmetology, Esthetics, Hair Braiding, and Nail Technology Act  
22 of 1985, and is not licensed under similar Acts in ~~or a similar~~  
23 Act in Illinois or another jurisdiction. Membership on the  
24 Board shall reasonably reflect the various massage therapy and  
25 non-exempt bodywork organizations. Membership on the Board

1 shall reasonably reflect the geographic areas of the State.  
2 The Board shall meet annually to elect a chairperson and vice  
3 chairperson. The Board shall hold regularly scheduled meetings  
4 during the year. A simple majority of the Board shall  
5 constitute a quorum at any meeting. Any action taken by the  
6 Board must be on the affirmative vote of a simple majority of  
7 members. Voting by proxy shall not be permitted. In the case of  
8 an emergency where all Board members cannot meet in person,  
9 the Board may convene a meeting via an electronic format in  
10 accordance with the Open Meetings Act.

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

25 (c) The members of the Board are entitled to receive  
26 compensation for all legitimate and necessary expenses

1 incurred while attending Board and Department meetings.

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

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

13 (f) The Secretary may terminate the appointment of any  
14 member for cause which, in the opinion of the Secretary  
15 reasonably justifies termination, which may include, but is  
16 not limited to, a Board member who does not attend 2  
17 consecutive meetings.

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

19 (225 ILCS 57/45)

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

21 Sec. 45. Grounds for discipline.

22 (a) The Department may refuse to issue or renew, or may  
23 revoke, suspend, place on probation, reprimand, or take other  
24 disciplinary or non-disciplinary action, as the Department  
25 considers appropriate, including the imposition of fines not

1 to exceed \$10,000 for each violation, with regard to any  
2 license or licensee for any one or more of the following:

3 (1) violations of this Act or of the rules adopted  
4 under this Act;

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

14 (3) professional incompetence, which may include, but  
15 is not limited to, failure of a licensee to adhere to the  
16 professional code of ethics established by nationally  
17 recognized professional organizations;

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

21 (5) aiding, abetting, assisting, procuring, advising,  
22 employing, or contracting with any unlicensed person to  
23 practice massage contrary to any rules or provisions of  
24 this Act;

25 (6) engaging in immoral conduct in the commission of  
26 any act, such as sexual abuse, sexual misconduct, or

1 sexual exploitation, related to the licensee's practice;

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

5 (8) practicing or offering to practice beyond the  
6 scope permitted by law or accepting and performing  
7 professional responsibilities which the licensee knows or  
8 has reason to know that the licensee ~~he or she~~ is not  
9 competent to perform;

10 (9) knowingly delegating professional  
11 responsibilities to a person unqualified by training,  
12 experience, or licensure to perform;

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

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

19 (12) having a pattern of practice or other behavior  
20 that demonstrates incapacity or incompetence to practice  
21 under this Act;

22 (13) discipline by another state, District of  
23 Columbia, territory, or foreign nation, if at least one of  
24 the grounds for the discipline is the same or  
25 substantially equivalent to those set forth in this  
26 Section;

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

4 (15) willfully making or filing false records or  
5 reports in the person's ~~his or her~~ practice, including,  
6 but not limited to, false records filed with State  
7 agencies or departments;

8 (16) making a material misstatement in furnishing  
9 information to the Department or otherwise making  
10 misleading, deceptive, untrue, or fraudulent  
11 representations in violation of this Act or otherwise in  
12 the practice of the profession;

13 (17) fraud or misrepresentation in applying for or  
14 procuring a license under this Act or in connection with  
15 applying for renewal of a license under this Act;

16 (18) inability to practice the profession with  
17 reasonable judgment, skill, or safety as a result of  
18 physical illness, including, but not limited to,  
19 deterioration through the aging process, loss of motor  
20 skill, or a mental illness or disability;

21 (19) charging for professional services not rendered,  
22 including filing false statements for the collection of  
23 fees for which services are not rendered, except that  
24 licensees may charge a client fees for late cancellations  
25 and failure to attend appointments if the client is  
26 informed of the fees for late cancellations and failure to

1       attend appointments at the time of booking an appointment;

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

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

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

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

17      (c) The Department shall revoke any license issued under  
18      this Act of any person who is convicted of prostitution, rape,  
19      sexual misconduct, or any crime that subjects the licensee to  
20      compliance with the requirements of the Sex Offender  
21      Registration Act and any such conviction shall operate as a  
22      permanent bar in the State of Illinois to practice as a massage  
23      therapist.

24      (c-5) A prosecuting attorney shall provide notice to the  
25      Department of the licensed massage therapist's name, address,  
26      practice address, and license number and a copy of the

1 criminal charges filed immediately after a licensed massage  
2 therapist has been charged with any of the following offenses:

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

5 (2) involuntary sexual servitude of a minor;

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

9 (4) a forcible felony.

10 If the victim of the crime the licensee has been charged  
11 with is a patient of the licensee, the prosecuting attorney  
12 shall also provide notice to the Department of the patient's  
13 name.

14 Within 5 business days after receiving notice from the  
15 prosecuting attorney of the filing of criminal charges against  
16 the licensed massage therapist, the Secretary shall issue an  
17 administrative order that the licensed massage therapist shall  
18 practice only with a chaperone during all patient encounters  
19 pending the outcome of the criminal proceedings. The chaperone  
20 shall be a licensed massage therapist or other health care  
21 worker licensed by the Department. The administrative order  
22 shall specify any other terms or conditions deemed appropriate  
23 by the Secretary. The chaperone shall provide written notice  
24 to all of the licensed massage therapist's patients explaining  
25 the Department's order to use a chaperone. Each patient shall  
26 sign an acknowledgment that the patient received the notice.

1 The notice to the patient of criminal charges shall include,  
2 in 14-point font, the following statement: "The massage  
3 therapist is presumed innocent until proven guilty of the  
4 charges."

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

14 If the licensee is not convicted of the charge or if any  
15 conviction is later overturned by a reviewing court, the  
16 administrative order shall be vacated and removed from the  
17 licensee's record.

18 The Department may adopt rules to implement this  
19 subsection.

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

1 Section 2105-15 of the Civil Administrative Code of Illinois.

2 (e) (Blank).

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

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

22 (h) In enforcing this Act, the Department or Board, upon a  
23 showing of a possible violation, may compel an individual  
24 licensed to practice under this Act, or who has applied for  
25 licensure under this Act, to submit to a mental or physical  
26 examination, or both, as required by and at the expense of the

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

16 A person holding a license under this Act or who has  
17 applied for a license under this Act who, because of a physical  
18 or mental illness or disability, including, but not limited  
19 to, deterioration through the aging process or loss of motor  
20 skill, is unable to practice the profession with reasonable  
21 judgment, skill, or safety, may be required by the Department  
22 to submit to care, counseling, or treatment by physicians  
23 approved or designated by the Department as a condition, term,  
24 or restriction for continued, reinstated, or renewed licensure  
25 to practice. Submission to care, counseling, or treatment as  
26 required by the Department shall not be considered discipline

1 of a license. If the licensee refuses to enter into a care,  
2 counseling, or treatment agreement or fails to abide by the  
3 terms of the agreement, the Department may file a complaint to  
4 revoke, suspend, or otherwise discipline the license of the  
5 individual. The Secretary may order the license suspended  
6 immediately, pending a hearing by the Department. Fines shall  
7 not be assessed in disciplinary actions involving physical or  
8 mental illness or impairment.

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

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

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

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

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

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

22 (225 ILCS 57/68)

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

24 Sec. 68. Abnormal skin growth education.

25 (a) In addition to any other requirements under this Act,

1 the following applicants must provide proof of completion of a  
2 course approved by the Department in abnormal skin growth  
3 education, including training on identifying melanoma:

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

6 (2) An applicant who was licensed before January 1,  
7 2026 when submitting the applicant's first application for  
8 renewal or restoration of a license on or after January 1,  
9 2026.

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

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

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

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

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

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

23 A massage therapist whose license has been expired or  
24 placed on inactive status for more than 5 years may have the  
25 ~~his or her~~ license restored by making application to the  
26 Department and filing proof acceptable to the Department of

1 the massage therapist's ~~his or her~~ fitness to have the ~~his or~~  
2 ~~her~~ license restored, including sworn evidence certifying to  
3 active practice in another jurisdiction, by paying the  
4 required restoration fee, and by showing proof of the  
5 completion of 25 ~~24~~ hours of continuing education.

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

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

23 (225 ILCS 57/75)

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

25 Sec. 75. Inactive licenses. Any massage therapist who

1 notifies the Department in writing or electronically on forms  
2 provided ~~prescribed~~ by the Department may elect to place the  
3 massage therapist's ~~his or her~~ license on inactive status and  
4 shall, subject to rules of the Department, be excused from  
5 payment of renewal fees until the massage therapist ~~he or she~~  
6 notifies the Department in writing of the massage therapist's  
7 ~~his or her~~ desire to resume active status.

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

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

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

16 (225 ILCS 57/90)

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

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

19 (a) If any person violates a provision of this Act, the  
20 Secretary may, in the name of the People of the State of  
21 Illinois, through the Attorney General of the State of  
22 Illinois or the State's Attorney in the county in which the  
23 offense occurs, petition for an order enjoining the violation  
24 or for an order enforcing compliance with this Act. Upon the  
25 filing of a verified petition in court, the court may issue a

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

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

24 (c) Whenever, in the opinion of the Department, a person  
25 violates any provision of this Act, the Department may issue a  
26 rule to show cause why an order to cease and desist should not

1 be entered against that person ~~him or her~~. The rule shall  
2 clearly set forth the grounds relied upon by the Department  
3 and shall provide a period of 7 days from the date of the rule  
4 to file an answer to the satisfaction of the Department.  
5 Failure to answer to the satisfaction of the Department shall  
6 cause an order to cease and desist to be issued.

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

8 (225 ILCS 57/95)

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

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

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

16 (225 ILCS 57/100)

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

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

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

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

15 (225 ILCS 57/105)

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

17 Sec. 105. Subpoenas; depositions; oaths.

18 (a) The Department may subpoena and bring before it any  
19 person to take the oral or written testimony or compel the  
20 production of any books, papers, records, or any other  
21 documents that the Secretary or the Secretary's ~~his or her~~  
22 designee deems relevant or material to any such investigation  
23 or hearing conducted by the Department with the same fees and  
24 in the same manner as prescribed in civil cases in the courts  
25 of this State.

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

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

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

14 (225 ILCS 57/165)

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

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

17 (a) Any person who practices, offers to practice, attempts  
18 to practice, or holds oneself ~~himself or herself~~ out to  
19 practice massage therapy or as a massage therapist without  
20 being licensed under this Act, or any person not licensed  
21 under this Act who aids, abets, assists, procures, advises,  
22 employs, or contracts with any unlicensed person to practice  
23 massage therapy contrary to any rules or provisions of this  
24 Act, shall, in addition to any other penalty provided by law,  
25 pay a civil penalty to the Department in an amount not to

1 exceed \$10,000 for each violation of this Act as determined by  
2 the Department. The civil penalty shall be assessed by the  
3 Department after a hearing is held in accordance with the  
4 provisions set forth in this Act regarding the provision of a  
5 hearing for the discipline of a licensee.

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

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

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

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

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

20 (225 ILCS 60/5) (from Ch. 111, par. 4400-5)

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

22 Sec. 5. Because the candid and conscientious evaluation of  
23 clinical practices is essential to the provision of adequate  
24 health care, it is the policy of this State to encourage peer

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

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

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

20 (225 ILCS 60/7.1)

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

22 Sec. 7.1. Medical Board.

23 (A) There is hereby created the Illinois State Medical  
24 Board. The Medical Board shall advise the Secretary. The  
25 Medical Board shall consist of 17 members, to be appointed by

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

17 (B) Members of the Medical Board shall be appointed for  
18 terms of 4 years. Upon the expiration of the term of any  
19 member, their successor shall be appointed for a term of 4  
20 years by the Governor by and with the advice and consent of the  
21 Senate. The Governor shall fill any vacancy for the remainder  
22 of the unexpired term with the advice and consent of the  
23 Senate. Upon recommendation of the Medical Board, any member  
24 of the Medical Board may be removed by the Governor for  
25 misfeasance, malfeasance, or willful neglect of duty, after  
26 notice, and a public hearing, unless such notice and hearing

1 shall be expressly waived in writing. Each member shall serve  
2 on the Medical Board until their successor is appointed and  
3 qualified. No member of the Medical Board shall serve more  
4 than 2 consecutive 4-year terms.

5 In making appointments the Governor shall attempt to  
6 ensure that the various social and geographic regions of the  
7 State of Illinois are properly represented.

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

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

18 (D) A majority of the Medical Board members currently  
19 appointed shall constitute a quorum. A vacancy in the  
20 membership of the Medical Board shall not impair the right of a  
21 quorum to exercise all the rights and perform all the duties of  
22 the Medical Board. Any action taken by the Medical Board under  
23 this Act may be authorized by resolution at any regular or  
24 special meeting and each such resolution shall take effect  
25 immediately. The Medical Board shall meet at least quarterly.

26 (E) Each member shall be paid their necessary expenses

1 while engaged in the performance of their duties.

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

22 (G) The Secretary shall employ, in conformity with the  
23 Personnel Code, investigators who are college graduates with  
24 at least 2 years of investigative experience or one year of  
25 advanced medical education. Upon the written request of the  
26 Medical Board, the Secretary shall employ, in conformity with

1 the Personnel Code, such other professional, technical,  
2 investigative, and clerical help, either on a full or  
3 part-time basis as the Medical Board deems necessary for the  
4 proper performance of its duties.

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

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

17 (J) The Medical Board may compile and establish a  
18 statewide roster of physicians and other medical  
19 professionals, including the several medical specialties, of  
20 such physicians and medical professionals, who have agreed to  
21 serve from time to time as advisors to the medical  
22 coordinators. Such advisors shall assist the medical  
23 coordinators or the Medical Board in their investigations and  
24 participation in complaints against physicians. Such advisors  
25 shall serve under contract and shall be reimbursed at a  
26 reasonable rate for the services provided, plus reasonable

1 expenses incurred. While serving in this capacity, the  
2 advisor, for any act undertaken in good faith and in the  
3 conduct of his or her duties under this Section, shall be  
4 immune from civil suit.

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

6 (225 ILCS 60/9) (from Ch. 111, par. 4400-9)

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

8 Sec. 9. Application for license. Each applicant for a  
9 license shall:

10 (A) Make application on blank forms prepared and  
11 furnished by the Department.

12 (B) Submit evidence satisfactory to the Department  
13 that the applicant:

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

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

25 (3) (blank); and

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

26 In determining professional capacity under this

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

9 (1) Medical research in an established research  
10 facility, hospital, college or university, or private  
11 corporation.

12 (2) Specialized training or education.

13 (3) Publication of original work in learned,  
14 medical, or scientific journals.

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

17 (5) Professional service in a federal veterans or  
18 military institution.

19 (5.5) Successful completion of a re-entry course.

20 (6) Any other professional activities deemed to  
21 maintain and enhance the clinical capabilities of the  
22 applicant.

23 Any applicant applying for a license to practice  
24 medicine in all of its branches or for a license as a  
25 chiropractic physician who has not been engaged in the  
26 active practice of medicine or has not been enrolled in a

1 medical program for 2 years prior to application must  
2 submit proof of professional capacity to the Medical  
3 Board.

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

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

14 (D) Pay to the Department at the time of application  
15 the required fees.

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

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

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

1 (225 ILCS 60/9.3)

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

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

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

11 (225 ILCS 60/9.5)

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

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

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

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

1 (225 ILCS 60/9.7)

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

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

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

1 (225 ILCS 60/11) (from Ch. 111, par. 4400-11)

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

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

7 (A) Practice of medicine. For the practice of medicine  
8 in all of its branches:

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

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

23 (b) that the applicant is a graduate of a  
24 medical or osteopathic college located outside the  
25 United States or its territories ~~or Canada~~, and

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

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

24 (c) that the applicant has studied medicine at  
25 a medical or osteopathic college located outside  
26 the United States or, its territories and ~~or~~

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

23 (d) Any clinical clerkship ~~clerkships~~ must  
24 have been completed in compliance with Section  
25 10.3 of the Hospital Licensing Act, as amended.

26 (2) Effective January 1, 1988, for applications

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

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

1 Committee on Accreditation of Canadian Medical  
2 Schools in conjunction with the Liaison Committee  
3 on Medical Education, or the Bureau of  
4 Professional Education of the American Osteopathic  
5 Association; and, (iii) in addition thereto, has  
6 completed 24 months of postgraduate clinical  
7 training, as approved by the Department; or

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

1 approved by the Department, and has complied with  
2 any other standards established by rule.

3 (3) (Blank).

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

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

20 (B) Treating human ailments without drugs and without  
21 operative surgery. For the practice of treating human  
22 ailments without the use of drugs and without operative  
23 surgery:

24 (1) For an applicant who was a resident student  
25 and who is a graduate after July 1, 1926, of a  
26 chiropractic college or institution, that such school,

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

16 (2) For an applicant who is a matriculant in a  
17 chiropractic college after September 1, 1969, that  
18 such applicant shall be required to complete a 2-year  
19 ~~2-year~~ course of instruction in a liberal arts college  
20 or its equivalent and a course of instruction in a  
21 chiropractic college in the treatment of human  
22 ailments, such course, as a prerequisite to graduation  
23 therefrom, having been not less than 132 weeks in  
24 duration and shall have been completed within a period  
25 of not less than 35 months, such college of liberal  
26 arts and chiropractic college having been reputable

1 and in good standing in the judgment of the  
2 Department.

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

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

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

18 (225 ILCS 60/15) (from Ch. 111, par. 4400-15)

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

20 Sec. 15. Chiropractic physician; license for general  
21 practice. Any chiropractic physician licensed under this Act  
22 shall be permitted to take the examination for licensure as a  
23 physician to practice medicine in all its branches and shall  
24 receive a license to practice medicine in all of its branches  
25 if the chiropractic physician ~~he or she~~ shall successfully

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

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

15 (225 ILCS 60/17) (from Ch. 111, par. 4400-17)

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

17 Sec. 17. Temporary license. Persons holding the degree of  
18 Doctor of Medicine, persons holding the degree of Doctor of  
19 Osteopathy or Doctor of Osteopathic Medicine, and persons  
20 holding the degree of Doctor of Chiropractic or persons who  
21 have satisfied the requirements therefor and are eligible to  
22 receive such degree from a medical, osteopathic, or  
23 chiropractic school, who wish to pursue programs of graduate  
24 or specialty training in this State, may receive without  
25 examination, in the discretion of the Department, a 3-year

1 temporary license. In order to receive a 3-year temporary  
2 license hereunder, an applicant shall submit evidence  
3 satisfactory to the Department that the applicant:

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

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

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

24 (D) Is physically, mentally, and professionally  
25 capable of practicing medicine or treating human ailments  
26 without the use of drugs and without operative surgery

1 with reasonable judgment, skill, and safety. In  
2 determining physical, mental and professional capacity  
3 under this Section, the Medical Board may, upon a showing  
4 of a possible incapacity, compel an applicant to submit to  
5 a mental or physical examination and evaluation, or both,  
6 and may condition or restrict any temporary license,  
7 subject to the same terms and conditions as are provided  
8 for the Medical Board under Section 22 of this Act. Any  
9 such condition of restricted temporary license shall  
10 provide that the Chief Medical Coordinator or Deputy  
11 Medical Coordinator shall have the authority to review the  
12 subject physician's compliance with such conditions or  
13 restrictions, including, where appropriate, the  
14 physician's record of treatment and counseling regarding  
15 the impairment, to the extent permitted by applicable  
16 federal statutes and regulations safeguarding the  
17 confidentiality of medical records of patients.

18 Three-year temporary licenses issued pursuant to this  
19 Section shall be valid only for the period of time designated  
20 therein, and may be extended or renewed pursuant to the rules  
21 of the Department, and if a temporary license is thereafter  
22 extended, it shall not extend beyond completion of the  
23 residency program. The holder of a valid 3-year temporary  
24 license shall be entitled thereby to perform only such acts as  
25 may be prescribed by and incidental to the holder's ~~his or her~~  
26 program of residency training; the holder ~~he or she~~ shall not

1 be entitled to otherwise engage in the practice of medicine in  
2 this State unless fully licensed in this State.

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

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

14 (225 ILCS 60/18) (from Ch. 111, par. 4400-18)

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

16 Sec. 18. Visiting professor, physician, or resident  
17 permits.

18 (A) Visiting professor permit.

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

23 (a) the person maintains an equivalent  
24 authorization to practice medicine in all of its  
25 branches or to practice the treatment of human

1 ailments without the use of drugs and without  
2 operative surgery in good standing in the person's ~~his~~  
3 ~~or her~~ native licensing jurisdiction during the period  
4 of the visiting professor permit;

5 (b) the person has received a faculty appointment  
6 to teach in a medical, osteopathic, or chiropractic  
7 school in Illinois; and

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

20 (2) Application for visiting professor permits shall  
21 be made to the Department, in writing, on forms prescribed  
22 by the Department and shall be accompanied by the required  
23 fee established by rule, which shall not be refundable.  
24 Any application shall require the information as, in the  
25 judgment of the Department, will enable the Department to  
26 pass on the qualifications of the applicant.

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

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

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

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

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

26           (ii) have paid the fee prescribed for a license

1 under Section 21 of this Act.

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

7 (B) Visiting physician permit.

8 (1) The Department may, in its discretion, issue a  
9 temporary visiting physician permit, without examination,  
10 provided:

11 (a) (blank);

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

19 (c) that the person has received an invitation or  
20 appointment to study, demonstrate, or perform a  
21 specific medical, osteopathic, chiropractic, or  
22 clinical subject or technique in a medical,  
23 osteopathic, or chiropractic school, a state or  
24 national medical, osteopathic, or chiropractic  
25 professional association or society conference or  
26 meeting, a hospital licensed under the Hospital

1           Licensing Act, a hospital organized under the  
2           University of Illinois Hospital Act, or a facility  
3           operated pursuant to the Ambulatory Surgical Treatment  
4           Center Act; and

5           (d) that the temporary visiting physician 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, or in  
11          conjunction with the state or national medical,  
12          osteopathic, or chiropractic professional association  
13          or society conference or meeting, for which the holder  
14          was invited or appointed.

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

24          (3) A temporary visiting physician permit shall be  
25          valid for no longer than (i) 180 days from the date of  
26          issuance or (ii) until the time the medical, osteopathic,

1 chiropractic, or clinical studies are completed, or the  
2 state or national medical, osteopathic, or chiropractic  
3 professional association or society conference or meeting  
4 has concluded, whichever occurs first. The temporary  
5 visiting physician permit may be issued multiple times to  
6 a visiting physician under this paragraph (3) as long as  
7 the total number of days it is active does not exceed 180  
8 days within a 365-day period.

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

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

18 (C) Visiting resident permit.

19 (1) The Department may, in its discretion, issue a  
20 temporary visiting resident permit, without examination,  
21 provided:

22 (a) (blank);

23 (b) that the person maintains an equivalent  
24 authorization to practice medicine in all of its  
25 branches or to practice the treatment of human  
26 ailments without the use of drugs and without

1           operative surgery in good standing in the person's ~~his~~  
2           ~~or her~~ native licensing jurisdiction during the period  
3           of the temporary visiting resident permit;

4           (c) that the applicant is enrolled in a  
5           postgraduate clinical training program outside the  
6           State of Illinois that is approved by the Department;

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

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

21          (2) The application for the temporary visiting  
22          resident permit shall be made to the Department, in  
23          writing, on forms prescribed by the Department, and shall  
24          be accompanied by the required fee established by rule.  
25          The application shall require information that, in the  
26          judgment of the Department, will enable the Department to

1 pass on the qualifications of the applicant.

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

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

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

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

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

24 (3) The name and license number of the Illinois  
25 physician who will be responsible for supervising the  
26 trainee and the medical director or division director of

1 the department or facility.

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

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

7 (225 ILCS 60/21) (from Ch. 111, par. 4400-21)

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

9 Sec. 21. License renewal; reinstatement; inactive status;  
10 disposition and collection of fees.

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

19 The Department shall attempt to provide through electronic  
20 means to each licensee under this Act, at least 60 days in  
21 advance of the expiration date of the ~~his or her~~ license, a  
22 renewal notice. No such license shall be deemed to have lapsed  
23 until 90 days after the expiration date and after the  
24 Department has attempted to provide such notice as herein  
25 provided.

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

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

20 However, any registrant whose license has expired while  
21 the registrant ~~he or she~~ has been engaged (a) in Federal  
22 Service on active duty with the Army of the United States, the  
23 United States Navy, the Marine Corps, the Air Force, the Coast  
24 Guard, the Public Health Service or the State Militia called  
25 into the service or training of the United States of America,  
26 or (b) in training or education under the supervision of the

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

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

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

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

25 (D) Disposition of monies collected. All monies collected  
26 under this Act by the Department shall be deposited into ~~in~~ the

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

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

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

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

19 (1) Applicants for any examination shall be required  
20 to pay, either to the Department or to the designated  
21 testing service, a fee covering the cost of determining  
22 the applicant's eligibility and providing the examination.  
23 Failure to appear for the examination on the scheduled  
24 date, at the time and place specified, after the  
25 applicant's application for examination has been received  
26 and acknowledged by the Department or the designated

1 testing service, shall result in the forfeiture of the  
2 examination fee.

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

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

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

1 January 1, 2020, the fee for renewal of a license for a  
2 resident or nonresident is \$181 per year.

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

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

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

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

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

19 (F) Any person who delivers a check or other payment to the  
20 Department that is returned to the Department unpaid by the  
21 financial institution upon which it is drawn shall pay to the  
22 Department, in addition to the amount already owed to the  
23 Department, a fine of \$50. The fines imposed by this Section  
24 are in addition to any other discipline provided under this  
25 Act for unlicensed practice or practice on a nonrenewed  
26 license. The Department shall notify the person that payment

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

17 (Source: P.A. 101-316, eff. 8-9-19; 101-603, eff. 1-1-20;  
18 102-20, eff. 1-1-22.)

19 (225 ILCS 60/22)

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

21 Sec. 22. Disciplinary action.

22 (A) The Department may revoke, suspend, place on  
23 probation, reprimand, refuse to issue or renew, or take any  
24 other disciplinary or non-disciplinary action as the  
25 Department may deem proper with regard to the license or

1 permit of any person issued under this Act, including imposing  
2 fines not to exceed \$10,000 for each violation, upon any of the  
3 following grounds:

4 (1) (Blank).

5 (2) (Blank).

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

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

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

16 (6) Obtaining any fee by fraud, deceit, or  
17 misrepresentation.

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

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

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

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

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

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

19          (13) Violation of any provision of this Act or of the  
20          Medical Practice Act prior to the repeal of that Act, or  
21          violation of the rules, or a final administrative action  
22          of the Secretary, after consideration of the  
23          recommendation of the Medical Board.

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

26          (15) A finding by the Medical Board that the

1 registrant after having the registrant's ~~his or her~~  
2 license placed on probationary status or subjected to  
3 conditions or restrictions violated the terms of the  
4 probation or failed to comply with such terms or  
5 conditions.

6 (16) Abandonment of a patient.

7 (17) Prescribing, selling, administering,  
8 distributing, giving, or self-administering any drug  
9 classified as a controlled substance (designated product)  
10 or narcotic for other than medically accepted therapeutic  
11 purposes.

12 (18) Promotion of the sale of drugs, devices,  
13 appliances, or goods provided for a patient in such manner  
14 as to exploit the patient for financial gain of the  
15 physician.

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

22 (20) Immoral conduct in the commission of any act,  
23 including, but not limited to, commission of an act of  
24 sexual misconduct or sexual harassment related to the  
25 licensee's practice. For the purpose of this paragraph  
26 (20), "sexual harassment" means unwelcome sexual advances,

1       requests for sexual favors, or other verbal, physical, or  
2       nonverbal conduct of a sexual nature.

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

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

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

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

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

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

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

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

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

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

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

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

26 (32) Aiding and abetting an individual not licensed

1 under this Act in the practice of a profession licensed  
2 under this Act.

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

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

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

26 (36) Failure to report to the Department any adverse

1 judgment, settlement, or award arising from a liability  
2 claim related to acts or conduct similar to acts or  
3 conduct which would constitute grounds for action as  
4 defined in this Section.

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

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

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

14 (40) (Blank).

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

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

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

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

25 (45) Entering into an excessive number of written  
26 collaborative agreements with licensed prescribing

1 psychologists resulting in an inability to adequately  
2 collaborate.

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

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

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

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

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

21 All proceedings to take disciplinary action as the  
22 Department may deem proper, with regard to a license, must be  
23 commenced within 5 years after the date of the Department's  
24 receipt of a complaint alleging the commission of or notice of  
25 a conviction order for any of the violations described herein.  
26 Ground number (26) is exempt from this 5-year limitation. No

1 action shall be commenced more than 10 years after the date of  
2 the incident or act alleged to have violated this Section.  
3 Ground numbers (8), (9), (26), and (29) are exempt from this  
4 10-year limitation. ~~Except for actions involving the ground~~  
5 ~~numbered (26), all proceedings to suspend, revoke, place on~~  
6 ~~probationary status, or take any other disciplinary action as~~  
7 ~~the Department may deem proper, with regard to a license on any~~  
8 ~~of the foregoing grounds, must be commenced within 5 years~~  
9 ~~next after receipt by the Department of a complaint alleging~~  
10 ~~the commission of or notice of the conviction order for any of~~  
11 ~~the acts described herein. Except for the grounds numbered~~  
12 ~~(8), (9), (26), and (29), no action shall be commenced more~~  
13 ~~than 10 years after the date of the incident or act alleged to~~  
14 ~~have violated this Section. For actions involving the ground~~  
15 ~~numbered (26), a pattern of practice or other behavior~~  
16 ~~includes all incidents alleged to be part of the pattern of~~  
17 ~~practice or other behavior that occurred, or a report pursuant~~  
18 ~~to Section 23 of this Act received, within the 10 year period~~  
19 ~~preceding the filing of the complaint.~~ In the event of the  
20 settlement of any claim or cause of action in favor of the  
21 claimant or the reduction to final judgment of any civil  
22 action in favor of the plaintiff, such claim, cause of action,  
23 or civil action being grounded on the allegation that a person  
24 licensed under this Act was negligent in providing care, the  
25 Department shall be exempt from the 10-year limitation and  
26 shall have 5 years from receipt of the report have an

1 ~~additional period of 2 years from the date of notification to~~  
2 ~~the Department~~ under Section 23 of this Act of such settlement  
3 or final judgment in which to investigate and commence formal  
4 disciplinary proceedings under Section 36 of this Act, except  
5 as otherwise provided by law. The time during which the holder  
6 of the license was outside the State of Illinois shall not be  
7 included within any period of time limiting the commencement  
8 of disciplinary action by the Department.

9 The entry of an order or judgment by any circuit court  
10 establishing that any person holding a license under this Act  
11 is a person in need of mental treatment operates as a  
12 suspension of that license. That person may resume ~~his or her~~  
13 practice only upon the entry of a Departmental order based  
14 upon a finding by the Medical Board that the person has been  
15 determined to be recovered from mental illness by the court  
16 and upon the Medical Board's recommendation that the person be  
17 permitted to resume ~~his or her~~ practice.

18 The Department may refuse to issue or take disciplinary  
19 action concerning the license of any person who fails to file a  
20 return, or to pay the tax, penalty, or interest shown in a  
21 filed return, or to pay any final assessment of tax, penalty,  
22 or interest, as required by any tax Act administered by the  
23 Illinois Department of Revenue, until such time as the  
24 requirements of any such tax Act are satisfied as determined  
25 by the Illinois Department of Revenue.

26 The Department, upon the recommendation of the Medical

1 Board, shall adopt rules which set forth standards to be used  
2 in determining:

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

5 (b) what constitutes dishonorable, unethical, or  
6 unprofessional conduct of a character likely to deceive,  
7 defraud, or harm the public;

8 (c) what constitutes immoral conduct in the commission  
9 of any act, including, but not limited to, commission of  
10 an act of sexual misconduct related to the licensee's  
11 practice; and

12 (d) what constitutes gross negligence in the practice  
13 of medicine.

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

17 In enforcing this Section, the Medical Board, upon a  
18 showing of a possible violation, may compel any individual who  
19 is licensed to practice under this Act or holds a permit to  
20 practice under this Act, or any individual who has applied for  
21 licensure or a permit pursuant to this Act, to submit to a  
22 mental or physical examination and evaluation, or both, which  
23 may include a substance abuse or sexual offender evaluation,  
24 as required by the Medical Board and at the expense of the  
25 Department. The Medical Board shall specifically designate the  
26 examining physician licensed to practice medicine in all of

1 its branches or, if applicable, the multidisciplinary team  
2 involved in providing the mental or physical examination and  
3 evaluation, or both. The multidisciplinary team shall be led  
4 by a physician licensed to practice medicine in all of its  
5 branches and may consist of one or more or a combination of  
6 physicians licensed to practice medicine in all of its  
7 branches, licensed chiropractic physicians, licensed clinical  
8 psychologists, licensed clinical social workers, licensed  
9 clinical professional counselors, and other professional and  
10 administrative staff. Any examining physician or member of the  
11 multidisciplinary team may require any person ordered to  
12 submit to an examination and evaluation pursuant to this  
13 Section to submit to any additional supplemental testing  
14 deemed necessary to complete any examination or evaluation  
15 process, including, but not limited to, blood testing,  
16 urinalysis, psychological testing, or neuropsychological  
17 testing. The Medical Board or the Department may order the  
18 examining physician or any member of the multidisciplinary  
19 team to provide to the Department or the Medical Board any and  
20 all records, including business records, that relate to the  
21 examination and evaluation, including any supplemental testing  
22 performed. The Medical Board or the Department may order the  
23 examining physician or any member of the multidisciplinary  
24 team to present testimony concerning this examination and  
25 evaluation of the licensee, permit holder, or applicant,  
26 including testimony concerning any supplemental testing or

1 documents relating to the examination and evaluation. No  
2 information, report, record, or other documents in any way  
3 related to the examination and evaluation shall be excluded by  
4 reason of any common law or statutory privilege relating to  
5 communication between the licensee, permit holder, or  
6 applicant and the examining physician or any member of the  
7 multidisciplinary team. No authorization is necessary from the  
8 licensee, permit holder, or applicant ordered to undergo an  
9 evaluation and examination for the examining physician or any  
10 member of the multidisciplinary team to provide information,  
11 reports, records, or other documents or to provide any  
12 testimony regarding the examination and evaluation. The  
13 individual to be examined may have, at the individual's ~~his or~~  
14 ~~her~~ own expense, another physician of the individual's ~~his or~~  
15 ~~her~~ choice present during all aspects of the examination.  
16 Failure of any individual to submit to mental or physical  
17 examination and evaluation, or both, when directed, shall  
18 result in an automatic suspension, without hearing, until such  
19 time as the individual submits to the examination. If the  
20 Medical Board finds a physician unable to practice following  
21 an examination and evaluation because of the reasons set forth  
22 in this Section, the Medical Board shall require such  
23 physician to submit to care, counseling, or treatment by  
24 physicians, or other health care professionals, approved or  
25 designated by the Medical Board, as a condition for issued,  
26 continued, reinstated, or renewed licensure to practice. Any

1 physician, whose license was granted pursuant to Section 9,  
2 17, or 19 of this Act, or, continued, reinstated, renewed,  
3 disciplined, or supervised, subject to such terms, conditions,  
4 or restrictions who shall fail to comply with such terms,  
5 conditions, or restrictions, or to complete a required program  
6 of care, counseling, or treatment, as determined by the Chief  
7 Medical Coordinator or Deputy Medical Coordinators, shall be  
8 referred to the Secretary for a determination as to whether  
9 the licensee shall have the licensee's ~~his or her~~ license  
10 suspended immediately, pending a hearing by the Medical Board.  
11 In instances in which the Secretary immediately suspends a  
12 license under this Section, a hearing upon such person's  
13 license must be convened by the Medical Board within 15 days  
14 after such suspension and completed without appreciable delay.  
15 The Medical Board shall have the authority to review the  
16 subject physician's record of treatment and counseling  
17 regarding the impairment, to the extent permitted by  
18 applicable federal statutes and regulations safeguarding the  
19 confidentiality of medical records.

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

26 The Medical Board, in determining mental capacity of an

1 individual licensed under this Act, shall consider the latest  
2 recommendations of the Federation of State Medical Boards.

3 The Department may promulgate rules for the imposition of  
4 fines in disciplinary cases, not to exceed \$10,000 for each  
5 violation of this Act. Fines may be imposed in conjunction  
6 with other forms of disciplinary action, but shall not be the  
7 exclusive disposition of any disciplinary action arising out  
8 of conduct resulting in death or injury to a patient. Any funds  
9 collected from such fines shall be deposited into ~~in~~ the  
10 Illinois State Medical Disciplinary Fund.

11 All fines imposed under this Section shall be paid within  
12 60 days after the effective date of the order imposing the fine  
13 or in accordance with the terms set forth in the order imposing  
14 the fine.

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

26 (C) The Department shall not revoke, suspend, place on

1 probation, reprimand, refuse to issue or renew, or take any  
2 other disciplinary or non-disciplinary action against a  
3 person's authorization to practice under this Act:

4 (1) based solely upon the recommendation of the person  
5 to an eligible patient regarding, or prescription for, or  
6 treatment with, an investigational drug, biological  
7 product, or device;

8 (2) for experimental treatment for Lyme disease or  
9 other tick-borne diseases, including, but not limited to,  
10 the prescription of or treatment with long-term  
11 antibiotics;

12 (3) based solely upon the person providing,  
13 authorizing, recommending, aiding, assisting, referring  
14 for, or otherwise participating in any health care  
15 service, so long as the care was not unlawful under the  
16 laws of this State, regardless of whether the patient was  
17 a resident of this State or another state; or

18 (4) based upon the person's license, registration, or  
19 permit being revoked or suspended, or the person being  
20 otherwise disciplined, by any other state if that  
21 revocation, suspension, or other form of discipline was  
22 based solely on the person violating another state's laws  
23 prohibiting the provision of, authorization of,  
24 recommendation of, aiding or assisting in, referring for,  
25 or participation in any health care service if that health  
26 care service as provided would not have been unlawful

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

4 (D) (Blank).

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

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

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

26 (Source: P.A. 103-442, eff. 1-1-24; 104-417, eff. 8-15-25;

1 104-432, eff. 1-1-26; revised 9-15-25.)

2 (225 ILCS 60/22.2)

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

4 Sec. 22.2. Prohibition against fee splitting.

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

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

20 (c) Nothing contained in this Section prohibits a licensee  
21 under this Act from practicing medicine through or within any  
22 form of legal entity authorized to conduct business in this  
23 State or from pooling, sharing, dividing, or apportioning the  
24 professional fees and other revenues in accordance with the  
25 agreements and policies of the entity provided:

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

3 (2) the entity is organized under the Medical  
4 Corporation Act, the Professional Services Corporation  
5 Act, the Professional Association Act, or the Professional  
6 Limited Liability Company Act;

7 (3) the entity is allowed by Illinois law to provide  
8 physician services or employ physicians such as a licensed  
9 hospital or hospital affiliate or licensed ambulatory  
10 surgical treatment center owned in full or in part by  
11 Illinois-licensed physicians;

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

14 (5) the entity is an Illinois not-for-profit ~~not-for~~  
15 ~~profit~~ corporation that is recognized as exempt from the  
16 payment of federal income taxes as an organization  
17 described in Section 501(c)(3) of the Internal Revenue  
18 Code and all of its members are full-time faculty members  
19 of a medical school that offers an ~~a~~ M.D. degree program  
20 that is accredited by the Liaison Committee on Medical  
21 Education and a program of graduate medical education that  
22 is accredited by the Accreditation Council for Graduate  
23 Medical Education.

24 (d) Nothing contained in this Section prohibits a licensee  
25 under this Act from paying a fair market value fee to any  
26 person or entity whose purpose is to perform billing,

1 administrative preparation, or collection services based upon  
2 a percentage of professional service fees billed or collected,  
3 a flat fee, or any other arrangement that directly or  
4 indirectly divides professional fees, for the administrative  
5 preparation of the licensee's claims or the collection of the  
6 licensee's charges for professional services, provided that:

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

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

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

24 (f) Excluding payments that may be made to the owners of or  
25 licensees in the licensee's practice under subsection (c), a  
26 licensee under this Act may not divide, share or split a

1 professional service fee with, or otherwise directly or  
2 indirectly pay a percentage of the licensee's professional  
3 service fees, revenues or profits to anyone for: (i) the  
4 marketing or management of the licensee's practice, (ii)  
5 including the licensee or the licensee's practice on any  
6 preferred provider list, (iii) allowing the licensee to  
7 participate in any network of health care providers, (iv)  
8 negotiating fees, charges or terms of service or payment on  
9 behalf of the licensee, or (v) including the licensee in a  
10 program whereby patients or beneficiaries are provided an  
11 incentive to use the services of the licensee.

12 (g) A violation of any of the provisions of this Section  
13 constitutes an unlawful practice under the Consumer Fraud and  
14 Deceptive Business Practices Act. All remedies, penalties, and  
15 authority granted to the Attorney General by the Consumer  
16 Fraud and Deceptive Business Practices Act shall be available  
17 to him or her for the enforcement of this Section. This  
18 subsection does not apply to hospitals and hospital affiliates  
19 licensed in Illinois.

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

21 (225 ILCS 60/23) (from Ch. 111, par. 4400-23)

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

23 Sec. 23. Reports relating to professional conduct and  
24 capacity.

25 (A) Entities required to report.

1           (1) Health care institutions. The chief administrator  
2           or executive officer of any health care institution  
3           licensed by the Illinois Department of Public Health shall  
4           report to the Medical Board when any person's clinical  
5           privileges are terminated or are restricted based on a  
6           final determination made in accordance with that  
7           institution's by-laws or rules and regulations that a  
8           person has either committed an act or acts which may  
9           directly threaten patient care or that a person may have a  
10          mental or physical disability that may endanger patients  
11          under that person's care. Such officer also shall report  
12          if a person accepts voluntary termination or restriction  
13          of clinical privileges in lieu of formal action based upon  
14          conduct related directly to patient care or in lieu of  
15          formal action seeking to determine whether a person may  
16          have a mental or physical disability that may endanger  
17          patients under that person's care. The Medical Board  
18          shall, by rule, provide for the reporting to it by health  
19          care institutions of all instances in which a person,  
20          licensed under this Act, who is impaired by reason of age,  
21          drug or alcohol abuse, or physical or mental impairment,  
22          is under supervision and, where appropriate, is in a  
23          program of rehabilitation. Such reports shall be strictly  
24          confidential and may be reviewed and considered only by  
25          the members of the Medical Board, or by authorized staff  
26          as provided by rules of the Medical Board. Provisions

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

1 with the applicable standard of conduct for a person  
2 practicing in Illinois under this Act.

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

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

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

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

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

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

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

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

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

24                 (3) The name and date of birth of any patient or  
25                 patients whose treatment is a subject of the report, if  
26                 available, or other means of identification if such

1 information is not available, identification of the  
2 hospital or other health care facility where the care at  
3 issue in the report was rendered, provided, however, no  
4 medical records may be revealed.

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

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

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

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

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

26 Nothing contained in this Section shall act to, in any

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

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

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

26 Should the Attorney General decline representation, the

1 member shall have the right to employ counsel of the member's  
2 ~~his or her~~ choice, whose fees shall be provided by the State,  
3 after approval by the Attorney General, unless there is a  
4 determination by a court that the member's actions were not in  
5 good faith or were willful ~~wilful~~ and wanton.

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

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

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

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

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

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

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

26 Should the Medical Board find that there are not

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

18 (F) Summary reports. The Medical Board shall prepare, on a  
19 timely basis, but in no event less than once every other month,  
20 a summary report of final disciplinary actions taken upon  
21 disciplinary files maintained by the Medical Board. The  
22 summary reports shall be made available to the public upon  
23 request and payment of the fees set by the Department. This  
24 publication may be made available to the public on the  
25 Department's website. Information or documentation relating to  
26 any disciplinary file that is closed without disciplinary

1 action taken shall not be disclosed and shall be afforded the  
2 same status as is provided by Part 21 of Article VIII of the  
3 Code of Civil Procedure.

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

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

19 (I) 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 60/26) (from Ch. 111, par. 4400-26)

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

24 Sec. 26. Advertising.

25 (1) Any person licensed under this Act may advertise the

1 availability of professional services in the public media or  
2 on the premises where such professional services are rendered.  
3 Such advertising shall be limited to the following  
4 information:

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

7 (b) Information pertaining to the person's areas of  
8 specialization, including appropriate board certification  
9 or limitation of professional practice;

10 (c) Information on usual and customary fees for  
11 routine professional services offered, which information  
12 shall include, notification that fees may be adjusted due  
13 to complications or unforeseen circumstances;

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

16 (e) Announcement of additions to or deletions from  
17 professional licensed staff;

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

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

23 (3) This Act does not authorize the advertising of  
24 professional services which the offeror of such services is  
25 not licensed to render. Nor shall the advertiser use  
26 statements which contain false, fraudulent, deceptive or

1 misleading material or guarantees of success, statements which  
2 play upon the vanity or fears of the public, or statements  
3 which promote or produce unfair competition.

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

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

9 (225 ILCS 60/36) (from Ch. 111, par. 4400-36)

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

11 Sec. 36. Investigation; notice.

12 (a) Upon the motion of either the Department or the  
13 Medical Board or upon the verified complaint in writing of any  
14 person setting forth facts which, if proven, would constitute  
15 grounds for suspension or revocation under Section 22 of this  
16 Act, the Department shall investigate the actions of any  
17 person, so accused, who holds or represents that the person ~~he~~  
18 ~~or she~~ holds a license. Such person is hereinafter called the  
19 accused.

20 (b) The Department shall, before suspending, revoking,  
21 placing on probationary status, or taking any other  
22 disciplinary action as the Department may deem proper with  
23 regard to any license at least 30 days prior to the date set  
24 for the hearing, notify the accused in writing of any charges  
25 made and the time and place for a hearing of the charges before

1 the Medical Board, direct the accused ~~him or her~~ to file the  
2 accused's ~~his or her~~ written answer thereto to the Medical  
3 Board under oath within 20 days after the service on the  
4 accused ~~him or her~~ of such notice and inform the accused ~~him or~~  
5 ~~her~~ that if the accused ~~he or she~~ fails to file such answer  
6 default will be taken against the accused ~~him or her~~ and the  
7 accused's ~~his or her~~ license may be suspended, revoked, placed  
8 on probationary status, or have other disciplinary action,  
9 including limiting the scope, nature or extent of the  
10 accused's ~~his or her~~ practice, as the Department may deem  
11 proper taken with regard thereto. The Department shall, at  
12 least 14 days prior to the date set for the hearing, notify in  
13 writing any person who filed a complaint against the accused  
14 of the time and place for the hearing of the charges against  
15 the accused before the Medical Board and inform such person  
16 whether the accused ~~he or she~~ may provide testimony at the  
17 hearing.

18 (c) (Blank).

19 (d) Such written notice and any notice in such proceedings  
20 thereafter may be served by personal delivery, email to the  
21 respondent's email address of record, or mail to the  
22 respondent's address of record.

23 (e) All information gathered by the Department during its  
24 investigation including information subpoenaed under Section  
25 23 or 38 of this Act and the investigative file shall be kept  
26 for the confidential use of the Secretary, the Medical Board,

1 the Medical Coordinators, persons employed by contract to  
2 advise the Medical Coordinator or the Department, the Medical  
3 Board's attorneys, the medical investigative staff, and  
4 authorized clerical staff, as provided in this Act and shall  
5 be afforded the same status as is provided information  
6 concerning medical studies in Part 21 of Article VIII of the  
7 Code of Civil Procedure, except that the Department may  
8 disclose information and documents to a federal, State, or  
9 local law enforcement agency pursuant to a subpoena in an  
10 ongoing criminal investigation to a health care licensing body  
11 of this State or another state or jurisdiction pursuant to an  
12 official request made by that licensing body. Furthermore,  
13 information and documents disclosed to a federal, State, or  
14 local law enforcement agency may be used by that agency only  
15 for the investigation and prosecution of a criminal offense  
16 or, in the case of disclosure to a health care licensing body,  
17 only for investigations and disciplinary action proceedings  
18 with regard to a license issued by that licensing body.

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

21 (225 ILCS 60/37) (from Ch. 111, par. 4400-37)

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

23 Sec. 37. Disciplinary actions.

24 (a) At the time and place fixed in the notice, the Medical  
25 Board provided for in this Act shall proceed to hear the

1 charges, and the accused person shall be accorded ample  
2 opportunity to present in person, or by counsel, such  
3 statements, testimony, evidence and argument as may be  
4 pertinent to the charges or to any defense thereto. The  
5 Medical Board may continue such hearing from time to time. If  
6 the Medical Board is not sitting at the time and place fixed in  
7 the notice or at the time and place to which the hearing has  
8 been continued, the Department shall continue such hearing for  
9 a period not to exceed 30 days.

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

20 (c) The Medical Board has the authority to recommend to  
21 the Secretary that probation be granted or that other  
22 disciplinary or non-disciplinary action, including the  
23 limitation of the scope, nature or extent of a person's  
24 practice, be taken as it deems proper. If disciplinary or  
25 non-disciplinary action, other than suspension or revocation,  
26 is taken the Medical Board may recommend that the Secretary

1 impose reasonable limitations and requirements upon the  
2 accused registrant to ensure compliance with the terms of the  
3 probation or other disciplinary action, including, but not  
4 limited to, regular reporting by the accused to the Department  
5 of their actions, placing themselves under the care of a  
6 qualified physician for treatment, or limiting their practice  
7 in such manner as the Secretary may require.

8 (d) The Secretary, after consultation with the Chief  
9 Medical Coordinator or Deputy Medical Coordinator, may  
10 temporarily suspend the license of a physician without a  
11 hearing, simultaneously with the institution of proceedings  
12 for a hearing provided under this Section if the Secretary  
13 possesses evidence that ~~finds that evidence in his or her~~  
14 ~~possession~~ indicates that a physician's continuation in  
15 practice would constitute an immediate danger to the public.  
16 In the event that the Secretary suspends, temporarily, the  
17 license of a physician without a hearing, a hearing by the  
18 Medical Board shall be held within 15 days after such  
19 suspension has occurred and shall be concluded without  
20 appreciable delay.

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

22 (225 ILCS 60/38) (from Ch. 111, par. 4400-38)

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

24 Sec. 38. Subpoena; oaths.

25 (a) The Medical Board or Department has power to subpoena

1 and bring before it any person in this State and to take  
2 testimony either orally or by deposition, or both, with the  
3 same fees and mileage and in the same manner as is prescribed  
4 by law for judicial procedure in civil cases.

5 (b) The Medical Board or Department, upon a determination  
6 that probable cause exists that a violation of one or more of  
7 the grounds for discipline listed in Section 22 has occurred  
8 or is occurring, may subpoena the medical and hospital records  
9 of individual patients of physicians licensed under this Act,  
10 provided, that prior to the submission of such records to the  
11 Medical Board, all information indicating the identity of the  
12 patient shall be removed and deleted. Notwithstanding the  
13 foregoing, the Medical Board and Department shall possess the  
14 power to subpoena copies of hospital or medical records in  
15 mandatory report cases under Section 23 alleging death or  
16 permanent bodily injury when consent to obtain records is not  
17 provided by a patient or legal representative. Prior to  
18 submission of the records to the Medical Board, all  
19 information indicating the identity of the patient shall be  
20 removed and deleted. All medical records and other information  
21 received pursuant to subpoena shall be confidential and shall  
22 be afforded the same status as is proved information  
23 concerning medical studies in Part 21 of Article VIII of the  
24 Code of Civil Procedure. The use of such records shall be  
25 restricted to members of the Medical Board, the medical  
26 coordinators, and appropriate staff of the Department

1 designated by the Medical Board for the purpose of determining  
2 the existence of one or more grounds for discipline of the  
3 physician as provided for by Section 22 of this Act. Any such  
4 review of individual patients' records shall be conducted by  
5 the Medical Board in strict confidentiality, provided that  
6 such patient records shall be admissible in a disciplinary  
7 hearing, before the Medical Board, when necessary to  
8 substantiate the grounds for discipline alleged against the  
9 physician licensed under this Act, and provided further, that  
10 nothing herein shall be deemed to supersede the provisions of  
11 Part 21 of Article VIII of the Code of Civil Procedure, to the  
12 extent applicable.

13 (c) The Secretary, hearing officer, and any member of the  
14 Medical Board each have power to administer oaths at any  
15 hearing which the Medical Board or Department is authorized by  
16 law to conduct.

17 (d) Upon ~~The Medical Board, upon~~ a determination that  
18 probable cause exists that a violation of one or more of the  
19 grounds for discipline listed in Section 22 has occurred or is  
20 occurring on the business premises of a physician licensed  
21 under this Act, ~~may issue an order authorizing~~ an  
22 appropriately qualified investigator employed by the  
23 Department may ~~to~~ enter upon the business premises with due  
24 consideration for patient care of the subject of the  
25 investigation so as to inspect the physical premises and  
26 equipment and furnishings therein. The right to inspection ~~is~~

1 ~~such order~~ shall not include the right of inspection of  
2 business, medical, or personnel records located on the  
3 premises without a subpoena issued in accordance with this  
4 Section or Section 2105-105 of the Department of Professional  
5 Regulation Law of the Civil Administrative Code of Illinois.

6 For purposes of this Section, "business premises" is defined  
7 as the office or offices where the physician conducts the  
8 practice of medicine. ~~Any such order shall expire and become~~  
9 ~~void five business days after its issuance by the Medical~~  
10 ~~Board.~~ The execution of any such inspection order shall be  
11 valid only during the normal business hours of the facility or  
12 office to be inspected.

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

14 (225 ILCS 60/40) (from Ch. 111, par. 4400-40)

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

16 Sec. 40. Findings and recommendations; rehearing.

17 (a) The Medical Board shall present to the Secretary a  
18 written report of its findings and recommendations. A copy of  
19 such report shall be served upon the accused person, either  
20 personally or by mail or email. Within 20 days after such  
21 service, the accused person may present to the Department the  
22 accused person's ~~his or her~~ motion, in writing, for a  
23 rehearing, which written motion shall specify the particular  
24 ground therefor. If the accused person orders and pays for a  
25 transcript of the record as provided in Section 39, the time

1 elapsing thereafter and before such transcript is ready for  
2 delivery to them shall not be counted as part of such 20 days.

3 (b) At the expiration of the time allowed for filing a  
4 motion for rehearing, the Secretary may take the action  
5 recommended by the Medical Board. Upon the suspension,  
6 revocation, placement on probationary status, or the taking of  
7 any other disciplinary action, including the limiting of the  
8 scope, nature, or extent of one's practice, deemed proper by  
9 the Department, with regard to the license or permit, the  
10 accused shall surrender the accused's ~~his or her~~ license or  
11 permit to the Department, if ordered to do so by the  
12 Department, and upon the accused's ~~his or her~~ failure or  
13 refusal so to do, the Department may seize the same.

14 (c) Each order of revocation, suspension, or other  
15 disciplinary action shall contain a brief, concise statement  
16 of the ground or grounds upon which the Department's action is  
17 based, as well as the specific terms and conditions of such  
18 action. This document shall be retained as a permanent record  
19 by the Department.

20 (d) (Blank).

21 (e) In those instances where an order of revocation,  
22 suspension, or other disciplinary action has been rendered by  
23 virtue of a physician's physical illness, including, but not  
24 limited to, deterioration through the aging process, or loss  
25 of motor skill which results in a physician's inability to  
26 practice medicine with reasonable judgment, skill, or safety,

1 the Department shall only permit this document, and the record  
2 of the hearing incident thereto, to be observed, inspected,  
3 viewed, or copied pursuant to court order.

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

5 (225 ILCS 60/44) (from Ch. 111, par. 4400-44)

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

7 Sec. 44. None of the disciplinary functions, powers and  
8 duties enumerated in this Act shall be exercised by the  
9 Department except upon the action and report in writing of the  
10 Medical Board.

11 In all instances, under this Act, in which the Medical  
12 Board has rendered a recommendation to the Secretary with  
13 respect to a particular physician, the Secretary may take  
14 action contrary to the recommendation of the Medical Board. In  
15 the event that the Secretary disagrees with or takes action  
16 contrary to the recommendation of the Medical Board, the  
17 Secretary may file with the Medical Board the Secretary's ~~his~~  
18 ~~or her~~ specific written reasons of disagreement with the  
19 Medical Board. Such reasons shall be filed within 30 days of  
20 the occurrence of the Secretary's contrary position having  
21 been taken.

22 The action and report in writing of a majority of the  
23 Medical Board designated is sufficient authority upon which  
24 the Secretary may act.

25 Whenever the Secretary is satisfied that substantial

1 justice has not been done in a formal disciplinary action, or  
2 refusal to restore a license, the Secretary ~~he or she~~ may order  
3 a rehearing.

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

5 (225 ILCS 60/49) (from Ch. 111, par. 4400-49)

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

7 Sec. 49. If any person does any of the following and does  
8 not possess a valid license issued under this Act, that person  
9 shall be sentenced as provided in Section 59: (i) holds  
10 himself or herself out to the public as being engaged in the  
11 diagnosis or treatment of physical or mental ailments or  
12 conditions including, but not limited to, deformities,  
13 diseases, disorders, or injuries of human beings; (ii)  
14 suggests, recommends or prescribes any form of treatment for  
15 the palliation, relief or cure of any physical or mental  
16 ailment or condition of any person with the intention of  
17 receiving, either directly or indirectly, any fee, gift, or  
18 compensation whatever; (iii) diagnoses or attempts to  
19 diagnose, operates upon, professes to heal, prescribes for, or  
20 otherwise treats any ailment or condition, or supposed ailment  
21 or condition, of another; (iv) maintains an office for  
22 examination or treatment of persons afflicted, or alleged or  
23 supposed to be afflicted, by any ailment or condition; (v)  
24 manipulates or adjusts osseous or articular structures; or  
25 (vi) attaches the title Doctor, Physician, Surgeon, M.D., D.O.

1 or D.C. or any other word or abbreviation to the person's ~~his~~  
2 ~~or her~~ name indicating that the person ~~he or she~~ is engaged in  
3 the treatment of human ailments or conditions as a business.

4 Whenever the Department has reason to believe that any  
5 person has violated this Section 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. The rule shall clearly set  
8 forth the grounds relied upon by the Department and shall  
9 provide a period of 7 days from the date of the rule to file an  
10 answer to the satisfaction of the Department. Failure to  
11 answer to the satisfaction of the Department shall cause an  
12 order to cease and desist to be issued immediately.

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

14 (225 ILCS 60/54) (from Ch. 111, par. 4400-54)

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

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

20 However, nothing in this Act shall be construed as  
21 prohibiting partnerships, limited liability companies,  
22 associations, or corporations in accordance with subsection  
23 (c) of Section 22.2 of this Act.

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

1 (225 ILCS 60/54.2)

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

3 Sec. 54.2. Physician delegation of authority.

4 (a) Nothing in this Act shall be construed to limit the  
5 delegation of patient care tasks or duties by a physician, to a  
6 licensed practical nurse, a registered professional nurse, or  
7 other licensed person practicing within the scope of the  
8 licensed person's ~~his or her~~ individual licensing Act.  
9 Delegation by a physician licensed to practice medicine in all  
10 its branches to physician assistants or advanced practice  
11 registered nurses is also addressed in Section 54.5 of this  
12 Act. No physician may delegate any patient care task or duty  
13 that is statutorily or by rule mandated to be performed by a  
14 physician.

15 (b) In an office or practice setting and within a  
16 physician-patient relationship, a physician may delegate  
17 patient care tasks or duties to an unlicensed person who  
18 possesses appropriate training and experience provided a  
19 health care professional, who is practicing within the scope  
20 of such licensed professional's individual licensing Act, is  
21 on site to provide assistance.

22 (c) Any such patient care task or duty delegated to a  
23 licensed or unlicensed person must be within the scope of  
24 practice, education, training, or experience of the delegating  
25 physician and within the context of a physician-patient  
26 relationship.

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

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

9 (1) the laser hair removal facility follows a  
10 physician delegation protocol, which shall be made  
11 available to the Department upon request;

12 (2) the examination is performed by an advanced  
13 practice registered nurse;

14 (3) the procedure is delegated by a physician and  
15 performed by a registered nurse or licensed practical  
16 nurse who has received appropriate, documented training  
17 and education in the safe and effective use of each  
18 system; and

19 (4) a physician is available by telephone or other  
20 electronic means to respond promptly to any questions or  
21 complications that may occur.

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

25 (f) Nothing in this Act shall be construed to limit the  
26 method of delegation that may be authorized by any means,

1 including, but not limited to, oral, written, electronic,  
2 standing orders, protocols, guidelines, or verbal orders.

3 (g) (Blank). ~~A physician licensed to practice medicine in  
4 all of its branches under this Act may delegate any and all  
5 authority prescribed to him or her by law to international  
6 medical graduate physicians, so long as the tasks or duties  
7 are within the scope of practice, education, training, or  
8 experience of the delegating physician who is on site to  
9 provide assistance. An international medical graduate working  
10 in Illinois pursuant to this subsection is subject to all  
11 statutory and regulatory requirements of this Act, as  
12 applicable, relating to the standards of care. An  
13 international medical graduate physician is limited to  
14 providing treatment under the supervision of a physician  
15 licensed to practice medicine in all of its branches. The  
16 supervising physician or employer must keep record of and make  
17 available upon request by the Department the following: (1)  
18 evidence of education certified by the Educational Commission  
19 for Foreign Medical Graduates; (2) evidence of passage of Step  
20 1, Step 2 Clinical Knowledge, and Step 3 of the United States  
21 Medical Licensing Examination as required by this Act; and (3)  
22 evidence of an unencumbered license from another country. This  
23 subsection does not apply to any international medical  
24 graduate whose license as a physician is revoked, suspended,  
25 or otherwise encumbered. This subsection is inoperative upon  
26 the adoption of rules implementing Section 15.5.~~

1 (Source: P.A. 103-1, eff. 4-27-23; 103-102, eff. 6-16-23;  
2 103-814, eff. 1-1-25.)

3 (225 ILCS 60/54.5)

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

5 Sec. 54.5. Physician delegation of authority to physician  
6 assistants, advanced practice registered nurses without full  
7 practice authority, and prescribing psychologists.

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

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

24 The collaborating physician must keep appropriate  
25 documentation of meeting this exemption and make it available

1 to the Department upon request.

2 (b) A physician licensed to practice medicine in all its  
3 branches in active clinical practice may collaborate with an  
4 advanced practice registered nurse in accordance with the  
5 requirements of the Nurse Practice Act. Collaboration is for  
6 the purpose of providing medical consultation, and no  
7 employment relationship is required. A written collaborative  
8 agreement shall conform to the requirements of Section 65-35  
9 of the Nurse Practice Act. The written collaborative agreement  
10 shall be for services for which the collaborating physician  
11 can provide adequate collaboration. A written collaborative  
12 agreement shall be adequate with respect to collaboration with  
13 advanced practice registered nurses if all of the following  
14 apply:

15 (1) The agreement is written to promote the exercise  
16 of professional judgment by the advanced practice  
17 registered nurse commensurate with the advanced practice  
18 registered nurse's ~~his or her~~ education and experience.

19 (2) The advanced practice registered nurse provides  
20 services based upon a written collaborative agreement with  
21 the collaborating physician, except as set forth in  
22 subsection (b-5) of this Section. With respect to labor  
23 and delivery, the collaborating physician must provide  
24 delivery services in order to participate with a certified  
25 nurse midwife.

26 (3) Methods of communication are available with the

1 collaborating physician in person or through  
2 telecommunications for consultation, collaboration, and  
3 referral as needed to address patient care needs.

4 (b-5) An anesthesiologist or physician licensed to  
5 practice medicine in all its branches may collaborate with a  
6 certified registered nurse anesthetist in accordance with  
7 Section 65-35 of the Nurse Practice Act for the provision of  
8 anesthesia services. With respect to the provision of  
9 anesthesia services, the collaborating anesthesiologist or  
10 physician shall have training and experience in the delivery  
11 of anesthesia services consistent with Department rules.  
12 Collaboration shall be adequate if:

13 (1) an anesthesiologist or a physician participates in  
14 the joint formulation and joint approval of orders or  
15 guidelines and periodically reviews such orders and the  
16 services provided patients under such orders; and

17 (2) for anesthesia services, the anesthesiologist or  
18 physician participates through discussion of and agreement  
19 with the anesthesia plan and is physically present and  
20 available on the premises during the delivery of  
21 anesthesia services for diagnosis, consultation, and  
22 treatment of emergency medical conditions. Anesthesia  
23 services in a hospital shall be conducted in accordance  
24 with Section 10.7 of the Hospital Licensing Act and in an  
25 ambulatory surgical treatment center in accordance with  
26 Section 6.5 of the Ambulatory Surgical Treatment Center

1 Act.

2 (b-10) The anesthesiologist or operating physician must  
3 agree with the anesthesia plan prior to the delivery of  
4 services.

5 (c) The collaborating physician shall have access to the  
6 medical records of all patients attended by a physician  
7 assistant. The collaborating physician shall have access to  
8 the medical records of all patients attended to by an advanced  
9 practice registered nurse.

10 (d) (Blank).

11 (e) A physician shall not be liable for the acts or  
12 omissions of a prescribing psychologist, physician assistant,  
13 or advanced practice registered nurse solely on the basis of  
14 having signed a supervision agreement or guidelines or a  
15 collaborative agreement, an order, a standing medical order, a  
16 standing delegation order, or other order or guideline  
17 authorizing a prescribing psychologist, physician assistant,  
18 or advanced practice registered nurse to perform acts, unless  
19 the physician has reason to believe the prescribing  
20 psychologist, physician assistant, or advanced practice  
21 registered nurse lacked the competency to perform the act or  
22 acts or commits willful and wanton misconduct.

23 (f) A collaborating physician may, but is not required to,  
24 delegate prescriptive authority to an advanced practice  
25 registered nurse as part of a written collaborative agreement,  
26 and the delegation of prescriptive authority shall conform to

1 the requirements of Section 65-40 of the Nurse Practice Act.

2 (g) A collaborating physician may, but is not required to,  
3 delegate prescriptive authority to a physician assistant as  
4 part of a written collaborative agreement, and the delegation  
5 of prescriptive authority shall conform to the requirements of  
6 Section 7.5 of the Physician Assistant Practice Act of 1987.

7 (h) (Blank).

8 (i) A collaborating physician shall delegate prescriptive  
9 authority to a prescribing psychologist as part of a written  
10 collaborative agreement, and the delegation of prescriptive  
11 authority shall conform to the requirements of Section 4.3 of  
12 the Clinical Psychologist Licensing Act.

13 (j) As set forth in Section 22.2 of this Act, a licensee  
14 under this Act may not directly or indirectly divide, share,  
15 or split any professional fee or other form of compensation  
16 for professional services with anyone in exchange for a  
17 referral or otherwise, other than as provided in Section 22.2.  
18 (Source: P.A. 103-228, eff. 1-1-24.)

19 (225 ILCS 60/58) (from Ch. 111, par. 4400-58)

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

21 Sec. 58. Any person who shall willfully ~~wilfully~~ swear or  
22 affirm falsely, or make or file any affidavit willfully  
23 ~~wilfully~~ and corruptly, in filing or prosecuting their  
24 application for a license before the Department, or in  
25 submitting any complaint, evidence or testimony to the

1 Department under the provisions of this Act, or under any rule  
2 or regulation of the Department, shall be sentenced therefor  
3 as the law shall prescribe at the time for perjury.

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

5 (225 ILCS 60/66)

6 Sec. 66. Temporary permit for health care.

7 (a) The Department may issue a temporary permit to an  
8 applicant who is licensed to practice as a physician in  
9 another state. The temporary permit will authorize the  
10 practice of providing health care to patients in this State if  
11 all of the following apply:

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

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

1           The Department will not consider a physician's license  
2 being revoked or otherwise disciplined by any state or  
3 territory based solely on the physician providing,  
4 authorizing, recommending, aiding, assisting, referring  
5 for, or otherwise participating in any health care service  
6 that is unlawful or prohibited in that state or territory,  
7 if the provision of, authorization of, or participation in  
8 that health care, medical service, or procedure related to  
9 any health care service is not unlawful or prohibited in  
10 this State.

11           (3) The applicant has sufficient training and  
12 possesses the appropriate core competencies to provide  
13 health care services, and is physically, mentally, and  
14 professionally capable of practicing medicine with  
15 reasonable judgment, skill, and safety and in accordance  
16 with applicable standards of care.

17           (4) The applicant will be working pursuant to an  
18 agreement with a sponsoring licensed hospital, medical  
19 office, clinic, or other medical facility providing  
20 abortion or other health care services. Such agreement  
21 shall be executed by an authorized representative of the  
22 licensed hospital, medical office, clinic, or other  
23 medical facility, certifying that the physician holds an  
24 active license and is in good standing in the state in  
25 which they are licensed. If an applicant for a temporary  
26 permit has been previously disciplined by another

1 jurisdiction, except as described in paragraph (2) of  
2 subsection (a), further review may be conducted pursuant  
3 to the Civil Administrative Code of Illinois and this Act.  
4 The application shall include the physician's name,  
5 contact information, state of licensure, and license  
6 number.

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

8 The sponsoring licensed hospital, medical office, clinic,  
9 or other medical facility engaged in the agreement with the  
10 applicant shall notify the Department should the applicant at  
11 any point leave or become separate from the sponsor.

12 The Department may adopt rules pursuant to this Section.

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

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

20 (d) An application for the temporary permit shall be made  
21 to the Department, in writing, on forms prescribed by the  
22 Department, and shall be accompanied by a nonrefundable  
23 ~~non-refundable~~ fee of \$75. The Department shall grant or deny  
24 an applicant a temporary permit within 60 days of receipt of a  
25 completed application. The Department shall notify the  
26 applicant of any deficiencies in the applicant's application

1 materials requiring corrections in a timely manner.

2 (e) An applicant for temporary permit may be requested to  
3 appear before the Board to respond to questions concerning the  
4 applicant's qualifications to receive the permit. An  
5 applicant's refusal to appear before the Illinois State  
6 Medical Board may be grounds for denial of the application by  
7 the Department.

8 (f) The Secretary may summarily cancel any temporary  
9 permit issued pursuant to this Section, without a hearing, if  
10 the Secretary finds ~~that~~ evidence that ~~in his or her~~  
11 ~~possession~~ indicates that a permit holder's continuation in  
12 practice would constitute an imminent danger to the public or  
13 violate any provision of this Act or its rules. If the  
14 Secretary summarily cancels a temporary permit issued pursuant  
15 to this Section or Act, the permit holder may petition the  
16 Department for a hearing in accordance with the provisions of  
17 Section 43 of this Act to restore the permit holder's ~~his or~~  
18 ~~her~~ permit, unless the permit holder has exceeded the ~~his or~~  
19 ~~her~~ renewal limit.

20 (g) In addition to terminating any temporary permit issued  
21 pursuant to this Section or Act, the Department may issue a  
22 monetary penalty not to exceed \$10,000 upon the temporary  
23 permit holder and may notify any state in which the temporary  
24 permit holder has been issued a permit that the permit  
25 holder's ~~his or her~~ Illinois permit has been terminated and  
26 the reasons for the termination. The monetary penalty shall be

1 paid within 60 days after the effective date of the order  
2 imposing the penalty. The order shall constitute a judgment  
3 and may be filed and execution had thereon in the same manner  
4 as any judgment from any court of record. It is the intent of  
5 the General Assembly that a permit issued pursuant to this  
6 Section shall be considered a privilege and not a property  
7 right.

8 (h) While working in Illinois, all temporary permit  
9 holders are subject to all statutory and regulatory  
10 requirements of this Act in the same manner as a licensee.  
11 Failure to adhere to all statutory and regulatory requirements  
12 may result in revocation or other discipline of the temporary  
13 permit.

14 (i) If the Department becomes aware of a violation  
15 occurring at the licensed hospital, medical office, clinic, or  
16 other medical facility or via telehealth practice, the  
17 Department shall notify the Department of Public Health.

18 (j) The Department may adopt emergency rules pursuant to  
19 this Section. The General Assembly finds that the adoption of  
20 rules to implement a temporary permit for health care services  
21 is deemed an emergency and necessary for the public interest,  
22 safety, and welfare.

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

24 (225 ILCS 60/70 new)

25 Sec. 70. Record retention. A physician shall retain all

1 medical records of adult patients not appropriately  
2 transferred to another physician or entity for at least 6  
3 years after the last date of service for each patient, except  
4 as otherwise required by law. A physician shall retain all  
5 medical records of minor patients not appropriately  
6 transferred to another physician or entity for at least 6  
7 years after the last date of service for each patient or until  
8 the patient reaches the age of 21, whichever date is longer,  
9 except as otherwise required by law.

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

14 (225 ILCS 80/3) (from Ch. 111, par. 3903)

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

16 Sec. 3. Practice of optometry defined; referrals;  
17 manufacture of lenses and prisms.

18 (a) The practice of optometry is defined as the employment  
19 of any and all means for the examination, diagnosis, and  
20 treatment of the human visual system, the human eye, and its  
21 appendages without the use of surgery or the use of lasers for  
22 surgical purposes, including, but not limited to: the  
23 appropriate use of ocular pharmaceutical agents; refraction  
24 and other determinants of visual function; prescribing

1 corrective lenses or prisms; prescribing, dispensing, or  
2 management of contact lenses; vision therapy; visual  
3 rehabilitation; or any other procedures taught in schools and  
4 colleges of optometry approved by the Department, and not  
5 specifically restricted in this Act, subject to demonstrated  
6 competency and training as required by the Board, and pursuant  
7 to rule or regulation approved by the Board and adopted by the  
8 Department.

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

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

13 (2) Performs refractions or employs any other  
14 determinants of visual function.

15 (3) Employs any means for the adaptation of lenses or  
16 prisms.

17 (4) Prescribes corrective lenses, prisms, vision  
18 therapy, visual rehabilitation, or ocular pharmaceutical  
19 agents.

20 (5) Prescribes or manages contact lenses for  
21 refractive, cosmetic, or therapeutic purposes.

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

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

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

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

17          (b) When, in the course of providing optometric services  
18          to any person, an optometrist licensed under this Act finds an  
19          indication of a disease or condition of the eye which in the  
20          optometrist's ~~his or her~~ professional judgment requires  
21          professional service outside the scope of practice as defined  
22          in this Act, the optometrist ~~he or she~~ shall refer such person  
23          to a physician licensed to practice medicine in all of its  
24          branches, or other appropriate health care practitioner.  
25          Nothing in this Act shall preclude an optometrist from  
26          rendering appropriate nonsurgical emergency care.

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

21           (d) Nothing in this Act shall restrict the filling of a  
22 prescription by a pharmacist licensed under the Pharmacy  
23 Practice Act.

24           (e) Nothing in this Act shall be construed to restrict the  
25 dispensing and sale by an optometrist of ocular devices, such  
26 as contact lenses, that contain and deliver ocular

1 pharmaceutical agents permitted for use or prescription under  
2 this Act.

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

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

18 (225 ILCS 80/4) (from Ch. 111, par. 3904)

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

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

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

1 (225 ILCS 80/5) (from Ch. 111, par. 3905)

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

3 Sec. 5. Title and designation of licensed optometrists.

4 Every person to whom a valid existing license as an  
5 optometrist has been issued under this Act, shall be  
6 designated professionally as an "optometrist" and not  
7 otherwise, and any such licensed optometrist may, in  
8 connection with the practice of the licensed optometrist's ~~his~~  
9 ~~or her~~ profession, use the title or designation of  
10 "optometrist", and, if entitled by degree from a college or  
11 university recognized by the Department of Financial and  
12 Professional Regulation, may use the title of "Doctor of  
13 Optometry", or the abbreviation "O.D.". When the name of such  
14 licensed optometrist is used professionally in oral, written,  
15 or printed announcements, prescriptions, professional cards,  
16 or publications for the information of the public, and is  
17 preceded by the title "Doctor" or the abbreviation "Dr.", the  
18 explanatory designation of "optometrist", "optometry", or  
19 "Doctor of Optometry" shall be added immediately following  
20 such title and name. When such announcement, prescription,  
21 professional care or publication is in writing or in print,  
22 such explanatory addition shall be in writing, type, or print  
23 not less than one-half the size of that used in said name and  
24 title. No person other than the holder of a valid existing  
25 license under this Act shall use the title and designation of  
26 "Doctor of Optometry", "O.D.", or "optometrist", either

1 directly or indirectly in connection with the licensee's ~~his~~  
2 ~~or her~~ profession or business.

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

4 (225 ILCS 80/6) (from Ch. 111, par. 3906)

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

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

8 (a) Every holder of a license under this Act shall display  
9 such license on a conspicuous place in the office or offices  
10 wherein such holder practices optometry and every holder  
11 shall, whenever requested, exhibit such license to any  
12 representative of the Department, and shall notify the  
13 Department of the address or addresses and of every change  
14 thereof, where such holder shall practice optometry.

15 (b) Every licensed optometrist shall keep a record of  
16 examinations made and prescriptions issued, which record shall  
17 include the names of persons examined and for whom  
18 prescriptions were prepared, and shall be signed by the  
19 licensed optometrist and shall be retained in the office in  
20 which such professional service was rendered or in a secure  
21 offsite storage facility. Such records shall be preserved by  
22 the optometrist for a period designated by the Department. A  
23 copy of such records shall be provided, upon written request,  
24 to the person examined, or the person's ~~his or her~~ designee.

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

1 (225 ILCS 80/7) (from Ch. 111, par. 3907)

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

3 Sec. 7. Additional practice locations.

4 (a) Every holder of a license under this Act shall report  
5 to the Department every additional location where the licensee  
6 engages in the practice of optometry. Such reports shall be  
7 made prior to practicing at the location and shall be done in a  
8 manner prescribed by the Department.

9 (b) Failure to report a practice location or to maintain  
10 evidence of such a report at the practice location shall be a  
11 violation of this Act and shall be considered the unlicensed  
12 practice of optometry. Registering a location where a licensee  
13 does not practice shall also be a violation of this Act.

14 (c) Nothing contained herein, however, shall be construed  
15 to require a licensed optometrist in active practice to report  
16 a location to the Department when serving on the staff of a  
17 hospital or an institution that receives no fees (other than  
18 entrance registration fees) for the services rendered by the  
19 optometrist and for which the optometrist receives no fees or  
20 compensation directly or indirectly for such services  
21 rendered.

22 (d) Nothing contained herein shall be construed to require  
23 a licensed optometrist to report a location to the Department  
24 when rendering necessary optometric services for the licensed  
25 optometrist's ~~his or her~~ patients confined to their homes,

1 hospitals or institutions, or to act in an advisory capacity,  
2 with or without remuneration, in any industry, school or  
3 institution.

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

5 (225 ILCS 80/8) (from Ch. 111, par. 3908)

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

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

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

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

15 (3) The practice of optometry that is included in  
16 their program of study by students enrolled in schools of  
17 optometry or in continuing education courses approved by  
18 the Department.

19 (4) Persons, firms, and corporations who manufacture  
20 or deal in eyeglasses ~~eye-glasses~~ or spectacles in a  
21 store, shop, or other permanently established place of  
22 business, and who neither practice nor attempt to practice  
23 optometry from engaging the services of one or more  
24 licensed optometrists, nor prohibit any such licensed  
25 optometrist when so engaged, to practice optometry as

1 defined in Section 3 of this Act, when the person, or firm,  
2 or corporation so conducts the person's, firm's, or  
3 corporation's ~~his or her or its~~ business in a permanently  
4 established place and in such manner that the person's,  
5 firm's, or corporation's ~~his or her or its~~ activities, in  
6 any department in which such optometrist is engaged,  
7 insofar as the practice of optometry is concerned, are in  
8 keeping with the limitations imposed upon individual  
9 practitioners of optometry by subparagraphs 17, 23, 26,  
10 27, 28, 29, and 30 of Section 24 of this Act; provided,  
11 that such licensed optometrist or optometrists shall not  
12 be exempt, by reason of such relationship, from compliance  
13 with the provisions of this Act as prescribed for  
14 individual practitioners of optometry.

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

16 (225 ILCS 80/9) (from Ch. 111, par. 3909)

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

18 Sec. 9. Definitions. For purposes of ~~in~~ this Act, the  
19 following definitions shall have the following meanings,  
20 except where the context requires otherwise:

21 (1) "Department" means the Department of Financial and  
22 Professional Regulation.

23 (2) "Secretary" means the Secretary of Financial and  
24 Professional Regulation.

25 (3) "Board" means the Illinois Optometric Licensing

1 and Disciplinary Board appointed by the Secretary.

2 (4) "License" means the document issued by the  
3 Department authorizing the person named thereon to  
4 practice optometry.

5 (5) (Blank).

6 (6) "Direct supervision" means supervision of any  
7 person assisting an optometrist, requiring that the  
8 optometrist authorize the procedure, remain in the  
9 facility while the procedure is performed, approve the  
10 work performed by the person assisting before dismissal of  
11 the patient, but does not mean that the optometrist must  
12 be present with the patient, during the procedure. For the  
13 dispensing of contact lenses, "direct supervision" means  
14 that the optometrist is responsible for training the  
15 person assisting the optometrist in the dispensing or sale  
16 of contact lenses, but does not mean that the optometrist  
17 must be present in the facility where the optometrist ~~he~~  
18 ~~or she~~ practices under a license or ancillary registration  
19 at the time the contacts are dispensed or sold. For the  
20 practice of optometry through telehealth, "direct  
21 supervision" means supervision by an optometrist of any  
22 person located at a remote location who is assisting an  
23 optometrist with procedures or optometric services  
24 administered to a patient at the remote location when the  
25 optometrist is at a distant site.

26 (7) "Address of record" means the designated address

1 recorded by the Department in the applicant's application  
2 file or the licensee's license file maintained by the  
3 Department's licensure maintenance unit.

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

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

10 (10) "Interactive telecommunications system" means an  
11 audio and video system permitting 2-way, real-time  
12 interactive communication between a patient located at a  
13 remote location and an optometrist located at a distant  
14 site.

15 (11) "Telehealth" means the evaluation, diagnosis, or  
16 interpretation of patient-specific data that is  
17 transmitted by way of an interactive telecommunication  
18 system between a remote location and an optometrist  
19 located at a distant site that generates interaction or  
20 treatment recommendations for a patient located at a  
21 remote location. "Telehealth" includes the performance of  
22 any of the activities set forth in Sections 3 and 15.1.

23 (12) "Email address of record" means the designated  
24 email address by the Department in the applicant's  
25 application file or the licensee's license file maintained  
26 by the Department's licensure maintenance unit.

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

2 (225 ILCS 80/9.5)

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

4 Sec. 9.5. Address of record; email address of record

5 ~~Change of address.~~ All applicants and licensees shall:

6 (1) provide a valid address and email address to the  
7 Department, which shall serve as the address of record and  
8 email address of record, respectively, at the time of  
9 application for licensure or renewal of a license; and

10 (2) inform the Department of any change of address of  
11 record or email address of record within 14 days after the  
12 change, either through the Department's website or by  
13 contacting the Department's licensure maintenance unit. ~~It~~  
14 ~~is the duty of the applicant or licensee to inform the~~  
15 ~~Department of any change of address within 14 days after~~  
16 ~~such change either through the Department's website or by~~  
17 ~~contacting the Department's licensure maintenance unit.~~

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

19 (225 ILCS 80/10) (from Ch. 111, par. 3910)

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

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

22 (a) The Department shall exercise the powers and duties  
23 prescribed by the Civil Administrative Code of Illinois for  
24 the administration of licensing acts and shall exercise such

1 other powers and duties necessary for effectuating the purpose  
2 of this Act.

3 (b) The Secretary shall promulgate rules consistent with  
4 the provisions of this Act, for the administration and  
5 enforcement thereof and may prescribe forms that shall be  
6 issued in connection therewith. The rules shall include  
7 standards and criteria for licensure and certification, and  
8 professional conduct and discipline.

9 (c) The Department shall consult with the Board in  
10 promulgating rules. Notice of proposed rulemaking shall be  
11 transmitted to the Board and the Department shall review the  
12 Board's responses and any recommendations made therein. The  
13 Department may solicit the advice of the Board on any matter  
14 relating to the administration and enforcement of this Act.

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

16 (225 ILCS 80/11) (from Ch. 111, par. 3911)

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

18 Sec. 11. Optometric Licensing and Disciplinary Board.

19 (a) The Secretary shall appoint an Illinois Optometric  
20 Licensing and Disciplinary Board as follows: Seven persons who  
21 shall be appointed by and shall serve in an advisory capacity  
22 to the Secretary. Five members must be lawfully and actively  
23 engaged in the practice of optometry in this State, one member  
24 shall be a licensed optometrist, with a full-time faculty  
25 appointment with a school of optometry located in this State

1 and recognized by the Department ~~the Illinois College of~~  
2 ~~Optometry~~, and one member must be a member of the public who  
3 shall be a voting member and is not licensed under this Act, or  
4 a similar Act of another jurisdiction, or have any connection  
5 with the profession. Neither the public member nor the faculty  
6 member shall participate in the preparation or administration  
7 of the examination of applicants for licensure.

8 (b) Members shall serve 4-year terms and until their  
9 successors are appointed and qualified. No member shall be  
10 appointed to the Board for more than 2 successive 4-year  
11 terms, not counting any partial terms when appointed to fill  
12 the unexpired portion of a vacated term. Appointments to fill  
13 vacancies shall be made in the same manner as original  
14 appointments, for the unexpired portion of the vacated term.

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

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

19 (e) A majority of the Board members currently appointed  
20 shall constitute a quorum. A vacancy in the membership of the  
21 Board shall not impair the right of a quorum to perform all of  
22 the duties of the Board.

23 (f) The Secretary may remove any member of the Board for  
24 misconduct, incapacity, or neglect of duty, and the Secretary  
25 shall be the sole judge of the sufficiency of cause for removal  
26 ~~terminate the appointment of any member for cause.~~

1       (g) The members of the Board shall be reimbursed for all  
2 authorized legitimate and necessary expenses incurred in  
3 attending the meetings of the Board.

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

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

9       (j) Without, in any manner, limiting the power of the  
10 Department to conduct investigations, the Board may recommend  
11 to the Secretary that one or more licensed optometrists be  
12 selected by the Secretary to conduct or assist in any  
13 investigation pursuant to this Act. Such licensed optometrist  
14 may receive remuneration as determined by the Secretary.

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

16       (225 ILCS 80/12) (from Ch. 111, par. 3912)

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

18       Sec. 12. Applications for licenses.

19       (a) Applications for original licenses shall be made to  
20 the Department in writing or electronically on forms  
21 prescribed by the Department and shall be accompanied by the  
22 required fee, which shall not be refundable. Any such  
23 application shall require such information as in the judgment  
24 of the Department will enable the Department to pass on the  
25 qualifications of the applicant for a license.

1       **(b)** Applicants have 3 years from the date of application  
2 to complete the application process. If the process has not  
3 been completed within 3 years, the application shall be  
4 denied, the application fees shall be forfeited, and the  
5 applicant must reapply and meet the requirements in effect at  
6 the time of reapplication.

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

8 (225 ILCS 80/13) (from Ch. 111, par. 3913)

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

10 Sec. 13. Examination of applicants for licensure. The  
11 Department shall promulgate rules establishing examination  
12 requirements for applicants as optometrists. The examination  
13 shall accurately evaluate the applicant's ability to perform  
14 to the minimum standards of the practice of optometry.

15 Applicants for examination shall be required to pay,  
16 either to the Department or the designated testing service, a  
17 fee covering the cost of providing the examination.

18 The Department may employ consultants for the purpose of  
19 preparing and conducting examinations.

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

21 (225 ILCS 80/16) (from Ch. 111, par. 3916)

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

23 Sec. 16. Renewal, reinstatement or restoration of  
24 licenses; military service.

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

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

12       (c) The Department shall establish by rule a means for the  
13 verification of completion of the continuing education  
14 required by this Section. This verification may be  
15 accomplished through audits of records maintained by  
16 registrants; by requiring the filing of continuing education  
17 certificates with the Department; or by other means  
18 established by the Department.

19       ~~Any licensee seeking renewal of his or her license during~~  
20 ~~the renewal cycle beginning April 1, 2008 must first complete~~  
21 ~~a tested educational course in the use of oral pharmaceutical~~  
22 ~~agents for the management of ocular conditions, as approved by~~  
23 ~~the Board.~~

24       (d) Any optometrist who has permitted the optometrist's  
25 ~~his or her~~ license to expire or who has had the optometrist's  
26 ~~his or her~~ license on inactive status may have the

1 optometrist's ~~his or her~~ license restored by making  
2 application to the Department and filing proof acceptable to  
3 the Department of the optometrist's ~~his or her~~ fitness to have  
4 the optometrist's ~~his or her~~ license restored and by paying  
5 the required fees. Such proof of fitness may include evidence  
6 certifying to active lawful practice in another jurisdiction  
7 and must include proof of the completion of the continuing  
8 education requirements specified in the rules for the  
9 preceding license renewal period that has been completed  
10 during the 2 years prior to the application for license  
11 restoration.

12 (e) The Department shall determine, by an evaluation  
13 program established by rule, an optometrist's ~~his or her~~  
14 fitness for restoration of the optometrist's ~~his or her~~  
15 license and shall establish procedures and requirements for  
16 such restoration.

17 However, any optometrist whose license expired while the  
18 person ~~he or she~~ was (1) in Federal Service on active duty with  
19 the Armed Forces of the United States, or the State Militia  
20 called into service or training, or (2) in training or  
21 education under the supervision of the United States  
22 preliminary to induction into the military service, may have  
23 the person's ~~his or her~~ license restored without paying any  
24 lapsed renewal fees if within 2 years after honorable  
25 termination of such service, training, or education, the  
26 person ~~he or she~~ furnishes the Department with satisfactory

1 evidence to the effect that the person ~~he or she~~ has been so  
2 engaged and that the person's ~~his or her~~ service, training, or  
3 education has been so terminated.

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

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

15 (225 ILCS 80/17) (from Ch. 111, par. 3917)

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

17 Sec. 17. Inactive status.

18 (a) Any optometrist who notifies the Department in writing  
19 on forms prescribed by the Department, may elect to place the  
20 optometrist's ~~his or her~~ license on an inactive status and  
21 shall be excused from payment of renewal fees until the  
22 optometrist ~~he or she~~ notifies the Department in writing of  
23 the optometrist's ~~his~~ intent to restore the optometrist's ~~his~~  
24 ~~or her~~ license.

25 (b) Any optometrist requesting restoration from inactive

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

12 (c) Any optometrist whose license is in an expired or  
13 inactive status shall not practice optometry in the State of  
14 Illinois.

15 (d) Any licensee who shall practice while the  
16 optometrist'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 Section 24  
19 subsection (a) of this Act.

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

21 (225 ILCS 80/18) (from Ch. 111, par. 3918)

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

23 Sec. 18. Endorsement.

24 (a) The Department may, in its discretion, license as an  
25 optometrist, without examination on payment of the required

1 fee, an applicant who is so licensed under the laws of another  
2 state or jurisdiction of the United States. The Department may  
3 issue a license, upon payment of the required fee and  
4 recommendation of the Board, to an individual applicant who is  
5 licensed in any foreign country or province whose standards,  
6 in the opinion of the Board or Department, were, at the date of  
7 the applicant's ~~his or her~~ licensure, substantially equivalent  
8 to the requirements then in force in this State; or if the  
9 applicant possesses individual qualifications and skills which  
10 demonstrate substantial equivalence to current Illinois  
11 requirements.

12 (b) Applicants have 3 years from the date of application  
13 to complete the application process. If the process has not  
14 been completed in 3 years, the application shall be denied,  
15 the fee forfeited and the applicant must reapply and meet the  
16 requirements in effect at the time of reapplication.

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

18 (225 ILCS 80/20) (from Ch. 111, par. 3920)

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

20 Sec. 20. Fund.

21 (a) All moneys received by the Department pursuant to this  
22 Act shall be deposited into ~~in~~ the Optometric Licensing and  
23 Disciplinary Board Fund, which is hereby created as a special  
24 fund in the State treasury ~~Treasury~~, and shall be used for the  
25 administration of this Act, including: (a) by the Board and

1 Department in the exercise of its powers and performance of  
2 its duties; (b) for costs directly related to license renewal  
3 of persons licensed under this Act; and (c) for direct and  
4 allocable indirect costs related to the public purposes of the  
5 Department of Financial and Professional Regulation. Subject  
6 to appropriation, moneys in the Optometric Licensing and  
7 Disciplinary Board Fund may be used for the Optometric  
8 Education Scholarship Program administered by the Illinois  
9 Student Assistance Commission pursuant to Section 65.70 of the  
10 Higher Education Student Assistance Act.

11 (b) Moneys in the Fund may be transferred to the  
12 Professions Indirect Cost Fund as authorized under Section  
13 2105-300 of the Department of Professional Regulation Law of  
14 the Civil Administrative Code of Illinois ~~(20 ILCS~~  
15 ~~2105/2105-300).~~

16 (c) Money in the Optometric Licensing and Disciplinary  
17 Board Fund may be invested and reinvested, with all earnings  
18 received from such investment to be deposited into ~~in~~ the  
19 Optometric Licensing and Disciplinary Board Fund and used for  
20 the same purposes as fees deposited into ~~in~~ such fund.

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

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

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

24 Sec. 22. Advertising.

25 (a) Any person licensed under this Act may advertise the

1 availability of professional services in the public media or  
2 on the premises where such professional services are rendered  
3 provided that such advertising is truthful and not misleading  
4 and is in conformity with rules promulgated by the Department.

5 (b) It is unlawful for any person licensed under this Act  
6 to use claims of superior quality of care to entice the public.  
7 (Source: P.A. 99-43, eff. 1-1-16.)

8 (225 ILCS 80/24) (from Ch. 111, par. 3924)

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

10 Sec. 24. Grounds for disciplinary action.

11 (a) The Department may refuse to issue or to renew, or may  
12 revoke, suspend, place on probation, reprimand or take other  
13 disciplinary or non-disciplinary action as the Department may  
14 deem appropriate, including fines not to exceed \$10,000 for  
15 each violation, with regard to any license for any one or  
16 combination of the causes set forth in subsection (a-3) of  
17 this Section. All fines collected under this Section shall be  
18 deposited into ~~in~~ the Optometric Licensing and Disciplinary  
19 Board Fund. Any fine imposed shall be payable within 60 days  
20 after the effective date of the order imposing the fine.

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

23 (1) Violations of this Act, or of the rules  
24 promulgated hereunder.

25 (2) Conviction of or entry of a plea of guilty to any

1 crime under the laws of any U.S. jurisdiction thereof that  
2 is a felony or that is a misdemeanor of which an essential  
3 element is dishonesty, or any crime that is directly  
4 related to the practice of the profession.

5 (3) Making any misrepresentation for the purpose of  
6 obtaining a license.

7 (4) Professional incompetence or gross negligence in  
8 the practice of optometry.

9 (5) Gross malpractice, prima facie evidence of which  
10 may be a conviction or judgment of malpractice in any  
11 court of competent jurisdiction.

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

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

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

21 (9) Habitual or excessive use or addiction to alcohol,  
22 narcotics, stimulants or any other chemical agent or drug  
23 that results in the inability to practice with reasonable  
24 judgment, skill, or safety.

25 (10) Discipline by another U.S. jurisdiction or  
26 foreign nation, if at least one of the grounds for the

1 discipline is the same or substantially equivalent to  
2 those set forth herein.

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

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

8 (13) Abandonment of a patient.

9 (14) Willfully making or filing false records or  
10 reports in the licensee's ~~his or her~~ practice, including,  
11 but not limited to, false records filed with State  
12 agencies or departments.

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

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

20 (17) Solicitation of professional services other than  
21 permitted advertising.

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

25 (19) Conviction by any court of competent  
26 jurisdiction, either within or without this State, of any

1 violation of any law governing the practice of optometry,  
2 conviction in this or another State of any crime that is a  
3 felony under the laws of this State or conviction of a  
4 felony in a federal court, if the Department determines,  
5 after investigation, that such person has not been  
6 sufficiently rehabilitated to warrant the public trust.

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

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

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

18 (23) Practicing or attempting to practice under a name  
19 other than the full name as shown on the licensee's ~~his or~~  
20 ~~her~~ license.

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

24 (25) Maintaining a professional relationship with any  
25 person, firm, or corporation when the optometrist knows,  
26 or should know, that such person, firm, or corporation is

1           violating this Act.

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

6           (27) Using the title "Doctor" or its abbreviation  
7           without further qualifying that title or abbreviation with  
8           the word "optometry" or "optometrist".

9           (28) Use by a licensed optometrist of the word  
10          "infirmary", "hospital", "school", "university", in  
11          English or any other language, in connection with the  
12          place where optometry may be practiced or demonstrated  
13          unless the licensee is employed by and practicing at a  
14          location that is licensed as a hospital or accredited as a  
15          school or university.

16          (29) Continuance of an optometrist in the employ of  
17          any person, firm or corporation, or as an assistant to any  
18          optometrist or optometrists, directly or indirectly, after  
19          the optometrist's ~~his or her~~ employer or superior has been  
20          found guilty of violating or has been enjoined from  
21          violating the laws of the State of Illinois relating to  
22          the practice of optometry, when the employer or superior  
23          persists in that violation.

24          (30) The performance of optometric service in  
25          conjunction with a scheme or plan with another person,  
26          firm or corporation known to be advertising in a manner

1           contrary to this Act or otherwise violating the laws of  
2           the State of Illinois concerning the practice of  
3           optometry.

4           (31) Failure to provide satisfactory proof of having  
5           participated in approved continuing education programs as  
6           determined by the Board and approved by the Secretary.  
7           Exceptions for extreme hardships are to be defined by the  
8           rules of the Department.

9           (32) Willfully making or filing false records or  
10          reports in the practice of optometry, including, but not  
11          limited to, l false records to support claims against the  
12          medical assistance program of the Department of Healthcare  
13          and Family Services (formerly Department of Public Aid)  
14          under the Illinois Public Aid Code.

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

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

26          (35) Violation of the Health Care Worker Self-Referral

1 Act.

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

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

1 the examination. Failure of any individual to submit to a  
2 mental or physical examination, when directed, shall be  
3 grounds for suspension of a license until such time as the  
4 individual submits to the examination if the Board or  
5 Department finds, after notice and hearing, that the refusal  
6 to submit to the examination was without reasonable cause.

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

26 (b) The determination by a circuit court that a licensee

1 is subject to involuntary admission or judicial admission as  
2 provided in the Mental Health and Developmental Disabilities  
3 Code operates as an automatic suspension. The suspension will  
4 end only upon a finding by a court that the patient is no  
5 longer subject to involuntary admission or judicial admission  
6 and issues an order so finding and discharging the patient;  
7 and upon the recommendation of the Board to the Secretary that  
8 the licensee be allowed to resume the licensee's ~~his or her~~  
9 practice.

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

11 (225 ILCS 80/24.2)

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

13 Sec. 24.2. Prohibition against fee splitting.

14 (a) A licensee under this Act may not directly or  
15 indirectly divide, share or split any professional fee or  
16 other form of compensation for professional services with  
17 anyone in exchange for a referral or otherwise, other than as  
18 provided in this Section 24.2.

19 (b) Nothing contained in this Section abrogates the right  
20 of 2 or more licensed health care workers as defined in the  
21 Health Care Worker Self-referral Act to each receive adequate  
22 compensation for concurrently rendering services to a patient  
23 and to divide the fee for such service, whether or not the  
24 worker is employed, provided that the patient has full  
25 knowledge of the division and the division is made in

1 proportion to the actual services personally performed and  
2 responsibility assumed by each licensee consistent with the  
3 licensee's ~~his or her~~ license, except as prohibited by law.

4 (c) Nothing contained in this Section prohibits a licensee  
5 under this Act from practicing optometry through or within any  
6 form of legal entity authorized to conduct business in this  
7 State or from pooling, sharing, dividing, or apportioning the  
8 professional fees and other revenues in accordance with the  
9 agreements and policies of the entity provided:

10 (1) each owner of the entity is licensed under this  
11 Act;

12 (2) the entity is organized under the Professional  
13 Services Corporation Act or the Professional Association  
14 Act;

15 (3) the entity is (i) a licensed hospital or hospital  
16 affiliate or (ii) a licensed ambulatory surgical treatment  
17 center owned in full or in part by Illinois-licensed  
18 physicians or optometrists; or

19 (4) the entity is a combination or joint venture of  
20 the entities authorized under this subsection (c).

21 (d) Nothing contained in this Section prohibits a licensee  
22 under this Act from paying a fair market value fee to any  
23 person or entity whose purpose is to perform billing,  
24 administrative preparation, or collection services based upon  
25 a percentage of professional service fees billed or collected,  
26 a flat fee, or any other arrangement that directly or

1 indirectly divides professional fees, for the administrative  
2 preparation of the licensee's claims or the collection of the  
3 licensee's charges for professional services, provided that:

4 (i) the licensee or the licensee's practice under  
5 subsection (c) at all times controls the amount of fees  
6 charged and collected; and

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

14 (e) Nothing contained in this Section prohibits the  
15 granting of a security interest in the accounts receivable or  
16 fees of a licensee under this Act or the licensee's practice  
17 for bona fide advances made to the licensee or licensee's  
18 practice provided the licensee retains control and  
19 responsibility for the collection of the accounts receivable  
20 and fees.

21 (f) Excluding payments that may be made to the owners of or  
22 licensees in the licensee's practice under subsection (c), a  
23 licensee under this Act may not divide, share or split a  
24 professional service fee with, or otherwise directly or  
25 indirectly pay a percentage of the licensee's professional  
26 service fees, revenues or profits to anyone for: (i) the

1 marketing or management of the licensee's practice, (ii)  
2 including the licensee or the licensee's practice on any  
3 preferred provider list, (iii) allowing the licensee to  
4 participate in any network of health care providers, (iv)  
5 negotiating fees, charges or terms of service or payment on  
6 behalf of the licensee, or (v) including the licensee in a  
7 program whereby patients or beneficiaries are provided an  
8 incentive to use the services of the licensee.

9 (g) Nothing contained in this Section prohibits the  
10 payment of rent or other remunerations paid to an individual,  
11 partnership, or corporation by a licensee for the lease,  
12 rental, or use of space, owned or controlled by the  
13 individual, partnership, corporation, or association.

14 (h) Nothing contained in this Section prohibits the  
15 payment, at no more than fair market value, to an individual,  
16 partnership, or corporation by a licensee for the use of  
17 staff, administrative services, franchise agreements,  
18 marketing required by franchise agreements, or equipment owned  
19 or controlled by the individual, partnership, or corporation,  
20 or the receipt thereof by a licensee.

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

22 (225 ILCS 80/25) (from Ch. 111, par. 3925)

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

24 Sec. 25. Returned checks; fines.

25 (a) Any person who delivers a check or other payment to the

1 Department that is returned to the Department unpaid by the  
2 financial institution upon which it is drawn shall pay to the  
3 Department, in addition to the amount already owed to the  
4 Department, a fine of \$50. The fines imposed by this Section  
5 are in addition to any other discipline provided under this  
6 Act for unlicensed practice or practice on a nonrenewed  
7 license.

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

16 (c) If, after termination or denial, the person seeks a  
17 license, the person ~~he or she~~ shall apply to the Department for  
18 restoration or issuance of the license and pay all fees and  
19 fines due to the Department. The Department may establish a  
20 fee for the processing of an application for restoration of a  
21 license to pay all expenses of processing this application.

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

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

1 (225 ILCS 80/26.1) (from Ch. 111, par. 3926.1)

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

3 Sec. 26.1. Injunctions; criminal offenses; cease and  
4 desist orders.

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

19 (b) If any person shall practice as an optometrist or hold  
20 oneself ~~himself or herself~~ out as an optometrist without being  
21 licensed under the provisions of this Act then any licensed  
22 optometrist, any interested party or any person injured  
23 thereby may, in addition to the Secretary, petition for relief  
24 as provided in subsection (a) of this Section.

25 Whoever knowingly practices or offers to practice  
26 optometry in this State without being licensed for that

1 purpose shall be guilty of a Class A misdemeanor and for each  
2 subsequent conviction, shall be guilty of a Class 4 felony.  
3 Notwithstanding any other provision of this Act, all criminal  
4 fines, monies, or other property collected or received by the  
5 Department under this Section or any other State or federal  
6 statute, including, but not limited to, property forfeited to  
7 the Department under Section 505 of the Illinois Controlled  
8 Substances Act or Section 85 of the Methamphetamine Control  
9 and Community Protection Act, shall be deposited into the  
10 Optometric Licensing and Disciplinary Board Fund.

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

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

21 (225 ILCS 80/26.2) (from Ch. 111, par. 3926.2)

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

23 Sec. 26.2. Investigation; notice. The Department may  
24 investigate the actions of any applicant or of any person or  
25 persons holding or claiming to hold a license. The Department

1 shall, before suspending, revoking, placing on probationary  
2 status, or taking any other disciplinary action as the  
3 Department may deem proper with regard to any license, at  
4 least 30 days prior to the date set for the hearing, notify the  
5 accused in writing of any charges made and the time and place  
6 for a hearing of the charges before the Board, direct the  
7 accused ~~him or her~~ to file the accused's ~~his or her~~ written  
8 answer to the Board under oath within 20 days after the service  
9 on the accused ~~him or her~~ of the notice and inform the accused  
10 ~~him or her~~ that if the accused ~~he or she~~ fails to file an  
11 answer default will be taken against the accused ~~him or her~~ and  
12 the accused's ~~his or her~~ license may be suspended, revoked,  
13 placed on probationary status, or have other disciplinary  
14 action, including limiting the scope, nature or extent of the  
15 accused's ~~his or her~~ practice, as the Department may deem  
16 proper taken with regard thereto. The written notice and any  
17 notice in the subsequent proceeding may be served by personal  
18 delivery or by regular or certified mail to the applicant's or  
19 licensee's address of record. In case the person fails to file  
20 an answer after receiving notice, the person's ~~his or her~~  
21 license may, in the discretion of the Department, be  
22 suspended, revoked, or placed on probationary status, or the  
23 Department may take whatever disciplinary action deemed  
24 proper, including limiting the scope, nature, or extent of the  
25 person's practice or the imposition of a fine, without a  
26 hearing, if the act or acts charged constitute sufficient

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

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

16 (225 ILCS 80/26.7) (from Ch. 111, par. 3926.7)

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

18 Sec. 26.7. Hearing officer. Notwithstanding the provisions  
19 of Section 26.6 of this Act, the Secretary shall have the  
20 authority to appoint any attorney duly licensed to practice  
21 law in the State of Illinois to serve as the hearing officer in  
22 any action for discipline of a license. The hearing officer  
23 shall have full authority to conduct the hearing. The Board  
24 shall have the right to have at least one member present at any  
25 hearing conducted by such hearing officer. The hearing officer

1 shall report the hearing officer's ~~his or her~~ findings of  
2 fact, conclusions of law and recommendations to the Board and  
3 the Secretary. The Board shall review the report of the  
4 hearing officer and present its findings of fact, conclusions  
5 of law and recommendations to the Secretary. If the Secretary  
6 disagrees in any regard with the report of the Board or hearing  
7 officer, the Secretary ~~he or she~~ may issue an order in  
8 contravention thereof. The Secretary shall specify with  
9 particularity the reasons for such action in the final order.

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

11 (225 ILCS 80/26.13) (from Ch. 111, par. 3926.13)

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

13 Sec. 26.13. Temporary suspension. The Secretary may  
14 temporarily suspend the license of an optometrist without a  
15 hearing, simultaneously with the institution of proceedings  
16 for a hearing provided for in Section 26.2 of this Act, if the  
17 Secretary finds that evidence in the Secretary's ~~his or her~~  
18 possession indicates that continuation in practice would  
19 constitute an imminent danger to the public. In the event that  
20 the Secretary suspends, temporarily, this license without a  
21 hearing, a hearing by the Department must be held within 30  
22 days after such suspension has occurred, and be concluded  
23 without appreciable delay.

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

1 (225 ILCS 80/26.14) (from Ch. 111, par. 3926.14)

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

3 Sec. 26.14. Administrative Review Law; venue.

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

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

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

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

16 (225 ILCS 90/2) (from Ch. 111, par. 4252)

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

18 Sec. 2. Licensure requirement; exempt activities. No  
19 person shall after the date of August 31, 1965 begin to  
20 practice physical therapy in this State or hold oneself out as  
21 being able to practice this profession, unless the person is  
22 licensed as such in accordance with the provisions of this  
23 Act. After July 1, 1991 (the effective date of Public Act  
24 86-1396), no person shall practice or hold oneself out as a

1 physical therapist assistant unless the person is licensed as  
2 such under this Act. A physical therapist shall use the  
3 initials "PT" in connection with the physical therapist's name  
4 to denote licensure under this Act, and a physical therapist  
5 assistant shall use the initials "PTA" in connection with the  
6 physical therapist assistant's name to denote licensure under  
7 this Act.

8 This Act does not prohibit:

9 (1) Any person licensed in this State under any other  
10 Act from engaging in the practice for which the person is  
11 licensed.

12 (2) The practice of physical therapy by those persons,  
13 practicing under the supervision of a licensed physical  
14 therapist and who have met all of the qualifications as  
15 provided in Sections 8 and 7, ~~8.1, and 9~~ of this Act, until  
16 the next examination is given for physical therapists or  
17 physical therapist assistants and the results have been  
18 received by the Department and the Department has  
19 determined the applicant's eligibility for a license.  
20 Anyone failing to pass said examination shall not again  
21 practice physical therapy until such time as an  
22 examination has been successfully passed by such person.

23 (3) The practice of physical therapy for a period not  
24 exceeding 6 months by a person who is in this State on a  
25 temporary basis to assist in a case of medical emergency  
26 or to engage in a special physical therapy project, and

1           who meets the qualifications for a physical therapist as  
2           set forth in Sections 7 and 8 of this Act and is licensed  
3           in another state as a physical therapist.

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

8           (5) One or more licensed physical therapists from  
9           forming a professional service corporation under the  
10          provisions of the Professional Service Corporation Act and  
11          licensing such corporation for the practice of physical  
12          therapy.

13          (6) Physical therapy aides from performing patient  
14          care activities under the on-site supervision of a  
15          licensed physical therapist or licensed physical therapist  
16          assistant. These patient care activities shall not include  
17          interpretation of referrals, evaluation procedures, the  
18          planning of or major modifications of, patient programs.

19          (7) Physical therapist assistants from performing  
20          patient care activities under the general supervision of a  
21          licensed physical therapist. The physical therapist must  
22          maintain continual contact with the physical therapist  
23          assistant including periodic personal supervision and  
24          instruction to ensure the safety and welfare of the  
25          patient.

26          (8) The practice of physical therapy by a physical

1 therapy student or a physical therapist assistant student  
2 under the on-site supervision of a licensed physical  
3 therapist. The physical therapist shall be readily  
4 available for direct supervision and instruction to ensure  
5 the safety and welfare of the patient.

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

10 (10) (Blank).

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

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

16 (225 ILCS 105/1) (from Ch. 111, par. 5001)

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

18 Sec. 1. Short title and definitions.

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

21 (b) As used in this Act:

22 "Department" means the Department of Financial and  
23 Professional Regulation.

24 "Secretary" means the Secretary of Financial and

1 Professional Regulation or a person authorized by the  
2 Secretary to act in the Secretary's stead.

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

4 "License" means the license issued for promoters,  
5 professional contestants, amateur contestants  
6 ~~professionals, amateurs,~~ or professional or amateur  
7 officials in accordance with this Act.

8 "Contest" means a boxing or full-contact martial arts  
9 competition in which contestants compete against each  
10 other in matched bouts ~~all of the participants competing~~  
11 ~~against one another are professionals or amateurs~~ and  
12 where the public is able to attend or a fee is charged to  
13 attend.

14 "Permit" means the authorization from the Department  
15 to a promoter to conduct a contest ~~professional or amateur~~  
16 ~~contests, or a combination of both~~.

17 "Professional promoter ~~Promoter~~" means a person who is  
18 licensed and who holds a permit to conduct professional or  
19 amateur contests, or a combination of both.

20 "Amateur promoter" means a person who is licensed and  
21 who holds a permit to conduct amateur contests.

22 Unless the context indicates otherwise, "person"  
23 includes, but is not limited to, an individual,  
24 association, organization, business entity, gymnasium, or  
25 club.

26 "Judge" means a person licensed by the Department who

1 is located at ringside or adjacent to the fighting area  
2 during a contest and who has the responsibility of scoring  
3 the performance of the contestants ~~participants~~ in that  
4 ~~professional or amateur~~ contest.

5 "Referee" means a person licensed by the Department  
6 who has the general supervision of and is present inside  
7 of the ring or fighting area during a ~~professional or~~  
8 ~~amateur~~ contest.

9 "Amateur contest" means a contest where only amateur  
10 contestants are permitted to compete.

11 "Amateur contestant" means a contestant ~~person~~  
12 licensed by the Department who is not competing for, and  
13 has never received or competed for, any purse or other  
14 article of value, directly or indirectly, either for  
15 participating in any contest or for the expenses of  
16 training therefor, other than a non-monetary prize that  
17 does not exceed \$50 in value.

18 "Amateur official" means a person who in the role of a  
19 referee or judge who is licensed by the Department who is  
20 only permitted to participate as an official in amateur  
21 contests.

22 "Professional contestant" means a contestant ~~person~~  
23 licensed by the Department who competes for a money prize,  
24 purse, or other type of compensation in a professional  
25 contest ~~held in Illinois~~.

26 "Professional official" means a person who is in the

1 role of a second, referee, matchmaker, timekeeper, or  
2 judge who is licensed by the Department and permitted to  
3 participate as an official in any type of contest.

4 "Professional contest" means a contest where only  
5 professional contestants are permitted to compete or a  
6 contest where both professional contestants and amateur  
7 contestants are permitted to compete.

8 "Second" means a person ~~licensed by the Department~~ who  
9 is present at any ~~professional or amateur~~ contest to  
10 provide assistance or advice to contestants ~~a professional~~  
11 during the contest.

12 "Matchmaker" means a person ~~licensed by the Department~~  
13 who arranges professional or amateur contestants by record  
14 and skill level for bouts and submits those matches to the  
15 Department for consideration ~~brings together professionals~~  
16 ~~or amateurs~~ to compete in contests.

17 "Manager" means a person ~~licensed by the Department~~  
18 who is not a promoter and who, under contract, agreement,  
19 or other arrangement, undertakes to, directly or  
20 indirectly, control or administer the affairs of  
21 contestants.

22 "Timekeeper" means a person ~~licensed by the Department~~  
23 who is the official timer of the length of rounds and the  
24 intervals between the rounds.

25 "Purse" means the financial guarantee or any other  
26 remuneration for which contestants are participating in a

1 professional contest.

2 "Physician" means a person licensed to practice  
3 medicine in all its branches under the Medical Practice  
4 Act of 1987.

5 "Martial arts" means a discipline or combination of  
6 different disciplines that utilizes sparring techniques  
7 without the intent to injure, disable, or incapacitate  
8 one's opponent, such as, but not limited to, Karate, Kung  
9 Fu, Jujutsu, and Tae Kwon Do.

10 "Full-contact martial arts" means the use of a  
11 singular discipline or a combination of techniques from  
12 different disciplines of the martial arts, including,  
13 without limitation, full-force grappling, kicking, and  
14 striking with the intent to injure, disable, or  
15 incapacitate one's opponent.

16 "Contestant" means a person who competes in either a  
17 boxing or full-contact martial arts contest.

18 "Address of record" means the designated address  
19 recorded by the Department in the applicant's or  
20 licensee's application file or license file as maintained  
21 by the Department's licensure maintenance unit.

22 "Bout" means one match between 2 contestants.

23 "Sanctioning body" means an organization approved by  
24 the Department under the requirements and standards stated  
25 in this Act and the rules adopted under this Act to act as  
26 a governing body that sanctions professional or amateur

1 ~~full-contact martial arts~~ contests.

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  
5 maintained by the Department's licensure maintenance unit.  
6 (Source: P.A. 102-20, eff. 1-1-22.)

7 (225 ILCS 105/2) (from Ch. 111, par. 5002)

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

9 Sec. 2. State of Illinois Athletic Board.

10 (a) The Secretary shall appoint members to the State of  
11 Illinois Athletic Board. The Board shall consist of 7 members  
12 who shall serve in an advisory capacity to the Secretary. One  
13 member of the Board shall be a physician licensed to practice  
14 medicine in all of its branches. One member of the Board shall  
15 be a member of the full-contact martial arts community. One  
16 member of the Board shall be a member of either the  
17 full-contact martial arts community or the boxing community.

18 (b) Board members shall serve 5-year terms and until their  
19 successors are appointed and qualified.

20 (c) In appointing members to the Board, the Secretary  
21 shall give due consideration to recommendations by members and  
22 organizations of the martial arts and boxing industry.

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

25 (e) No member shall be appointed to the Board for a term

1 that would cause the member's ~~his or her~~ continuous service on  
2 the Board to be longer than 2 consecutive 5-year terms.

3 (f) The Secretary may terminate the appointment of any  
4 member for cause that in the opinion of the Secretary  
5 reasonably justified such termination, which may include, but  
6 is not limited to, a Board member who does not attend 2  
7 consecutive meetings.

8 (g) Appointments to fill vacancies shall be made in the  
9 same manner as original appointments, for the unexpired  
10 portion of the vacated term.

11 (h) Four members of the Board shall constitute a quorum. A  
12 quorum is required for Board decisions.

13 (i) Members of the Board shall have no liability in any  
14 action based upon activity performed in good faith as members  
15 of the Board.

16 (j) Members of the Board may be reimbursed for all  
17 legitimate, necessary, and authorized expenses.

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

19 (225 ILCS 105/5) (from Ch. 111, par. 5005)

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

21 Sec. 5. Powers and duties of the Department. The  
22 Department shall, subject to the provisions of this Act,  
23 exercise the following functions, powers, and duties:

24 (1) Ascertain the qualifications and fitness of  
25 applicants for licenses ~~license~~ and permits.

1 (2) Adopt rules required for the administration of  
2 this Act.

3 (3) Conduct hearings on proceedings to refuse to  
4 issue, renew, or restore licenses and revoke, suspend,  
5 place on probation, or reprimand those licensed under the  
6 provisions of this Act.

7 (4) Issue licenses to those who meet the  
8 qualifications of this Act and its rules.

9 (5) Conduct investigations related to possible  
10 violations of this Act.

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

12 (225 ILCS 105/6) (from Ch. 111, par. 5006)

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

14 Sec. 6. Restricted contests and events.

15 (a) All professional and amateur contests, or a  
16 combination of both, in which physical contact is made are  
17 prohibited in Illinois unless authorized by the Department  
18 pursuant to the requirements and standards stated in this Act  
19 and the rules adopted pursuant to this Act. This subsection  
20 (a) does not apply to any of the following contests or  
21 contestants:

22 (1) Amateur ~~boxing or full-contact martial arts~~  
23 contests conducted by accredited secondary schools,  
24 colleges, or universities, although a fee may be charged.

25 (2) Amateur boxing contests that are sanctioned by USA

1 Boxing or any other sanctioning body ~~organization~~ approved  
2 by the Department as determined by rule.

3 (3) Amateur boxing contests conducted by a State,  
4 county, or municipal entity, including those events held  
5 by any agency organized under these entities.

6 (4) Amateur martial arts contests that are not defined  
7 as full-contact martial arts contests under this Act.

8 (5) Full-contact martial arts contests, as defined by  
9 this Act, that are recognized by the International Olympic  
10 Committee or are contested in the Olympic Games and are  
11 not conducted in an enclosed fighting area or ring.

12 No other ~~amateur boxing or full-contact martial arts~~  
13 contests are ~~shall be~~ permitted unless authorized by the  
14 Department.

15 (b) The Department shall have the authority to determine  
16 whether a ~~professional or amateur~~ contest is exempt for  
17 purposes of this Section.

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

19 (225 ILCS 105/7) (from Ch. 111, par. 5007)

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

21 Sec. 7. Authorization to conduct contests; sanctioning  
22 bodies.

23 (a) In order to conduct a professional contest, an amateur  
24 contest, or a combination of both, in this State, a promoter  
25 shall obtain a permit issued by the Department in accordance

1 with this Act and the rules ~~and regulations~~ adopted pursuant  
2 thereto. This permit shall authorize one or more ~~professional~~  
3 ~~or amateur~~ contests, ~~or a combination of both.~~

4 (b) Pursuant to rules adopted by the Department ~~Before~~  
5 ~~January 1, 2023,~~ amateur boxing ~~full contact martial arts~~  
6 contests must have a permit issued by the Department ~~be~~  
7 ~~registered~~ and be sanctioned by a sanctioning body approved by  
8 the Department for that purpose under the requirements and  
9 standards stated in this Act and the rules adopted under this  
10 Act.

11 (c) A ~~On and after January 1, 2023,~~ a promoter for an  
12 amateur full-contact martial arts contest shall obtain a  
13 permit issued by the Department under the requirements and  
14 standards set forth in this Act and the rules adopted under  
15 this Act.

16 (d) The ~~On and after January 1, 2023,~~ the Department shall  
17 not approve any sanctioning body for amateur full-contact  
18 martial arts contests. A sanctioning body's approval by the  
19 Department for amateur full-contact martial arts contests that  
20 was received before the effective date of this amendatory Act  
21 of the 104th General Assembly ~~before January 1, 2023~~ is  
22 withdrawn ~~on January 1, 2023~~.

23 (e) A permit issued under this Act is not transferable.  
24 (Source: P.A. 102-20, eff. 1-1-22.)

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

2 Sec. 8. Permits.

3 (a) A promoter who desires to obtain a permit to conduct a  
4 ~~professional or amateur contest, or a combination of both,~~  
5 shall apply to the Department at least 30 calendar days prior  
6 to the event, in writing or electronically, on forms  
7 prescribed by the Department. The application shall be  
8 accompanied by the required fee and shall contain, but not be  
9 limited to, the following information to be submitted at times  
10 specified by rule:

11 (1) the legal names and addresses of the promoter;

12 (2) the name of the matchmaker;

13 (3) the time and exact location of the professional or  
14 amateur contest, or a combination of both. It is the  
15 responsibility of the promoter to ensure that the building  
16 to be used for the event complies with all laws,  
17 ordinances, and regulations in the city, town, village, or  
18 county where the contest is to be held;

19 (4) the signed and executed copy of the event venue  
20 lease agreement; and

21 (5) the initial list of names of the professionals or  
22 amateurs competing subject to Department approval.

23 (b) The Department may issue a permit to any promoter who  
24 meets the requirements of this Act and the rules. The permit  
25 shall only be issued for a specific date and location of a  
26 ~~professional or amateur contest, or a combination of both,~~ and

1 shall not be transferable. The Department may allow a promoter  
2 to amend a permit application to hold a ~~professional or~~  
3 ~~amateur~~ contest, ~~or a combination of both,~~ in a different  
4 location other than the application specifies if all  
5 requirements of this Section are met, waiving the 30-day  
6 provision of subsection (a).

7 (c) The Department shall be responsible for assigning the  
8 judges, timekeepers, referees, and physicians for a  
9 professional contest, an amateur contest, or a combination of  
10 both. The Department may, at its sole discretion, permit a  
11 promoter to assign a physician to a contest. Compensation  
12 shall be determined by the Department, and it shall be the  
13 responsibility of the promoter to pay the individuals  
14 utilized.

15 (d) The promoter shall submit the following documents to  
16 the Department at times specified by rule:

17 (1) proof of adequate security measures, as determined  
18 by rule, to ensure the protection of the safety of  
19 contestants and the general public while attending  
20 professional contests, amateur contests, or a combination  
21 of both;

22 (2) proof of adequate medical supervision, as  
23 determined by rule, to ensure the protection of the health  
24 and safety of contestants ~~professionals or amateurs~~ while  
25 participating in contests;

26 (3) the complete and final list of names of the

1 contestants ~~professionals or amateurs~~ competing, subject  
2 to Department approval, which shall be submitted up to 48  
3 hours prior to the event date specified in the permit;

4 (4) proof of insurance for not less than \$50,000 as  
5 further defined by rule for each contestant ~~professional~~  
6 ~~or amateur~~ participating in a ~~professional or amateur~~  
7 ~~contest, or a combination of both~~; insurance required  
8 under this paragraph shall cover: (i) hospital,  
9 medication, physician, and other such expenses as would  
10 accrue in the treatment of an injury as a result of the  
11 ~~professional or amateur~~ contest; (ii) payment to the  
12 estate of the contestant ~~professional or amateur~~ in the  
13 event of the contestant's ~~his or her~~ death as a result of  
14 the contestant's ~~his or her~~ participation in the  
15 ~~professional or amateur~~ contest; and (iii) accidental  
16 death and dismemberment; the terms of the insurance  
17 coverage shall require the promoter, not the ~~licensed~~  
18 contestant, to pay the policy deductible for the medical,  
19 surgical, or hospital care of a contestant for injuries a  
20 contestant sustained while engaged in a contest; if a  
21 ~~licensed~~ contestant pays for the medical, surgical, or  
22 hospital care, the insurance proceeds shall be paid to the  
23 contestant or the contestant's ~~his or her~~ beneficiaries as  
24 reimbursement for such payment;

25 (5) the amount of the purses to be paid to the  
26 professional contestant ~~professionals~~ for the event ~~as~~

1 ~~determined by rule;~~

2 (6) organizational or internationally accepted rules,  
3 per discipline, for ~~professional or amateur full-contact~~  
4 ~~martial arts~~ contests if the Department does not provide  
5 the rules for Department approval; and

6 (7) any other information the Department may require,  
7 as determined by rule, to issue a permit.

8 (e) If the accuracy, relevance, or sufficiency of any  
9 submitted documentation is questioned by the Department  
10 because of lack of information, discrepancies, or conflicts in  
11 information given or a need for clarification, the promoter  
12 seeking a permit may be required to provide additional  
13 information.

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

15 (225 ILCS 105/10) (from Ch. 111, par. 5010)

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

17 Sec. 10. Who must be licensed.

18 (a) In order to participate in contests the following  
19 persons must each be licensed and in good standing with the  
20 Department: (a) professional contestants and amateur  
21 contestants ~~professionals and amateurs~~, (b) seconds for  
22 professional contests, (c) referees for professional and  
23 amateur contests, (d) judges for professional and amateur  
24 contests, (e) managers for professional contests, (f)  
25 matchmakers for professional contests, and (g) timekeepers for

1 professional contests. Seconds, managers, matchmakers, and  
2 timekeepers participating in amateur contests are not required  
3 to be licensed.

4 (b) In order to hold a contest ~~participate in professional~~  
5 ~~or amateur contests or a combination of both~~, promoters must  
6 be licensed and in good standing with the Department.

7 (c) Announcers may participate in ~~professional or amateur~~  
8 ~~contests, or a combination of both~~, without being licensed  
9 under this Act. It shall be the responsibility of the promoter  
10 to ensure that announcers comply with the Act, and all rules  
11 and regulations promulgated pursuant to this Act.

12 (d) A licensed promoter may not act as, and cannot be  
13 licensed as, a second, contestant ~~professional~~, referee,  
14 timekeeper, judge, or manager. If the promoter ~~he or she~~ is so  
15 licensed, the promoter ~~he or she~~ must relinquish any of these  
16 licenses to the Department for cancellation. A person  
17 possessing a valid promoter's license may act as a matchmaker.

18 (e) (Blank). ~~Participants in amateur full contact martial~~  
19 ~~arts contests taking place before January 1, 2023 are not~~  
20 ~~required to obtain licenses by the Department, except for~~  
21 ~~promoters of amateur contests.~~

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

23 (225 ILCS 105/11) (from Ch. 111, par. 5011)

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

25 Sec. 11. Qualifications for license. The Department shall

1 grant licenses to the following persons if the following  
2 qualifications are met:

3 (1) An applicant for licensure as a professional or  
4 amateur must: (1) be 18 years old, (2) be of good moral  
5 character, (3) file an application stating the applicant's  
6 legal name (and no assumed or ring name may be used unless  
7 such name is registered with the Department along with the  
8 applicant's legal name), date of birth, place of current  
9 residence, and a sworn statement that the applicant ~~he or~~  
10 ~~she~~ is not currently in violation of any federal, State or  
11 local laws or rules governing boxing or full-contact  
12 martial arts, (4) file a certificate from a physician  
13 licensed to practice medicine in all of its branches which  
14 attests that the applicant is physically fit and qualified  
15 to participate in ~~professional or amateur~~ contests, and  
16 (5) pay the required fee and meet any other requirements  
17 as determined by rule. Applicants over age 35 who have not  
18 competed in a ~~professional or amateur~~ contest within the  
19 12 months preceding their application for licensure or  
20 have insufficient experience to participate in a  
21 ~~professional or amateur~~ contest may be required to appear  
22 before the Department to determine their fitness to  
23 participate in a ~~professional or amateur~~ contest.

24 (2) An applicant for licensure as a referee, judge,  
25 manager, second, matchmaker, or timekeeper must: (1) be of  
26 good moral character, (2) file an application stating the

1 applicant's name, date of birth, and place of current  
2 residence along with a certifying statement that the  
3 applicant ~~he or she~~ is not currently in violation of any  
4 federal, State, or local laws or rules governing boxing,  
5 or full-contact martial arts, (3) have had satisfactory  
6 experience in the applicant's ~~his or her~~ field as defined  
7 by rule, (4) pay the required fee, and (5) meet any other  
8 requirements as determined by rule.

9 (3) An applicant for licensure as a promoter must: (1)  
10 be of good moral character, (2) file an application with  
11 the Department stating the applicant's name, date of  
12 birth, place of current residence along with a certifying  
13 statement that the applicant ~~he or she~~ is not currently in  
14 violation of any federal, State, or local laws or rules  
15 governing boxing or full-contact martial arts, (3) pay the  
16 required fee and meet any other requirements as  
17 established by rule, and (4) in addition to the foregoing,  
18 an applicant for licensure as a promoter ~~of professional~~  
19 ~~or amateur contests or a combination of both professional~~  
20 ~~and amateur bouts in one contest~~ shall also provide (i)  
21 proof of a surety bond of no less than \$5,000 to cover  
22 financial obligations under this Act, payable to the  
23 Department and conditioned for the payment of the tax  
24 imposed by this Act and compliance with this Act, and the  
25 rules adopted under this Act, and (ii) a \$10,000  
26 performance bond guaranteeing payment of all obligations

1 relating to the promotional activities payable to the  
2 Department and conditioned for the payment of the tax  
3 imposed by this Act and its rules.

4 (4) All applicants shall submit an application to the  
5 Department, in writing or electronically, on forms  
6 prescribed by the Department, containing such information  
7 as determined by rule.

8 In determining good moral character, the Department may  
9 take into consideration any violation of any of the provisions  
10 of Section 16 of this Act as to referees, judges, managers,  
11 matchmakers, timekeepers, or promoters and any felony  
12 conviction of the applicant, but such a conviction shall not  
13 operate as a bar to licensure. No license issued under this Act  
14 is transferable.

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

16 (225 ILCS 105/12) (from Ch. 111, par. 5012)

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

18 Sec. 12. Contests ~~Professional or amateur contests.~~

19 (a) A ~~The professional or amateur contest, or a~~  
20 ~~combination of both,~~ shall be held in an area where adequate  
21 neurosurgical facilities are immediately available for skilled  
22 emergency treatment of an injured contestant ~~professional or~~  
23 ~~amateur.~~

24 (b) Each contestant ~~professional or amateur~~ shall be  
25 examined before the contest and promptly after each bout by a

1 physician. The physician shall determine, prior to the  
2 contest, if each contestant ~~professional or amateur~~ is  
3 physically fit to compete in the contest. After the bout the  
4 physician shall examine the contestant ~~professional or amateur~~  
5 to determine possible injury. If the contestant's  
6 ~~professional's or amateur's~~ physical condition so indicates,  
7 the physician shall recommend to the Department immediate  
8 medical suspension. The physician or a licensed paramedic must  
9 check the vital signs of all contestants as established by  
10 rule.

11 (c) The physician may, at any time during the ~~professional~~  
12 ~~or amateur~~ bout, stop the ~~professional or amateur~~ bout to  
13 examine a ~~professional or amateur~~ contestant and may direct  
14 the referee to terminate the bout when, in the physician's  
15 opinion, continuing the bout could result in serious injury to  
16 the contestant ~~professional or amateur~~. If the contestant's  
17 ~~professional's or amateur's~~ physical condition so indicates,  
18 the physician shall recommend to the Department immediate  
19 medical suspension. The physician shall certify to the  
20 condition of the contestant ~~professional or amateur~~ in  
21 writing, over the physician's ~~his or her~~ signature on forms  
22 prescribed by the Department. Such reports shall be submitted  
23 to the Department in a timely manner.

24 (d) No ~~professional or amateur~~ contest, ~~or a combination~~  
25 ~~of both,~~ shall be allowed to begin or be held unless at least  
26 one physician, at least one EMT and one paramedic, and one

1 ambulance have been contracted with solely for the care of  
2 contestants ~~professionals or amateurs~~ who are competing as  
3 defined by rule.

4 (e) No professional boxing bout shall be more than 12  
5 rounds in length. The rounds shall not be more than 3 minutes  
6 each with a minimum one-minute interval between them. ~~and no~~

7 (e-5) No contestant ~~professional boxer~~ shall be permitted  
8 ~~allowed~~ to participate in more than one contest within a ~~7-day~~  
9 period determined by rule.

10 (e-10) The number and length of rounds for all other  
11 full-contact martial arts bouts ~~professional or amateur boxing~~  
12 ~~or full-contact martial arts contests, or a combination of~~  
13 ~~both,~~ shall be determined by rule.

14 (f) The number and types of amateur or professional  
15 officials required for each ~~professional or amateur~~ contest,  
16 ~~or a combination of both,~~ shall be determined by the  
17 Department based on how many bouts are to be held at the  
18 contest rule.

19 (g) The Department or its representative shall have  
20 discretion to declare a price, remuneration, or purse or any  
21 part of it belonging to the professional withheld if in the  
22 judgment of the Department or its representative the  
23 professional is not honestly competing.

24 (h) The Department shall have the authority to prevent a  
25 ~~professional or amateur~~ contest, ~~or a combination of both,~~  
26 from being held and shall have the authority to stop a

1 ~~professional or amateur contest, or a combination of both,~~ for  
2 noncompliance with any part of this Act or rules or when, in  
3 the judgment of the Department, or its representative,  
4 continuation of the event would endanger the health, safety,  
5 and welfare of the professionals or amateurs or spectators.  
6 The Department's authority to stop a contest on the basis that  
7 the ~~professional or amateur contest, or a combination of both,~~  
8 would endanger the health, safety, and welfare of the  
9 professionals or amateurs or spectators shall extend to any  
10 ~~professional or amateur contest, or a combination of both,~~  
11 regardless of whether that amateur contest is exempted from  
12 the prohibition in Section 6 of this Act.

13 (i) A professional contestant shall only compete against  
14 another professional contestant. An amateur contestant shall  
15 only compete against another amateur contestant. A contest may  
16 involve bouts between professional contestants and bouts  
17 between amateur contestants, but a professional contestant  
18 shall not compete against an amateur contestant.

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

20 (225 ILCS 105/14) (from Ch. 111, par. 5014)

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

22 Sec. 14. Failure to report ticket sales and tax. If the  
23 permit holder fails to make a report as required by Section 13,  
24 or if such report is unsatisfactory, the Department may  
25 examine or cause to be examined the books and records of any

1 such holder or the holder's ~~his~~ associates or any other person  
2 as a witness under oath to determine the total amount of tax  
3 due under this Act.

4 If it is determined that there has been a default in the  
5 payment of a tax, the promoter shall be given 20 days' ~~days~~  
6 notice of the amount due which shall include the expenses  
7 incurred in making the examination.

8 If the promoter does not pay the amount due, the promoter  
9 ~~he~~ shall be disqualified from obtaining a permit under this  
10 Act and the Attorney General shall institute suit upon the  
11 bond filed pursuant to this Act to recover the tax or penalties  
12 imposed by this Act.

13 (Source: P.A. 91-408, eff. 1-1-00.)

14 (225 ILCS 105/15) (from Ch. 111, par. 5015)

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

16 Sec. 15. Inspectors. The Secretary may appoint inspectors  
17 to assist the Department staff in the administration of the  
18 Act. Each inspector appointed by the Secretary shall receive  
19 compensation for each day the inspector ~~he or she~~ is engaged in  
20 the transacting of business of the Department. The inspector  
21 or inspectors shall supervise each professional contest,  
22 amateur contest, or combination of both and, at the  
23 Department's discretion, may supervise any contest to ensure  
24 that the provisions of the Act are strictly enforced.

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

1 (225 ILCS 105/16) (from Ch. 111, par. 5016)

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

3 Sec. 16. Discipline and sanctions.

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

11 (1) gambling, betting, or wagering on the result of or  
12 a contingency connected with a ~~professional or amateur~~  
13 ~~contest, or a combination of both,~~ or permitting such  
14 activity to take place;

15 (2) participating in or permitting a sham or fake  
16 ~~professional or amateur~~ contest, or a combination of both;

17 (3) holding the ~~professional or amateur~~ contest, ~~or a~~  
18 ~~combination of both,~~ at any other time or place than is  
19 stated on the permit application;

20 (4) permitting any contestant ~~professional or amateur~~  
21 other than those stated on the permit application to  
22 participate in a ~~professional or amateur~~ contest, ~~or a~~  
23 ~~combination of both,~~ except as provided in Section 9;

24 (5) violation or aiding in the violation of any of the  
25 provisions of this Act or any rules or regulations

1 promulgated thereto;

2 (6) violation of any federal, State, or local laws of  
3 the United States or other jurisdiction governing  
4 ~~professional or amateur~~ contests or any regulation  
5 promulgated pursuant thereto;

6 (7) charging a greater rate or rates of admission than  
7 is specified on the permit application;

8 (8) failure to obtain all the necessary permits or  
9 licenses as required under this Act;

10 (9) failure to file the necessary bond or to pay the  
11 gross receipts or broadcast tax as required by this Act;

12 (10) engaging in dishonorable, unethical or  
13 unprofessional conduct of a character likely to deceive,  
14 defraud or harm the public, or which is detrimental to  
15 honestly conducted contests;

16 (11) employment of fraud, deception or any unlawful  
17 means in applying for or securing a permit or license  
18 under this Act;

19 (12) permitting a physician making the physical  
20 examination to knowingly certify falsely to the physical  
21 condition of a contestant ~~professional or amateur~~;

22 (13) permitting professional ~~professionals~~ or amateur  
23 contestants ~~amateurs~~ of widely disparate weights or  
24 abilities to engage in ~~professional or amateur~~ contests,  
25 respectively;

26 (14) participating in a contest while under medical

1 suspension in this State or in any other state, territory  
2 or country;

3 (15) physical illness, including, but not limited to,  
4 deterioration through the aging process, or loss of motor  
5 skills which results in the inability to participate in  
6 contests with reasonable judgment, skill, or safety;

7 (16) allowing one's license or permit issued under  
8 this Act to be used by another person;

9 (17) failing, within 30 days ~~a reasonable time~~, to  
10 provide any information requested by the Department ~~as a~~  
11 ~~result of a formal or informal complaint~~;

12 (18) professional incompetence;

13 (19) failure to file a return, or to pay the tax,  
14 penalty or interest shown in a filed return, or to pay any  
15 final assessment of tax, penalty or interest, as required  
16 by any tax Act administered by the Illinois Department of  
17 Revenue, until such time as the requirements of any such  
18 tax Act are satisfied;

19 (20) (blank);

20 (21) habitual or excessive use or addiction to  
21 alcohol, narcotics, stimulants, or any other chemical  
22 agent or drug that results in an inability to participate  
23 in an event;

24 (22) failure to stop a ~~professional or amateur~~  
25 ~~contest, or a combination of both~~, when requested to do so  
26 by the Department;

1           (23) failure of a promoter to adequately supervise and  
2           enforce this Act and its rules as applicable to amateur  
3           contests, as set forth in rule; or

4           (24) a finding by the Department that the licensee,  
5           after having his or her license placed on probationary  
6           status, has violated the terms of probation.

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 licensee is no  
12          longer subject to involuntary admission or judicial admission,  
13          issuance of an order so finding and discharging the licensee.

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

1 examining physician or clinical psychologist. Eye examinations  
2 may be provided by a physician licensed to practice medicine  
3 in all of its branches or a licensed and certified therapeutic  
4 optometrist. The individual to be examined may have, at the  
5 individual's ~~his or her~~ own expense, another physician of the  
6 individual's ~~his or her~~ choice present during all aspects of  
7 the examination. Failure of any individual to submit to a  
8 mental or physical examination, when directed, shall be  
9 grounds for suspension or revocation of a license.

10 (d) A contestant who tests positive for a banned  
11 substance, as defined by rule, shall have the contestant's ~~his~~  
12 ~~or her~~ license immediately suspended. The license shall be  
13 subject to other discipline as authorized in this Section.

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

15 (225 ILCS 105/17.7)

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

17 Sec. 17.7. Restoration of license from discipline.

18 (a) At any time after the successful completion of a term  
19 of indefinite probation, suspension, or revocation of a  
20 license under this Act, the Department may restore the license  
21 to the licensee unless, after an investigation and a hearing,  
22 the Secretary determines that restoration is not in the public  
23 interest.

24 (b) If circumstances of suspension or revocation so  
25 indicate, the Department may require an examination of the

1 licensee prior to restoring the licensee's ~~his or her~~ license.

2 (c) No person whose license has been revoked as authorized  
3 in this Act may apply for restoration of that license until  
4 allowed under the Civil Administrative Code of Illinois.

5 (d) A license that has been suspended or revoked shall be  
6 considered nonrenewed for purposes of restoration under this  
7 Section and a licensee restoring the licensee's ~~his or her~~  
8 license from suspension or revocation must comply with the  
9 requirements for renewal as set forth in this Act and its  
10 rules.

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

12 (225 ILCS 105/17.8)

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

14 Sec. 17.8. Surrender of license. Upon the revocation or  
15 suspension of a license, the licensee shall immediately  
16 surrender the licensee's ~~his or her~~ license to the Department.  
17 If the licensee fails to do so, the Department has the right to  
18 seize the license.

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

20 (225 ILCS 105/18) (from Ch. 111, par. 5018)

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

22 Sec. 18. Investigations; notice and hearing.

23 (a) The Department may investigate the actions of any  
24 applicant or of any person or entity holding or claiming to

1 hold a license under this Act.

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

11 (c) Written or electronic notice, and any notice in the  
12 subsequent proceedings, may be served by personal delivery, by  
13 email, or by mail to the applicant or licensee at the  
14 applicant's or licensee's ~~his or her~~ address of record or  
15 email address of record.

16 (d) At the time and place fixed in the notice, the hearing  
17 officer appointed by the Secretary shall proceed to hear the  
18 charges, and the parties or their counsel shall be accorded  
19 ample opportunity to present any statement, testimony,  
20 evidence, and argument as may be pertinent to the charges or to  
21 their defense. The hearing officer may continue the hearing  
22 from time to time.

23 (e) If the licensee or applicant, after receiving the  
24 notice, fails to file an answer, the license's or applicant's  
25 ~~his or her~~ license may, in the discretion of the Secretary, be  
26 suspended, revoked, or placed on probationary status or be

1 subject to whatever disciplinary action the Secretary  
2 considers proper, including limiting the scope, nature, or  
3 extent of the person's practice or imposition of a fine,  
4 without hearing, if the act or acts charged constitute  
5 sufficient grounds for the action under this Act.

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

7 (225 ILCS 105/19) (from Ch. 111, par. 5019)

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

9 Sec. 19. Hearing; motion for rehearing.

10 (a) The hearing officer appointed by the Secretary shall  
11 hear evidence in support of the formal charges and evidence  
12 produced by the applicant or licensee. At the conclusion of  
13 the hearing, the hearing officer shall present to the  
14 Secretary a written report of the hearing officer's ~~his or her~~  
15 findings of fact, conclusions of law, and recommendations.

16 (b) A copy of the hearing officer's report shall be served  
17 upon the applicant or licensee, either personally or as  
18 provided in this Act for the service of the notice of hearing.  
19 Within 20 calendar days after such service, the applicant or  
20 licensee may present to the Department a motion, in writing,  
21 for a rehearing that shall specify the particular grounds for  
22 rehearing. The Department may respond to the motion for  
23 rehearing within 20 calendar days after its service on the  
24 Department. If no motion for rehearing is filed, then upon the  
25 expiration of the time specified for filing such a motion, or

1 upon denial of a motion for rehearing, the Secretary may enter  
2 an order in accordance with the recommendations of the hearing  
3 officer. If the applicant or licensee orders from the  
4 reporting service and pays for a transcript of the record  
5 within the time for filing a motion for rehearing, the 20  
6 calendar day period within which a motion may be filed shall  
7 commence upon delivery of the transcript to the applicant or  
8 licensee.

9 (c) If the Secretary disagrees in any regard with the  
10 report of the hearing officer, the Secretary may issue an  
11 order contrary to the report.

12 (d) Whenever the Secretary is not satisfied that  
13 substantial justice has been done, the Secretary may order a  
14 hearing by the same or another hearing officer.

15 (e) At any point in any investigation or disciplinary  
16 proceeding provided for in this Act, both parties may agree to  
17 a negotiated consent order. The consent order shall be final  
18 upon signature of the Secretary.

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

20 (225 ILCS 105/19.1) (from Ch. 111, par. 5019.1)

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

22 Sec. 19.1. Hearing officer. Notwithstanding any provision  
23 of this Act, the Secretary has the authority to appoint an  
24 attorney duly licensed to practice law in the State of  
25 Illinois to serve as the hearing officer in any action for

1 refusal to issue or renew a license or discipline a license.  
2 The hearing officer shall have full authority to conduct the  
3 hearing. The hearing officer shall report the hearing  
4 officer's ~~his or her~~ findings of fact, conclusions of law, and  
5 recommendations to the Secretary.

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

7 (225 ILCS 105/23) (from Ch. 111, par. 5023)

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

9 Sec. 23. Fees.

10 (a) The fees for the administration and enforcement of  
11 this Act, including, but not limited to, original licensure,  
12 renewal, and restoration shall be set by rule. The fees shall  
13 not be refundable. All of the fees, taxes, and fines collected  
14 under this Act shall be deposited into the General Professions  
15 Dedicated Fund.

16 (b) (Blank). ~~Before January 1, 2023, there shall be no~~  
17 ~~fees for amateur full contact martial arts events; except that~~  
18 ~~until January 1, 2023, the applicant fees for promoters of~~  
19 ~~amateur events where only amateur bouts are held shall be~~  
20 ~~\$300.~~

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

22 (225 ILCS 105/23.1) (from Ch. 111, par. 5023.1)

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

24 Sec. 23.1. Returned checks; fines. Any person who delivers

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

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

25 (225 ILCS 105/24) (from Ch. 111, par. 5024)

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

2 Sec. 24. Unlicensed practice; violations; civil penalty.

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

14 (b) The Department may investigate any actual, alleged, or  
15 suspected unlicensed activity.

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

21 (d) A person or entity not licensed under this Act who has  
22 violated any provision of this Act or its rules is guilty of a  
23 Class A misdemeanor for the first offense and a Class 4 felony  
24 for a second and subsequent offenses.

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

1 (225 ILCS 105/25.1)

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

3 Sec. 25.1. Medical suspension.

4 (a) A licensee who is determined by the examining  
5 physician or Department to be unfit to compete or officiate  
6 shall be prohibited from participating in a contest in  
7 Illinois and, if actively licensed, shall be medically  
8 suspended until it is shown that the licensee ~~he or she~~ is fit  
9 for further competition or officiating.

10 (b) If the referee has stopped the bout or rendered a  
11 decision of technical knockout against a contestant  
12 ~~professional or amateur~~, the contestant ~~professional or~~  
13 ~~amateur~~ shall be medically suspended immediately for a period  
14 of not less than 30 days.

15 (c) In a full-contact martial arts contest, if the  
16 contestant ~~professional or amateur~~ has tapped out, has  
17 submitted, or the referee has stopped the bout, the  
18 Department, in consultation with the ringside physician, shall  
19 determine the length of suspension.

20 (d) If the contestant ~~professional or amateur~~ has been  
21 knocked unconscious, the contestant ~~he or she~~ shall be  
22 medically suspended immediately for a period of not less than  
23 45 days.

24 (e) A contestant licensee may receive a medical suspension  
25 for any injury sustained as a result of a bout that shall not  
26 be less than 7 days.

1 (f) A contestant licensee may receive additional terms and  
2 conditions for a medical suspension beyond a prescribed  
3 passage of time as authorized under this Section.

4 (g) If a contestant licensee receives a medical suspension  
5 that includes terms and conditions in addition to the  
6 prescribed passage of time as authorized under this Section,  
7 before the removal of the medical suspension, a licensee  
8 shall:

9 (1) satisfactorily pass a Department-prescribed  
10 medical examination;

11 (2) provide those examination results to the  
12 Department;

13 (3) provide any additional requested documentation as  
14 directed by the licensee's examining physician or  
15 Department where applicable; and

16 (4) if the licensee's examining physician requires any  
17 necessary additional medical procedures during the  
18 examination related to the injury that resulted in the  
19 medical suspension, those results shall be provided to the  
20 Department.

21 (h) Any medical suspension imposed as authorized under  
22 this Act upon ~~against~~ a contestant licensee shall be reported  
23 to the Department's record keeper as determined by rule.

24 (i) A medical suspension as authorized under this Section  
25 shall not be considered a suspension under Section 16 of this  
26 Act. A violation of the terms of a medical suspension

1 authorized under this Section shall subject a licensee to  
2 discipline under Section 16 of this Act.

3 (j) A ~~professional or amateur~~ contestant who has been  
4 placed on medical suspension under the laws of another state,  
5 the District of Columbia, or a territory of the United States  
6 for substantially similar reasons as this Section shall be  
7 prohibited from participating in a contest as authorized under  
8 this Act until the requirements of subsection (g) of this  
9 Section have been met or the medical suspension has been  
10 removed by that jurisdiction.

11 (k) A medical suspension authorized under this Section  
12 shall begin the day after the bout a licensee participated in.  
13 (Source: P.A. 102-20, eff. 1-1-22.)

14 Section 45. The Sex Offender Evaluation and Treatment  
15 Provider Act is amended by changing Sections 10, 30, 35, 40,  
16 45, 50, 65, 75, 85, 90, 95, 100, 105, 110, 115, 125, 130, 135,  
17 and 145 and by adding Section 10.5 as follows:

18 (225 ILCS 109/10)

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

20 "Address of record" means the designated address recorded  
21 by the Department in the applicant's or licensee's application  
22 file or license file maintained by the Department's licensure  
23 maintenance unit.

24 "Associate sex offender provider" means a person licensed

1 under this Act to conduct sex offender evaluations or provide  
2 sex offender treatment services under the supervision of a  
3 licensed sex offender evaluator or a licensed sex offender  
4 treatment provider.

5 ~~"Board" means the Sex Offender Evaluation and Treatment~~  
6 ~~Licensing and Disciplinary Board.~~

7 "Department" means the Department of Financial and  
8 Professional Regulation.

9 "Email address of record" means the designated email  
10 address recorded by the Department in the applicant's  
11 application file or the licensee's license file, as maintained  
12 by the Department's licensure maintenance unit.

13 "Licensee" means a person who has obtained a license under  
14 this Act.

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

17 "Sex offender evaluation" means a sex-offender specific  
18 evaluation that systematically uses a variety of standardized  
19 measurements, assessments and information gathered  
20 collaterally and through face-to-face interviews. Sex-offender  
21 specific evaluations assess risk to the community; identify  
22 and document treatment and developmental needs, including safe  
23 and appropriate placement settings; determine amenability to  
24 treatment; and are the foundation of treatment, supervision,  
25 and placement recommendations.

26 "Sex offender evaluator" means a person licensed under

1 this Act to conduct sex offender evaluations.

2 "Sex offender treatment" means a comprehensive set of  
3 planned therapeutic interventions and experiences to reduce  
4 the risk of further sexual offending and abusive behaviors by  
5 the offender. Treatment may include adjunct therapies to  
6 address the unique needs of the individual, but must include  
7 offense specific services by a treatment provider who meets  
8 the qualifications in Section 30 of this Act. Treatment  
9 focuses on the situations, thoughts, feelings, and behavior  
10 that have preceded and followed past offending (abuse cycles)  
11 and promotes change in each area relevant to the risk of  
12 continued abusive, offending, or deviant sexual behaviors. Due  
13 to the heterogeneity of the persons who commit sex offenses,  
14 treatment is provided based on the individualized evaluation  
15 and assessment. Treatment is designed to stop sex offending  
16 and abusive behavior, while increasing the offender's ability  
17 to function as a healthy, pro-social member of the community.  
18 Progress in treatment is measured by change rather than the  
19 passage of time.

20 "Sex offender treatment provider" means a person licensed  
21 under this Act to provide sex offender treatment.

22 (Source: P.A. 97-1098, eff. 7-1-13.)

23 (225 ILCS 109/10.5 new)

24 Sec. 10.5. Address of record; email address of record. All  
25 applicants and licensees shall:

1       (1) Provide a valid address and email address to the  
2       Department, which shall serve as the address of record and  
3       email address of record, respectively, at the time of  
4       application for licensure or renewal of a license; and  
5       (2) Inform the Department of any change of address of  
6       record or email address of record within 14 days after  
7       such change, either through the Department's website or by  
8       contacting the Department's licensure maintenance unit.

9           (225 ILCS 109/30)

10        Sec. 30. Social Security Number or individual taxpayer  
11        identification number on license application. In addition to  
12        any other information required to be contained in the  
13        application, every application for an original, renewal,  
14        reinstated, or restored license under this Act shall include  
15        the applicant's Social Security number or individual taxpayer  
16        identification number.

17        (Source: P.A. 97-1098, eff. 7-1-13.)

18           (225 ILCS 109/35)

19        Sec. 35. Qualifications for licensure.

20        (a)(1) A person is qualified for licensure as a sex  
21        offender evaluator 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

1 or conduct that would be grounds for disciplining a  
2 licensee under Section 75 of this Act; and

3 (C) satisfies the licensure and experience  
4 requirements of paragraph (2) of this subsection (a).

5 (2) A person who applies to the Department shall be issued  
6 a sex offender evaluator license by the Department if the  
7 person meets the qualifications set forth in paragraph (1) of  
8 this subsection (a) and provides evidence to the Department  
9 that the person:

10 (A) is a physician licensed to practice medicine in  
11 all of its branches under the Medical Practice Act of 1987  
12 or licensed under the laws of another state; an advanced  
13 practice registered nurse with psychiatric specialty  
14 licensed under the Nurse Practice Act or licensed under  
15 the laws of another state; a clinical psychologist  
16 licensed under the Clinical Psychologist Licensing Act or  
17 licensed under the laws of another state; a licensed  
18 clinical social worker licensed under the Clinical Social  
19 Work and Social Work Practice Act or licensed under the  
20 laws of another state; a licensed clinical professional  
21 counselor licensed under the Professional Counselor and  
22 Clinical Professional Counselor Licensing and Practice Act  
23 or licensed under the laws of another state; or a licensed  
24 marriage and family therapist licensed under the Marriage  
25 and Family Therapy Licensing Act or licensed under the  
26 laws of another state;

1 (B) has 400 hours of supervised experience in the  
2 treatment or evaluation of sex offenders in the last 4  
3 years, at least 200 of which are face-to-face therapy or  
4 evaluation with sex offenders;

5 (C) has completed at least 10 sex offender evaluations  
6 under supervision in the past 4 years; and

7 (D) has at least 40 hours of documented training in  
8 the specialty of sex offender evaluation, treatment, or  
9 management.

10 ~~Until January 1, 2015, the requirements of subparagraphs~~  
11 ~~(B) and (D) of paragraph (2) of this subsection (a) are~~  
12 ~~satisfied if the applicant has been listed on the Sex Offender~~  
13 ~~Management Board's Approved Provider List for a minimum of 2~~  
14 ~~years before application for licensure. Until January 1, 2015,~~  
15 ~~the requirements of subparagraph (C) of paragraph (2) of this~~  
16 ~~subsection (a) are satisfied if the applicant has completed at~~  
17 ~~least 10 sex offender evaluations within the 4 years before~~  
18 ~~application for licensure.~~

19 (b)(1) A person is qualified for licensure as a sex  
20 offender treatment provider if that person:

21 (A) has applied in writing on forms prepared and  
22 furnished by the Department;

23 (B) has not engaged or is not engaged in any practice  
24 or conduct that would be grounds for disciplining a  
25 licensee under Section 75 of this Act; and

26 (C) satisfies the licensure and experience

1 requirements of paragraph (2) of this subsection (b).

2 (2) A person who applies to the Department shall be issued  
3 a sex offender treatment provider license by the Department if  
4 the person meets the qualifications set forth in paragraph (1)  
5 of this subsection (b) and provides evidence to the Department  
6 that the person:

7 (A) is a physician licensed to practice medicine in  
8 all of its branches under the Medical Practice Act of 1987  
9 or licensed under the laws of another state; an advanced  
10 practice registered nurse with psychiatric specialty  
11 licensed under the Nurse Practice Act or licensed under  
12 the laws of another state; a clinical psychologist  
13 licensed under the Clinical Psychologist Licensing Act or  
14 licensed under the laws of another state; a licensed  
15 clinical social worker licensed under the Clinical Social  
16 Work and Social Work Practice Act or licensed under the  
17 laws of another state; a licensed clinical professional  
18 counselor licensed under the Professional Counselor and  
19 Clinical Professional Counselor Licensing and Practice Act  
20 or licensed under the laws of another state; or a licensed  
21 marriage and family therapist licensed under the Marriage  
22 and Family Therapy Licensing Act or licensed under the  
23 laws of another state;

24 (B) has 400 hours of supervised experience in the  
25 treatment of sex offenders in the last 4 years, at least  
26 200 of which are face-to-face therapy with sex offenders;

1 and

2 (C) has at least 40 hours documented training in the  
3 specialty of sex offender evaluation, treatment, or  
4 management.

5 ~~Until January 1, 2015, the requirements of subparagraphs~~  
6 ~~(B) and (C) of paragraph (2) of this subsection (b) are~~  
7 ~~satisfied if the applicant has been listed on the Sex Offender~~  
8 ~~Management Board's Approved Provider List for a minimum of 2~~  
9 ~~years before application.~~

10 (c) (1) A person is qualified for licensure as an associate  
11 sex offender provider if that person:

12 (A) has applied in writing on forms prepared and  
13 furnished by the Department;

14 (B) has not engaged or is not engaged in any practice  
15 or conduct that would be grounds for disciplining a  
16 licensee under Section 75 of this Act; and

17 (C) satisfies the education and experience  
18 requirements of paragraph (2) of this subsection (c).

19 (2) A person who applies to the Department shall be issued  
20 an associate sex offender provider license by the Department  
21 if the person meets the qualifications set forth in paragraph  
22 (1) of this subsection (c) and provides evidence to the  
23 Department that the person holds a master's degree or higher  
24 in social work, psychology, marriage and family therapy,  
25 counseling or closely related behavioral science degree, or  
26 psychiatry.

1 (Source: P.A. 100-201, eff. 8-18-17; 100-513, eff. 1-1-18.)

2 (225 ILCS 109/40)

3 Sec. 40. Application; exemptions.

4 (a) No person may act as a sex offender evaluator, sex  
5 offender treatment provider, or associate sex offender  
6 provider as defined in this Act for the provision of sex  
7 offender evaluations or sex offender treatment pursuant to the  
8 Sex Offender Management Board Act, the Sexually Dangerous  
9 Persons Act, or the Sexually Violent Persons Commitment Act  
10 unless the person is licensed to do so by the Department. Any  
11 evaluation or treatment services provided by a licensed health  
12 care professional not licensed under this Act shall not be  
13 valid under the Sex Offender Management Board Act, the  
14 Sexually Dangerous Persons Act, or the Sexually Violent  
15 Persons Commitment Act. No business shall provide, attempt to  
16 provide, or offer to provide sex offender evaluation services  
17 unless it is organized under the Professional Service  
18 Corporation Act, the Medical Corporation Act, or the  
19 Professional Limited Liability Company Act.

20 (b) Nothing in this Act shall be construed to require any  
21 licensed physician, advanced practice registered nurse,  
22 physician assistant, or other health care professional to be  
23 licensed under this Act for the provision of services for  
24 which the person is otherwise licensed. This Act does not  
25 prohibit a person licensed under any other Act in this State

1 from engaging in the practice for which the person ~~he or she~~ is  
2 licensed. This Act only applies to the provision of sex  
3 offender evaluations or sex offender treatment provided for  
4 the purposes of complying with the Sex Offender Management  
5 Board Act, the Sexually Dangerous Persons Act, or the Sexually  
6 Violent Persons Commitment Act.

7 (Source: P.A. 99-227, eff. 8-3-15; 100-513, eff. 1-1-18.)

8 (225 ILCS 109/45)

9 Sec. 45. License renewal; restoration.

10 (a) The expiration date and renewal period for a license  
11 issued under this Act shall be set by rule. The holder of a  
12 license under this Act may renew that license during the  
13 90-day ~~90-day~~ period immediately preceding the expiration date  
14 upon payment of the required renewal fees and demonstrating  
15 compliance with any continuing education requirements. The  
16 Department shall adopt rules establishing minimum requirements  
17 of continuing education and means for verification of the  
18 completion of the continuing education requirements. The  
19 Department may, by rule, specify circumstances under which the  
20 continuing education requirements may be waived.

21 (b) A licensee who has permitted the licensee's ~~his or her~~  
22 license to expire or who has had the licensee's ~~his or her~~  
23 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, as defined by rule, of the

1 licensee's ~~his or her~~ fitness to have the ~~his or her~~ license  
2 restored, including evidence certifying to active practice in  
3 another jurisdiction satisfactory to the Department and by  
4 paying the required restoration fee.

5 (c) A licensee whose license expired while the licensee ~~he~~  
6 ~~or she~~ was (1) in Federal Service on active duty with the Armed  
7 Forces of the United States, or the State Militia called into  
8 service or training, or (2) in training or education under the  
9 supervision of the United States preliminary to induction into  
10 the military service, may have the ~~his or her~~ license renewed  
11 or restored without paying any lapsed renewal fees if within 2  
12 years after honorable termination of service, training or  
13 education, the licensee ~~he or she~~ furnishes the Department  
14 with satisfactory evidence to the effect that the licensee ~~he~~  
15 ~~or she~~ has been so engaged and that the licensee's ~~his or her~~  
16 service, training or education has been terminated.

17 (Source: P.A. 97-1098, eff. 7-1-13.)

18 (225 ILCS 109/50)

19 Sec. 50. Inactive status.

20 (a) A licensee who notifies the Department in writing on  
21 forms prescribed by the Department may elect to place the  
22 licensee's ~~his or her~~ license on an inactive status and shall,  
23 subject to rules of the Department, be excused from payment of  
24 renewal fees until the licensee ~~he or she~~ notifies the  
25 Department in writing of the licensee's ~~his or her~~ intent to

1 restore the ~~his or her~~ license.

2 (b) A licensee requesting restoration from inactive status  
3 shall be required to pay the current renewal fee and shall be  
4 required to restore the ~~his or her~~ license as provided in  
5 Section 45 of this Act.

6 (c) A licensee whose license is in an inactive status  
7 shall not practice in the State of Illinois.

8 (d) A licensee who provides sex offender evaluation or  
9 treatment services while the licensee's ~~his or her~~ license is  
10 lapsed or on inactive status shall be considered to be  
11 practicing without a license which shall be grounds for  
12 discipline under this Act.

13 (Source: P.A. 97-1098, eff. 7-1-13.)

14 (225 ILCS 109/65)

15 Sec. 65. Payments; penalty for insufficient funds. A  
16 person who delivers a check or other payment to the Department  
17 that is returned to the Department unpaid by the financial  
18 institution upon which it is drawn shall pay to the  
19 Department, in addition to the amount already owed to the  
20 Department, a fine of \$50. The fines imposed by this Section  
21 are in addition to any other discipline provided under this  
22 Act prohibiting unlicensed practice or practice on a  
23 nonrenewed license. The Department shall notify the person  
24 that payment of fees and fines shall be paid to the Department  
25 by certified check or money order within 30 calendar days

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

14 (Source: P.A. 97-1098, eff. 7-1-13.)

15 (225 ILCS 109/75)

16 Sec. 75. Refusal, revocation, or suspension.

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

23 (1) violations of this Act or of the rules adopted  
24 under this Act;

25 (2) discipline by the Department under other state law

1 and rules which the licensee is subject to;

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

11 (4) professional incompetence;

12 (5) advertising in a false, deceptive, or misleading  
13 manner;

14 (6) aiding, abetting, assisting, procuring, advising,  
15 employing, or contracting with any unlicensed person to  
16 provide sex offender evaluation or treatment services  
17 contrary to any rules or provisions of this Act;

18 (7) engaging in immoral conduct in the commission of  
19 any act, such as sexual abuse, sexual misconduct, or  
20 sexual exploitation, related to the licensee's practice;

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

24 (9) practicing or offering to practice beyond the  
25 scope permitted by law or accepting and performing  
26 professional responsibilities which the licensee knows or

1 has reason to know that the licensee ~~he or she~~ is not  
2 competent to perform;

3 (10) knowingly delegating professional  
4 responsibilities to a person unqualified by training,  
5 experience, or licensure to perform;

6 (11) failing to provide information in response to a  
7 written request made by the Department within 60 days;

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

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

15 (14) discipline by another state, District of  
16 Columbia, territory, or foreign nation, if at least one of  
17 the grounds for the discipline is the same or  
18 substantially equivalent to those set forth in this  
19 Section;

20 (15) a finding by the Department that the licensee,  
21 after having the licensee's ~~his or her~~ license placed on  
22 probationary status, has violated the terms of probation;

23 (16) willfully making or filing false records or  
24 reports in the licensee's ~~his or her~~ practice, including,  
25 but not limited to, false records filed with State  
26 agencies or departments;

1           (17) making a material misstatement in furnishing  
2 information to the Department or otherwise making  
3 misleading, deceptive, untrue, or fraudulent  
4 representations in violation of this Act or otherwise in  
5 the practice of the profession;

6           (18) fraud or misrepresentation in applying for or  
7 procuring a license under this Act or in connection with  
8 applying for renewal of a license under this Act;

9           (19) inability to practice the profession with  
10 reasonable judgment, skill, or safety as a result of  
11 physical illness, including, but not limited to,  
12 deterioration through the aging process, loss of motor  
13 skill, or a mental illness or disability;

14           (20) charging for professional services not rendered,  
15 including filing false statements for the collection of  
16 fees for which services are not rendered; or

17           (21) practicing under a false or, except as provided  
18 by law, an assumed name.

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

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

1 the tax Act are satisfied in accordance with subsection (g) of  
2 Section 2105-15 of the Civil Administrative Code of Illinois.

3 (c) (Blank).

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

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

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

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

17 A person holding a license under this Act or who has  
18 applied for a license under this Act who, because of a physical  
19 or mental illness or disability, including, but not limited  
20 to, deterioration through the aging process or loss of motor  
21 skill, is unable to practice the profession with reasonable  
22 judgment, skill, or safety, may be required by the Department  
23 to submit to care, counseling, or treatment by physicians  
24 approved or designated by the Department as a condition, term,  
25 or restriction for continued, reinstated, or renewed licensure  
26 to practice. Submission to care, counseling, or treatment as

1 required by the Department shall not be considered discipline  
2 of a license. If the licensee refuses to enter into a care,  
3 counseling, or treatment agreement or fails to abide by the  
4 terms of the agreement, the Department may file a complaint to  
5 revoke, suspend, or otherwise discipline the license of the  
6 individual. The Secretary may order the license suspended  
7 immediately, pending a hearing by the Department. Fines shall  
8 not be assessed in disciplinary actions involving physical or  
9 mental illness or impairment.

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

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

24 (Source: P.A. 100-872, eff. 8-14-18; 101-81, eff. 7-12-19.)

1           Sec. 85. Violations; injunctions; cease and desist order.

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

14           (b) If a person engages in sex offender evaluation or  
15 treatment or holds oneself ~~himself or herself~~ out as licensee  
16 without having a valid license under this Act, then any  
17 licensee, any interested party or any person injured thereby  
18 may, in addition to the Secretary, petition for relief as  
19 provided in subsection (a) of this Section.

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

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

3 (Source: P.A. 97-1098, eff. 7-1-13.)

4 (225 ILCS 109/90)

5 Sec. 90. Unlicensed practice; violation; civil penalty.

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

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

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

21 (Source: P.A. 97-1098, eff. 7-1-13.)

22 (225 ILCS 109/95)

23 Sec. 95. Investigation; notice and hearing. The  
24 Department may investigate the actions or qualifications of

1 any person or persons holding or claiming to hold a license.  
2 Before suspending, revoking, placing on probationary status,  
3 or taking any other disciplinary action as the Department may  
4 deem proper with regard to any license, at least 30 days before  
5 the date set for the hearing, the Department shall (i) notify  
6 the accused in writing of any charges made and the time and  
7 place for a hearing on the charges before the Department  
8 ~~Board~~, (ii) direct the accused ~~him or her~~ to file a written  
9 answer to the charges with the Department ~~Board~~ under oath  
10 within 20 days after the service on the accused ~~him or her~~ of  
11 the notice, and (iii) inform the accused ~~him or her~~ that if the  
12 accused ~~he or she~~ fails to file an answer, default will be  
13 taken against the accused ~~him or her~~ and the accused's ~~his or~~  
14 ~~her~~ license may be suspended, revoked, placed on probationary  
15 status, or other disciplinary action taken with regard to the  
16 license, including limiting the scope, nature, or extent of  
17 his or her practice, as the Department may deem proper. In case  
18 the person, after receiving notice, fails to file an answer,  
19 the person's ~~his or her~~ license may, in the discretion of the  
20 Department, be suspended, revoked, placed on probationary  
21 status, or the Department may take whatever disciplinary  
22 action is deemed proper, including limiting the scope, nature,  
23 or extent of the person's practice or the imposition of a fine,  
24 without a hearing, if the act or acts charged constitute  
25 sufficient grounds for that action under this Act. Written  
26 notice may be served by ~~personal delivery or by registered or~~

1 ~~certified~~ mail to the applicant or licensee at the applicant's  
2 or licensee's ~~his or her~~ last address of record with the  
3 Department. In case the person fails to file an answer after  
4 receiving notice, the person's ~~his or her~~ license may, in the  
5 discretion of the Department, be suspended, revoked, or placed  
6 on probationary status, or the Department may take whatever  
7 disciplinary action is deemed proper, including limiting the  
8 scope, nature, or extent of the person's practice or the  
9 imposition of a fine, without a hearing, if the act or acts  
10 charged constitute sufficient grounds for that action under  
11 this Act. The written answer shall be served by personal  
12 delivery, certified delivery, or certified or registered mail  
13 to the Department. At the time and place fixed in the notice,  
14 the Department shall proceed to hear the charges and the  
15 parties or their counsel shall be accorded ample opportunity  
16 to present statements, testimony, evidence, and argument as  
17 may be pertinent to the charges or to the defense thereto. The  
18 Department may continue the hearing from time to time. At the  
19 discretion of the Secretary after having first received the  
20 recommendation of the hearing officer ~~Board~~, the accused  
21 person's license may be suspended or revoked, if the evidence  
22 constitutes sufficient grounds for that action under this Act.  
23 (Source: P.A. 97-1098, eff. 7-1-13.)

24 (225 ILCS 109/100)

25 Sec. 100. Record of proceeding. The Department, at its

1 expense, shall preserve a record of all proceedings at the  
2 formal hearing of any case. The notice of hearing, complaint  
3 and all other documents in the nature of pleadings and written  
4 motions filed in the proceedings, the transcript of testimony,  
5 the report of the hearing officer ~~Board~~ and orders of the  
6 Department shall be in the record of the proceedings. The  
7 Department shall furnish a transcript of the record to any  
8 person interested in the hearing upon payment of the fee  
9 required under Section 2105-115 of the Department of  
10 Professional Regulation Law.

11 (Source: P.A. 97-1098, eff. 7-1-13.)

12 (225 ILCS 109/105)

13 Sec. 105. Subpoenas; oaths; attendance of witnesses. The  
14 Department has the power to subpoena and to bring before it any  
15 person and to take testimony either orally or by deposition,  
16 or both, with the same fees and mileage and in the same manner  
17 as prescribed in civil cases in the courts of this State.

18 The Secretary and ~~7~~ the designated hearing officer have  
19 the ~~7~~ ~~and every member of the Board has~~ power to administer  
20 oaths to witnesses at any hearing that the Department is  
21 authorized to conduct and any other oaths authorized in any  
22 Act administered by the Department. A circuit court may, upon  
23 application of the Department or its designee, or of the  
24 applicant or licensee against whom proceedings under this Act  
25 are pending, enter an order requiring the attendance of

1 witnesses and their testimony, and the production of  
2 documents, papers, files, books and records in connection with  
3 any hearing or investigation. The court may compel obedience  
4 to its order by proceedings for contempt.

5 (Source: P.A. 97-1098, eff. 7-1-13.)

6 (225 ILCS 109/110)

7 Sec. 110. Recommendations for disciplinary action. At the  
8 conclusion of the hearing, the hearing officer ~~Board~~ shall  
9 present to the Secretary a written report of the hearing  
10 officer's ~~its~~ findings and recommendations. The report shall  
11 contain a finding whether or not the accused person violated  
12 this Act or failed to comply with the conditions required in  
13 this Act. The hearing officer ~~Board~~ shall specify the nature  
14 of the violation or failure to comply, and shall make its  
15 recommendations to the Secretary.

16 The report of findings and recommendations of the hearing  
17 officer ~~Board~~ shall be the basis for the Department's order  
18 for refusal or for the granting of a license, or for any  
19 disciplinary action, unless the Secretary shall determine that  
20 the hearing officer's ~~Board's~~ report is contrary to the  
21 manifest weight of the evidence, in which case the Secretary  
22 may issue an order in contravention of the hearing officer's  
23 ~~Board's~~ report. The finding is not admissible in evidence  
24 against the person in a criminal prosecution brought for the  
25 violation of this Act, but the hearing and finding are not a

1 bar to a criminal prosecution brought for the violation of  
2 this Act.

3 (Source: P.A. 97-1098, eff. 7-1-13.)

4 (225 ILCS 109/115)

5 Sec. 115. Rehearing. In a hearing involving disciplinary  
6 action against a licensee, a copy of the hearing officer's  
7 ~~Board's~~ report shall be served upon the respondent by the  
8 Department, either personally or as provided in this Act for  
9 the service of the notice of hearing. Within 20 calendar days  
10 after service, the respondent may present to the Department a  
11 motion in writing for a rehearing that shall specify the  
12 particular grounds for rehearing. If no motion for rehearing  
13 is filed, then upon the expiration of the time specified for  
14 filing a motion, or if a motion for rehearing is denied, then  
15 upon denial, the Secretary may enter an order in accordance  
16 with recommendations of the hearing officer ~~Board~~, except as  
17 provided in this Act. If the respondent orders from the  
18 reporting service, and pays for, a transcript of the record  
19 within the time for filing a motion for rehearing, the 20  
20 calendar day period within which a motion may be filed shall  
21 commence upon the delivery of the transcript to the  
22 respondent.

23 (Source: P.A. 97-1098, eff. 7-1-13.)

24 (225 ILCS 109/125)

1           Sec. 125. Appointment of a hearing officer. The Secretary  
2 has the authority to appoint any attorney duly licensed to  
3 practice law in the State of Illinois to serve as the hearing  
4 officer in any action for refusal to issue or renew a license,  
5 or to discipline a licensee. The hearing officer has full  
6 authority to conduct the hearing. The hearing officer shall  
7 report ~~the~~ ~~his or her~~ findings and recommendations to ~~the~~  
8 ~~Board and~~ the Secretary. In the hearing officer's report, the  
9 hearing officer shall make a finding of whether or not the  
10 charged licensee or applicant violated a provision of this Act  
11 or any rules adopted under this Act. Upon presenting the  
12 report to the Secretary, the Secretary may issue an order  
13 based on the report of the hearing officer. If the Secretary  
14 disagrees with the report of the hearing officer, the  
15 Secretary may issue an order in contravention of the hearing  
16 officer's report. The finding by the hearing officer shall not  
17 be admissible in evidence against the person in a criminal  
18 prosecution brought for a violation of this Act nor shall a  
19 finding by the hearing officer be a bar to a criminal  
20 prosecution brought for a violation of this Act. The Board has  
21 ~~60 calendar days from receipt of the report to review the~~  
22 ~~report of the hearing officer and present its findings of~~  
23 ~~fact, conclusions of law and recommendations to the Secretary.~~  
24 ~~If the Board fails to present its report within the 60 calendar~~  
25 ~~day period, the respondent may request in writing a direct~~  
26 ~~appeal to the Secretary, in which case the Secretary shall,~~

1 ~~within 7 calendar days after receipt of the request, issue an~~  
2 ~~order directing the Board to issue its findings of fact,~~  
3 ~~conclusions of law, and recommendations to the Secretary~~  
4 ~~within 30 calendar days after that order. If the Board fails to~~  
5 ~~issue its findings of fact, conclusions of law, and~~  
6 ~~recommendations within that time frame to the Secretary after~~  
7 ~~the entry of the order, the Secretary shall, within 30~~  
8 ~~calendar days thereafter, issue an order based upon the report~~  
9 ~~of the hearing officer and the record of the proceedings or~~  
10 ~~issue an order remanding the matter back to the hearing~~  
11 ~~officer for additional proceedings in accordance with the~~  
12 ~~order. If (i) a direct appeal is requested, (ii) the Board~~  
13 ~~fails to issue its findings of fact, conclusions of law, and~~  
14 ~~recommendations within the 30 day mandate from the Secretary~~  
15 ~~or the Secretary fails to order the Board to do so, and (iii)~~  
16 ~~the Secretary fails to issue an order within 30 calendar days~~  
17 ~~thereafter, then the hearing officer's report is deemed~~  
18 ~~accepted and a final decision of the Secretary.~~

19 Notwithstanding any other provision of this Section, if the  
20 Secretary, upon review, determines that substantial justice  
21 has not been done in the revocation, suspension, or refusal to  
22 issue or renew a license or other disciplinary action taken as  
23 the result of the entry of the hearing officer's report, the  
24 Secretary may order a rehearing by the same or other hearing  
25 officer. If the Secretary disagrees with the recommendation of  
26 the ~~Board or the~~ hearing officer, the Secretary may issue an

1 order in contravention of the recommendation.

2 (Source: P.A. 97-1098, eff. 7-1-13.)

3 (225 ILCS 109/130)

4 Sec. 130. Order; certified copy. An order or a certified  
5 copy of the order, over the seal of the Department and  
6 purporting to be signed by the Secretary, shall be prima facie  
7 proof:

8 (a) that the signature is the genuine signature of the  
9 Secretary;

10 (b) that the Secretary is duly appointed and  
11 qualified; and

12 (c) (blank). ~~that the Board and its members are~~  
13 ~~qualified to act.~~

14 (Source: P.A. 97-1098, eff. 7-1-13.)

15 (225 ILCS 109/135)

16 Sec. 135. Restoration. At any time after the suspension  
17 or revocation of a license, the Department may restore the  
18 license to the accused person, upon the filing of an  
19 application, the filing of proof of fitness acceptable to the  
20 Department, and the payment of the required restoration fee  
21 ~~written recommendation of the Board~~, unless after an  
22 investigation and a hearing the Department Board determines  
23 that restoration is not in the public interest.

24 (Source: P.A. 97-1098, eff. 7-1-13.)

1 (225 ILCS 109/145)

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

12 (Source: P.A. 97-1098, eff. 7-1-13.)

13 (225 ILCS 109/70 rep.)

14 Section 50. The Sex Offender Evaluation and Treatment  
15 Provider Act is amended by repealing Section 70.

16 Section 55. The Barber, Cosmetology, Esthetics, Hair  
17 Braiding, and Nail Technology Act of 1985 is amended by  
18 changing Section 3D-5 as follows:

19 (225 ILCS 410/3D-5)

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

21 Sec. 3D-5. Requisites for ownership or operation of  
22 cosmetology, esthetics, hair braiding, and nail technology

1 salons and barber shops.

2 (a) No person, firm, partnership, limited liability  
3 company, professional limited liability company, corporation,  
4 or professional service corporation shall own or operate a  
5 cosmetology, esthetics, hair braiding, or nail technology  
6 salon or barber shop or employ, rent space to, or  
7 independently contract with any licensee under this Act  
8 without applying on forms provided by the Department for a  
9 certificate of registration. This registration shall be in  
10 addition to and shall not replace or supersede any other  
11 business license, registration, or permit that may be required  
12 by local municipalities or other governmental entities to own  
13 or operate a business in the governmental entity's  
14 jurisdiction. The issuance of a license, registration, or  
15 permit by a municipality or another governmental entity to a  
16 salon or shop shall not waive the requirement to obtain a  
17 certificate of registration from the Department to own or  
18 operate a salon or shop.

19 (b) The application for a certificate of registration  
20 under this Section shall set forth the name, address, and  
21 telephone number of the proposed cosmetology, esthetics, hair  
22 braiding, or nail technology salon or barber shop; the name,  
23 address, and telephone number of the person, firm,  
24 partnership, limited liability company, professional limited  
25 liability company, corporation, or professional service  
26 corporation that is to own or operate the salon or shop; the

1 license number of the owner or operator of the shop if they are  
2 licensed under the Act or the name and license number of the  
3 individual manager of the salon or shop; and, if the salon or  
4 shop is to be owned or operated by an entity other than an  
5 individual, the name, address, and telephone number of the  
6 managing partner or the chief executive officer of the  
7 corporation or other entity that owns or operates the salon or  
8 shop. A person who is not licensed under the Act may own or  
9 operate a salon or shop, but may not practice barbering,  
10 cosmetology, esthetics, hair braiding, or nail technology. An  
11 unlicensed owner or operator of a salon or shop shall employ at  
12 least one person as a manager who holds a license under the Act  
13 and manages the salon or shop. The licensed owner, operator,  
14 or manager of a salon or shop shall ensure that the salon or  
15 shop operates in compliance with this Act and any applicable  
16 rules, and the owner's, operator's, or manager's name and  
17 license number shall be posted with the certificate of  
18 registration at the salon or shop.

19 (c) The Department shall be notified by the owner or  
20 operator of a salon or shop that is moved to a new location. If  
21 there is a change in the ownership or operation or manager of a  
22 salon or shop, the new owner, operator, or manager shall  
23 report that change to the Department along with completion of  
24 any additional requirements set forth by rule.

25 (d) If a person, firm, partnership, limited liability  
26 company, professional limited liability company, corporation,

1 or professional service corporation owns or operates more than  
2 one shop or salon, a separate certificate of registration must  
3 be obtained for each salon or shop.

4 (e) A certificate of registration granted under this  
5 Section may be revoked in accordance with the provisions of  
6 Article IV and the holder of the certificate and any licensed  
7 managers may be otherwise disciplined by the Department in  
8 accordance with rules adopted under this Act.

9 (f) The Department may promulgate rules to establish  
10 additional requirements for owning or operating a salon or  
11 shop.

12 (g) The requirement of a certificate of registration as  
13 set forth in this Section shall also apply to any person, firm,  
14 partnership, limited liability company, professional limited  
15 liability company, corporation, or professional service  
16 corporation providing barbering, cosmetology, esthetics, hair  
17 braiding, or nail technology services at any location not  
18 owned or rented by such person, firm, partnership, limited  
19 liability company, professional limited liability company,  
20 corporation, or professional service corporation for these  
21 purposes or from a mobile shop or salon. Notwithstanding any  
22 provision of this Section, applicants for a certificate of  
23 registration under this subsection (g) shall report in its  
24 application the address and telephone number of its office and  
25 shall not be required to report the location where services  
26 are or will be rendered. Nothing in this subsection (g) shall

1 apply to a sole proprietor who has no employees or contractors  
2 and is not operating a mobile shop or salon.

3 (h) Nothing in this Act shall prohibit the use of the terms  
4 "electrology", "electrologist", "massage", "massage therapy",  
5 or "massage therapist" by a salon or shop registered under  
6 this Act as long as the salon or shop offers electrology  
7 services in accordance with the Electrologist Licensing Act or  
8 massage therapy services in accordance with the Massage  
9 Therapy Practice Act.

10 (Source: P.A. 104-153, eff. 1-1-26.)

11 Section 60. The Electrologist Licensing Act is amended by  
12 changing Section 20 as follows:

13 (225 ILCS 412/20)

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

15 Sec. 20. Exemptions. This Act does not prohibit:

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

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

23 (3) The practice of electrology included in a program  
24 of study by students enrolled in schools or in refresher

1 courses approved by the Department.

2 Nothing in this Act shall be construed to prevent a person  
3 who is licensed under this Act and functioning as an assistant  
4 to a person who is licensed to practice medicine in all of its  
5 branches from providing delegated services. Such delegated  
6 services may not be performed by a person while holding  
7 himself or herself out as an electrologist or in any manner  
8 that indicates that the services are part of the practice of  
9 electrology.

10 Nothing in this Act shall prohibit the use of the terms  
11 "electrology" or "electrologist" by a salon or shop registered  
12 under the Barber, Cosmetology, Esthetics, Hair Braiding, and  
13 Nail Technology Act of 1985 as long as the salon offers  
14 electrology services in accordance with this Act.

15 (Source: P.A. 96-569, eff. 8-18-09.)

16 Section 65. The Professional Service Corporation Act is  
17 amended by changing Section 3.6 as follows:

18 (805 ILCS 10/3.6) (from Ch. 32, par. 415-3.6)

19 Sec. 3.6. "Related professions" and "related professional  
20 services" mean more than one personal service which requires  
21 as a condition precedent to the rendering thereof the  
22 obtaining of a license and which prior to October 1, 1973 could  
23 not be performed by a corporation by reason of law; provided,  
24 however, that these terms shall be restricted to:

1           (1) a combination of 2 or more of the following  
2 personal services: (a) "architecture" as defined in  
3 Section 5 of the Illinois Architecture Practice Act of  
4 1989, (b) "professional engineering" as defined in Section  
5 4 of the Professional Engineering Practice Act of 1989,  
6 (c) "structural engineering" as defined in Section 5 of  
7 the Structural Engineering Practice Act of 1989, (d) "land  
8 surveying" as defined in Section 2 of the Illinois  
9 Professional Land Surveyor Act of 1989;

10           (2) a combination of the following personal services:  
11 (a) the practice of medicine by persons licensed under the  
12 Medical Practice Act of 1987, (b) the practice of podiatry  
13 as defined in the Podiatric Medical Practice Act of 1987,  
14 (c) the practice of dentistry as defined in the Illinois  
15 Dental Practice Act, (d) the practice of optometry as  
16 defined in the Illinois Optometric Practice Act of 1987;

17           (3) a combination of 2 or more of the following  
18 personal services: (a) the practice of clinical psychology  
19 by persons licensed under the Clinical Psychologist  
20 Licensing Act, (b) the practice of social work or clinical  
21 social work by persons licensed under the Clinical Social  
22 Work and Social Work Practice Act, (c) the practice of  
23 marriage and family therapy by persons licensed under the  
24 Marriage and Family Therapy Licensing Act, (d) the  
25 practice of professional counseling or clinical  
26 professional counseling by persons licensed under the

1 Professional Counselor and Clinical Professional Counselor  
2 Licensing and Practice Act, or (e) the practice of sex  
3 offender evaluations by persons licensed under the Sex  
4 Offender Evaluation and Treatment Provider Act; ~~or~~

5 (4) a combination of 2 or more of the following  
6 personal services: (a) the practice of acupuncture by  
7 persons licensed under the Acupuncture Practice Act, (b)  
8 the practice of massage by persons licensed under the  
9 Massage Therapy Practice Act, (c) the practice of  
10 naprapathy by persons licensed under the Naprapathic  
11 Practice Act, (d) the practice of occupational therapy by  
12 persons licensed under the Illinois Occupational Therapy  
13 Practice Act, (e) the practice of physical therapy by  
14 persons licensed under the Illinois Physical Therapy Act,  
15 or (f) the practice of speech-language therapy by persons  
16 licensed under the Illinois Speech-Language Pathology and  
17 Audiology Practice Act; or-

18 (5) a combination of 2 or more of the following  
19 personal services: (a) services provided by persons  
20 licensed under the Barber, Cosmetology, Esthetics, Hair  
21 Braiding, and Nail Technology Act of 1985, (b) the  
22 practice of massage therapy by persons licensed under the  
23 Massage Therapy Practice Act, or (c) the practice of  
24 electrology by persons licensed under the Electrologist  
25 Licensing Act.

26 (Source: P.A. 101-95, eff. 7-19-19; 102-20, eff. 1-1-22.)

1           Section 70. The Professional Limited Liability Company Act  
2 is amended by changing Section 13 as follows:

3           (805 ILCS 185/13)

4           Sec. 13. Nature of business.

5           (a) A professional limited liability company may be formed  
6 to provide a professional service or services licensed by the  
7 Department except:

8                 (1) the practice of dentistry unless all the members  
9                 and managers are licensed as dentists under the Illinois  
10                Dental Practice Act;

11               (2) the practice of medicine unless all the managers,  
12 if any, are licensed to practice medicine under the  
13 Medical Practice Act of 1987 and each member is either:

14                     (A) licensed to practice medicine under the  
15                     Medical Practice Act of 1987;

16                     (B) a registered medical corporation or  
17                     corporations organized pursuant to the Medical  
18                     Corporation Act;

19                     (C) a professional corporation organized pursuant  
20                     to the Professional Service Corporation Act of  
21                     physicians licensed to practice under the Medical  
22                     Practice Act of 1987;

23                     (D) a hospital or hospital affiliate as defined in  
24                     Section 10.8 of the Hospital Licensing Act; or

1           (E) a professional limited liability company that  
2           satisfies the requirements of subparagraph (A), (B),  
3           (C), or (D);

4           (3) the practice of real estate unless all the members  
5           and managers, if any, that actively participate in the  
6           real estate activities of the professional limited  
7           liability company are licensed to practice as a managing  
8           broker or broker pursuant to the Real Estate License Act  
9           of 2000. All nonparticipating members or managers shall  
10          submit affidavits of nonparticipation as required by the  
11          Department and the Real Estate License Act of 2000;

12          (4) the practice of clinical psychology unless all the  
13          managers and members are licensed to practice as a  
14          clinical psychologist under the Clinical Psychologist  
15          Licensing Act;

16          (5) the practice of social work unless all the  
17          managers and members are licensed to practice as a  
18          clinical social worker or social worker under the Clinical  
19          Social Work and Social Work Practice Act;

20          (6) the practice of marriage and family therapy unless  
21          all the managers and members are licensed to practice as a  
22          marriage and family therapist under the Marriage and  
23          Family Therapy Licensing Act;

24          (7) the practice of professional counseling unless all  
25          the managers and members are licensed to practice as a  
26          clinical professional counselor or a professional

1 counselor under the Professional Counselor and Clinical  
2 Professional Counselor Licensing and Practice Act;

3 (8) the practice of sex offender evaluation and  
4 treatment unless all the managers and members are licensed  
5 to practice as a sex offender evaluator or sex offender  
6 treatment provider under the Sex Offender Evaluation and  
7 Treatment Provider Act; or

8 (9) the practice of veterinary medicine unless all the  
9 managers and members are licensed to practice as a  
10 veterinarian under the Veterinary Medicine and Surgery  
11 Practice Act of 2004.

12 (b) Notwithstanding any provision of this Section, any of  
13 the following professional services may be combined and  
14 offered within a single professional limited liability company  
15 provided that each professional service is offered only by  
16 persons licensed to provide that professional service and all  
17 managers and members are licensed in at least one of the  
18 professional services offered by the professional limited  
19 liability company:

20 (1) the practice of medicine by physicians licensed  
21 under the Medical Practice Act of 1987, the practice of  
22 podiatry by podiatric physicians licensed under the  
23 Podiatric Medical Practice Act of 1987, the practice of  
24 dentistry by dentists licensed under the Illinois Dental  
25 Practice Act, and the practice of optometry by  
26 optometrists licensed under the Illinois Optometric

1 Practice Act of 1987;

2 (2) the practice of clinical psychology by clinical  
3 psychologists licensed under the Clinical Psychologist  
4 Licensing Act, the practice of social work by clinical  
5 social workers or social workers licensed under the  
6 Clinical Social Work and Social Work Practice Act, the  
7 practice of marriage and family counseling by marriage and  
8 family therapists licensed under the Marriage and Family  
9 Therapy Licensing Act, the practice of professional  
10 counseling by professional counselors and clinical  
11 professional counselors licensed under the Professional  
12 Counselor and Clinical Professional Counselor Licensing  
13 and Practice Act, and the practice of sex offender  
14 evaluation and treatment by sex offender evaluators and  
15 sex offender treatment providers licensed under the Sex  
16 Offender Evaluation and Treatment Provider Act;

17 (3) the practice of architecture by persons licensed  
18 under the Illinois Architecture Practice Act of 1989, the  
19 practice of professional engineering by persons licensed  
20 under the Professional Engineering Practice Act of 1989,  
21 the practice of structural engineering by persons licensed  
22 under the Structural Engineering Practice Act of 1989, and  
23 the practice of land surveying by persons licensed under  
24 the Illinois Professional Land Surveyor Act of 1989; ~~or~~

25 (4) the practice of acupuncture by persons licensed  
26 under the Acupuncture Practice Act, the practice of

1           massage by persons licensed under the Massage Licensing  
2           Act, the practice of naprapathy by persons licensed under  
3           the Naprapathic Practice Act, the practice of occupational  
4           therapy by persons licensed under the Illinois  
5           Occupational Therapy Practice Act, the practice of  
6           physical therapy by persons licensed under the Illinois  
7           Physical Therapy Act, and the practice of speech-language  
8           pathology by persons licensed under the Illinois  
9           Speech-Language Pathology and Audiology Practice Act; ~~or-~~

10           (5) services provided by persons licensed under the  
11           Barber, Cosmetology, Esthetics, Hair Braiding, and Nail  
12           Technology Act of 1985, the practice of massage therapy by  
13           persons licensed under the Massage Therapy Practice Act,  
14           and the practice of electrology by persons licensed under  
15           the Electrologist Licensing Act.

16           (Source: P.A. 102-970, eff. 5-27-22.)

17           Section 99. Effective date. This Act takes effect upon  
18           becoming law.

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