



Sen. Suzy Glowiak Hilton

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10400SB3895sam001

LRB104 18002 CCC 35349 a

1 AMENDMENT TO SENATE BILL 3895

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 3895 by replacing  
3 everything after the enacting clause with the following:

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

6 (5 ILCS 80/4.37)

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 Acts and Articles repealed on January 1, 2027.

8 The following are repealed on January 1, 2027:

9 ~~The Clinical Psychologist Licensing Act.~~

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

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

13 The Boiler and Pressure Vessel Repairer Regulation Act.

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

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

16 The Cemetery Oversight Act.

1           The Community Association Manager Licensing and  
2   Disciplinary Act.

3           The Detection of Deception Examiners Act.

4           The Home Inspector License Act.

5           ~~The Massage Licensing Act.~~

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

7           The Petroleum Equipment Contractors Licensing Act.

8           The Radiation Protection Act of 1990.

9           The Real Estate Appraiser Licensing Act of 2002.

10          The Registered Interior Designers Act.

11          The Landscape Architecture Registration Act.

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

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

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

19          (5 ILCS 80/4.42)

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 Acts repealed on January 1, 2032.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21   Acts are repealed on January 1, 2032:

22          The Collateral Recovery Act.

23          The Clinical Psychologist Licensing Act.

24          The Illinois Optometric Practice Act of 1987.

25          The Marriage and Family Therapy Licensing Act.

1       The Boxing and Full-contact Martial Arts Act.

2       The Massage Therapy Practice Act.

3       The Medical Practice Act of 1987.

4       The Licensed Certified Professional Midwife Practice Act.

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

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

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

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

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

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

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

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

19           (4) (Blank).

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

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

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

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

1 offering to render or rendering them.

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

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

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

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

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

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

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

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

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

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

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

12 (225 ILCS 15/2.5)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 of this Act.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 licensed under the provisions of this Act.

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

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

6 (225 ILCS 15/4.3)

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

8 Sec. 4.3. Written collaborative agreements.

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

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

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

22 (2) patients during pregnancy;

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

1 and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

18 (225 ILCS 15/4.5)

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

20 Sec. 4.5. Endorsement; prescribing psychologists.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

7 (2) (blank);

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1        preceding application ~~20 years~~;

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

5            (3) (blank);

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

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

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

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

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

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

23            (225 ILCS 15/11.5)

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

25            Sec. 11.5. Temporary authorization of practice by persons

1 licensed in other jurisdictions.

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

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

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

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

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

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

24 (225 ILCS 15/12.5)

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

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

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

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

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

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

15           Sec. 13. License renewal; restoration.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

22 Sec. 15. Disciplinary action; grounds.

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

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

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

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

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

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

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

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

26 (7) Unethical, unauthorized, or unprofessional conduct

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 (B) any narcotic drug.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

24 Sec. 16. Investigations; notice; hearing.

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

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

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

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

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

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

5 (225 ILCS 15/16.1)

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

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

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

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

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

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

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

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

5 (225 ILCS 15/21.2)

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

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

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

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

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

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

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

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

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

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

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

1 subsequent violation commits a Class 4 felony.

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

3 (225 ILCS 15/26.5)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

25 "Department" means the Department of Financial and

1 Professional Regulation.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

22 Sec. 15. Exemptions.

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

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

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

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

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

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

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

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

1 (f) This Act does not prohibit:

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

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

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

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

1 ~~she~~ is licensed.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 appointees shall be licensed under this Act.

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

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

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

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

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

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

1 this Act.

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

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

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

9 (225 ILCS 55/30) (from Ch. 111, par. 8351-30)

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

11 Sec. 30. Application.

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

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

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

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

8 (225 ILCS 55/45) (from Ch. 111, par. 8351-45)

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

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

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

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

1 (c) If the person has not maintained an active practice in  
2 another jurisdiction satisfactory to the Department, the Board  
3 shall determine, by an evaluation program established by rule,  
4 the person's fitness to resume active status and may require  
5 the person to complete a period of evaluated clinical  
6 experience and successful completion of a practical  
7 examination.

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

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

1 practice.

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

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

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

17 (h) (Blank).

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

19 (225 ILCS 55/60) (from Ch. 111, par. 8351-60)

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

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

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

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

21 (225 ILCS 55/65) (from Ch. 111, par. 8351-65)

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

23 Sec. 65. Endorsement. The Department may issue a license  
24 as a licensed marriage and family therapist, without the  
25 required examination, to an applicant licensed under the laws

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

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

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

26 Applicants have 3 years from the date of application to

1 complete the application process. If the process has not been  
2 completed within the 3 years, the application shall expire ~~be~~  
3 ~~denied~~, the fee shall be forfeited, and the applicant must  
4 reapply and meet the requirements in effect at the time of  
5 reapplication.

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

7 (225 ILCS 55/71 new)

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

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

1       (b) The Secretary may temporarily authorize an individual  
2 to practice marriage and family therapy if the individual:

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

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

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

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

19       (225 ILCS 55/75) (from Ch. 111, par. 8351-75)

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

21       Sec. 75. License; restrictions and limitations.

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

25           (1) in any manner hold oneself out to the public as an

1 associate licensed marriage and family therapist;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- 1           (5) Professional incompetence.
- 2           (6) Gross negligence in practice under this Act.
- 3           (7) Aiding or assisting another person in violating  
4 any provision of this Act or its rules.
- 5           (8) Failing, within 30 ~~60~~ days, to provide information  
6 in response to a written request made by the Department.
- 7           (9) Engaging in dishonorable, unethical, or  
8 unprofessional conduct of a character likely to deceive,  
9 defraud or harm the public as defined by the rules of the  
10 Department, or violating the rules of professional conduct  
11 adopted by the Department.
- 12          (10) Habitual or excessive use or abuse of drugs  
13 defined in law as controlled substances, of alcohol, or  
14 any other substance that results in the inability to  
15 practice with reasonable judgment, skill, or safety.
- 16          (11) Discipline by another jurisdiction if at least  
17 one of the grounds for the discipline is the same or  
18 substantially equivalent to those set forth in this Act.
- 19          (12) Directly or indirectly giving to or receiving  
20 from any person, firm, corporation, partnership, or  
21 association any fee, commission, rebate, or other form of  
22 compensation for any professional services not actually or  
23 personally rendered. Nothing in this paragraph (12)  
24 affects any bona fide independent contractor or employment  
25 arrangements among health care professionals, health  
26 facilities, health care providers, or other entities,

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

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

13      (14) Abandonment of a patient without cause.

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

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

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

1 Child Reporting Act.

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

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

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

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

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

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

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

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

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

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

6 (b) (Blank).

7 (c) 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 terminate only upon a finding by a court that the patient is no  
12 longer subject to involuntary admission or judicial admission  
13 and the issuance of an order so finding and discharging the  
14 patient, and upon the recommendation of the Board to the  
15 Secretary that the licensee be allowed to resume the  
16 licensee's ~~his or her~~ practice as a licensed marriage and  
17 family therapist or an associate licensed marriage and family  
18 therapist.

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

26 (d-5) The Department shall not revoke, suspend, summarily

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

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

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

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

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

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

1 suspension, or other form of discipline was based solely upon  
2 an immigration violation by the person.

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

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

1 testing, or neuropsychological testing.

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

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

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

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

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

22 In instances in which the Secretary immediately suspends a  
23 person's license under this Section, a hearing on that  
24 person's license must be convened by the Department within 30  
25 days after the suspension and completed without appreciable  
26 delay. The Department and Board shall have the authority to

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

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

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

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

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

17 (225 ILCS 55/90) (from Ch. 111, par. 8351-90)

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

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

20 (a) If any person violates a provision of this Act, the  
21 Secretary may, in the name of the People of the State of  
22 Illinois, through the Attorney General of the State of  
23 Illinois, petition for an order enjoining the violation or for  
24 an order enforcing compliance with this Act. Upon the filing  
25 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 are in addition to, and  
6 not in lieu of, all other remedies and penalties provided by  
7 this Act.

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

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

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

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

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

3 (a) Any person who practices, offers to practice, attempts  
4 to practice, or holds oneself ~~himself or herself~~ out to  
5 practice as a licensed marriage and family therapist or an  
6 associate licensed marriage and family therapist without being  
7 licensed under this Act shall, in addition to any other  
8 penalty provided by law, pay a civil penalty to the Department  
9 in an amount not to exceed \$10,000 for each offense, as  
10 determined by the Department. The civil penalty shall be  
11 assessed by the Department after a hearing is held in  
12 accordance with the provisions set forth in this Act regarding  
13 the provision of 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. 100-372, eff. 8-25-17.)

22 (225 ILCS 55/95) (from Ch. 111, par. 8351-95)

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

24 Sec. 95. Investigation; notice and hearing.

25 (a) The Department may investigate the actions or

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

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

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

1 constitute sufficient grounds for such action under this Act.

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

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

8 (225 ILCS 55/135) (from Ch. 111, par. 8351-135)

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

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

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

23 (225 ILCS 55/145) (from Ch. 111, par. 8351-145)

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

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

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

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

19           (225 ILCS 57/15)

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

21           Sec. 15. Licensure requirements.

22           (a) Persons engaged in massage for compensation must be  
23 licensed by the Department. The Department shall issue a  
24 license to an individual who meets all of the following

1 requirements:

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

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

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

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

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

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

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

24 (225 ILCS 57/17)

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

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

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

9           (225 ILCS 57/19)

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

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

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 forfeited, and the applicant must reapply and

1 meet the requirements in effect at the time of reapplication.

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

3 (225 ILCS 57/25)

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

5 Sec. 25. Exemptions.

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

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

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

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

23 (e) Nothing in this Act prohibits practitioners that do  
24 not involve intentional soft tissue manipulation, including, but not limited to,  
25 Alexander Technique, Feldenkrais, Reike,

1 and Therapeutic Touch, from practicing.

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

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

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

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

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

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

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

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

15 (225 ILCS 57/30)

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

17 Sec. 30. Title protection.

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

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

1 the regulated professional title in the course of their  
2 employment, commits a violation of this Act.

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

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

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

15 (225 ILCS 57/32)

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

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

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

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

6 (225 ILCS 57/35)

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

8 Sec. 35. Massage Licensing Board.

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

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

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

1 original appointments for the unexpired portion of the vacated  
2 term.

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

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

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

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

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

23 (225 ILCS 57/45)

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

25 Sec. 45. Grounds for discipline.

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

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

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

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

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

25 (5) aiding, abetting, assisting, procuring, advising,  
26 employing, or contracting with any unlicensed person to

1 practice massage contrary to any rules or provisions of  
2 this Act;

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

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

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

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

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

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

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

26 (13) discipline by another state, District of

1 Columbia, territory, or foreign nation, if at least one of  
2 the grounds for the discipline is the same or  
3 substantially equivalent to those set forth in this  
4 Section;

5 (14) 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 (15) willfully making or filing false records or  
9 reports in the person's ~~his or her~~ practice, including,  
10 but not limited to, false records filed with State  
11 agencies or departments;

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

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

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

25 (19) charging for professional services not rendered,  
26 including filing false statements for the collection of

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

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

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

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

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

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

1 therapist.

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

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

9 (2) involuntary sexual servitude of a minor;

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

13 (4) a forcible felony.

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

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

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

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

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

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

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

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

6 (e) (Blank).

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

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

26 (h) In enforcing this Act, the Department or Board, upon a

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

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

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

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

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

1 license.

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

3 (225 ILCS 57/50)

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

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

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

1 (225 ILCS 57/68)

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

3 Sec. 68. Abnormal skin growth education.

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

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

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

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

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

1 potential abnormal skin growths.

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

3 (225 ILCS 57/70)

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

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

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

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

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

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

1 (225 ILCS 57/75)

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

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

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

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

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

19 (225 ILCS 57/90)

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

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

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

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

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

26 (c) Whenever, in the opinion of the Department, a person

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

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

10 (225 ILCS 57/95)

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

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

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

18 (225 ILCS 57/100)

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

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

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

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

17 (225 ILCS 57/105)

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

19 Sec. 105. Subpoenas; depositions; oaths.

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

1 in the same manner as prescribed in civil cases in the courts  
2 of this State.

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

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

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

16 (225 ILCS 57/165)

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

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

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

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

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

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

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

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

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

22 (225 ILCS 60/5) (from Ch. 111, par. 4400-5)

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

24 Sec. 5. Because the candid and conscientious evaluation of

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

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

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

22 (225 ILCS 60/7.1)

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

24 Sec. 7.1. Medical Board.

25 (A) There is hereby created the Illinois State Medical

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

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

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

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

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

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

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

1 immediately. The Medical Board shall meet at least quarterly.

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

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

24 (G) The Secretary shall employ, in conformity with the  
25 Personnel Code, investigators who are college graduates with  
26 at least 2 years of investigative experience or one year of

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

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

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

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

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

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

8 (225 ILCS 60/9) (from Ch. 111, par. 4400-9)

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

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

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

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

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

25 (2) has the preliminary and professional education

1 required by this Act;

2 (3) (blank); and

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

1           Boards.

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

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

14           (2) Specialized training or education.

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

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

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

21           (5.5) Successful completion of a re-entry course.

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

25           Any applicant applying for a license to practice  
26 medicine in all of its branches or for a license as a

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

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

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

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

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

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

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

2 (225 ILCS 60/9.3)

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

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

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

12 (225 ILCS 60/9.5)

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

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

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

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

2 (225 ILCS 60/9.7)

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

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

1 Section.

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

3 (225 ILCS 60/11) (from Ch. 111, par. 4400-11)

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

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

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

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

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

25 (b) that the applicant is a graduate of a

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

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

26 (c) that the applicant has studied medicine at

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

25 (d) Any clinical clerkship ~~clerkships~~ must  
26 have been completed in compliance with Section

1 10.3 of the Hospital Licensing Act, as amended.

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

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

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

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

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

5 (3) (Blank).

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

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

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

26 (1) For an applicant who was a resident student

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

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

1 of not less than 35 months, such college of liberal  
2 arts and chiropractic college having been reputable  
3 and in good standing in the judgment of the  
4 Department.

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

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

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

20 (225 ILCS 60/15) (from Ch. 111, par. 4400-15)

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

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

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

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

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

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

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

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

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

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

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

26 (D) Is physically, mentally, and professionally

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

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

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

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

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

16 (225 ILCS 60/18) (from Ch. 111, par. 4400-18)

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

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

20 (A) Visiting professor permit.

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

25 (a) the person maintains an equivalent

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

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

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

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

1 judgment of the Department, will enable the Department to  
2 pass on the qualifications of the applicant.

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

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

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

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

26 (i) have obtained the required continuing

1 education hours as set by rule; and

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

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

9 (B) Visiting physician permit.

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

13 (a) (blank);

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

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

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

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

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

26 (3) A temporary visiting physician permit shall be

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

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

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

20 (C) Visiting resident permit.

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

24 (a) (blank);

25 (b) that the person maintains an equivalent  
26 authorization to practice medicine in all of its

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

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

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

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

23          (2) The application for the temporary visiting  
24          resident permit shall be made to the Department, in  
25          writing, on forms prescribed by the Department, and shall  
26          be accompanied by the required fee established by rule.

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

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

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

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

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

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

26 (3) The name and license number of the Illinois

1 physician who will be responsible for supervising the  
2 trainee and the medical director or division director of  
3 the department or facility.

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

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

9 (225 ILCS 60/21) (from Ch. 111, par. 4400-21)

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

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

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

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

1 Department has attempted to provide such notice as herein  
2 provided.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

21 (225 ILCS 60/22)

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

23 Sec. 22. Disciplinary action.

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

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

6 (1) (Blank).

7 (2) (Blank).

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

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

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

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

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

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

26 (9) Fraud or misrepresentation in applying for, or

1       procuring, a license under this Act or in connection with  
2       applying for renewal of a license under this Act.

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

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

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

21          (13) Violation of any provision of this Act or of the  
22       Medical Practice Act prior to the repeal of that Act, or  
23       violation of the rules, or a final administrative action  
24       of the Secretary, after consideration of the  
25       recommendation of the Medical Board.

26          (14) Violation of the prohibition against fee

1 splitting in Section 22.2 of this Act.

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

8 (16) Abandonment of a patient.

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

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

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

24 (20) Immoral conduct in the commission of any act,  
25 including, but not limited to, commission of an act of  
26 sexual misconduct or sexual harassment related to the

1        licensee's practice. For the purpose of this paragraph  
2        (20), "sexual harassment" means unwelcome sexual advances,  
3        requests for sexual favors, or other verbal, physical, or  
4        nonverbal conduct of a sexual nature.

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

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

17       (23) 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       (24) Solicitation of professional patronage by any  
25       corporation, agents, or persons, or profiting from those  
26       representing themselves to be agents of the licensee.

1           (25) Gross, ~~and~~ willful, and continued overcharging  
2 for professional services, including filing false  
3 statements for collection of fees for which services are  
4 not rendered, including, but not limited to, filing such  
5 false statements for collection of monies for services not  
6 rendered from the medical assistance program of the  
7 Department of Healthcare and Family Services (formerly  
8 Department of Public Aid) under the Illinois Public Aid  
9 Code.

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

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

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

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

22           (30) Willfully or negligently violating the  
23 confidentiality between physician and patient except as  
24 required by law.

25           (31) The use of any false, fraudulent, or deceptive  
26 statement in any document connected with practice under

1 this Act.

2 (32) Aiding and abetting an individual not licensed  
3 under this Act in the practice of a profession licensed  
4 under this Act.

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

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

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

1 action as defined in this Section.

2 (36) Failure to report to the Department any adverse  
3 judgment, settlement, or award arising from a liability  
4 claim related to acts or conduct similar to acts or  
5 conduct which would constitute grounds for action as  
6 defined in this Section.

7 (37) Failure to provide copies of medical records as  
8 required by law.

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

14 (39) Violating the Health Care Worker Self-Referral  
15 Act.

16 (40) (Blank).

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

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

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

25 (44) Violating the Compassionate Use of Medical  
26 Cannabis Program Act.

1 (45) Entering into an excessive number of written  
2 collaborative agreements with licensed prescribing  
3 psychologists resulting in an inability to adequately  
4 collaborate.

5 (46) Repeated failure to adequately collaborate with a  
6 licensed prescribing psychologist.

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

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

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

21 (50) Repeated failure to adequately collaborate with a  
22 physician assistant.

23 All proceedings to take disciplinary action as the  
24 Department may deem proper, with regard to a license, must be  
25 commenced within 5 years after the date of the Department's  
26 receipt of a complaint alleging the commission of or notice of

1 a conviction order for any of the violations described herein.  
2 Ground number (26) is exempt from this 5-year limitation. No  
3 action shall be commenced more than 10 years after the date of  
4 the incident or act alleged to have violated this Section.  
5 Ground numbers (8), (9), (26), and (29) are exempt from this  
6 10-year limitation. Except for actions involving the ground  
7 numbered (26), all proceedings to suspend, revoke, place on  
8 probationary status, or take any other disciplinary action as  
9 the Department may deem proper, with regard to a license on any  
10 of the foregoing grounds, must be commenced within 5 years  
11 next after receipt by the Department of a complaint alleging  
12 the commission of or notice of the conviction order for any of  
13 the acts described herein. Except for the grounds numbered  
14 (8), (9), (26), and (29), no action shall be commenced more  
15 than 10 years after the date of the incident or act alleged to  
16 have violated this Section. For actions involving the ground  
17 numbered (26), a pattern of practice or other behavior  
18 includes all incidents alleged to be part of the pattern of  
19 practice or other behavior that occurred, or a report pursuant  
20 to Section 23 of this Act received, within the 10-year period  
21 preceding the filing of the complaint. In the event of the  
22 settlement of any claim or cause of action in favor of the  
23 claimant or the reduction to final judgment of any civil  
24 action in favor of the plaintiff, such claim, cause of action,  
25 or civil action being grounded on the allegation that a person  
26 licensed under this Act was negligent in providing care, the

1 Department shall be exempt from the 10-year limitation and  
2 shall have 5 years from receipt of the report ~~have an~~  
3 ~~additional period of 2 years from the date of notification to~~  
4 ~~the Department~~ under Section 23 of this Act of such settlement  
5 or final judgment in which to investigate and commence formal  
6 disciplinary proceedings under Section 36 of this Act, except  
7 as otherwise provided by law. The time during which the holder  
8 of the license was outside the State of Illinois shall not be  
9 included within any period of time limiting the commencement  
10 of disciplinary action by the Department.

11 The entry of an order or judgment by any circuit court  
12 establishing that any person holding a license under this Act  
13 is a person in need of mental treatment operates as a  
14 suspension of that license. That person may resume ~~his or her~~  
15 practice only upon the entry of a Departmental order based  
16 upon a finding by the Medical Board that the person has been  
17 determined to be recovered from mental illness by the court  
18 and upon the Medical Board's recommendation that the person be  
19 permitted to resume ~~his or her~~ practice.

20 The Department may refuse to issue or take disciplinary  
21 action concerning the license of any person who fails to file a  
22 return, or to pay the tax, penalty, or interest shown in a  
23 filed return, or to pay any final assessment of tax, penalty,  
24 or interest, as required by any tax Act administered by the  
25 Illinois Department of Revenue, until such time as the  
26 requirements of any such tax Act are satisfied as determined

1 by the Illinois Department of Revenue.

2 The Department, upon the recommendation of the Medical  
3 Board, shall adopt rules which set forth standards to be used  
4 in determining:

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

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

10 (c) what constitutes immoral conduct in the commission  
11 of any act, including, but not limited to, commission of  
12 an act of sexual misconduct related to the licensee's  
13 practice; and

14 (d) what constitutes gross negligence in the practice  
15 of medicine.

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

19 In enforcing this Section, the Medical Board, upon a  
20 showing of a possible violation, may compel any individual who  
21 is licensed to practice under this Act or holds a permit to  
22 practice under this Act, or any individual who has applied for  
23 licensure or a permit pursuant to this Act, to submit to a  
24 mental or physical examination and evaluation, or both, which  
25 may include a substance abuse or sexual offender evaluation,  
26 as required by the Medical Board and at the expense of the

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

1 evaluation of the licensee, permit holder, or applicant,  
2 including testimony concerning any supplemental testing or  
3 documents relating to the examination and evaluation. No  
4 information, report, record, or other documents in any way  
5 related to the examination and evaluation shall be excluded by  
6 reason of any common law or statutory privilege relating to  
7 communication between the licensee, permit holder, or  
8 applicant and the examining physician or any member of the  
9 multidisciplinary team. No authorization is necessary from the  
10 licensee, permit holder, or applicant ordered to undergo an  
11 evaluation and examination for the examining physician or any  
12 member of the multidisciplinary team to provide information,  
13 reports, records, or other documents or to provide any  
14 testimony regarding the examination and evaluation. The  
15 individual to be examined may have, at the individual's ~~his or~~  
16 ~~her~~ own expense, another physician of the individual's ~~his or~~  
17 ~~her~~ choice present during all aspects of the examination.  
18 Failure of any individual to submit to mental or physical  
19 examination and evaluation, or both, when directed, shall  
20 result in an automatic suspension, without hearing, until such  
21 time as the individual submits to the examination. If the  
22 Medical Board finds a physician unable to practice following  
23 an examination and evaluation because of the reasons set forth  
24 in this Section, the Medical Board shall require such  
25 physician to submit to care, counseling, or treatment by  
26 physicians, or other health care professionals, approved or

1 designated by the Medical Board, as a condition for issued,  
2 continued, reinstated, or renewed licensure to practice. Any  
3 physician, whose license was granted pursuant to Section 9,  
4 17, or 19 of this Act, ~~or, continued, reinstated, renewed,~~  
5 disciplined, or supervised, subject to such terms, conditions,  
6 or restrictions who shall fail to comply with such terms,  
7 conditions, or restrictions, or to complete a required program  
8 of care, counseling, or treatment, as determined by the Chief  
9 Medical Coordinator or Deputy Medical Coordinators, shall be  
10 referred to the Secretary for a determination as to whether  
11 the licensee shall have the licensee's ~~his or her~~ license  
12 suspended immediately, pending a hearing by the Medical Board.  
13 In instances in which the Secretary immediately suspends a  
14 license under this Section, a hearing upon such person's  
15 license must be convened by the Medical Board within 15 days  
16 after such suspension and completed without appreciable delay.  
17 The Medical Board shall have the authority to review the  
18 subject physician's record of treatment and counseling  
19 regarding the impairment, to the extent permitted by  
20 applicable federal statutes and regulations safeguarding the  
21 confidentiality of medical records.

22 An individual licensed under this Act, affected under this  
23 Section, shall be afforded an opportunity to demonstrate to  
24 the Medical Board that the individual ~~he or she~~ can resume  
25 practice in compliance with acceptable and prevailing  
26 standards under the provisions of the individual's ~~his or her~~

1 license.

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

5 The Department may promulgate rules for the imposition of  
6 fines in disciplinary cases, not to exceed \$10,000 for each  
7 violation of this Act. Fines may be imposed in conjunction  
8 with other forms of disciplinary action, but shall not be the  
9 exclusive disposition of any disciplinary action arising out  
10 of conduct resulting in death or injury to a patient. Any funds  
11 collected from such fines shall be deposited into ~~in~~ the  
12 Illinois State Medical Disciplinary Fund.

13 All fines imposed under this Section shall be paid within  
14 60 days after the effective date of the order imposing the fine  
15 or in accordance with the terms set forth in the order imposing  
16 the fine.

17 (B) The Department shall revoke the license or permit  
18 issued under this Act to practice medicine of a chiropractic  
19 physician who has been convicted a second time of committing  
20 any felony under the Illinois Controlled Substances Act or the  
21 Methamphetamine Control and Community Protection Act, or who  
22 has been convicted a second time of committing a Class 1 felony  
23 under Sections 8A-3 and 8A-6 of the Illinois Public Aid Code. A  
24 person whose license or permit is revoked under this  
25 subsection (B) shall be prohibited from practicing medicine or  
26 treating human ailments without the use of drugs and without

1 operative surgery.

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

6 (1) based solely upon the recommendation of the person  
7 to an eligible patient regarding, or prescription for, or  
8 treatment with, an investigational drug, biological  
9 product, or device;

10 (2) for experimental treatment for Lyme disease or  
11 other tick-borne diseases, including, but not limited to,  
12 the prescription of or treatment with long-term  
13 antibiotics;

14 (3) based solely upon the person providing,  
15 authorizing, recommending, aiding, assisting, referring  
16 for, or otherwise participating in any health care  
17 service, so long as the care was not unlawful under the  
18 laws of this State, regardless of whether the patient was  
19 a resident of this State or another state; or

20 (4) based upon the person's license, registration, or  
21 permit being revoked or suspended, or the person being  
22 otherwise disciplined, by any other state if that  
23 revocation, suspension, or other form of discipline was  
24 based solely on the person violating another state's laws  
25 prohibiting the provision of, authorization of,  
26 recommendation of, aiding or assisting in, referring for,

1 or participation in any health care service if that health  
2 care service as provided would not have been unlawful  
3 under the laws of this State and is consistent with the  
4 applicable standard of conduct for the person practicing  
5 in Illinois under this Act.

6 (D) (Blank).

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

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

26 (G) The Department may adopt rules to implement,

1 administer, and enforce this Section ~~Public Act 102-1117~~.

2 (Source: P.A. 103-442, eff. 1-1-24; 104-417, eff. 8-15-25;  
3 104-432, eff. 1-1-26; revised 9-15-25.)

4 (225 ILCS 60/22.2)

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

6 Sec. 22.2. Prohibition against fee splitting.

7 (a) A licensee under this Act may not directly or  
8 indirectly divide, share or split any professional fee or  
9 other form of compensation for professional services with  
10 anyone in exchange for a referral or otherwise, other than as  
11 provided in this Section 22.2.

12 (b) Nothing contained in this Section abrogates the right  
13 of 2 or more licensed health care workers as defined in the  
14 Health Care Worker Self-referral Act to each receive adequate  
15 compensation for concurrently rendering services to a patient  
16 and to divide the fee for such service, provided that the  
17 patient has full knowledge of the division and the division is  
18 made in proportion to the actual services personally performed  
19 and responsibility assumed by each licensee consistent with  
20 the licensee's ~~his or her~~ license, except as prohibited by  
21 law.

22 (c) Nothing contained in this Section prohibits a licensee  
23 under this Act from practicing medicine through or within any  
24 form of legal entity authorized to conduct business in this  
25 State or from pooling, sharing, dividing, or apportioning the

1 professional fees and other revenues in accordance with the  
2 agreements and policies of the entity provided:

3 (1) each owner of the entity is licensed under this  
4 Act;

5 (2) the entity is organized under the Medical  
6 Corporation Act, the Professional Services Corporation  
7 Act, the Professional Association Act, or the Professional  
8 Limited Liability Company Act;

9 (3) the entity is allowed by Illinois law to provide  
10 physician services or employ physicians such as a licensed  
11 hospital or hospital affiliate or licensed ambulatory  
12 surgical treatment center owned in full or in part by  
13 Illinois-licensed physicians;

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

16 (5) the entity is an Illinois not-for-profit ~~not-for~~  
17 ~~profit~~ corporation that is recognized as exempt from the  
18 payment of federal income taxes as an organization  
19 described in Section 501(c)(3) of the Internal Revenue  
20 Code and all of its members are full-time faculty members  
21 of a medical school that offers an ~~a~~ M.D. degree program  
22 that is accredited by the Liaison Committee on Medical  
23 Education and a program of graduate medical education that  
24 is accredited by the Accreditation Council for Graduate  
25 Medical Education.

26 (d) Nothing contained in this Section prohibits a licensee

1 under this Act from paying a fair market value fee to any  
2 person or entity whose purpose is to perform billing,  
3 administrative preparation, or collection services based upon  
4 a percentage of professional service fees billed or collected,  
5 a flat fee, or any other arrangement that directly or  
6 indirectly divides professional fees, for the administrative  
7 preparation of the licensee's claims or the collection of the  
8 licensee's charges for professional services, provided that:

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

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

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

26 (f) Excluding payments that may be made to the owners of or

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

14 (g) A violation of any of the provisions of this Section  
15 constitutes an unlawful practice under the Consumer Fraud and  
16 Deceptive Business Practices Act. All remedies, penalties, and  
17 authority granted to the Attorney General by the Consumer  
18 Fraud and Deceptive Business Practices Act shall be available  
19 to him or her for the enforcement of this Section. This  
20 subsection does not apply to hospitals and hospital affiliates  
21 licensed in Illinois.

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

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

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

25 Sec. 23. Reports relating to professional conduct and

1 capacity.

2 (A) Entities required to report.

3 (1) Health care institutions. The chief administrator  
4 or executive officer of any health care institution  
5 licensed by the Illinois Department of Public Health shall  
6 report to the Medical Board when any person's clinical  
7 privileges are terminated or are restricted based on a  
8 final determination made in accordance with that  
9 institution's by-laws or rules and regulations that a  
10 person has either committed an act or acts which may  
11 directly threaten patient care or that a person may have a  
12 mental or physical disability that may endanger patients  
13 under that person's care. Such officer also shall report  
14 if a person accepts voluntary termination or restriction  
15 of clinical privileges in lieu of formal action based upon  
16 conduct related directly to patient care or in lieu of  
17 formal action seeking to determine whether a person may  
18 have a mental or physical disability that may endanger  
19 patients under that person's care. The Medical Board  
20 shall, by rule, provide for the reporting to it by health  
21 care institutions of all instances in which a person,  
22 licensed under this Act, who is impaired by reason of age,  
23 drug or alcohol abuse, or physical or mental impairment,  
24 is under supervision and, where appropriate, is in a  
25 program of rehabilitation. Such reports shall be strictly  
26 confidential and may be reviewed and considered only by

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

1 the state if that health care service would not have been  
2 unlawful under the laws of this State and is consistent  
3 with the applicable standard of conduct for a person  
4 practicing in Illinois under this Act.

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

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

25 (3) Professional liability insurers. Every insurance  
26 company which offers policies of professional liability

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

25 (4) State's Attorneys. The State's Attorney of each  
26 county shall report to the Medical Board, within 5 days,

1 any instances in which a person licensed under this Act is  
2 convicted of any felony or Class A misdemeanor.

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

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

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

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

26 (3) The name and date of birth of any patient or

1 patients whose treatment is a subject of the report, if  
2 available, or other means of identification if such  
3 information is not available, identification of the  
4 hospital or other health care facility where the care at  
5 issue in the report was rendered, provided, however, no  
6 medical records may be revealed.

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

11 (5) If court action is involved, the identity of the  
12 court in which the action is filed, along with the docket  
13 number and date of filing of the action.

14 (6) Any further pertinent information which the  
15 reporting party deems to be an aid in the evaluation of the  
16 report.

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

23 When the Department has received written reports  
24 concerning incidents required to be reported in items (34),  
25 (35), and (36) of subsection (A) of Section 22, the licensee's  
26 failure to report the incident to the Department under those

1 items shall not be the sole grounds for disciplinary action.

2 Nothing contained in this Section shall act to, in any  
3 way, waive or modify the confidentiality of medical reports  
4 and committee reports to the extent provided by law. Any  
5 information reported or disclosed shall be kept for the  
6 confidential use of the Medical Board, the Medical  
7 Coordinators, the Medical Board's attorneys, the medical  
8 investigative staff, and authorized clerical staff, as  
9 provided in this Act, and shall be afforded the same status as  
10 is provided information concerning medical studies in Part 21  
11 of Article VIII of the Code of Civil Procedure, except that the  
12 Department may disclose information and documents to a  
13 federal, State, or local law enforcement agency pursuant to a  
14 subpoena in an ongoing criminal investigation or to a health  
15 care licensing body or medical licensing authority of this  
16 State or another state or jurisdiction pursuant to an official  
17 request made by that licensing body or medical licensing  
18 authority. Furthermore, information and documents disclosed to  
19 a federal, State, or local law enforcement agency may be used  
20 by that agency only for the investigation and prosecution of a  
21 criminal offense, or, in the case of disclosure to a health  
22 care licensing body or medical licensing authority, only for  
23 investigations and disciplinary action proceedings with regard  
24 to a license. Information and documents disclosed to the  
25 Department of Public Health may be used by that Department  
26 only for investigation and disciplinary action regarding the

1 license of a health care institution licensed by the  
2 Department of Public Health.

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

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

1 of were not in good faith or were willful ~~wilful~~ and wanton.

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

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

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

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

23 The notification shall include a written notice setting  
24 forth the person's right to examine the report. Included in  
25 such notification shall be the address at which the file is  
26 maintained, the name of the custodian of the reports, and the

1 telephone number at which the custodian may be reached. The  
2 person who is the subject of the report shall submit a written  
3 statement responding, clarifying, adding to, or proposing the  
4 amending of the report previously filed. The person who is the  
5 subject of the report shall also submit with the written  
6 statement any medical records related to the report. The  
7 statement and accompanying medical records shall become a  
8 permanent part of the file and must be received by the Medical  
9 Board no more than 30 days after the date on which the person  
10 was notified by the Medical Board of the existence of the  
11 original report.

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

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

1 action.

2 Should the Medical Board find that there are not  
3 sufficient facts to warrant further investigation or action,  
4 the report shall be accepted for filing and the matter shall be  
5 deemed closed and so reported to the Secretary. The Secretary  
6 shall then have 30 days to accept the Medical Board's decision  
7 or request further investigation. The Secretary shall inform  
8 the Medical Board of the decision to request further  
9 investigation, including the specific reasons for the  
10 decision. The individual or entity filing the original report  
11 or complaint and the person who is the subject of the report or  
12 complaint shall be notified in writing by the Secretary of any  
13 final action on their report or complaint. The Department  
14 shall disclose to the individual or entity who filed the  
15 original report or complaint, on request, the status of the  
16 Medical Board's review of a specific report or complaint. Such  
17 request may be made at any time, including prior to the Medical  
18 Board's determination as to whether there are sufficient facts  
19 to warrant further investigation or action.

20 (F) Summary reports. The Medical Board shall prepare, on a  
21 timely basis, but in no event less than once every other month,  
22 a summary report of final disciplinary actions taken upon  
23 disciplinary files maintained by the Medical Board. The  
24 summary reports shall be made available to the public upon  
25 request and payment of the fees set by the Department. This  
26 publication may be made available to the public on the

1 Department's website. Information or documentation relating to  
2 any disciplinary file that is closed without disciplinary  
3 action taken shall not be disclosed and shall be afforded the  
4 same status as is provided by Part 21 of Article VIII of the  
5 Code of Civil Procedure.

6 (G) Any violation of this Section shall be a Class A  
7 misdemeanor.

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

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

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

24 (225 ILCS 60/26) (from Ch. 111, par. 4400-26)

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

1           Sec. 26. Advertising.

2           (1) Any person licensed under this Act may advertise the  
3           availability of professional services in the public media or  
4           on the premises where such professional services are rendered.  
5           Such advertising shall be limited to the following  
6           information:

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

9                   (b) Information pertaining to the person's areas of  
10                  specialization, including appropriate board certification  
11                  or limitation of professional practice;

12                  (c) Information on usual and customary fees for  
13                  routine professional services offered, which information  
14                  shall include, notification that fees may be adjusted due  
15                  to complications or unforeseen circumstances;

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

18                  (e) Announcement of additions to or deletions from  
19                  professional licensed staff;

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

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

25           (3) This Act does not authorize the advertising of  
26           professional services which the offeror of such services is

1 not licensed to render. Nor shall the advertiser use  
2 statements which contain false, fraudulent, deceptive or  
3 misleading material or guarantees of success, statements which  
4 play upon the vanity or fears of the public, or statements  
5 which promote or produce unfair competition.

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

10 (Source: P.A. 97-622, eff. 11-23-11.)

11 (225 ILCS 60/36) (from Ch. 111, par. 4400-36)

12 (Section scheduled to be repealed on January 1, 2027)

13 Sec. 36. Investigation; notice.

14 (a) Upon the motion of either the Department or the  
15 Medical Board or upon the verified complaint in writing of any  
16 person setting forth facts which, if proven, would constitute  
17 grounds for suspension or revocation under Section 22 of this  
18 Act, the Department shall investigate the actions of any  
19 person, so accused, who holds or represents that the person ~~he~~  
20 ~~or she~~ holds a license. Such person is hereinafter called the  
21 accused.

22 (b) The Department shall, before suspending, revoking,  
23 placing on probationary status, or taking any other  
24 disciplinary action as the Department may deem proper with  
25 regard to any license at least 30 days prior to the date set

1 for the hearing, notify the accused in writing of any charges  
2 made and the time and place for a hearing of the charges before  
3 the Medical Board, direct the accused ~~him or her~~ to file the  
4 accused's ~~his or her~~ written answer thereto to the Medical  
5 Board under oath within 20 days after the service on the  
6 accused ~~him or her~~ of such notice and inform the accused ~~him or~~  
7 ~~her~~ that if the accused ~~he or she~~ fails to file such answer  
8 default will be taken against the accused ~~him or her~~ and the  
9 accused's ~~his or her~~ license may be suspended, revoked, placed  
10 on probationary status, or have other disciplinary action,  
11 including limiting the scope, nature or extent of the  
12 accused's ~~his or her~~ practice, as the Department may deem  
13 proper taken with regard thereto. The Department shall, at  
14 least 14 days prior to the date set for the hearing, notify in  
15 writing any person who filed a complaint against the accused  
16 of the time and place for the hearing of the charges against  
17 the accused before the Medical Board and inform such person  
18 whether the accused ~~he or she~~ may provide testimony at the  
19 hearing.

20 (c) (Blank).

21 (d) Such written notice and any notice in such proceedings  
22 thereafter may be served by personal delivery, email to the  
23 respondent's email address of record, or mail to the  
24 respondent's address of record.

25 (e) All information gathered by the Department during its  
26 investigation including information subpoenaed under Section

1 23 or 38 of this Act and the investigative file shall be kept  
2 for the confidential use of the Secretary, the Medical Board,  
3 the Medical Coordinators, persons employed by contract to  
4 advise the Medical Coordinator or the Department, the Medical  
5 Board's attorneys, the medical investigative staff, and  
6 authorized clerical staff, as provided in this Act and shall  
7 be afforded the same status as is provided information  
8 concerning medical studies in Part 21 of Article VIII of the  
9 Code of Civil Procedure, except that the Department may  
10 disclose information and documents to a federal, State, or  
11 local law enforcement agency pursuant to a subpoena in an  
12 ongoing criminal investigation to a health care licensing body  
13 of this State or another state or jurisdiction pursuant to an  
14 official request made by that licensing body. Furthermore,  
15 information and documents disclosed to a federal, State, or  
16 local law enforcement agency may be used by that agency only  
17 for the investigation and prosecution of a criminal offense  
18 or, in the case of disclosure to a health care licensing body,  
19 only for investigations and disciplinary action proceedings  
20 with regard to a license issued by that licensing body.

21 (Source: P.A. 101-13, eff. 6-12-19; 101-316, eff. 8-9-19;  
22 102-20, eff. 1-1-22; 102-558, eff. 8-20-21.)

23 (225 ILCS 60/37) (from Ch. 111, par. 4400-37)

24 (Section scheduled to be repealed on January 1, 2027)

25 Sec. 37. Disciplinary actions.

1           (a) At the time and place fixed in the notice, the Medical  
2 Board provided for in this Act shall proceed to hear the  
3 charges, and the accused person shall be accorded ample  
4 opportunity to present in person, or by counsel, such  
5 statements, testimony, evidence and argument as may be  
6 pertinent to the charges or to any defense thereto. The  
7 Medical Board may continue such hearing from time to time. If  
8 the Medical Board is not sitting at the time and place fixed in  
9 the notice or at the time and place to which the hearing has  
10 been continued, the Department shall continue such hearing for  
11 a period not to exceed 30 days.

12           (b) In case the accused person, after receiving notice,  
13 fails to file an answer, their license may, in the discretion  
14 of the Secretary, having received first the recommendation of  
15 the Medical Board, be suspended, revoked or placed on  
16 probationary status, or the Secretary may take whatever  
17 disciplinary action as the Secretary ~~he or she~~ may deem  
18 proper, including limiting the scope, nature, or extent of  
19 said person's practice, without a hearing, if the act or acts  
20 charged constitute sufficient grounds for such action under  
21 this Act.

22           (c) The Medical Board has the authority to recommend to  
23 the Secretary that probation be granted or that other  
24 disciplinary or non-disciplinary action, including the  
25 limitation of the scope, nature or extent of a person's  
26 practice, be taken as it deems proper. If disciplinary or

1 non-disciplinary action, other than suspension or revocation,  
2 is taken the Medical Board may recommend that the Secretary  
3 impose reasonable limitations and requirements upon the  
4 accused registrant to ensure compliance with the terms of the  
5 probation or other disciplinary action, including, but not  
6 limited to, regular reporting by the accused to the Department  
7 of their actions, placing themselves under the care of a  
8 qualified physician for treatment, or limiting their practice  
9 in such manner as the Secretary may require.

10 (d) The Secretary, after consultation with the Chief  
11 Medical Coordinator or Deputy Medical Coordinator, may  
12 temporarily suspend the license of a physician without a  
13 hearing, simultaneously with the institution of proceedings  
14 for a hearing provided under this Section if the Secretary  
15 possesses evidence that ~~finds that evidence in his or her~~  
16 ~~possession~~ indicates that a physician's continuation in  
17 practice would constitute an immediate danger to the public.  
18 In the event that the Secretary suspends, temporarily, the  
19 license of a physician without a hearing, a hearing by the  
20 Medical Board shall be held within 15 days after such  
21 suspension has occurred and shall be concluded without  
22 appreciable delay.

23 (Source: P.A. 102-20, eff. 1-1-22.)

24 (225 ILCS 60/38) (from Ch. 111, par. 4400-38)

25 (Section scheduled to be repealed on January 1, 2027)

1           Sec. 38. Subpoena; oaths.

2           (a) The Medical Board or Department has power to subpoena  
3 and bring before it any person in this State and to take  
4 testimony either orally or by deposition, or both, with the  
5 same fees and mileage and in the same manner as is prescribed  
6 by law for judicial procedure in civil cases.

7           (b) The Medical Board or Department, upon a determination  
8 that probable cause exists that a violation of one or more of  
9 the grounds for discipline listed in Section 22 has occurred  
10 or is occurring, may subpoena the medical and hospital records  
11 of individual patients of physicians licensed under this Act,  
12 provided, that prior to the submission of such records to the  
13 Medical Board, all information indicating the identity of the  
14 patient shall be removed and deleted. Notwithstanding the  
15 foregoing, the Medical Board and Department shall possess the  
16 power to subpoena copies of hospital or medical records in  
17 mandatory report cases under Section 23 alleging death or  
18 permanent bodily injury when consent to obtain records is not  
19 provided by a patient or legal representative. Prior to  
20 submission of the records to the Medical Board, all  
21 information indicating the identity of the patient shall be  
22 removed and deleted. All medical records and other information  
23 received pursuant to subpoena shall be confidential and shall  
24 be afforded the same status as is proved information  
25 concerning medical studies in Part 21 of Article VIII of the  
26 Code of Civil Procedure. The use of such records shall be

1 restricted to members of the Medical Board, the medical  
2 coordinators, and appropriate staff of the Department  
3 designated by the Medical Board for the purpose of determining  
4 the existence of one or more grounds for discipline of the  
5 physician as provided for by Section 22 of this Act. Any such  
6 review of individual patients' records shall be conducted by  
7 the Medical Board in strict confidentiality, provided that  
8 such patient records shall be admissible in a disciplinary  
9 hearing, before the Medical Board, when necessary to  
10 substantiate the grounds for discipline alleged against the  
11 physician licensed under this Act, and provided further, that  
12 nothing herein shall be deemed to supersede the provisions of  
13 Part 21 of Article VIII of the Code of Civil Procedure, to the  
14 extent applicable.

15 (c) The Secretary, hearing officer, and any member of the  
16 Medical Board each have power to administer oaths at any  
17 hearing which the Medical Board or Department is authorized by  
18 law to conduct.

19 (d) Upon ~~The Medical Board, upon~~ a determination that  
20 probable cause exists that a violation of one or more of the  
21 grounds for discipline listed in Section 22 has occurred or is  
22 occurring on the business premises of a physician licensed  
23 under this Act, ~~may issue an order authorizing~~ an  
24 appropriately qualified investigator employed by the  
25 Department may ~~to~~ enter upon the business premises with due  
26 consideration for patient care of the subject of the

1 investigation so as to inspect the physical premises and  
2 equipment and furnishings therein. The right to inspection ~~Ne~~  
3 ~~such order~~ shall not include the right of inspection of  
4 business, medical, or personnel records located on the  
5 premises without a subpoena issued in accordance with this  
6 Section or Section 2105-105 of the Department of Professional  
7 Regulation Law of the Civil Administrative Code of Illinois.  
8 For purposes of this Section, "business premises" is defined  
9 as the office or offices where the physician conducts the  
10 practice of medicine. ~~Any such order shall expire and become~~  
11 ~~void five business days after its issuance by the Medical~~  
12 ~~Board.~~ The execution of any such inspection ~~order~~ shall be  
13 valid only during the normal business hours of the facility or  
14 office to be inspected.

15 (Source: P.A. 101-316, eff. 8-9-19; 102-20, eff. 1-1-22.)

16 (225 ILCS 60/40) (from Ch. 111, par. 4400-40)

17 (Section scheduled to be repealed on January 1, 2027)

18 Sec. 40. Findings and recommendations; rehearing.

19 (a) The Medical Board shall present to the Secretary a  
20 written report of its findings and recommendations. A copy of  
21 such report shall be served upon the accused person, either  
22 personally or by mail or email. Within 20 days after such  
23 service, the accused person may present to the Department the  
24 accused person's ~~his or her~~ motion, in writing, for a  
25 rehearing, which written motion shall specify the particular

1 ground therefor. If the accused person orders and pays for a  
2 transcript of the record as provided in Section 39, the time  
3 elapsing thereafter and before such transcript is ready for  
4 delivery to them shall not be counted as part of such 20 days.

5 (b) At the expiration of the time allowed for filing a  
6 motion for rehearing, the Secretary may take the action  
7 recommended by the Medical Board. Upon the suspension,  
8 revocation, placement on probationary status, or the taking of  
9 any other disciplinary action, including the limiting of the  
10 scope, nature, or extent of one's practice, deemed proper by  
11 the Department, with regard to the license or permit, the  
12 accused shall surrender the accused's ~~his or her~~ license or  
13 permit to the Department, if ordered to do so by the  
14 Department, and upon the accused's ~~his or her~~ failure or  
15 refusal so to do, the Department may seize the same.

16 (c) Each order of revocation, suspension, or other  
17 disciplinary action shall contain a brief, concise statement  
18 of the ground or grounds upon which the Department's action is  
19 based, as well as the specific terms and conditions of such  
20 action. This document shall be retained as a permanent record  
21 by the Department.

22 (d) (Blank).

23 (e) In those instances where an order of revocation,  
24 suspension, or other disciplinary action has been rendered by  
25 virtue of a physician's physical illness, including, but not  
26 limited to, deterioration through the aging process, or loss

1 of motor skill which results in a physician's inability to  
2 practice medicine with reasonable judgment, skill, or safety,  
3 the Department shall only permit this document, and the record  
4 of the hearing incident thereto, to be observed, inspected,  
5 viewed, or copied pursuant to court order.

6 (Source: P.A. 101-316, eff. 8-9-19; 102-20, eff. 1-1-22.)

7 (225 ILCS 60/44) (from Ch. 111, par. 4400-44)

8 (Section scheduled to be repealed on January 1, 2027)

9 Sec. 44. None of the disciplinary functions, powers and  
10 duties enumerated in this Act shall be exercised by the  
11 Department except upon the action and report in writing of the  
12 Medical Board.

13 In all instances, under this Act, in which the Medical  
14 Board has rendered a recommendation to the Secretary with  
15 respect to a particular physician, the Secretary may take  
16 action contrary to the recommendation of the Medical Board. In  
17 the event that the Secretary disagrees with or takes action  
18 contrary to the recommendation of the Medical Board, the  
19 Secretary may file with the Medical Board the Secretary's ~~his~~  
20 ~~or her~~ specific written reasons of disagreement with the  
21 Medical Board. Such reasons shall be filed within 30 days of  
22 the occurrence of the Secretary's contrary position having  
23 been taken.

24 The action and report in writing of a majority of the  
25 Medical Board designated is sufficient authority upon which

1 the Secretary may act.

2 Whenever the Secretary is satisfied that substantial  
3 justice has not been done in a formal disciplinary action, or  
4 refusal to restore a license, the Secretary ~~he or she~~ may order  
5 a rehearing.

6 (Source: P.A. 102-20, eff. 1-1-22.)

7 (225 ILCS 60/49) (from Ch. 111, par. 4400-49)

8 (Section scheduled to be repealed on January 1, 2027)

9 Sec. 49. If any person does any of the following and does  
10 not possess a valid license issued under this Act, that person  
11 shall be sentenced as provided in Section 59: (i) holds  
12 himself or herself out to the public as being engaged in the  
13 diagnosis or treatment of physical or mental ailments or  
14 conditions including, but not limited to, deformities,  
15 diseases, disorders, or injuries of human beings; (ii)  
16 suggests, recommends or prescribes any form of treatment for  
17 the palliation, relief or cure of any physical or mental  
18 ailment or condition of any person with the intention of  
19 receiving, either directly or indirectly, any fee, gift, or  
20 compensation whatever; (iii) diagnoses or attempts to  
21 diagnose, operates upon, professes to heal, prescribes for, or  
22 otherwise treats any ailment or condition, or supposed ailment  
23 or condition, of another; (iv) maintains an office for  
24 examination or treatment of persons afflicted, or alleged or  
25 supposed to be afflicted, by any ailment or condition; (v)

1 manipulates or adjusts osseous or articular structures; or  
2 (vi) attaches the title Doctor, Physician, Surgeon, M.D., D.O.  
3 or D.C. or any other word or abbreviation to the person's ~~his~~  
4 ~~or her~~ name indicating that the person ~~he or she~~ is engaged in  
5 the treatment of human ailments or conditions as a business.

6 Whenever the Department has reason to believe that any  
7 person has violated this Section the Department may issue a  
8 rule to show cause why an order to cease and desist should not  
9 be entered against that person. The rule shall clearly set  
10 forth the grounds relied upon by the Department and shall  
11 provide a period of 7 days from the date of the rule to file an  
12 answer to the satisfaction of the Department. Failure to  
13 answer to the satisfaction of the Department shall cause an  
14 order to cease and desist to be issued immediately.

15 (Source: P.A. 89-702, eff. 7-1-97.)

16 (225 ILCS 60/54) (from Ch. 111, par. 4400-54)

17 (Section scheduled to be repealed on January 1, 2027)

18 Sec. 54. A person who holds himself or herself out to treat  
19 human ailments under a name other than the person's ~~his or her~~  
20 own, or by personation of any physician, shall be punished as  
21 provided in Section 59.

22 However, nothing in this Act shall be construed as  
23 prohibiting partnerships, limited liability companies,  
24 associations, or corporations in accordance with subsection  
25 (c) of Section 22.2 of this Act.

1 (Source: P.A. 97-622, eff. 11-23-11.)

2 (225 ILCS 60/54.2)

3 (Section scheduled to be repealed on January 1, 2027)

4 Sec. 54.2. Physician delegation of authority.

5 (a) Nothing in this Act shall be construed to limit the  
6 delegation of patient care tasks or duties by a physician, to a  
7 licensed practical nurse, a registered professional nurse, or  
8 other licensed person practicing within the scope of the  
9 licensed person's ~~his or her~~ individual licensing Act.  
10 Delegation by a physician licensed to practice medicine in all  
11 its branches to physician assistants or advanced practice  
12 registered nurses is also addressed in Section 54.5 of this  
13 Act. No physician may delegate any patient care task or duty  
14 that is statutorily or by rule mandated to be performed by a  
15 physician.

16 (b) In an office or practice setting and within a  
17 physician-patient relationship, a physician may delegate  
18 patient care tasks or duties to an unlicensed person who  
19 possesses appropriate training and experience provided a  
20 health care professional, who is practicing within the scope  
21 of such licensed professional's individual licensing Act, is  
22 on site to provide assistance.

23 (c) Any such patient care task or duty delegated to a  
24 licensed or unlicensed person must be within the scope of  
25 practice, education, training, or experience of the delegating

1 physician and within the context of a physician-patient  
2 relationship.

3 (d) Nothing in this Section shall be construed to affect  
4 referrals for professional services required by law.

5 (e) The Department shall have the authority to adopt rules  
6 concerning a physician's delegation, including, but not  
7 limited to, the use of light emitting devices for patient care  
8 or treatment. An on-site physician examination prior to the  
9 performance of a non-ablative laser procedure shall not be  
10 required when:

11 (1) the laser hair removal facility follows a  
12 physician delegation protocol, which shall be made  
13 available to the Department upon request;

14 (2) the examination is performed by an advanced  
15 practice registered nurse;

16 (3) the procedure is delegated by a physician and  
17 performed by a registered nurse or licensed practical  
18 nurse who has received appropriate, documented training  
19 and education in the safe and effective use of each  
20 system; and

21 (4) a physician is available by telephone or other  
22 electronic means to respond promptly to any questions or  
23 complications that may occur.

24 Nothing in this Section shall be construed to limit a  
25 licensed advanced practice registered nurse with full practice  
26 authority from practicing according to the Nurse Practice Act.

1 (f) Nothing in this Act shall be construed to limit the  
2 method of delegation that may be authorized by any means,  
3 including, but not limited to, oral, written, electronic,  
4 standing orders, protocols, guidelines, or verbal orders.

5 (g) (Blank). ~~A physician licensed to practice medicine in  
6 all of its branches under this Act may delegate any and all  
7 authority prescribed to him or her by law to international  
8 medical graduate physicians, so long as the tasks or duties  
9 are within the scope of practice, education, training, or  
10 experience of the delegating physician who is on site to  
11 provide assistance. An international medical graduate working  
12 in Illinois pursuant to this subsection is subject to all  
13 statutory and regulatory requirements of this Act, as  
14 applicable, relating to the standards of care. An  
15 international medical graduate physician is limited to  
16 providing treatment under the supervision of a physician  
17 licensed to practice medicine in all of its branches. The  
18 supervising physician or employer must keep record of and make  
19 available upon request by the Department the following: (1)  
20 evidence of education certified by the Educational Commission  
21 for Foreign Medical Graduates; (2) evidence of passage of Step  
22 1, Step 2 Clinical Knowledge, and Step 3 of the United States  
23 Medical Licensing Examination as required by this Act; and (3)  
24 evidence of an unencumbered license from another country. This  
25 subsection does not apply to any international medical  
26 graduate whose license as a physician is revoked, suspended,~~

1 ~~or otherwise encumbered. This subsection is inoperative upon~~  
2 ~~the adoption of rules implementing Section 15.5.~~

3 (Source: P.A. 103-1, eff. 4-27-23; 103-102, eff. 6-16-23;  
4 103-814, eff. 1-1-25.)

5 (225 ILCS 60/54.5)

6 (Section scheduled to be repealed on January 1, 2027)

7 Sec. 54.5. Physician delegation of authority to physician  
8 assistants, advanced practice registered nurses without full  
9 practice authority, and prescribing psychologists.

10 (a) Physicians licensed to practice medicine in all its  
11 branches may delegate care and treatment responsibilities to a  
12 physician assistant under guidelines in accordance with the  
13 requirements of the Physician Assistant Practice Act of 1987.  
14 A physician licensed to practice medicine in all its branches  
15 may enter into collaborative agreements with no more than 7  
16 full-time equivalent physician assistants, except in a  
17 hospital, hospital affiliate, or ambulatory surgical treatment  
18 center as set forth by Section 7.7 of the Physician Assistant  
19 Practice Act of 1987 and as provided in subsection (a-5).

20 (a-5) A physician licensed to practice medicine in all its  
21 branches may collaborate with more than 7 physician assistants  
22 when the services are provided in a federal primary care  
23 health professional shortage area with a Health Professional  
24 Shortage Area score greater than or equal to 12, as determined  
25 by the United States Department of Health and Human Services.

1           The collaborating physician must keep appropriate  
2 documentation of meeting this exemption and make it available  
3 to the Department upon request.

4           (b) A physician licensed to practice medicine in all its  
5 branches in active clinical practice may collaborate with an  
6 advanced practice registered nurse in accordance with the  
7 requirements of the Nurse Practice Act. Collaboration is for  
8 the purpose of providing medical consultation, and no  
9 employment relationship is required. A written collaborative  
10 agreement shall conform to the requirements of Section 65-35  
11 of the Nurse Practice Act. The written collaborative agreement  
12 shall be for services for which the collaborating physician  
13 can provide adequate collaboration. A written collaborative  
14 agreement shall be adequate with respect to collaboration with  
15 advanced practice registered nurses if all of the following  
16 apply:

17           (1) The agreement is written to promote the exercise  
18 of professional judgment by the advanced practice  
19 registered nurse commensurate with the advanced practice  
20 registered nurse's ~~his or her~~ education and experience.

21           (2) The advanced practice registered nurse provides  
22 services based upon a written collaborative agreement with  
23 the collaborating physician, except as set forth in  
24 subsection (b-5) of this Section. With respect to labor  
25 and delivery, the collaborating physician must provide  
26 delivery services in order to participate with a certified

1 nurse midwife.

2 (3) Methods of communication are available with the  
3 collaborating physician in person or through  
4 telecommunications for consultation, collaboration, and  
5 referral as needed to address patient care needs.

6 (b-5) An anesthesiologist or physician licensed to  
7 practice medicine in all its branches may collaborate with a  
8 certified registered nurse anesthetist in accordance with  
9 Section 65-35 of the Nurse Practice Act for the provision of  
10 anesthesia services. With respect to the provision of  
11 anesthesia services, the collaborating anesthesiologist or  
12 physician shall have training and experience in the delivery  
13 of anesthesia services consistent with Department rules.  
14 Collaboration shall be adequate if:

15 (1) an anesthesiologist or a physician participates in  
16 the joint formulation and joint approval of orders or  
17 guidelines and periodically reviews such orders and the  
18 services provided patients under such orders; and

19 (2) for anesthesia services, the anesthesiologist or  
20 physician participates through discussion of and agreement  
21 with the anesthesia plan and is physically present and  
22 available on the premises during the delivery of  
23 anesthesia services for diagnosis, consultation, and  
24 treatment of emergency medical conditions. Anesthesia  
25 services in a hospital shall be conducted in accordance  
26 with Section 10.7 of the Hospital Licensing Act and in an

1 ambulatory surgical treatment center in accordance with  
2 Section 6.5 of the Ambulatory Surgical Treatment Center  
3 Act.

4 (b-10) The anesthesiologist or operating physician must  
5 agree with the anesthesia plan prior to the delivery of  
6 services.

7 (c) The collaborating physician shall have access to the  
8 medical records of all patients attended by a physician  
9 assistant. The collaborating physician shall have access to  
10 the medical records of all patients attended to by an advanced  
11 practice registered nurse.

12 (d) (Blank).

13 (e) A physician shall not be liable for the acts or  
14 omissions of a prescribing psychologist, physician assistant,  
15 or advanced practice registered nurse solely on the basis of  
16 having signed a supervision agreement or guidelines or a  
17 collaborative agreement, an order, a standing medical order, a  
18 standing delegation order, or other order or guideline  
19 authorizing a prescribing psychologist, physician assistant,  
20 or advanced practice registered nurse to perform acts, unless  
21 the physician has reason to believe the prescribing  
22 psychologist, physician assistant, or advanced practice  
23 registered nurse lacked the competency to perform the act or  
24 acts or commits willful and wanton misconduct.

25 (f) A collaborating physician may, but is not required to,  
26 delegate prescriptive authority to an advanced practice

1 registered nurse as part of a written collaborative agreement,  
2 and the delegation of prescriptive authority shall conform to  
3 the requirements of Section 65-40 of the Nurse Practice Act.

4 (g) A collaborating physician may, but is not required to,  
5 delegate prescriptive authority to a physician assistant as  
6 part of a written collaborative agreement, and the delegation  
7 of prescriptive authority shall conform to the requirements of  
8 Section 7.5 of the Physician Assistant Practice Act of 1987.

9 (h) (Blank).

10 (i) A collaborating physician shall delegate prescriptive  
11 authority to a prescribing psychologist as part of a written  
12 collaborative agreement, and the delegation of prescriptive  
13 authority shall conform to the requirements of Section 4.3 of  
14 the Clinical Psychologist Licensing Act.

15 (j) As set forth in Section 22.2 of this Act, a licensee  
16 under this Act may not directly or indirectly divide, share,  
17 or split any professional fee or other form of compensation  
18 for professional services with anyone in exchange for a  
19 referral or otherwise, other than as provided in Section 22.2.

20 (Source: P.A. 103-228, eff. 1-1-24.)

21 (225 ILCS 60/58) (from Ch. 111, par. 4400-58)

22 (Section scheduled to be repealed on January 1, 2027)

23 Sec. 58. Any person who shall willfully ~~wilfully~~ swear or  
24 affirm falsely, or make or file any affidavit willfully  
25 ~~wilfully~~ and corruptly, in filing or prosecuting their

1 application for a license before the Department, or in  
2 submitting any complaint, evidence or testimony to the  
3 Department under the provisions of this Act, or under any rule  
4 or regulation of the Department, shall be sentenced therefor  
5 as the law shall prescribe at the time for perjury.

6 (Source: P.A. 85-4.)

7 (225 ILCS 60/66)

8 Sec. 66. Temporary permit for healthcare.

9 (a) The Department may issue a temporary permit to an  
10 applicant who is licensed to practice as a physician in  
11 another state. The temporary permit will authorize the  
12 practice of providing health care to patients in this State if  
13 all of the following apply:

14 (1) The Department determines that the applicant's  
15 services will improve the welfare of Illinois residents  
16 and non-residents requiring health care services.

17 (2) The applicant has graduated from a medical program  
18 officially recognized by the jurisdiction in which it is  
19 located for the purpose of receiving a license to practice  
20 medicine in all of its branches, and maintains an  
21 equivalent authorization to practice medicine in good  
22 standing in the applicant's current state or territory of  
23 licensure; and the applicant can furnish the Department  
24 with a certified letter upon request from that  
25 jurisdiction attesting to the fact that the applicant has

1 no pending action or violations against the applicant's  
2 license.

3 The Department will not consider a physician's license  
4 being revoked or otherwise disciplined by any state or  
5 territory based solely on the physician providing,  
6 authorizing, recommending, aiding, assisting, referring  
7 for, or otherwise participating in any health care service  
8 that is unlawful or prohibited in that state or territory,  
9 if the provision of, authorization of, or participation in  
10 that health care, medical service, or procedure related to  
11 any health care service is not unlawful or prohibited in  
12 this State.

13 (3) The applicant has sufficient training and  
14 possesses the appropriate core competencies to provide  
15 health care services, and is physically, mentally, and  
16 professionally capable of practicing medicine with  
17 reasonable judgment, skill, and safety and in accordance  
18 with applicable standards of care.

19 (4) The applicant will be working pursuant to an  
20 agreement with a sponsoring licensed hospital, medical  
21 office, clinic, or other medical facility providing  
22 abortion or other health care services. Such agreement  
23 shall be executed by an authorized representative of the  
24 licensed hospital, medical office, clinic, or other  
25 medical facility, certifying that the physician holds an  
26 active license and is in good standing in the state in

1 which they are licensed. If an applicant for a temporary  
2 permit has been previously disciplined by another  
3 jurisdiction, except as described in paragraph (2) of  
4 subsection (a), further review may be conducted pursuant  
5 to the Civil Administrative Code of Illinois and this Act.  
6 The application shall include the physician's name,  
7 contact information, state of licensure, and license  
8 number.

9 (5) Payment of a \$75 fee.

10 The sponsoring licensed hospital, medical office, clinic,  
11 or other medical facility engaged in the agreement with the  
12 applicant shall notify the Department should the applicant at  
13 any point leave or become separate from the sponsor.

14 The Department may adopt rules pursuant to this Section.

15 (b) A temporary permit under this Section shall expire 2  
16 years after the date of issuance. The temporary permit may be  
17 renewed for a \$45 fee for an additional 2 years. A holder of a  
18 temporary permit may only renew one time.

19 (c) The temporary permit shall only permit the holder to  
20 practice medicine within the scope of providing health care  
21 services at the location or locations specified on the permit.

22 (d) An application for the temporary permit shall be made  
23 to the Department, in writing, on forms prescribed by the  
24 Department, and shall be accompanied by a nonrefundable  
25 ~~non-refundable~~ fee of \$75. The Department shall grant or deny  
26 an applicant a temporary permit within 60 days of receipt of a

1 completed application. The Department shall notify the  
2 applicant of any deficiencies in the applicant's application  
3 materials requiring corrections in a timely manner.

4 (e) An applicant for temporary permit may be requested to  
5 appear before the Board to respond to questions concerning the  
6 applicant's qualifications to receive the permit. An  
7 applicant's refusal to appear before the Illinois State  
8 Medical Board may be grounds for denial of the application by  
9 the Department.

10 (f) The Secretary may summarily cancel any temporary  
11 permit issued pursuant to this Section, without a hearing, if  
12 the Secretary finds ~~that~~ evidence that ~~in his or her~~  
13 ~~possession~~ indicates that a permit holder's continuation in  
14 practice would constitute an imminent danger to the public or  
15 violate any provision of this Act or its rules. If the  
16 Secretary summarily cancels a temporary permit issued pursuant  
17 to this Section or Act, the permit holder may petition the  
18 Department for a hearing in accordance with the provisions of  
19 Section 43 of this Act to restore the permit holder's ~~his or~~  
20 ~~her~~ permit, unless the permit holder has exceeded the ~~his or~~  
21 ~~her~~ renewal limit.

22 (g) In addition to terminating any temporary permit issued  
23 pursuant to this Section or Act, the Department may issue a  
24 monetary penalty not to exceed \$10,000 upon the temporary  
25 permit holder and may notify any state in which the temporary  
26 permit holder has been issued a permit that the permit

1 holder's ~~his or her~~ Illinois permit has been terminated and  
2 the reasons for the termination. The monetary penalty shall be  
3 paid within 60 days after the effective date of the order  
4 imposing the penalty. The order shall constitute a judgment  
5 and may be filed and execution had thereon in the same manner  
6 as any judgment from any court of record. It is the intent of  
7 the General Assembly that a permit issued pursuant to this  
8 Section shall be considered a privilege and not a property  
9 right.

10 (h) While working in Illinois, all temporary permit  
11 holders are subject to all statutory and regulatory  
12 requirements of this Act in the same manner as a licensee.  
13 Failure to adhere to all statutory and regulatory requirements  
14 may result in revocation or other discipline of the temporary  
15 permit.

16 (i) If the Department becomes aware of a violation  
17 occurring at the licensed hospital, medical office, clinic, or  
18 other medical facility or via telehealth practice, the  
19 Department shall notify the Department of Public Health.

20 (j) The Department may adopt emergency rules pursuant to  
21 this Section. The General Assembly finds that the adoption of  
22 rules to implement a temporary permit for health care services  
23 is deemed an emergency and necessary for the public interest,  
24 safety, and welfare.

25 (Source: P.A. 102-1117, eff. 1-13-23.)

1 (225 ILCS 60/70 new)

2 Sec. 70. Record retention. A physician shall retain all  
3 medical records of adult patients not appropriately  
4 transferred to another physician or entity for at least 6  
5 years after the last date of service for each patient, except  
6 as otherwise required by law. A physician shall retain all  
7 medical records of minor patients not appropriately  
8 transferred to another physician or entity for at least 6  
9 years after the last date of service for each patient or until  
10 the patient reaches the age of 21, whichever date is longer,  
11 except as otherwise required by law.

12 Section 27. The Licensed Certified Professional Midwife  
13 Practice Act is amended by adding Section 21 as follows:

14 (225 ILCS 64/21 new)

15 Sec. 21. Unlicensed practice.

16 (a) As used in this Section, "midwifery services" does not  
17 include the services provided by an advanced practice  
18 registered nurse certified as a nurse midwife under the Nurse  
19 Practice Act.

20 (b) No person may provide, offer to provide, or attempt to  
21 practice midwifery or hold oneself out as a licensed certified  
22 professional midwife, a licensed midwife, a certified  
23 professional midwife, or as a qualified provider of midwifery  
24 services unless the person is licensed in accordance with this

1 Act.

2 Section 30. The Illinois Optometric Practice Act of 1987  
3 is amended by changing Sections 3, 4, 5, 6, 7, 8, 9, 9.5, 10,  
4 11, 12, 13, 16, 17, 18, 20, 22, 24, 24.2, 25, 26.1, 26.2, 26.7,  
5 26.13, and 26.14 as follows:

6 (225 ILCS 80/3) (from Ch. 111, par. 3903)

7 (Section scheduled to be repealed on January 1, 2027)

8 Sec. 3. Practice of optometry defined; referrals;  
9 manufacture of lenses and prisms.

10 (a) The practice of optometry is defined as the employment  
11 of any and all means for the examination, diagnosis, and  
12 treatment of the human visual system, the human eye, and its  
13 appendages without the use of surgery or the use of lasers for  
14 surgical purposes, including, but not limited to: the  
15 appropriate use of ocular pharmaceutical agents; refraction  
16 and other determinants of visual function; prescribing  
17 corrective lenses or prisms; prescribing, dispensing, or  
18 management of contact lenses; vision therapy; visual  
19 rehabilitation; or any other procedures taught in schools and  
20 colleges of optometry approved by the Department, and not  
21 specifically restricted in this Act, subject to demonstrated  
22 competency and training as required by the Board, and pursuant  
23 to rule or regulation approved by the Board and adopted by the  
24 Department.

1 A person shall be deemed to be practicing optometry within  
2 the meaning of this Act who:

3 (1) In any way presents the person ~~himself or herself~~  
4 to be qualified to practice optometry.

5 (2) Performs refractions or employs any other  
6 determinants of visual function.

7 (3) Employs any means for the adaptation of lenses or  
8 prisms.

9 (4) Prescribes corrective lenses, prisms, vision  
10 therapy, visual rehabilitation, or ocular pharmaceutical  
11 agents.

12 (5) Prescribes or manages contact lenses for  
13 refractive, cosmetic, or therapeutic purposes.

14 (6) Evaluates the need for, or prescribes, low vision  
15 aids to partially sighted persons.

16 (7) Diagnoses or treats any ocular abnormality,  
17 disease, or visual or muscular anomaly of the human eye or  
18 visual system.

19 (8) Practices, or offers or attempts to practice,  
20 optometry as defined in this Act either on the person's  
21 ~~his or her~~ own behalf or as an employee of a person, firm,  
22 or corporation, whether under the supervision of the  
23 person's ~~his or her~~ employer or not.

24 Nothing in this Section shall be interpreted (A) to  
25 prevent a person from functioning as an assistant under the  
26 direct supervision of a person licensed by the State of

1 Illinois to practice optometry or medicine in all of its  
2 branches or (B) to prohibit visual screening programs that are  
3 conducted without a fee (other than voluntary donations), by  
4 charitable organizations acting in the public welfare under  
5 the supervision of a committee composed of persons licensed by  
6 the State of Illinois to practice optometry or persons  
7 licensed by the State of Illinois to practice medicine in all  
8 of its branches.

9 (b) When, in the course of providing optometric services  
10 to any person, an optometrist licensed under this Act finds an  
11 indication of a disease or condition of the eye which in the  
12 optometrist's ~~his or her~~ professional judgment requires  
13 professional service outside the scope of practice as defined  
14 in this Act, the optometrist ~~he or she~~ shall refer such person  
15 to a physician licensed to practice medicine in all of its  
16 branches, or other appropriate health care practitioner.  
17 Nothing in this Act shall preclude an optometrist from  
18 rendering appropriate nonsurgical emergency care.

19 (c) Nothing contained in this Section shall prohibit a  
20 person from manufacturing ophthalmic lenses and prisms or the  
21 fabrication of contact lenses according to the specifications  
22 prescribed by an optometrist or a physician licensed to  
23 practice medicine in all of its branches, but shall  
24 specifically prohibit (1) the sale or delivery of ophthalmic  
25 lenses, prisms, and contact lenses without a prescription  
26 signed by an optometrist or a physician licensed to practice

1 medicine in all of its branches and (2) the dispensing of  
2 contact lenses by anyone other than a licensed optometrist,  
3 licensed pharmacist, or a physician licensed to practice  
4 medicine in all of its branches. For the purposes of this Act,  
5 "contact lenses" include, but are not limited to, contact  
6 lenses with prescriptive power and decorative and plano power  
7 contact lenses. Nothing in this Section shall prohibit the  
8 sale of contact lenses by an optical firm or corporation  
9 primarily engaged in manufacturing or dealing in eyeglasses or  
10 contact lenses with an affiliated optometrist who practices  
11 and is licensed or has an ancillary registration for the  
12 location where the sale occurs.

13 (d) Nothing in this Act shall restrict the filling of a  
14 prescription by a pharmacist licensed under the Pharmacy  
15 Practice Act.

16 (e) Nothing in this Act shall be construed to restrict the  
17 dispensing and sale by an optometrist of ocular devices, such  
18 as contact lenses, that contain and deliver ocular  
19 pharmaceutical agents permitted for use or prescription under  
20 this Act.

21 (f) ~~(Blank). On and after January 1, 2018, nothing in this~~  
22 ~~Act shall prohibit an optometrist who is certified by a school~~  
23 ~~of optometry approved by the Department from performing~~  
24 ~~advanced optometric procedures, pursuant to educational~~  
25 ~~requirements established by rule, that are consistent with the~~  
26 ~~recommendations of the Collaborative~~

1 ~~Optometric/Ophthalmological Task Force created in Section 15.3~~  
2 ~~of this Act and that are taught (1) at an accredited, private~~  
3 ~~4-year school of optometry that is located in a city in~~  
4 ~~Illinois with a population in excess of 1,500,000, or (2) at a~~  
5 ~~school of optometry with a curriculum that is substantially~~  
6 ~~similar to the curriculum taught at the school of optometry~~  
7 ~~described in item (1) of this subsection. Advanced optometric~~  
8 ~~procedures do not include the use of lasers.~~

9 (Source: P.A. 98-186, eff. 8-5-13; 99-909, eff. 1-1-17.)

10 (225 ILCS 80/4) (from Ch. 111, par. 3904)

11 (Section scheduled to be repealed on January 1, 2027)

12 Sec. 4. License requirement. No person shall practice, or  
13 attempt to practice, optometry, as defined in this Act,  
14 without a valid license as an optometrist issued by the  
15 Department.

16 (Source: P.A. 85-896.)

17 (225 ILCS 80/5) (from Ch. 111, par. 3905)

18 (Section scheduled to be repealed on January 1, 2027)

19 Sec. 5. Title and designation of licensed optometrists.  
20 Every person to whom a valid existing license as an  
21 optometrist has been issued under this Act, shall be  
22 designated professionally as an "optometrist" and not  
23 otherwise, and any such licensed optometrist may, in  
24 connection with the practice of the licensed optometrist's his

1 ~~or her~~ profession, use the title or designation of  
2 "optometrist", and, if entitled by degree from a college or  
3 university recognized by the Department of Financial and  
4 Professional Regulation, may use the title of "Doctor of  
5 Optometry", or the abbreviation "O.D.". When the name of such  
6 licensed optometrist is used professionally in oral, written,  
7 or printed announcements, prescriptions, professional cards,  
8 or publications for the information of the public, and is  
9 preceded by the title "Doctor" or the abbreviation "Dr.", the  
10 explanatory designation of "optometrist", "optometry", or  
11 "Doctor of Optometry" shall be added immediately following  
12 such title and name. When such announcement, prescription,  
13 professional care or publication is in writing or in print,  
14 such explanatory addition shall be in writing, type, or print  
15 not less than one-half the size of that used in said name and  
16 title. No person other than the holder of a valid existing  
17 license under this Act shall use the title and designation of  
18 "Doctor of Optometry", "O.D.", or "optometrist", either  
19 directly or indirectly in connection with the licensee's ~~his~~  
20 ~~or her~~ profession or business.

21 (Source: P.A. 94-787, eff. 5-19-06.)

22 (225 ILCS 80/6) (from Ch. 111, par. 3906)

23 (Section scheduled to be repealed on January 1, 2027)

24 Sec. 6. Display of license; change of address; record of  
25 examinations and prescriptions.

1       (a) Every holder of a license under this Act shall display  
2 such license on a conspicuous place in the office or offices  
3 wherein such holder practices optometry and every holder  
4 shall, whenever requested, exhibit such license to any  
5 representative of the Department, and shall notify the  
6 Department of the address or addresses and of every change  
7 thereof, where such holder shall practice optometry.

8       (b) Every licensed optometrist shall keep a record of  
9 examinations made and prescriptions issued, which record shall  
10 include the names of persons examined and for whom  
11 prescriptions were prepared, and shall be signed by the  
12 licensed optometrist and shall be retained in the office in  
13 which such professional service was rendered or in a secure  
14 offsite storage facility. Such records shall be preserved by  
15 the optometrist for a period designated by the Department. A  
16 copy of such records shall be provided, upon written request,  
17 to the person examined, or the person's ~~his or her~~ designee.

18 (Source: P.A. 97-1028, eff. 1-1-13.)

19 (225 ILCS 80/7) (from Ch. 111, par. 3907)

20 (Section scheduled to be repealed on January 1, 2027)

21 Sec. 7. Additional practice locations.

22       (a) Every holder of a license under this Act shall report  
23 to the Department every additional location where the licensee  
24 engages in the practice of optometry. Such reports shall be  
25 made prior to practicing at the location and shall be done in a

1 manner prescribed by the Department.

2 (b) Failure to report a practice location or to maintain  
3 evidence of such a report at the practice location shall be a  
4 violation of this Act and shall be considered the unlicensed  
5 practice of optometry. Registering a location where a licensee  
6 does not practice shall also be a violation of this Act.

7 (c) Nothing contained herein, however, shall be construed  
8 to require a licensed optometrist in active practice to report  
9 a location to the Department when serving on the staff of a  
10 hospital or an institution that receives no fees (other than  
11 entrance registration fees) for the services rendered by the  
12 optometrist and for which the optometrist receives no fees or  
13 compensation directly or indirectly for such services  
14 rendered.

15 (d) Nothing contained herein shall be construed to require  
16 a licensed optometrist to report a location to the Department  
17 when rendering necessary optometric services for the licensed  
18 optometrist's ~~his or her~~ patients confined to their homes,  
19 hospitals or institutions, or to act in an advisory capacity,  
20 with or without remuneration, in any industry, school or  
21 institution.

22 (Source: P.A. 96-270, eff. 1-1-10.)

23 (225 ILCS 80/8) (from Ch. 111, par. 3908)

24 (Section scheduled to be repealed on January 1, 2027)

25 Sec. 8. Permitted activities. This Act does not prohibit:

1           (1) Any person licensed in this State under any other  
2 Act from engaging in the practice for which the person ~~he~~  
3 ~~or she~~ is licensed.

4           (2) The practice of optometry by a person who is  
5 employed by the United States government or any bureau,  
6 division or agency thereof while in the discharge of the  
7 employee's official duties.

8           (3) The practice of optometry that is included in  
9 their program of study by students enrolled in schools of  
10 optometry or in continuing education courses approved by  
11 the Department.

12           (4) Persons, firms, and corporations who manufacture  
13 or deal in eyeglasses ~~eye-glasses~~ or spectacles in a  
14 store, shop, or other permanently established place of  
15 business, and who neither practice nor attempt to practice  
16 optometry from engaging the services of one or more  
17 licensed optometrists, nor prohibit any such licensed  
18 optometrist when so engaged, to practice optometry as  
19 defined in Section 3 of this Act, when the person, or firm,  
20 or corporation so conducts the person's, firm's, or  
21 corporation's ~~his or her or its~~ business in a permanently  
22 established place and in such manner that the person's,  
23 firm's, or corporation's ~~his or her or its~~ activities, in  
24 any department in which such optometrist is engaged,  
25 insofar as the practice of optometry is concerned, are in  
26 keeping with the limitations imposed upon individual

1 practitioners of optometry by subparagraphs 17, 23, 26,  
2 27, 28, 29, and 30 of Section 24 of this Act; provided,  
3 that such licensed optometrist or optometrists shall not  
4 be exempt, by reason of such relationship, from compliance  
5 with the provisions of this Act as prescribed for  
6 individual practitioners of optometry.

7 (Source: P.A. 94-787, eff. 5-19-06.)

8 (225 ILCS 80/9) (from Ch. 111, par. 3909)

9 (Section scheduled to be repealed on January 1, 2027)

10 Sec. 9. Definitions. For purposes of ~~In~~ this Act, the  
11 following definitions shall have the following meanings,  
12 except where the context requires otherwise:

13 (1) "Department" means the Department of Financial and  
14 Professional Regulation.

15 (2) "Secretary" means the Secretary of Financial and  
16 Professional Regulation.

17 (3) "Board" means the Illinois Optometric Licensing  
18 and Disciplinary Board appointed by the Secretary.

19 (4) "License" means the document issued by the  
20 Department authorizing the person named thereon to  
21 practice optometry.

22 (5) (Blank).

23 (6) "Direct supervision" means supervision of any  
24 person assisting an optometrist, requiring that the  
25 optometrist authorize the procedure, remain in the

1 facility while the procedure is performed, approve the  
2 work performed by the person assisting before dismissal of  
3 the patient, but does not mean that the optometrist must  
4 be present with the patient, during the procedure. For the  
5 dispensing of contact lenses, "direct supervision" means  
6 that the optometrist is responsible for training the  
7 person assisting the optometrist in the dispensing or sale  
8 of contact lenses, but does not mean that the optometrist  
9 must be present in the facility where the optometrist ~~he~~  
10 ~~or she~~ practices under a license or ancillary registration  
11 at the time the contacts are dispensed or sold. For the  
12 practice of optometry through telehealth, "direct  
13 supervision" means supervision by an optometrist of any  
14 person located at a remote location who is assisting an  
15 optometrist with procedures or optometric services  
16 administered to a patient at the remote location when the  
17 optometrist is at a distant site.

18 (7) "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 (8) "Remote location" means the site at which the  
23 patient is located at the time optometric services are  
24 rendered through telehealth to that patient.

25 (9) "Distant site" means the location in Illinois from  
26 which an optometrist is rendering services through

1 telehealth.

2 (10) "Interactive telecommunications system" means an  
3 audio and video system permitting 2-way, real-time  
4 interactive communication between a patient located at a  
5 remote location and an optometrist located at a distant  
6 site.

7 (11) "Telehealth" means the evaluation, diagnosis, or  
8 interpretation of patient-specific data that is  
9 transmitted by way of an interactive telecommunication  
10 system between a remote location and an optometrist  
11 located at a distant site that generates interaction or  
12 treatment recommendations for a patient located at a  
13 remote location. "Telehealth" includes the performance of  
14 any of the activities set forth in Sections 3 and 15.1.

15 (12) "Email address of record" means the designated  
16 email address by the Department in the applicant's  
17 application file or the licensee's license file maintained  
18 by the Department's licensure maintenance unit.

19 (Source: P.A. 102-153, eff. 1-1-22.)

20 (225 ILCS 80/9.5)

21 (Section scheduled to be repealed on January 1, 2027)

22 Sec. 9.5. Address of record; email address of record  
23 ~~Change of address.~~ All applicants and licensees shall:

24 (1) provide a valid address and email address to the  
25 Department, which shall serve as the address of record and

1       email address of record, respectively, at the time of  
2       application for licensure or renewal of a license; and

3       (2) inform the Department of any change of address of  
4       record or email address of record within 14 days after the  
5       change, either through the Department's website or by  
6       contacting the Department's licensure maintenance unit. It  
7       ~~is the duty of the applicant or licensee to inform the~~  
8       ~~Department of any change of address within 14 days after~~  
9       ~~such change either through the Department's website or by~~  
10      ~~contacting the Department's licensure maintenance unit.~~

11      (Source: P.A. 99-909, eff. 1-1-17.)

12           (225 ILCS 80/10) (from Ch. 111, par. 3910)

13           (Section scheduled to be repealed on January 1, 2027)

14           Sec. 10. Powers and duties of Department; rules; report.

15       (a) The Department shall exercise the powers and duties  
16       prescribed by the Civil Administrative Code of Illinois for  
17       the administration of licensing acts and shall exercise such  
18       other powers and duties necessary for effectuating the purpose  
19       of this Act.

20       (b) The Secretary shall promulgate rules consistent with  
21       the provisions of this Act, for the administration and  
22       enforcement thereof and may prescribe forms that shall be  
23       issued in connection therewith. The rules shall include  
24       standards and criteria for licensure and certification, and  
25       professional conduct and discipline.

1        (c) The Department shall consult with the Board in  
2 promulgating rules. Notice of proposed rulemaking shall be  
3 transmitted to the Board and the Department shall review the  
4 Board's responses and any recommendations made therein. The  
5 Department may solicit the advice of the Board on any matter  
6 relating to the administration and enforcement of this Act.

7        (Source: P.A. 99-909, eff. 1-1-17.)

8        (225 ILCS 80/11) (from Ch. 111, par. 3911)

9        (Section scheduled to be repealed on January 1, 2027)

10       Sec. 11. Optometric Licensing and Disciplinary Board.

11       (a) The Secretary shall appoint an Illinois Optometric  
12 Licensing and Disciplinary Board as follows: Seven persons who  
13 shall be appointed by and shall serve in an advisory capacity  
14 to the Secretary. Five members must be lawfully and actively  
15 engaged in the practice of optometry in this State, one member  
16 shall be a licensed optometrist, with a full-time faculty  
17 appointment with a school of optometry located in this State  
18 and recognized by the Department ~~the Illinois College of~~  
19 ~~Optometry~~, and one member must be a member of the public who  
20 shall be a voting member and is not licensed under this Act, or  
21 a similar Act of another jurisdiction, or have any connection  
22 with the profession. Neither the public member nor the faculty  
23 member shall participate in the preparation or administration  
24 of the examination of applicants for licensure.

25       (b) Members shall serve 4-year terms and until their

1 successors are appointed and qualified. No member shall be  
2 appointed to the Board for more than 2 successive 4-year  
3 terms, not counting any partial terms when appointed to fill  
4 the unexpired portion of a vacated term. Appointments to fill  
5 vacancies shall be made in the same manner as original  
6 appointments, for the unexpired portion of the vacated term.

7 (c) The Board shall annually elect a chairperson and a  
8 vice-chairperson, both of whom shall be licensed optometrists.

9 (d) The membership of the Board should reasonably reflect  
10 representation from the geographic areas in this State.

11 (e) A majority of the Board members currently appointed  
12 shall constitute a quorum. A vacancy in the membership of the  
13 Board shall not impair the right of a quorum to perform all of  
14 the duties of the Board.

15 (f) The Secretary may remove any member of the Board for  
16 misconduct, incapacity, or neglect of duty, and the Secretary  
17 shall be the sole judge of the sufficiency of cause for removal  
18 ~~terminate the appointment of any member for cause.~~

19 (g) The members of the Board shall be reimbursed for all  
20 authorized legitimate and necessary expenses incurred in  
21 attending the meetings of the Board.

22 (h) Members of the Board shall have no liability in any  
23 action based upon any disciplinary proceeding or other  
24 activity performed in good faith as a member of the Board.

25 (i) The Secretary shall give due consideration to all  
26 recommendations of the Board.

1       (j) Without, in any manner, limiting the power of the  
2 Department to conduct investigations, the Board may recommend  
3 to the Secretary that one or more licensed optometrists be  
4 selected by the Secretary to conduct or assist in any  
5 investigation pursuant to this Act. Such licensed optometrist  
6 may receive remuneration as determined by the Secretary.

7       (Source: P.A. 99-909, eff. 1-1-17.)

8       (225 ILCS 80/12) (from Ch. 111, par. 3912)

9       (Section scheduled to be repealed on January 1, 2027)

10       Sec. 12. Applications for licenses.

11       (a) Applications for original licenses shall be made to  
12 the Department in writing or electronically on forms  
13 prescribed by the Department and shall be accompanied by the  
14 required fee, which shall not be refundable. Any such  
15 application shall require such information as in the judgment  
16 of the Department will enable the Department to pass on the  
17 qualifications of the applicant for a license.

18       (b) Applicants have 3 years from the date of application  
19 to complete the application process. If the process has not  
20 been completed within 3 years, the application shall be  
21 denied, the application fees shall be forfeited, and the  
22 applicant must reapply and meet the requirements in effect at  
23 the time of reapplication.

24       (Source: P.A. 99-43, eff. 1-1-16.)

1 (225 ILCS 80/13) (from Ch. 111, par. 3913)

2 (Section scheduled to be repealed on January 1, 2027)

3 Sec. 13. Examination of applicants for licensure. The  
4 Department shall promulgate rules establishing examination  
5 requirements for applicants as optometrists. The examination  
6 shall accurately evaluate the applicant's ability to perform  
7 to the minimum standards of the practice of optometry.

8 Applicants for examination shall be required to pay,  
9 either to the Department or the designated testing service, a  
10 fee covering the cost of providing the examination.

11 The Department may employ consultants for the purpose of  
12 preparing and conducting examinations.

13 (Source: P.A. 94-787, eff. 5-19-06.)

14 (225 ILCS 80/16) (from Ch. 111, par. 3916)

15 (Section scheduled to be repealed on January 1, 2027)

16 Sec. 16. Renewal, reinstatement or restoration of  
17 licenses; military service.

18 (a) The expiration date and renewal period for each  
19 license issued under this Act shall be set by rule.

20 (b) All renewal applicants shall provide proof of having  
21 met the requirements of continuing education set forth in the  
22 rules of the Department. The Department shall, by rule,  
23 provide for an orderly process for the reinstatement of  
24 licenses which have not been renewed due to failure to meet the  
25 continuing education requirements. The continuing education

1 requirement may be waived for such good cause, including, but  
2 not limited to, illness or hardship, as defined by rules of the  
3 Department.

4 (c) The Department shall establish by rule a means for the  
5 verification of completion of the continuing education  
6 required by this Section. This verification may be  
7 accomplished through audits of records maintained by  
8 registrants; by requiring the filing of continuing education  
9 certificates with the Department; or by other means  
10 established by the Department.

11 ~~Any licensee seeking renewal of his or her license during~~  
12 ~~the renewal cycle beginning April 1, 2008 must first complete~~  
13 ~~a tested educational course in the use of oral pharmaceutical~~  
14 ~~agents for the management of ocular conditions, as approved by~~  
15 ~~the Board.~~

16 (d) Any optometrist who has permitted the optometrist's  
17 ~~his or her~~ license to expire or who has had the optometrist's  
18 ~~his or her~~ license on inactive status may have the  
19 optometrist's ~~his or her~~ license restored by making  
20 application to the Department and filing proof acceptable to  
21 the Department of the optometrist's ~~his or her~~ fitness to have  
22 the optometrist's ~~his or her~~ license restored and by paying  
23 the required fees. Such proof of fitness may include evidence  
24 certifying to active lawful practice in another jurisdiction  
25 and must include proof of the completion of the continuing  
26 education requirements specified in the rules for the

1 preceding license renewal period that has been completed  
2 during the 2 years prior to the application for license  
3 restoration.

4 (e) The Department shall determine, by an evaluation  
5 program established by rule, an optometrist's ~~his or her~~  
6 fitness for restoration of the optometrist's ~~his or her~~  
7 license and shall establish procedures and requirements for  
8 such restoration.

9 However, any optometrist whose license expired while the  
10 person ~~he or she~~ was (1) in Federal Service on active duty with  
11 the Armed Forces of the United States, or the State Militia  
12 called into service or training, or (2) in training or  
13 education under the supervision of the United States  
14 preliminary to induction into the military service, may have  
15 the person's ~~his or her~~ license restored without paying any  
16 lapsed renewal fees if within 2 years after honorable  
17 termination of such service, training, or education, the  
18 person ~~he or she~~ furnishes the Department with satisfactory  
19 evidence to the effect that the person ~~he or she~~ has been so  
20 engaged and that the person's ~~his or her~~ service, training, or  
21 education has been so terminated.

22 (f) All licenses without "Therapeutic Certification" on  
23 March 31, 2006 shall be placed on nonrenewed ~~non-renewed~~  
24 status and may only be renewed after the licensee meets those  
25 requirements established by the Department that may not be  
26 waived. All licensees on March 31, 2010 without a

1 certification of completion of an oral pharmaceutical course  
2 as required by this Section shall be placed on nonrenewed  
3 ~~non-renewed~~ status and may only be renewed after the licensee  
4 meets those requirements established by the Department that  
5 may not be waived.

6 (Source: P.A. 95-242, eff. 1-1-08; 96-270, eff. 1-1-10.)

7 (225 ILCS 80/17) (from Ch. 111, par. 3917)

8 (Section scheduled to be repealed on January 1, 2027)

9 Sec. 17. Inactive status.

10 (a) Any optometrist who notifies the Department in writing  
11 on forms prescribed by the Department, may elect to place the  
12 optometrist's ~~his or her~~ license on an inactive status and  
13 shall be excused from payment of renewal fees until the  
14 optometrist ~~he or she~~ notifies the Department in writing of  
15 the optometrist's ~~his~~ intent to restore the optometrist's ~~his~~  
16 ~~or her~~ license.

17 (b) Any optometrist requesting restoration from inactive  
18 status shall be required to pay the current renewal fee, to  
19 provide proof of completion of the continuing education  
20 requirements specified in the rules for the preceding license  
21 renewal period that has been completed during the 2 years  
22 prior to the application for restoration, and to restore the  
23 optometrist's ~~his or her~~ license as provided by rule of the  
24 Department. All licenses without "Therapeutic Certification"  
25 that are on inactive status as of March 31, 2006 shall be

1 placed on nonrenewed ~~non-renewed~~ status and may only be  
2 restored after the licensee meets those requirements  
3 established by the Department that may not be waived.

4 (c) Any optometrist whose license is in an expired or  
5 inactive status shall not practice optometry in the State of  
6 Illinois.

7 (d) Any licensee who shall practice while the  
8 optometrist's ~~his or her~~ license is lapsed or on inactive  
9 status shall be considered to be practicing without a license  
10 which shall be grounds for discipline under Section 24  
11 subsection (a) of this Act.

12 (Source: P.A. 94-787, eff. 5-19-06.)

13 (225 ILCS 80/18) (from Ch. 111, par. 3918)

14 (Section scheduled to be repealed on January 1, 2027)

15 Sec. 18. Endorsement.

16 (a) The Department may, in its discretion, license as an  
17 optometrist, without examination on payment of the required  
18 fee, an applicant who is so licensed under the laws of another  
19 state or jurisdiction of the United States. The Department may  
20 issue a license, upon payment of the required fee and  
21 recommendation of the Board, to an individual applicant who is  
22 licensed in any foreign country or province whose standards,  
23 in the opinion of the Board or Department, were, at the date of  
24 the applicant's ~~his or her~~ licensure, substantially equivalent  
25 to the requirements then in force in this State; or if the

1 applicant possesses individual qualifications and skills which  
2 demonstrate substantial equivalence to current Illinois  
3 requirements.

4 (b) Applicants have 3 years from the date of application  
5 to complete the application process. If the process has not  
6 been completed in 3 years, the application shall be denied,  
7 the fee forfeited and the applicant must reapply and meet the  
8 requirements in effect at the time of reapplication.

9 (Source: P.A. 99-909, eff. 1-1-17.)

10 (225 ILCS 80/20) (from Ch. 111, par. 3920)

11 (Section scheduled to be repealed on January 1, 2027)

12 Sec. 20. Fund.

13 (a) All moneys received by the Department pursuant to this  
14 Act shall be deposited into ~~in~~ the Optometric Licensing and  
15 Disciplinary Board Fund, which is hereby created as a special  
16 fund in the State treasury ~~Treasury~~, and shall be used for the  
17 administration of this Act, including: (a) by the Board and  
18 Department in the exercise of its powers and performance of  
19 its duties; (b) for costs directly related to license renewal  
20 of persons licensed under this Act; and (c) for direct and  
21 allocable indirect costs related to the public purposes of the  
22 Department of Financial and Professional Regulation. Subject  
23 to appropriation, moneys in the Optometric Licensing and  
24 Disciplinary Board Fund may be used for the Optometric  
25 Education Scholarship Program administered by the Illinois

1 Student Assistance Commission pursuant to Section 65.70 of the  
2 Higher Education Student Assistance Act.

3 (b) Moneys in the Fund may be transferred to the  
4 Professions Indirect Cost Fund as authorized under Section  
5 2105-300 of the Department of Professional Regulation Law of  
6 the Civil Administrative Code of Illinois ~~(20 ILCS~~  
7 ~~2105/2105-300)~~.

8 (c) Money in the Optometric Licensing and Disciplinary  
9 Board Fund may be invested and reinvested, with all earnings  
10 received from such investment to be deposited into ~~in~~ the  
11 Optometric Licensing and Disciplinary Board Fund and used for  
12 the same purposes as fees deposited into ~~in~~ such fund.  
13 (Source: P.A. 99-909, eff. 1-1-17.)

14 (225 ILCS 80/22) (from Ch. 111, par. 3922)

15 (Section scheduled to be repealed on January 1, 2027)

16 Sec. 22. Advertising.

17 (a) Any person licensed under this Act may advertise the  
18 availability of professional services in the public media or  
19 on the premises where such professional services are rendered  
20 provided that such advertising is truthful and not misleading  
21 and is in conformity with rules promulgated by the Department.

22 (b) It is unlawful for any person licensed under this Act  
23 to use claims of superior quality of care to entice the public.  
24 (Source: P.A. 99-43, eff. 1-1-16.)

1 (225 ILCS 80/24) (from Ch. 111, par. 3924)

2 (Section scheduled to be repealed on January 1, 2027)

3 Sec. 24. Grounds for disciplinary action.

4 (a) The Department may refuse to issue or to renew, or may  
5 revoke, suspend, place on probation, reprimand or take other  
6 disciplinary or non-disciplinary action as the Department may  
7 deem appropriate, including fines not to exceed \$10,000 for  
8 each violation, with regard to any license for any one or  
9 combination of the causes set forth in subsection (a-3) of  
10 this Section. All fines collected under this Section shall be  
11 deposited into ~~in~~ the Optometric Licensing and Disciplinary  
12 Board Fund. Any fine imposed shall be payable within 60 days  
13 after the effective date of the order imposing the fine.

14 (a-3) Grounds for disciplinary action include the  
15 following:

16 (1) Violations of this Act, or of the rules  
17 promulgated hereunder.

18 (2) Conviction of or entry of a plea of guilty to any  
19 crime under the laws of any U.S. jurisdiction thereof that  
20 is a felony or that is a misdemeanor of which an essential  
21 element is dishonesty, or any crime that is directly  
22 related to the practice of the profession.

23 (3) Making any misrepresentation for the purpose of  
24 obtaining a license.

25 (4) Professional incompetence or gross negligence in  
26 the practice of optometry.

1 (5) Gross malpractice, prima facie evidence of which  
2 may be a conviction or judgment of malpractice in any  
3 court of competent jurisdiction.

4 (6) Aiding or assisting another person in violating  
5 any provision of this Act or rules.

6 (7) Failing, within 60 days, to provide information in  
7 response to a written request made by the Department that  
8 has been sent by certified or registered mail to the  
9 licensee's last known address.

10 (8) Engaging in dishonorable, unethical, or  
11 unprofessional conduct of a character likely to deceive,  
12 defraud, or harm the public.

13 (9) Habitual or excessive use or addiction to alcohol,  
14 narcotics, stimulants or any other chemical agent or drug  
15 that results in the inability to practice with reasonable  
16 judgment, skill, or safety.

17 (10) Discipline by another U.S. jurisdiction or  
18 foreign nation, if at least one of the grounds for the  
19 discipline is the same or substantially equivalent to  
20 those set forth herein.

21 (11) Violation of the prohibition against fee  
22 splitting in Section 24.2 of this Act.

23 (12) A finding by the Department that the licensee,  
24 after having the licensee's ~~his or her~~ license placed on  
25 probationary status has violated the terms of probation.

26 (13) Abandonment of a patient.

1           (14) Willfully making or filing false records or  
2 reports in the licensee's ~~his or her~~ practice, including,  
3 but not limited to, false records filed with State  
4 agencies or departments.

5           (15) Willfully failing to report an instance of  
6 suspected abuse or neglect as required by law.

7           (16) Physical illness, including, but not limited to,  
8 deterioration through the aging process, or loss of motor  
9 skill, mental illness, or disability that results in the  
10 inability to practice the profession with reasonable  
11 judgment, skill, or safety.

12           (17) Solicitation of professional services other than  
13 permitted advertising.

14           (18) Failure to provide a patient with a copy of the  
15 patient's ~~his or her~~ record or prescription in accordance  
16 with federal law.

17           (19) Conviction by any court of competent  
18 jurisdiction, either within or without this State, of any  
19 violation of any law governing the practice of optometry,  
20 conviction in this or another State of any crime that is a  
21 felony under the laws of this State or conviction of a  
22 felony in a federal court, if the Department determines,  
23 after investigation, that such person has not been  
24 sufficiently rehabilitated to warrant the public trust.

25           (20) A finding that licensure has been applied for or  
26 obtained by fraudulent means.

1           (21) Continued practice by a person knowingly having  
2 an infectious or contagious disease.

3           (22) Being named as a perpetrator in an indicated  
4 report by the Department of Children and Family Services  
5 under the Abused and Neglected Child Reporting Act, and  
6 upon proof by clear and convincing evidence that the  
7 licensee has caused a child to be an abused child or a  
8 neglected child as defined in the Abused and Neglected  
9 Child Reporting Act.

10           (23) Practicing or attempting to practice under a name  
11 other than the full name as shown on the licensee's ~~his or~~  
12 ~~her~~ license.

13           (24) Immoral conduct in the commission of any act,  
14 such as sexual abuse, sexual misconduct or sexual  
15 exploitation, related to the licensee's practice.

16           (25) Maintaining a professional relationship with any  
17 person, firm, or corporation when the optometrist knows,  
18 or should know, that such person, firm, or corporation is  
19 violating this Act.

20           (26) Promotion of the sale of drugs, devices,  
21 appliances or goods provided for a client or patient in  
22 such manner as to exploit the patient or client for  
23 financial gain of the licensee.

24           (27) Using the title "Doctor" or its abbreviation  
25 without further qualifying that title or abbreviation with  
26 the word "optometry" or "optometrist".

1           (28) Use by a licensed optometrist of the word  
2 "infirmary", "hospital", "school", "university", in  
3 English or any other language, in connection with the  
4 place where optometry may be practiced or demonstrated  
5 unless the licensee is employed by and practicing at a  
6 location that is licensed as a hospital or accredited as a  
7 school or university.

8           (29) Continuance of an optometrist in the employ of  
9 any person, firm or corporation, or as an assistant to any  
10 optometrist or optometrists, directly or indirectly, after  
11 the optometrist's ~~his or her~~ employer or superior has been  
12 found guilty of violating or has been enjoined from  
13 violating the laws of the State of Illinois relating to  
14 the practice of optometry, when the employer or superior  
15 persists in that violation.

16           (30) The performance of optometric service in  
17 conjunction with a scheme or plan with another person,  
18 firm or corporation known to be advertising in a manner  
19 contrary to this Act or otherwise violating the laws of  
20 the State of Illinois concerning the practice of  
21 optometry.

22           (31) Failure to provide satisfactory proof of having  
23 participated in approved continuing education programs as  
24 determined by the Board and approved by the Secretary.  
25 Exceptions for extreme hardships are to be defined by the  
26 rules of the Department.

1           (32) Willfully making or filing false records or  
2 reports in the practice of optometry, including, but not  
3 limited to, l false records to support claims against the  
4 medical assistance program of the Department of Healthcare  
5 and Family Services (formerly Department of Public Aid)  
6 under the Illinois Public Aid Code.

7           (33) Gross and willful overcharging for professional  
8 services including filing false statements for collection  
9 of fees for which services are not rendered, including,  
10 but not limited to, l filing false statements for collection  
11 of monies for services not rendered from the medical  
12 assistance program of the Department of Healthcare and  
13 Family Services (formerly Department of Public Aid) under  
14 the Illinois Public Aid Code.

15           (34) In the absence of good reasons to the contrary,  
16 failure to perform a minimum eye examination as required  
17 by the rules of the Department.

18           (35) Violation of the Health Care Worker Self-Referral  
19 Act.

20           The Department shall refuse to issue or shall suspend the  
21 license of any person who fails to file a return, or to pay the  
22 tax, penalty or interest shown in a filed return, or to pay any  
23 final assessment of the tax, penalty or interest, as required  
24 by any tax Act administered by the Illinois Department of  
25 Revenue, until such time as the requirements of any such tax  
26 Act are satisfied.

1 (a-5) In enforcing this Section, the Board or Department,  
2 upon a showing of a possible violation, may compel any  
3 individual licensed to practice under this Act, or who has  
4 applied for licensure or certification pursuant to this Act,  
5 to submit to a mental or physical examination, or both, as  
6 required by and at the expense of the Department. The  
7 examining physicians or clinical psychologists shall be those  
8 specifically designated by the Department. The Board or the  
9 Department may order the examining physician or clinical  
10 psychologist to present testimony concerning this mental or  
11 physical examination of the licensee or applicant. No  
12 information shall be excluded by reason of any common law or  
13 statutory privilege relating to communications between the  
14 licensee or applicant and the examining physician or clinical  
15 psychologist. Eye examinations may be provided by a licensed  
16 optometrist. The individual to be examined may have, at the  
17 individual's ~~his or her~~ own expense, another physician of the  
18 individual's ~~his or her~~ choice present during all aspects of  
19 the examination. Failure of any individual to submit to a  
20 mental or physical examination, when directed, shall be  
21 grounds for suspension of a license until such time as the  
22 individual submits to the examination if the Board or  
23 Department finds, after notice and hearing, that the refusal  
24 to submit to the examination was without reasonable cause.

25 If the Board or Department finds an individual unable to  
26 practice because of the reasons set forth in this Section, the

1 Board or Department shall require such individual to submit to  
2 care, counseling, or treatment by physicians or clinical  
3 psychologists approved or designated by the Department, as a  
4 condition, term, or restriction for continued, reinstated, or  
5 renewed licensure to practice, or in lieu of care, counseling,  
6 or treatment, the Board may recommend to the Department to  
7 file a complaint to immediately suspend, revoke, or otherwise  
8 discipline the license of the individual, or the Board may  
9 recommend to the Department to file a complaint to suspend,  
10 revoke, or otherwise discipline the license of the individual.  
11 Any individual whose license was granted pursuant to this Act,  
12 or continued, reinstated, renewed, disciplined, or supervised,  
13 subject to such conditions, terms, or restrictions, who shall  
14 fail to comply with such conditions, terms, or restrictions,  
15 shall be referred to the Secretary for a determination as to  
16 whether the individual shall have the individual's ~~his or her~~  
17 license suspended immediately, pending a hearing by the Board.

18 (b) The determination by a circuit court that a licensee  
19 is subject to involuntary admission or judicial admission as  
20 provided in the Mental Health and Developmental Disabilities  
21 Code operates as an automatic suspension. The suspension will  
22 end only upon a finding by a court that the patient is no  
23 longer subject to involuntary admission or judicial admission  
24 and issues an order so finding and discharging the patient;  
25 and upon the recommendation of the Board to the Secretary that  
26 the licensee be allowed to resume the licensee's ~~his or her~~

1 practice.

2 (Source: P.A. 99-43, eff. 1-1-16; 99-909, eff. 1-1-17.)

3 (225 ILCS 80/24.2)

4 (Section scheduled to be repealed on January 1, 2027)

5 Sec. 24.2. Prohibition against fee splitting.

6 (a) A licensee under this Act may not directly or  
7 indirectly divide, share or split any professional fee or  
8 other form of compensation for professional services with  
9 anyone in exchange for a referral or otherwise, other than as  
10 provided in this Section 24.2.

11 (b) Nothing contained in this Section abrogates the right  
12 of 2 or more licensed health care workers as defined in the  
13 Health Care Worker Self-referral Act to each receive adequate  
14 compensation for concurrently rendering services to a patient  
15 and to divide the fee for such service, whether or not the  
16 worker is employed, provided that the patient has full  
17 knowledge of the division and the division is made in  
18 proportion to the actual services personally performed and  
19 responsibility assumed by each licensee consistent with the  
20 licensee's ~~his or her~~ license, except as prohibited by law.

21 (c) Nothing contained in this Section prohibits a licensee  
22 under this Act from practicing optometry through or within any  
23 form of legal entity authorized to conduct business in this  
24 State or from pooling, sharing, dividing, or apportioning the  
25 professional fees and other revenues in accordance with the

1 agreements and policies of the entity provided:

2 (1) each owner of the entity is licensed under this  
3 Act;

4 (2) the entity is organized under the Professional  
5 Services Corporation Act or the Professional Association  
6 Act;

7 (3) the entity is (i) a licensed hospital or hospital  
8 affiliate or (ii) a licensed ambulatory surgical treatment  
9 center owned in full or in part by Illinois-licensed  
10 physicians or optometrists; or

11 (4) the entity is a combination or joint venture of  
12 the entities authorized under this subsection (c).

13 (d) Nothing contained in this Section prohibits a licensee  
14 under this Act from paying a fair market value fee to any  
15 person or entity whose purpose is to perform billing,  
16 administrative preparation, or collection services based upon  
17 a percentage of professional service fees billed or collected,  
18 a flat fee, or any other arrangement that directly or  
19 indirectly divides professional fees, for the administrative  
20 preparation of the licensee's claims or the collection of the  
21 licensee's charges for professional services, provided that:

22 (i) the licensee or the licensee's practice under  
23 subsection (c) at all times controls the amount of fees  
24 charged and collected; and

25 (ii) all charges collected are paid directly to the  
26 licensee or the licensee's practice or are deposited

1 directly into an account in the name of and under the sole  
2 control of the licensee or the licensee's practice or  
3 deposited into a "Trust Account" by a licensed collection  
4 agency in accordance with the requirements of Section 8(c)  
5 of the Illinois Collection Agency Act.

6 (e) Nothing contained in this Section prohibits the  
7 granting of a security interest in the accounts receivable or  
8 fees of a licensee under this Act or the licensee's practice  
9 for bona fide advances made to the licensee or licensee's  
10 practice provided the licensee retains control and  
11 responsibility for the collection of the accounts receivable  
12 and fees.

13 (f) Excluding payments that may be made to the owners of or  
14 licensees in the licensee's practice under subsection (c), a  
15 licensee under this Act may not divide, share or split a  
16 professional service fee with, or otherwise directly or  
17 indirectly pay a percentage of the licensee's professional  
18 service fees, revenues or profits to anyone for: (i) the  
19 marketing or management of the licensee's practice, (ii)  
20 including the licensee or the licensee's practice on any  
21 preferred provider list, (iii) allowing the licensee to  
22 participate in any network of health care providers, (iv)  
23 negotiating fees, charges or terms of service or payment on  
24 behalf of the licensee, or (v) including the licensee in a  
25 program whereby patients or beneficiaries are provided an  
26 incentive to use the services of the licensee.

1 (g) Nothing contained in this Section prohibits the  
2 payment of rent or other remunerations paid to an individual,  
3 partnership, or corporation by a licensee for the lease,  
4 rental, or use of space, owned or controlled by the  
5 individual, partnership, corporation, or association.

6 (h) Nothing contained in this Section prohibits the  
7 payment, at no more than fair market value, to an individual,  
8 partnership, or corporation by a licensee for the use of  
9 staff, administrative services, franchise agreements,  
10 marketing required by franchise agreements, or equipment owned  
11 or controlled by the individual, partnership, or corporation,  
12 or the receipt thereof by a licensee.

13 (Source: P.A. 96-608, eff. 8-24-09; 97-563, eff. 8-25-11.)

14 (225 ILCS 80/25) (from Ch. 111, par. 3925)

15 (Section scheduled to be repealed on January 1, 2027)

16 Sec. 25. Returned checks; fines.

17 (a) Any person who delivers a check or other payment to the  
18 Department that is returned to the Department unpaid by the  
19 financial institution upon which it is drawn shall pay to the  
20 Department, in addition to the amount already owed to the  
21 Department, a fine of \$50. The fines imposed by this Section  
22 are in addition to any other discipline provided under this  
23 Act for unlicensed practice or practice on a nonrenewed  
24 license.

25 (b) The Department shall notify the person that payment of

1 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 deny the application, without  
7 hearing.

8 (c) If, after termination or denial, the person seeks a  
9 license, the person ~~he or she~~ shall apply to the Department for  
10 restoration or issuance of the license and pay all fees and  
11 fines due to the Department. The Department may establish a  
12 fee for the processing of an application for restoration of a  
13 license to pay all expenses of processing this application.

14 (d) The Secretary may waive the fines due under this  
15 Section in individual cases where the Secretary finds that the  
16 fines would be unreasonable or unnecessarily burdensome.

17 (Source: P.A. 94-787, eff. 5-19-06.)

18 (225 ILCS 80/26.1) (from Ch. 111, par. 3926.1)

19 (Section scheduled to be repealed on January 1, 2027)

20 Sec. 26.1. Injunctions; criminal offenses; cease and  
21 desist orders.

22 (a) If any person violates the provision of this Act, the  
23 Secretary may, in the name of the People of the State of  
24 Illinois, through the Attorney General of the State of  
25 Illinois, or the State's Attorney of any county in which the

1 action is brought, petition for an order enjoining such  
2 violation or for an order enforcing compliance with this Act.  
3 Upon the filing of a verified petition in court, the court may  
4 issue a temporary restraining order, without notice or bond,  
5 and may preliminarily and permanently enjoin such violation,  
6 and if it is established that such person has violated or is  
7 violating the injunction, the Court may punish the offender  
8 for contempt of court. Proceedings under this Section shall be  
9 in addition to, and not in lieu of, all other remedies and  
10 penalties provided by this Act.

11 (b) If any person shall practice as an optometrist or hold  
12 oneself ~~himself or herself~~ out as an optometrist without being  
13 licensed under the provisions of this Act then any licensed  
14 optometrist, any interested party or any person injured  
15 thereby may, in addition to the Secretary, petition for relief  
16 as provided in subsection (a) of this Section.

17 Whoever knowingly practices or offers to practice  
18 optometry in this State without being licensed for that  
19 purpose shall be guilty of a Class A misdemeanor and for each  
20 subsequent conviction, shall be guilty of a Class 4 felony.  
21 Notwithstanding any other provision of this Act, all criminal  
22 fines, monies, or other property collected or received by the  
23 Department under this Section or any other State or federal  
24 statute, including, but not limited to, property forfeited to  
25 the Department under Section 505 of the Illinois Controlled  
26 Substances Act or Section 85 of the Methamphetamine Control

1 and Community Protection Act, shall be deposited into the  
2 Optometric Licensing and Disciplinary Board Fund.

3 (c) Whenever in the opinion of the Department any person  
4 violates any provision of this Act, the Department may issue a  
5 rule to show cause why an order to cease and desist should not  
6 be entered against him. The rule shall clearly set forth the  
7 grounds relied upon by the Department and shall provide a  
8 period of 7 days from the date of the rule to file an answer to  
9 the satisfaction of the Department. Failure to answer to the  
10 satisfaction of the Department shall cause an order to cease  
11 and desist to be issued forthwith.

12 (Source: P.A. 94-556, eff. 9-11-05; 94-787, eff. 5-19-06.)

13 (225 ILCS 80/26.2) (from Ch. 111, par. 3926.2)

14 (Section scheduled to be repealed on January 1, 2027)

15 Sec. 26.2. Investigation; notice. The Department may  
16 investigate the actions of any applicant or of any person or  
17 persons holding or claiming to hold a license. The Department  
18 shall, before suspending, revoking, placing on probationary  
19 status, or taking any other disciplinary action as the  
20 Department may deem proper with regard to any license, at  
21 least 30 days prior to the date set for the hearing, notify the  
22 accused in writing of any charges made and the time and place  
23 for a hearing of the charges before the Board, direct the  
24 accused ~~him or her~~ to file the accused's ~~his or her~~ written  
25 answer to the Board under oath within 20 days after the service

1 on the accused ~~him or her~~ of the notice and inform the accused  
2 ~~him or her~~ that if the accused ~~he or she~~ fails to file an  
3 answer default will be taken against the accused ~~him or her~~ and  
4 the accused's ~~his or her~~ license may be suspended, revoked,  
5 placed on probationary status, or have other disciplinary  
6 action, including limiting the scope, nature or extent of the  
7 accused's ~~his or her~~ practice, as the Department may deem  
8 proper taken with regard thereto. The written notice and any  
9 notice in the subsequent proceeding may be served by personal  
10 delivery or by regular or certified mail to the applicant's or  
11 licensee's address of record. In case the person fails to file  
12 an answer after receiving notice, the person's ~~his or her~~  
13 license may, in the discretion of the Department, be  
14 suspended, revoked, or placed on probationary status, or the  
15 Department may take whatever disciplinary action deemed  
16 proper, including limiting the scope, nature, or extent of the  
17 person's practice or the imposition of a fine, without a  
18 hearing, if the act or acts charged constitute sufficient  
19 grounds for such action under this Act. At the time and place  
20 fixed in the notice, the Department shall proceed to hear the  
21 charges and the parties or their counsel shall be accorded  
22 ample opportunity to present such statements, testimony,  
23 evidence and argument as may be pertinent to the charges or to  
24 their defense. The Department may continue the hearing from  
25 time to time. At the discretion of the Secretary after having  
26 first received the recommendation of the Board, the accused

1 person's license may be suspended, revoked, placed on  
2 probationary status, or whatever disciplinary action as the  
3 Secretary may deem proper, including limiting the scope,  
4 nature, or extent of said person's practice, without a  
5 hearing, if the act or acts charged constitute sufficient  
6 grounds for such action under this Act.

7 (Source: P.A. 99-909, eff. 1-1-17.)

8 (225 ILCS 80/26.7) (from Ch. 111, par. 3926.7)

9 (Section scheduled to be repealed on January 1, 2027)

10 Sec. 26.7. Hearing officer. Notwithstanding the provisions  
11 of Section 26.6 of this Act, the Secretary shall have the  
12 authority to appoint any attorney duly licensed to practice  
13 law in the State of Illinois to serve as the hearing officer in  
14 any action for discipline of a license. The hearing officer  
15 shall have full authority to conduct the hearing. The Board  
16 shall have the right to have at least one member present at any  
17 hearing conducted by such hearing officer. The hearing officer  
18 shall report the hearing officer's ~~his or her~~ findings of  
19 fact, conclusions of law and recommendations to the Board and  
20 the Secretary. The Board shall review the report of the  
21 hearing officer and present its findings of fact, conclusions  
22 of law and recommendations to the Secretary. If the Secretary  
23 disagrees in any regard with the report of the Board or hearing  
24 officer, the Secretary ~~he or she~~ may issue an order in  
25 contravention thereof. The Secretary shall specify with

1 particularity the reasons for such action in the final order.

2 (Source: P.A. 99-909, eff. 1-1-17.)

3 (225 ILCS 80/26.13) (from Ch. 111, par. 3926.13)

4 (Section scheduled to be repealed on January 1, 2027)

5 Sec. 26.13. Temporary suspension. The Secretary may  
6 temporarily suspend the license of an optometrist without a  
7 hearing, simultaneously with the institution of proceedings  
8 for a hearing provided for in Section 26.2 of this Act, if the  
9 Secretary finds that evidence in the Secretary's ~~his or her~~  
10 possession indicates that continuation in practice would  
11 constitute an imminent danger to the public. In the event that  
12 the Secretary suspends, temporarily, this license without a  
13 hearing, a hearing by the Department must be held within 30  
14 days after such suspension has occurred, and be concluded  
15 without appreciable delay.

16 (Source: P.A. 94-787, eff. 5-19-06.)

17 (225 ILCS 80/26.14) (from Ch. 111, par. 3926.14)

18 (Section scheduled to be repealed on January 1, 2027)

19 Sec. 26.14. Administrative Review Law; venue.

20 (a) All final administrative decisions of the Department  
21 are subject to judicial review pursuant to the provisions of  
22 the "Administrative Review Law", as amended, and all rules are  
23 adopted pursuant thereto. The term "administrative decision"  
24 is defined as in Section 3-101 of the Code of Civil Procedure.

1        (b) Proceedings for judicial review shall be commenced in  
2 the circuit court of the county in which the party applying for  
3 review resides; but if the party is not a resident of this  
4 State, venue shall be Sangamon County.

5        (Source: P.A. 97-333, eff. 8-12-11.)

6        Section 35. The Illinois Physical Therapy Act is amended  
7 by changing Section 2 as follows:

8        (225 ILCS 90/2) (from Ch. 111, par. 4252)

9        (Section scheduled to be repealed on January 1, 2031)

10        Sec. 2. Licensure requirement; exempt activities. No  
11 person shall after the date of August 31, 1965 begin to  
12 practice physical therapy in this State or hold oneself out as  
13 being able to practice this profession, unless the person is  
14 licensed as such in accordance with the provisions of this  
15 Act. After July 1, 1991 (the effective date of Public Act  
16 86-1396), no person shall practice or hold oneself out as a  
17 physical therapist assistant unless the person is licensed as  
18 such under this Act. A physical therapist shall use the  
19 initials "PT" in connection with the physical therapist's name  
20 to denote licensure under this Act, and a physical therapist  
21 assistant shall use the initials "PTA" in connection with the  
22 physical therapist assistant's name to denote licensure under  
23 this Act.

24        This Act does not prohibit:

1           (1) Any person licensed in this State under any other  
2 Act from engaging in the practice for which the person is  
3 licensed.

4           (2) The practice of physical therapy by those persons,  
5 practicing under the supervision of a licensed physical  
6 therapist and who have met all of the qualifications as  
7 provided in Sections 8 and 7, 8.1,~~and 9~~ of this Act, until  
8 the next examination is given for physical therapists or  
9 physical therapist assistants and the results have been  
10 received by the Department and the Department has  
11 determined the applicant's eligibility for a license.  
12 Anyone failing to pass said examination shall not again  
13 practice physical therapy until such time as an  
14 examination has been successfully passed by such person.

15           (3) The practice of physical therapy for a period not  
16 exceeding 6 months by a person who is in this State on a  
17 temporary basis to assist in a case of medical emergency  
18 or to engage in a special physical therapy project, and  
19 who meets the qualifications for a physical therapist as  
20 set forth in Sections 7 and 8 of this Act and is licensed  
21 in another state as a physical therapist.

22           (4) Practice of physical therapy by qualified persons  
23 who have filed for endorsement for no longer than one year  
24 or until such time that notification of licensure has been  
25 granted or denied, whichever period of time is lesser.

26           (5) One or more licensed physical therapists from

1 forming a professional service corporation under the  
2 provisions of the Professional Service Corporation Act and  
3 licensing such corporation for the practice of physical  
4 therapy.

5 (6) Physical therapy aides from performing patient  
6 care activities under the on-site supervision of a  
7 licensed physical therapist or licensed physical therapist  
8 assistant. These patient care activities shall not include  
9 interpretation of referrals, evaluation procedures, the  
10 planning of or major modifications of, patient programs.

11 (7) Physical therapist assistants from performing  
12 patient care activities under the general supervision of a  
13 licensed physical therapist. The physical therapist must  
14 maintain continual contact with the physical therapist  
15 assistant including periodic personal supervision and  
16 instruction to ensure the safety and welfare of the  
17 patient.

18 (8) The practice of physical therapy by a physical  
19 therapy student or a physical therapist assistant student  
20 under the on-site supervision of a licensed physical  
21 therapist. The physical therapist shall be readily  
22 available for direct supervision and instruction to ensure  
23 the safety and welfare of the patient.

24 (9) The practice of physical therapy as part of an  
25 educational program by a physical therapist licensed in  
26 another state or country for a period not to exceed 6

1 months.

2 (10) (Blank).

3 (Source: P.A. 104-154, eff. 1-1-26; 104-417, eff. 8-15-25.)

4 Section 40. The Boxing and Full-contact Martial Arts Act  
5 is amended by changing Sections 1, 2, 5, 6, 7, 8, 10, 11, 12,  
6 14, 15, 16, 17.7, 17.8, 18, 19, 19.1, 23, 23.1, 24, and 25.1 as  
7 follows:

8 (225 ILCS 105/1) (from Ch. 111, par. 5001)

9 (Section scheduled to be repealed on January 1, 2027)

10 Sec. 1. Short title and definitions.

11 (a) This Act may be cited as the Boxing and Full-contact  
12 Martial Arts Act.

13 (b) As used in this Act:

14 "Department" means the Department of Financial and  
15 Professional Regulation.

16 "Secretary" means the Secretary of Financial and  
17 Professional Regulation or a person authorized by the  
18 Secretary to act in the Secretary's stead.

19 "Board" means the State of Illinois Athletic Board.

20 "License" means the license issued for promoters,  
21 professional contestants, amateur contestants  
22 ~~professionals, amateurs,~~ or professional or amateur  
23 officials in accordance with this Act.

24 "Contest" means a boxing or full-contact martial arts

1 competition in which contestants compete against each  
2 other in matched bouts ~~all of the participants competing~~  
3 ~~against one another are professionals or amateurs~~ and  
4 where the public is able to attend or a fee is charged to  
5 attend.

6 "Permit" means the authorization from the Department  
7 to a promoter to conduct a contest ~~professional or amateur~~  
8 ~~contests, or a combination of both~~.

9 "Professional promoter ~~Promoter~~" means a person who is  
10 licensed and who holds a permit to conduct professional or  
11 amateur contests, or a combination of both.

12 "Amateur promoter" means a person who is licensed and  
13 who holds a permit to conduct amateur contests.

14 Unless the context indicates otherwise, "person"  
15 includes, but is not limited to, an individual,  
16 association, organization, business entity, gymnasium, or  
17 club.

18 "Judge" means a person licensed by the Department who  
19 is located at ringside or adjacent to the fighting area  
20 during a contest and who has the responsibility of scoring  
21 the performance of the contestants ~~participants~~ in that  
22 ~~professional or amateur~~ contest.

23 "Referee" means a person licensed by the Department  
24 who has the general supervision of and is present inside  
25 of the ring or fighting area during a ~~professional or~~  
26 ~~amateur~~ contest.

1           "Amateur contest" means a contest where only amateur  
2           contestants are permitted to compete.

3           "Amateur contestant" means a contestant ~~person~~  
4           licensed by the Department who is not competing for, and  
5           has never received or competed for, any purse or other  
6           article of value, directly or indirectly, either for  
7           participating in any contest or for the expenses of  
8           training therefor, other than a non-monetary prize that  
9           does not exceed \$50 in value.

10           "Amateur official" means a referee or judge who is  
11           licensed by the Department to participate as an official  
12           in amateur contests.

13           "Professional contestant" means a contestant ~~person~~  
14           licensed by the Department who competes for a money prize,  
15           purse, or other type of compensation in a professional  
16           contest ~~held in Illinois.~~

17           "Professional official" means a person who is in the  
18           role of a second, referee, matchmaker, timekeeper, or  
19           judge who is licensed by the Department and permitted to  
20           participate as an official in any type of contest.

21           "Professional contest" means a contest where only  
22           professional contestants are permitted to compete or a  
23           contest where both professional contestants and amateur  
24           contestants are permitted to compete.

25           "Second" means a person ~~licensed by the Department~~ who  
26           is present at any ~~professional or amateur~~ contest to

1 provide assistance or advice to contestants ~~a professional~~  
2 during the contest.

3 "Matchmaker" means a person ~~licensed by the Department~~  
4 who arranges professional or amateur contestants by record  
5 and skill level for bouts and submits those matches to the  
6 Department for consideration ~~brings together professionals~~  
7 ~~or amateurs~~ to compete in contests.

8 "Manager" means a person ~~licensed by the Department~~  
9 who is not a promoter and who, under contract, agreement,  
10 or other arrangement, undertakes to, directly or  
11 indirectly, control or administer the affairs of  
12 contestants.

13 "Timekeeper" means a person ~~licensed by the Department~~  
14 who is the official timer of the length of rounds and the  
15 intervals between the rounds.

16 "Purse" means the financial guarantee or any other  
17 remuneration for which contestants are participating in a  
18 professional contest.

19 "Physician" means a person licensed to practice  
20 medicine in all its branches under the Medical Practice  
21 Act of 1987.

22 "Martial arts" means a discipline or combination of  
23 different disciplines that utilizes sparring techniques  
24 without the intent to injure, disable, or incapacitate  
25 one's opponent, such as, but not limited to, Karate, Kung  
26 Fu, Jujutsu, and Tae Kwon Do.

1 "Full-contact martial arts" means the use of a  
2 singular discipline or a combination of techniques from  
3 different disciplines of the martial arts, including,  
4 without limitation, full-force grappling, kicking, and  
5 striking with the intent to injure, disable, or  
6 incapacitate one's opponent.

7 "Contestant" means a person who competes in either a  
8 boxing or full-contact martial arts contest.

9 "Address of record" means the designated address  
10 recorded by the Department in the applicant's or  
11 licensee's application file or license file as maintained  
12 by the Department's licensure maintenance unit.

13 "Bout" means one match between 2 contestants.

14 "Sanctioning body" means an organization approved by  
15 the Department under the requirements and standards stated  
16 in this Act and the rules adopted under this Act to act as  
17 a governing body that sanctions professional or amateur  
18 ~~full-contact martial arts~~ contests.

19 "Email address of record" means the designated email  
20 address recorded by the Department in the applicant's  
21 application file or the licensee's license file as  
22 maintained by the Department's licensure maintenance unit.

23 (Source: P.A. 102-20, eff. 1-1-22.)

24 (225 ILCS 105/2) (from Ch. 111, par. 5002)

25 (Section scheduled to be repealed on January 1, 2027)

1           Sec. 2. State of Illinois Athletic Board.

2           (a) The Secretary shall appoint members to the State of  
3 Illinois Athletic Board. The Board shall consist of 7 members  
4 who shall serve in an advisory capacity to the Secretary. One  
5 member of the Board shall be a physician licensed to practice  
6 medicine in all of its branches. One member of the Board shall  
7 be a member of the full-contact martial arts community. One  
8 member of the Board shall be a member of either the  
9 full-contact martial arts community or the boxing community.

10           (b) Board members shall serve 5-year terms and until their  
11 successors are appointed and qualified.

12           (c) In appointing members to the Board, the Secretary  
13 shall give due consideration to recommendations by members and  
14 organizations of the martial arts and boxing industry.

15           (d) The membership of the Board should reasonably reflect  
16 representation from the geographic areas in this State.

17           (e) No member shall be appointed to the Board for a term  
18 that would cause the member's ~~his or her~~ continuous service on  
19 the Board to be longer than 2 consecutive 5-year terms.

20           (f) The Secretary may terminate the appointment of any  
21 member for cause that in the opinion of the Secretary  
22 reasonably justified such termination, which may include, but  
23 is not limited to, a Board member who does not attend 2  
24 consecutive meetings.

25           (g) Appointments to fill vacancies shall be made in the  
26 same manner as original appointments, for the unexpired

1 portion of the vacated term.

2 (h) Four members of the Board shall constitute a quorum. A  
3 quorum is required for Board decisions.

4 (i) Members of the Board shall have no liability in any  
5 action based upon activity performed in good faith as members  
6 of the Board.

7 (j) Members of the Board may be reimbursed for all  
8 legitimate, necessary, and authorized expenses.

9 (Source: P.A. 102-20, eff. 1-1-22.)

10 (225 ILCS 105/5) (from Ch. 111, par. 5005)

11 (Section scheduled to be repealed on January 1, 2027)

12 Sec. 5. Powers and duties of the Department. The  
13 Department shall, subject to the provisions of this Act,  
14 exercise the following functions, powers, and duties:

15 (1) Ascertain the qualifications and fitness of  
16 applicants for licenses ~~license~~ and permits.

17 (2) Adopt rules required for the administration of  
18 this Act.

19 (3) Conduct hearings on proceedings to refuse to  
20 issue, renew, or restore licenses and revoke, suspend,  
21 place on probation, or reprimand those licensed under the  
22 provisions of this Act.

23 (4) Issue licenses to those who meet the  
24 qualifications of this Act and its rules.

25 (5) Conduct investigations related to possible

1 violations of this Act.

2 (Source: P.A. 102-20, eff. 1-1-22.)

3 (225 ILCS 105/6) (from Ch. 111, par. 5006)

4 (Section scheduled to be repealed on January 1, 2027)

5 Sec. 6. Restricted contests and events.

6 (a) All professional and amateur contests, or a  
7 combination of both, in which physical contact is made are  
8 prohibited in Illinois unless authorized by the Department  
9 pursuant to the requirements and standards stated in this Act  
10 and the rules adopted pursuant to this Act. This subsection  
11 (a) does not apply to any of the following contests or  
12 contestants:

13 (1) Amateur ~~boxing or full contact martial arts~~  
14 contests conducted by accredited secondary schools,  
15 colleges, or universities, although a fee may be charged.

16 (2) Amateur boxing contests that are sanctioned by USA  
17 Boxing or any other sanctioning body ~~organization~~ approved  
18 by the Department as determined by rule.

19 (3) Amateur boxing contests conducted by a State,  
20 county, or municipal entity, including those events held  
21 by any agency organized under these entities.

22 (4) Amateur martial arts contests that are not defined  
23 as full-contact martial arts contests under this Act.

24 (5) Full-contact martial arts contests, as defined by  
25 this Act, that are recognized by the International Olympic

1 Committee or are contested in the Olympic Games and are  
2 not conducted in an enclosed fighting area or ring.

3 No other ~~amateur boxing or full-contact martial arts~~  
4 contests are ~~shall be~~ permitted unless authorized by the  
5 Department.

6 (b) The Department shall have the authority to determine  
7 whether a ~~professional or amateur~~ contest is exempt for  
8 purposes of this Section.

9 (Source: P.A. 102-20, eff. 1-1-22.)

10 (225 ILCS 105/7) (from Ch. 111, par. 5007)

11 (Section scheduled to be repealed on January 1, 2027)

12 Sec. 7. Authorization to conduct contests; sanctioning  
13 bodies.

14 (a) In order to conduct a professional contest, an amateur  
15 contest, or a combination of both, in this State, a promoter  
16 shall obtain a permit issued by the Department in accordance  
17 with this Act and the rules ~~and regulations~~ adopted pursuant  
18 thereto. This permit shall authorize one or more ~~professional~~  
19 ~~or amateur~~ contests, ~~or a combination of both.~~

20 (b) Pursuant to rules adopted by the Department ~~Before~~  
21 ~~January 1, 2023,~~ amateur boxing ~~full-contact martial arts~~  
22 contests must have a permit issued by the Department ~~be~~  
23 ~~registered~~ and be sanctioned by a sanctioning body approved by  
24 the Department for that purpose under the requirements and  
25 standards stated in this Act and the rules adopted under this

1 Act.

2 (c) ~~A~~ ~~On and after January 1, 2023,~~ a promoter for an  
3 amateur full-contact martial arts contest shall obtain a  
4 permit issued by the Department under the requirements and  
5 standards set forth in this Act and the rules adopted under  
6 this Act.

7 (d) ~~The~~ ~~On and after January 1, 2023,~~ the Department shall  
8 not approve any sanctioning body for amateur full-contact  
9 martial arts contests. A sanctioning body's approval by the  
10 Department for amateur full-contact martial arts contests that  
11 was received before the effective date of this amendatory Act  
12 of the 104th General Assembly ~~before January 1, 2023~~ is  
13 withdrawn ~~on January 1, 2023~~.

14 (e) A permit issued under this Act is not transferable.  
15 (Source: P.A. 102-20, eff. 1-1-22.)

16 (225 ILCS 105/8) (from Ch. 111, par. 5008)

17 (Section scheduled to be repealed on January 1, 2027)

18 Sec. 8. Permits.

19 (a) A promoter who desires to obtain a permit to conduct a  
20 ~~professional or amateur contest, or a combination of both,~~  
21 shall apply to the Department at least 30 calendar days prior  
22 to the event, in writing or electronically, on forms  
23 prescribed by the Department. The application shall be  
24 accompanied by the required fee and shall contain, but not be  
25 limited to, the following information to be submitted at times

1 specified by rule:

2 (1) the legal names and addresses of the promoter;

3 (2) the name of the matchmaker;

4 (3) the time and exact location of the professional or  
5 amateur contest, or a combination of both. It is the  
6 responsibility of the promoter to ensure that the building  
7 to be used for the event complies with all laws,  
8 ordinances, and regulations in the city, town, village, or  
9 county where the contest is to be held;

10 (4) the signed and executed copy of the event venue  
11 lease agreement; and

12 (5) the initial list of names of the professionals or  
13 amateurs competing subject to Department approval.

14 (b) The Department may issue a permit to any promoter who  
15 meets the requirements of this Act and the rules. The permit  
16 shall only be issued for a specific date and location of a  
17 ~~professional or amateur~~ contest, ~~or a combination of both,~~ and  
18 shall not be transferable. The Department may allow a promoter  
19 to amend a permit application to hold a ~~professional or~~  
20 ~~amateur~~ contest, ~~or a combination of both,~~ in a different  
21 location other than the application specifies if all  
22 requirements of this Section are met, waiving the 30-day  
23 provision of subsection (a).

24 (c) The Department shall be responsible for assigning the  
25 judges, timekeepers, referees, and physicians for a  
26 professional contest, an amateur contest, or a combination of

1 both. The Department may, at its sole discretion, permit a  
2 promoter to assign a physician to a contest. Compensation  
3 shall be determined by the Department, and it shall be the  
4 responsibility of the promoter to pay the individuals  
5 utilized.

6 (d) The promoter shall submit the following documents to  
7 the Department at times specified by rule:

8 (1) proof of adequate security measures, as determined  
9 by rule, to ensure the protection of the safety of  
10 contestants and the general public while attending  
11 professional contests, amateur contests, or a combination  
12 of both;

13 (2) proof of adequate medical supervision, as  
14 determined by rule, to ensure the protection of the health  
15 and safety of contestants ~~professionals or amateurs~~ while  
16 participating in contests;

17 (3) the complete and final list of names of the  
18 contestants ~~professionals or amateurs~~ competing, subject  
19 to Department approval, which shall be submitted up to 48  
20 hours prior to the event date specified in the permit;

21 (4) proof of insurance for not less than \$50,000 as  
22 further defined by rule for each contestant ~~professional~~  
23 ~~or amateur~~ participating in a ~~professional or amateur~~  
24 ~~contest, or a combination of both;~~ insurance required  
25 under this paragraph shall cover: (i) hospital,  
26 medication, physician, and other such expenses as would

1 accrue in the treatment of an injury as a result of the  
2 ~~professional or amateur~~ contest; (ii) payment to the  
3 estate of the contestant ~~professional or amateur~~ in the  
4 event of the contestant's ~~his or her~~ death as a result of  
5 the contestant's ~~his or her~~ participation in the  
6 ~~professional or amateur~~ contest; and (iii) accidental  
7 death and dismemberment; the terms of the insurance  
8 coverage shall require the promoter, not the ~~licensed~~  
9 contestant, to pay the policy deductible for the medical,  
10 surgical, or hospital care of a contestant for injuries a  
11 contestant sustained while engaged in a contest; if a  
12 ~~licensed~~ contestant pays for the medical, surgical, or  
13 hospital care, the insurance proceeds shall be paid to the  
14 contestant or the contestant's ~~his or her~~ beneficiaries as  
15 reimbursement for such payment;

16 (5) the amount of the purses to be paid to the  
17 professional contestant ~~professionals~~ for the event ~~as~~  
18 ~~determined by rule;~~

19 (6) organizational or internationally accepted rules,  
20 per discipline, for ~~professional or amateur full-contact~~  
21 ~~martial arts~~ contests if the Department does not provide  
22 the rules for Department approval; and

23 (7) any other information the Department may require,  
24 as determined by rule, to issue a permit.

25 (e) If the accuracy, relevance, or sufficiency of any  
26 submitted documentation is questioned by the Department

1 because of lack of information, discrepancies, or conflicts in  
2 information given or a need for clarification, the promoter  
3 seeking a permit may be required to provide additional  
4 information.

5 (Source: P.A. 102-20, eff. 1-1-22.)

6 (225 ILCS 105/10) (from Ch. 111, par. 5010)

7 (Section scheduled to be repealed on January 1, 2027)

8 Sec. 10. Who must be licensed.

9 (a) In order to participate in contests the following  
10 persons must each be licensed and in good standing with the  
11 Department:

12 (1) professional contestants and amateur contestants;

13 (2) seconds for professional contests;

14 (3) referees for professional and amateur contests;

15 (4) judges for professional and amateur contests;

16 (5) managers for professional contests;

17 (6) matchmakers for professional contests; and

18 (7) timekeepers for professional contests.

19 Seconds, managers, matchmakers, and timekeepers  
20 participating in amateur contests are not required to be  
21 licensed. ~~(a) professionals and amateurs, (b) seconds, (c)~~  
22 ~~referees, (d) judges, (e) managers, (f) matchmakers, and (g)~~  
23 ~~timekeepers.~~

24 (b) In order to hold a contest ~~participate in professional~~  
25 ~~or amateur contests or a combination of both,~~ promoters must

1 be licensed and in good standing with the Department.

2 (c) Announcers may participate in ~~professional or amateur~~  
3 ~~contests, or a combination of both,~~ without being licensed  
4 under this Act. It shall be the responsibility of the promoter  
5 to ensure that announcers comply with the Act, and all rules  
6 and regulations promulgated pursuant to this Act.

7 (d) A licensed promoter may not act as, and cannot be  
8 licensed as, a second, contestant ~~professional~~, referee,  
9 timekeeper, judge, or manager. If the promoter ~~he or she~~ is so  
10 licensed, the promoter ~~he or she~~ must relinquish any of these  
11 licenses to the Department for cancellation. A person  
12 possessing a valid promoter's license may act as a matchmaker.

13 (e) (Blank). ~~Participants in amateur full-contact martial~~  
14 ~~arts contests taking place before January 1, 2023 are not~~  
15 ~~required to obtain licenses by the Department, except for~~  
16 ~~promoters of amateur contests.~~

17 (Source: P.A. 102-20, eff. 1-1-22.)

18 (225 ILCS 105/11) (from Ch. 111, par. 5011)

19 (Section scheduled to be repealed on January 1, 2027)

20 Sec. 11. Qualifications for license. The Department shall  
21 grant licenses to the following persons if the following  
22 qualifications are met:

23 (1) An applicant for licensure as a professional or  
24 amateur must: (1) be 18 years old, (2) be of good moral  
25 character, (3) file an application stating the applicant's

1 legal name (and no assumed or ring name may be used unless  
2 such name is registered with the Department along with the  
3 applicant's legal name), date of birth, place of current  
4 residence, and a sworn statement that the applicant ~~he or~~  
5 ~~she~~ is not currently in violation of any federal, State or  
6 local laws or rules governing boxing or full-contact  
7 martial arts, (4) file a certificate from a physician  
8 licensed to practice medicine in all of its branches which  
9 attests that the applicant is physically fit and qualified  
10 to participate in ~~professional or amateur~~ contests, and  
11 (5) pay the required fee and meet any other requirements  
12 as determined by rule. Applicants over age 35 who have not  
13 competed in a ~~professional or amateur~~ contest within the  
14 12 months preceding their application for licensure or  
15 have insufficient experience to participate in a  
16 ~~professional or amateur~~ contest may be required to appear  
17 before the Department to determine their fitness to  
18 participate in a ~~professional or amateur~~ contest.

19 (2) An applicant for licensure as a referee, judge,  
20 manager, second, matchmaker, or timekeeper must: (1) be of  
21 good moral character, (2) file an application stating the  
22 applicant's name, date of birth, and place of current  
23 residence along with a certifying statement that the  
24 applicant ~~he or she~~ is not currently in violation of any  
25 federal, State, or local laws or rules governing boxing,  
26 or full-contact martial arts, (3) have had satisfactory

1 experience in the applicant's ~~his or her~~ field as defined  
2 by rule, (4) pay the required fee, and (5) meet any other  
3 requirements as determined by rule.

4 (3) An applicant for licensure as a promoter must: (1)  
5 be of good moral character, (2) file an application with  
6 the Department stating the applicant's name, date of  
7 birth, place of current residence along with a certifying  
8 statement that the applicant ~~he or she~~ is not currently in  
9 violation of any federal, State, or local laws or rules  
10 governing boxing or full-contact martial arts, (3) pay the  
11 required fee and meet any other requirements as  
12 established by rule, and (4) in addition to the foregoing,  
13 an applicant for licensure as a promoter ~~of professional~~  
14 ~~or amateur contests or a combination of both professional~~  
15 ~~and amateur bouts in one contest~~ shall also provide (i)  
16 proof of a surety bond of no less than \$5,000 to cover  
17 financial obligations under this Act, payable to the  
18 Department and conditioned for the payment of the tax  
19 imposed by this Act and compliance with this Act, and the  
20 rules adopted under this Act, and (ii) a \$10,000  
21 performance bond guaranteeing payment of all obligations  
22 relating to the promotional activities payable to the  
23 Department and conditioned for the payment of the tax  
24 imposed by this Act and its rules.

25 (4) All applicants shall submit an application to the  
26 Department, in writing or electronically, on forms

1 prescribed by the Department, containing such information  
2 as determined by rule.

3 In determining good moral character, the Department may  
4 take into consideration any violation of any of the provisions  
5 of Section 16 of this Act as to referees, judges, managers,  
6 matchmakers, timekeepers, or promoters and any felony  
7 conviction of the applicant, but such a conviction shall not  
8 operate as a bar to licensure. No license issued under this Act  
9 is transferable.

10 (Source: P.A. 102-20, eff. 1-1-22.)

11 (225 ILCS 105/12) (from Ch. 111, par. 5012)

12 (Section scheduled to be repealed on January 1, 2027)

13 Sec. 12. Contests ~~Professional or amateur contests.~~

14 (a) A ~~The professional or amateur contest, or a~~  
15 ~~combination of both,~~ shall be held in an area where adequate  
16 neurological facilities are immediately available for skilled  
17 emergency treatment of an injured contestant ~~professional or~~  
18 ~~amateur.~~

19 (b) Each contestant ~~professional or amateur~~ shall be  
20 examined before the contest and promptly after each bout by a  
21 physician. The physician shall determine, prior to the  
22 contest, if each contestant ~~professional or amateur~~ is  
23 physically fit to compete in the contest. After the bout the  
24 physician shall examine the contestant ~~professional or amateur~~  
25 to determine possible injury. If the contestant's

1 ~~professional's or amateur's~~ physical condition so indicates,  
2 the physician shall recommend to the Department immediate  
3 medical suspension. The physician or a licensed paramedic must  
4 check the vital signs of all contestants as established by  
5 rule.

6 (c) The physician may, at any time during the ~~professional~~  
7 ~~or amateur~~ bout, stop the ~~professional or amateur~~ bout to  
8 examine a ~~professional or amateur~~ contestant and may direct  
9 the referee to terminate the bout when, in the physician's  
10 opinion, continuing the bout could result in serious injury to  
11 the contestant ~~professional or amateur~~. If the contestant's  
12 ~~professional's or amateur's~~ physical condition so indicates,  
13 the physician shall recommend to the Department immediate  
14 medical suspension. The physician shall certify to the  
15 condition of the contestant ~~professional or amateur~~ in  
16 writing, over the physician's ~~his or her~~ signature on forms  
17 prescribed by the Department. Such reports shall be submitted  
18 to the Department in a timely manner.

19 (d) No ~~professional or amateur~~ contest, ~~or a combination~~  
20 ~~of both,~~ shall be allowed to begin or be held unless at least  
21 one physician, at least one EMT and one paramedic, and one  
22 ambulance have been contracted with solely for the care of  
23 contestants ~~professionals or amateurs~~ who are competing as  
24 defined by rule.

25 (e) No professional boxing bout shall be more than 12  
26 rounds in length. The rounds shall not be more than 3 minutes

1 each with a minimum one-minute interval between them. ~~7 and no~~

2 (e-5) No contestant ~~professional boxer~~ shall be permitted  
3 ~~allowed~~ to participate in more than one contest within a ~~7-day~~  
4 period determined by rule.

5 (e-10) The number and length of rounds for all other  
6 full-contact martial arts bouts ~~professional or amateur boxing~~  
7 ~~or full contact martial arts contests, or a combination of~~  
8 ~~both,~~ shall be determined by rule.

9 (f) The number and types of amateur or professional  
10 officials required for each ~~professional or amateur~~ contest, ~~7~~  
11 ~~or a combination of both,~~ shall be determined by the  
12 Department based on how many bouts are to be held at the  
13 contest rule.

14 (g) The Department or its representative shall have  
15 discretion to declare a price, remuneration, or purse or any  
16 part of it belonging to the professional withheld if in the  
17 judgment of the Department or its representative the  
18 professional is not honestly competing.

19 (h) The Department shall have the authority to prevent a  
20 ~~professional or amateur~~ contest, ~~or a combination of both,~~  
21 from being held and shall have the authority to stop a  
22 ~~professional or amateur~~ contest, ~~or a combination of both,~~ for  
23 noncompliance with any part of this Act or rules or when, in  
24 the judgment of the Department, or its representative,  
25 continuation of the event would endanger the health, safety,  
26 and welfare of the professionals or amateurs or spectators.

1 The Department's authority to stop a contest on the basis that  
2 the ~~professional or amateur~~ contest, ~~or a combination of both,~~  
3 would endanger the health, safety, and welfare of the  
4 professionals or amateurs or spectators shall extend to any  
5 ~~professional or amateur~~ contest, ~~or a combination of both,~~  
6 regardless of whether that amateur contest is exempted from  
7 the prohibition in Section 6 of this Act.

8 (i) A professional contestant shall only compete against  
9 another professional contestant. An amateur contestant shall  
10 only compete against another amateur contestant. A contest may  
11 involve bouts between professional contestants and bouts  
12 between amateur contestants, but a professional contestant  
13 shall not compete against an amateur contestant.

14 (Source: P.A. 102-20, eff. 1-1-22.)

15 (225 ILCS 105/14) (from Ch. 111, par. 5014)

16 (Section scheduled to be repealed on January 1, 2027)

17 Sec. 14. Failure to report ticket sales and tax. If the  
18 permit holder fails to make a report as required by Section 13,  
19 or if such report is unsatisfactory, the Department may  
20 examine or cause to be examined the books and records of any  
21 such holder or the holder's ~~his~~ associates or any other person  
22 as a witness under oath to determine the total amount of tax  
23 due under this Act.

24 If it is determined that there has been a default in the  
25 payment of a tax, the promoter shall be given 20 days' ~~days~~

1 notice of the amount due which shall include the expenses  
2 incurred in making the examination.

3 If the promoter does not pay the amount due, the promoter  
4 ~~he~~ shall be disqualified from obtaining a permit under this  
5 Act and the Attorney General shall institute suit upon the  
6 bond filed pursuant to this Act to recover the tax or penalties  
7 imposed by this Act.

8 (Source: P.A. 91-408, eff. 1-1-00.)

9 (225 ILCS 105/15) (from Ch. 111, par. 5015)

10 (Section scheduled to be repealed on January 1, 2027)

11 Sec. 15. Inspectors. The Secretary may appoint inspectors  
12 to assist the Department staff in the administration of the  
13 Act. Each inspector appointed by the Secretary shall receive  
14 compensation for each day the inspector ~~he or she~~ is engaged in  
15 the transacting of business of the Department. The inspector  
16 or inspectors shall supervise each professional contest,  
17 amateur contest, or combination of both and, at the  
18 Department's discretion, may supervise any contest to ensure  
19 that the provisions of the Act are strictly enforced.

20 (Source: P.A. 102-20, eff. 1-1-22.)

21 (225 ILCS 105/16) (from Ch. 111, par. 5016)

22 (Section scheduled to be repealed on January 1, 2027)

23 Sec. 16. Discipline and sanctions.

24 (a) The Department may refuse to issue a permit or license

1 or refuse to renew, suspend, revoke, reprimand, place on  
2 probation, or take such other disciplinary or non-disciplinary  
3 action as the Department may deem proper, including the  
4 imposition of fines not to exceed \$10,000 for each violation,  
5 with regard to any permit or license for one or any combination  
6 of the following reasons:

7 (1) gambling, betting, or wagering on the result of or  
8 a contingency connected with a ~~professional or amateur~~  
9 contest, ~~or a combination of both,~~ or permitting such  
10 activity to take place;

11 (2) participating in or permitting a sham or fake  
12 ~~professional or amateur~~ contest, or a combination of both;

13 (3) holding the ~~professional or amateur~~ contest, ~~or a~~  
14 ~~combination of both,~~ at any other time or place than is  
15 stated on the permit application;

16 (4) permitting any contestant ~~professional or amateur~~  
17 other than those stated on the permit application to  
18 participate in a ~~professional or amateur~~ contest, ~~or a~~  
19 ~~combination of both,~~ except as provided in Section 9;

20 (5) violation or aiding in the violation of any of the  
21 provisions of this Act or any rules or regulations  
22 promulgated thereto;

23 (6) violation of any federal, State, or local laws of  
24 the United States or other jurisdiction governing  
25 ~~professional or amateur~~ contests or any regulation  
26 promulgated pursuant thereto;

1 (7) charging a greater rate or rates of admission than  
2 is specified on the permit application;

3 (8) failure to obtain all the necessary permits or  
4 licenses as required under this Act;

5 (9) failure to file the necessary bond or to pay the  
6 gross receipts or broadcast tax as required by this Act;

7 (10) engaging in dishonorable, unethical or  
8 unprofessional conduct of a character likely to deceive,  
9 defraud or harm the public, or which is detrimental to  
10 honestly conducted contests;

11 (11) employment of fraud, deception or any unlawful  
12 means in applying for or securing a permit or license  
13 under this Act;

14 (12) permitting a physician making the physical  
15 examination to knowingly certify falsely to the physical  
16 condition of a contestant ~~professional or amateur~~;

17 (13) permitting professional ~~professionals~~ or amateur  
18 contestants ~~amateurs~~ of widely disparate weights or  
19 abilities to engage in ~~professional or amateur~~ contests,  
20 respectively;

21 (14) participating in a contest while under medical  
22 suspension in this State or in any other state, territory  
23 or country;

24 (15) physical illness, including, but not limited to,  
25 deterioration through the aging process, or loss of motor  
26 skills which results in the inability to participate in

1 contests with reasonable judgment, skill, or safety;

2 (16) allowing one's license or permit issued under  
3 this Act to be used by another person;

4 (17) failing, within 30 days ~~a reasonable time~~, to  
5 provide any information requested by the Department ~~as a~~  
6 ~~result of a formal or informal complaint~~;

7 (18) professional incompetence;

8 (19) failure to file a return, or to pay the tax,  
9 penalty or interest shown in a filed return, or to pay any  
10 final assessment of tax, penalty or interest, as required  
11 by any tax Act administered by the Illinois Department of  
12 Revenue, until such time as the requirements of any such  
13 tax Act are satisfied;

14 (20) (blank);

15 (21) habitual or excessive use or addiction to  
16 alcohol, narcotics, stimulants, or any other chemical  
17 agent or drug that results in an inability to participate  
18 in an event;

19 (22) failure to stop a ~~professional or amateur~~  
20 ~~contest, or a combination of both~~, when requested to do so  
21 by the Department;

22 (23) failure of a promoter to adequately supervise and  
23 enforce this Act and its rules as applicable to amateur  
24 contests, as set forth in rule; or

25 (24) a finding by the Department that the licensee,  
26 after having his or her license placed on probationary

1 status, has violated the terms of probation.

2 (b) The determination by a circuit court that a licensee  
3 is subject to involuntary admission or judicial admission as  
4 provided in the Mental Health and Developmental Disabilities  
5 Code operates as an automatic suspension. The suspension will  
6 end only upon a finding by a court that the licensee is no  
7 longer subject to involuntary admission or judicial admission,  
8 issuance of an order so finding and discharging the licensee.

9 (c) In enforcing this Section, the Department, upon a  
10 showing of a possible violation, may compel any individual  
11 licensed to practice under this Act, or who has applied for  
12 licensure pursuant to this Act, to submit to a mental or  
13 physical examination, or both, as required by and at the  
14 expense of the Department. The examining physicians or  
15 clinical psychologists shall be those specifically designated  
16 by the Department. The Department may order the examining  
17 physician or clinical psychologist to present testimony  
18 concerning this mental or physical examination of the licensee  
19 or applicant. No information shall be excluded by reason of  
20 any common law or statutory privilege relating to  
21 communications between the licensee or applicant and the  
22 examining physician or clinical psychologist. Eye examinations  
23 may be provided by a physician licensed to practice medicine  
24 in all of its branches or a licensed and certified therapeutic  
25 optometrist. The individual to be examined may have, at the  
26 individual's ~~his or her~~ own expense, another physician of the

1 individual's ~~his or her~~ choice present during all aspects of  
2 the examination. Failure of any individual to submit to a  
3 mental or physical examination, when directed, shall be  
4 grounds for suspension or revocation of a license.

5 (d) A contestant who tests positive for a banned  
6 substance, as defined by rule, shall have the contestant's ~~his~~  
7 ~~or her~~ license immediately suspended. The license shall be  
8 subject to other discipline as authorized in this Section.

9 (Source: P.A. 102-20, eff. 1-1-22.)

10 (225 ILCS 105/17.7)

11 (Section scheduled to be repealed on January 1, 2027)

12 Sec. 17.7. Restoration of license from discipline.

13 (a) At any time after the successful completion of a term  
14 of indefinite probation, suspension, or revocation of a  
15 license under this Act, the Department may restore the license  
16 to the licensee unless, after an investigation and a hearing,  
17 the Secretary determines that restoration is not in the public  
18 interest.

19 (b) If circumstances of suspension or revocation so  
20 indicate, the Department may require an examination of the  
21 licensee prior to restoring the licensee's ~~his or her~~ license.

22 (c) No person whose license has been revoked as authorized  
23 in this Act may apply for restoration of that license until  
24 allowed under the Civil Administrative Code of Illinois.

25 (d) A license that has been suspended or revoked shall be

1 considered nonrenewed for purposes of restoration under this  
2 Section and a licensee restoring the licensee's ~~his or her~~  
3 license from suspension or revocation must comply with the  
4 requirements for renewal as set forth in this Act and its  
5 rules.

6 (Source: P.A. 102-20, eff. 1-1-22.)

7 (225 ILCS 105/17.8)

8 (Section scheduled to be repealed on January 1, 2027)

9 Sec. 17.8. Surrender of license. Upon the revocation or  
10 suspension of a license, the licensee shall immediately  
11 surrender the licensee's ~~his or her~~ license to the Department.  
12 If the licensee fails to do so, the Department has the right to  
13 seize the license.

14 (Source: P.A. 102-20, eff. 1-1-22.)

15 (225 ILCS 105/18) (from Ch. 111, par. 5018)

16 (Section scheduled to be repealed on January 1, 2027)

17 Sec. 18. Investigations; notice and hearing.

18 (a) The Department may investigate the actions of any  
19 applicant or of any person or entity holding or claiming to  
20 hold a license under this Act.

21 (b) The Department shall, before disciplining an applicant  
22 or licensee, at least 30 days prior to the date set for the  
23 hearing: (i) notify, in writing, the accused of the charges  
24 made and the time and place for the hearing on the charges;

1 (ii) direct the accused ~~him or her~~ to file a written answer to  
2 the charges, under oath, within 20 days after service of the  
3 notice; and (iii) inform the applicant or licensee that  
4 failure to file an answer will result in a default being  
5 entered against the applicant or licensee.

6 (c) Written or electronic notice, and any notice in the  
7 subsequent proceedings, may be served by personal delivery, by  
8 email, or by mail to the applicant or licensee at the  
9 applicant's or licensee's ~~his or her~~ address of record or  
10 email address of record.

11 (d) At the time and place fixed in the notice, the hearing  
12 officer appointed by the Secretary shall proceed to hear the  
13 charges, and the parties or their counsel shall be accorded  
14 ample opportunity to present any statement, testimony,  
15 evidence, and argument as may be pertinent to the charges or to  
16 their defense. The hearing officer may continue the hearing  
17 from time to time.

18 (e) If the licensee or applicant, after receiving the  
19 notice, fails to file an answer, the license's or applicant's  
20 ~~his or her~~ license may, in the discretion of the Secretary, be  
21 suspended, revoked, or placed on probationary status or be  
22 subject to whatever disciplinary action the Secretary  
23 considers proper, including limiting the scope, nature, or  
24 extent of the person's practice or imposition of a fine,  
25 without hearing, if the act or acts charged constitute  
26 sufficient grounds for the action under this Act.

1 (Source: P.A. 102-20, eff. 1-1-22.)

2 (225 ILCS 105/19) (from Ch. 111, par. 5019)

3 (Section scheduled to be repealed on January 1, 2027)

4 Sec. 19. Hearing; motion for rehearing.

5 (a) The hearing officer appointed by the Secretary shall  
6 hear evidence in support of the formal charges and evidence  
7 produced by the applicant or licensee. At the conclusion of  
8 the hearing, the hearing officer shall present to the  
9 Secretary a written report of the hearing officer's ~~his or her~~  
10 findings of fact, conclusions of law, and recommendations.

11 (b) A copy of the hearing officer's report shall be served  
12 upon the applicant or licensee, either personally or as  
13 provided in this Act for the service of the notice of hearing.  
14 Within 20 calendar days after such service, the applicant or  
15 licensee may present to the Department a motion, in writing,  
16 for a rehearing that shall specify the particular grounds for  
17 rehearing. The Department may respond to the motion for  
18 rehearing within 20 calendar days after its service on the  
19 Department. If no motion for rehearing is filed, then upon the  
20 expiration of the time specified for filing such a motion, or  
21 upon denial of a motion for rehearing, the Secretary may enter  
22 an order in accordance with the recommendations of the hearing  
23 officer. If the applicant or licensee orders from the  
24 reporting service and pays for a transcript of the record  
25 within the time for filing a motion for rehearing, the 20

1 calendar day period within which a motion may be filed shall  
2 commence upon delivery of the transcript to the applicant or  
3 licensee.

4 (c) If the Secretary disagrees in any regard with the  
5 report of the hearing officer, the Secretary may issue an  
6 order contrary to the report.

7 (d) Whenever the Secretary is not satisfied that  
8 substantial justice has been done, the Secretary may order a  
9 hearing by the same or another hearing officer.

10 (e) At any point in any investigation or disciplinary  
11 proceeding provided for in this Act, both parties may agree to  
12 a negotiated consent order. The consent order shall be final  
13 upon signature of the Secretary.

14 (Source: P.A. 102-20, eff. 1-1-22.)

15 (225 ILCS 105/19.1) (from Ch. 111, par. 5019.1)

16 (Section scheduled to be repealed on January 1, 2027)

17 Sec. 19.1. Hearing officer. Notwithstanding any provision  
18 of this Act, the Secretary has the authority to appoint an  
19 attorney duly licensed to practice law in the State of  
20 Illinois to serve as the hearing officer in any action for  
21 refusal to issue or renew a license or discipline a license.  
22 The hearing officer shall have full authority to conduct the  
23 hearing. The hearing officer shall report the hearing  
24 officer's ~~his or her~~ findings of fact, conclusions of law, and  
25 recommendations to the Secretary.

1 (Source: P.A. 102-20, eff. 1-1-22.)

2 (225 ILCS 105/23) (from Ch. 111, par. 5023)

3 (Section scheduled to be repealed on January 1, 2027)

4 Sec. 23. Fees.

5 (a) The fees for the administration and enforcement of  
6 this Act, including, but not limited to, original licensure,  
7 renewal, and restoration shall be set by rule. The fees shall  
8 not be refundable. All of the fees, taxes, and fines collected  
9 under this Act shall be deposited into the General Professions  
10 Dedicated Fund.

11 (b) (Blank). ~~Before January 1, 2023, there shall be no~~  
12 ~~fees for amateur full-contact martial arts events; except that~~  
13 ~~until January 1, 2023, the applicant fees for promoters of~~  
14 ~~amateur events where only amateur bouts are held shall be~~  
15 ~~\$300.~~

16 (Source: P.A. 102-20, eff. 1-1-22.)

17 (225 ILCS 105/23.1) (from Ch. 111, par. 5023.1)

18 (Section scheduled to be repealed on January 1, 2027)

19 Sec. 23.1. Returned checks; fines. Any person who delivers  
20 a check or other payment to the Department that is returned to  
21 the Department unpaid by the financial institution upon which  
22 it is drawn shall pay to the Department, in addition to the  
23 amount already owed to the Department, a fine of \$50. The fines  
24 imposed by this Section are in addition to any other

1 discipline provided under this Act for unlicensed practice or  
2 practice on a nonrenewed license. The Department shall notify  
3 the person that payment of fees and fines shall be paid to the  
4 Department by certified check or money order within 30  
5 calendar days of the notification. If, after the expiration of  
6 30 days from the date of the notification, the person has  
7 failed to submit the necessary remittance, the Department  
8 shall automatically terminate the license or deny the  
9 application, without hearing. If, after termination or denial,  
10 the person seeks a license, the person ~~he or she~~ shall apply to  
11 the Department for restoration or issuance of the license and  
12 pay all fees and fines due to the Department. The Department  
13 may establish a fee for the processing of an application for  
14 restoration of a license to pay all expenses of processing  
15 this application. The Secretary may waive the fines due under  
16 this Section in individual cases where the Secretary finds  
17 that the fines would be unreasonable or unnecessarily  
18 burdensome.

19 (Source: P.A. 102-20, eff. 1-1-22.)

20 (225 ILCS 105/24) (from Ch. 111, par. 5024)

21 (Section scheduled to be repealed on January 1, 2027)

22 Sec. 24. Unlicensed practice; violations; civil penalty.

23 (a) Any person who practices, offers to practice, attempts  
24 to practice, or holds oneself ~~himself or herself~~ out as being  
25 able to engage in practices requiring a license under this Act

1 without being licensed or exempt under this Act shall, in  
2 addition to any other penalty provided by law, pay a civil  
3 penalty to the Department in an amount not to exceed \$10,000  
4 for each offense, as determined by the Department. The civil  
5 penalty shall be assessed by the Department after a hearing is  
6 held in accordance with the provision set forth in this Act  
7 regarding the provision of a hearing for the discipline of a  
8 licensee.

9 (b) The Department may investigate any actual, alleged, or  
10 suspected unlicensed activity.

11 (c) The civil penalty shall be paid within 60 days after  
12 the effective date of the order imposing the civil penalty.  
13 The order shall constitute a judgment and may be filed and  
14 executed thereon in the same manner as any judgment from any  
15 court of record.

16 (d) A person or entity not licensed under this Act who has  
17 violated any provision of this Act or its rules is guilty of a  
18 Class A misdemeanor for the first offense and a Class 4 felony  
19 for a second and subsequent offenses.

20 (Source: P.A. 102-20, eff. 1-1-22.)

21 (225 ILCS 105/25.1)

22 (Section scheduled to be repealed on January 1, 2027)

23 Sec. 25.1. Medical suspension.

24 (a) A licensee who is determined by the examining  
25 physician or Department to be unfit to compete or officiate

1 shall be prohibited from participating in a contest in  
2 Illinois and, if actively licensed, shall be medically  
3 suspended until it is shown that the licensee ~~he or she~~ is fit  
4 for further competition or officiating.

5 (b) If the referee has stopped the bout or rendered a  
6 decision of technical knockout against a contestant  
7 ~~professional or amateur~~, the contestant ~~professional or~~  
8 ~~amateur~~ shall be medically suspended immediately for a period  
9 of not less than 30 days.

10 (c) In a full-contact martial arts contest, if the  
11 contestant ~~professional or amateur~~ has tapped out, has  
12 submitted, or the referee has stopped the bout, the  
13 Department, in consultation with the ringside physician, shall  
14 determine the length of suspension.

15 (d) If the contestant ~~professional or amateur~~ has been  
16 knocked unconscious, the contestant ~~he or she~~ shall be  
17 medically suspended immediately for a period of not less than  
18 45 days.

19 (e) A contestant ~~licensee~~ may receive a medical suspension  
20 for any injury sustained as a result of a bout that shall not  
21 be less than 7 days.

22 (f) A contestant ~~licensee~~ may receive additional terms and  
23 conditions for a medical suspension beyond a prescribed  
24 passage of time as authorized under this Section.

25 (g) If a contestant ~~licensee~~ receives a medical suspension  
26 that includes terms and conditions in addition to the

1 prescribed passage of time as authorized under this Section,  
2 before the removal of the medical suspension, a licensee  
3 shall:

4 (1) satisfactorily pass a Department-prescribed  
5 medical examination;

6 (2) provide those examination results to the  
7 Department;

8 (3) provide any additional requested documentation as  
9 directed by the licensee's examining physician or  
10 Department where applicable; and

11 (4) if the licensee's examining physician requires any  
12 necessary additional medical procedures during the  
13 examination related to the injury that resulted in the  
14 medical suspension, those results shall be provided to the  
15 Department.

16 (h) Any medical suspension imposed as authorized under  
17 this Act upon ~~against~~ a contestant licensee shall be reported  
18 to the Department's record keeper as determined by rule.

19 (i) A medical suspension as authorized under this Section  
20 shall not be considered a suspension under Section 16 of this  
21 Act. A violation of the terms of a medical suspension  
22 authorized under this Section shall subject a licensee to  
23 discipline under Section 16 of this Act.

24 (j) A ~~professional or amateur~~ contestant who has been  
25 placed on medical suspension under the laws of another state,  
26 the District of Columbia, or a territory of the United States

1 for substantially similar reasons as this Section shall be  
2 prohibited from participating in a contest as authorized under  
3 this Act until the requirements of subsection (g) of this  
4 Section have been met or the medical suspension has been  
5 removed by that jurisdiction.

6 (k) A medical suspension authorized under this Section  
7 shall begin the day after the bout a licensee participated in.  
8 (Source: P.A. 102-20, eff. 1-1-22.)

9 Section 45. The Sex Offender Evaluation and Treatment  
10 Provider Act is amended by changing Sections 10, 30, 35, 40,  
11 45, 50, 65, 75, 85, 90, 95, 100, 105, 110, 115, 125, 130, 135,  
12 and 145 and by adding Section 10.5 as follows:

13 (225 ILCS 109/10)

14 Sec. 10. Definitions. As used in this Act:

15 "Address of record" means the designated address recorded  
16 by the Department in the applicant's or licensee's application  
17 file or license file maintained by the Department's licensure  
18 maintenance unit.

19 "Associate sex offender provider" means a person licensed  
20 under this Act to conduct sex offender evaluations or provide  
21 sex offender treatment services under the supervision of a  
22 licensed sex offender evaluator or a licensed sex offender  
23 treatment provider.

24 ~~"Board" means the Sex Offender Evaluation and Treatment~~

1 ~~Licensing and Disciplinary Board.~~

2 "Department" means the Department of Financial and  
3 Professional Regulation.

4 "Email address of record" means the designated email  
5 address recorded by the Department in the applicant's  
6 application file or the licensee's license file, as maintained  
7 by the Department's licensure maintenance unit.

8 "Licensee" means a person who has obtained a license under  
9 this Act.

10 "Secretary" means the Secretary of Financial and  
11 Professional Regulation.

12 "Sex offender evaluation" means a sex-offender specific  
13 evaluation that systematically uses a variety of standardized  
14 measurements, assessments and information gathered  
15 collaterally and through face-to-face interviews. Sex-offender  
16 specific evaluations assess risk to the community; identify  
17 and document treatment and developmental needs, including safe  
18 and appropriate placement settings; determine amenability to  
19 treatment; and are the foundation of treatment, supervision,  
20 and placement recommendations.

21 "Sex offender evaluator" means a person licensed under  
22 this Act to conduct sex offender evaluations.

23 "Sex offender treatment" means a comprehensive set of  
24 planned therapeutic interventions and experiences to reduce  
25 the risk of further sexual offending and abusive behaviors by  
26 the offender. Treatment may include adjunct therapies to

1 address the unique needs of the individual, but must include  
2 offense specific services by a treatment provider who meets  
3 the qualifications in Section 30 of this Act. Treatment  
4 focuses on the situations, thoughts, feelings, and behavior  
5 that have preceded and followed past offending (abuse cycles)  
6 and promotes change in each area relevant to the risk of  
7 continued abusive, offending, or deviant sexual behaviors. Due  
8 to the heterogeneity of the persons who commit sex offenses,  
9 treatment is provided based on the individualized evaluation  
10 and assessment. Treatment is designed to stop sex offending  
11 and abusive behavior, while increasing the offender's ability  
12 to function as a healthy, pro-social member of the community.  
13 Progress in treatment is measured by change rather than the  
14 passage of time.

15 "Sex offender treatment provider" means a person licensed  
16 under this Act to provide sex offender treatment.

17 (Source: P.A. 97-1098, eff. 7-1-13.)

18 (225 ILCS 109/10.5 new)

19 Sec. 10.5. Address of record; email address of record. All  
20 applicants and licensees shall:

21 (1) Provide a valid address and email address to the  
22 Department, which shall serve as the address of record and  
23 email address of record, respectively, at the time of  
24 application for licensure or renewal of a license; and

25 (2) Inform the Department of any change of address of

1       record or email address of record within 14 days after  
2       such change, either through the Department's website or by  
3       contacting the Department's licensure maintenance unit.

4           (225 ILCS 109/30)

5       Sec. 30. Social Security Number or individual taxpayer  
6       identification number on license application. In addition to  
7       any other information required to be contained in the  
8       application, every application for an original, renewal,  
9       reinstated, or restored license under this Act shall include  
10      the applicant's Social Security number or individual taxpayer  
11      identification number.

12      (Source: P.A. 97-1098, eff. 7-1-13.)

13           (225 ILCS 109/35)

14      Sec. 35. Qualifications for licensure.

15      (a)(1) A person is qualified for licensure as a sex  
16      offender evaluator if that person:

17           (A) has applied in writing on forms prepared and  
18           furnished by the Department;

19           (B) has not engaged or is not engaged in any practice  
20           or conduct that would be grounds for disciplining a  
21           licensee under Section 75 of this Act; and

22           (C) satisfies the licensure and experience  
23           requirements of paragraph (2) of this subsection (a).

24      (2) A person who applies to the Department shall be issued

1 a sex offender evaluator license by the Department if the  
2 person meets the qualifications set forth in paragraph (1) of  
3 this subsection (a) and provides evidence to the Department  
4 that the person:

5 (A) is a physician licensed to practice medicine in  
6 all of its branches under the Medical Practice Act of 1987  
7 or licensed under the laws of another state; an advanced  
8 practice registered nurse with psychiatric specialty  
9 licensed under the Nurse Practice Act or licensed under  
10 the laws of another state; a clinical psychologist  
11 licensed under the Clinical Psychologist Licensing Act or  
12 licensed under the laws of another state; a licensed  
13 clinical social worker licensed under the Clinical Social  
14 Work and Social Work Practice Act or licensed under the  
15 laws of another state; a licensed clinical professional  
16 counselor licensed under the Professional Counselor and  
17 Clinical Professional Counselor Licensing and Practice Act  
18 or licensed under the laws of another state; or a licensed  
19 marriage and family therapist licensed under the Marriage  
20 and Family Therapy Licensing Act or licensed under the  
21 laws of another state;

22 (B) has 400 hours of supervised experience in the  
23 treatment or evaluation of sex offenders in the last 4  
24 years, at least 200 of which are face-to-face therapy or  
25 evaluation with sex offenders;

26 (C) has completed at least 10 sex offender evaluations

1 under supervision in the past 4 years; and

2 (D) has at least 40 hours of documented training in  
3 the specialty of sex offender evaluation, treatment, or  
4 management.

5 ~~Until January 1, 2015, the requirements of subparagraphs~~  
6 ~~(B) and (D) of paragraph (2) of this subsection (a) 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 for licensure. Until January 1, 2015,~~  
10 ~~the requirements of subparagraph (C) of paragraph (2) of this~~  
11 ~~subsection (a) are satisfied if the applicant has completed at~~  
12 ~~least 10 sex offender evaluations within the 4 years before~~  
13 ~~application for licensure.~~

14 (b)(1) A person is qualified for licensure as a sex  
15 offender treatment provider if that person:

16 (A) has applied in writing on forms prepared and  
17 furnished by the Department;

18 (B) has not engaged or is not engaged in any practice  
19 or conduct that would be grounds for disciplining a  
20 licensee under Section 75 of this Act; and

21 (C) satisfies the licensure and experience  
22 requirements of paragraph (2) of this subsection (b).

23 (2) A person who applies to the Department shall be issued  
24 a sex offender treatment provider license by the Department if  
25 the person meets the qualifications set forth in paragraph (1)  
26 of this subsection (b) and provides evidence to the Department

1 that the person:

2 (A) is a physician licensed to practice medicine in  
3 all of its branches under the Medical Practice Act of 1987  
4 or licensed under the laws of another state; an advanced  
5 practice registered nurse with psychiatric specialty  
6 licensed under the Nurse Practice Act or licensed under  
7 the laws of another state; a clinical psychologist  
8 licensed under the Clinical Psychologist Licensing Act or  
9 licensed under the laws of another state; a licensed  
10 clinical social worker licensed under the Clinical Social  
11 Work and Social Work Practice Act or licensed under the  
12 laws of another state; a licensed clinical professional  
13 counselor licensed under the Professional Counselor and  
14 Clinical Professional Counselor Licensing and Practice Act  
15 or licensed under the laws of another state; or a licensed  
16 marriage and family therapist licensed under the Marriage  
17 and Family Therapy Licensing Act or licensed under the  
18 laws of another state;

19 (B) has 400 hours of supervised experience in the  
20 treatment of sex offenders in the last 4 years, at least  
21 200 of which are face-to-face therapy with sex offenders;  
22 and

23 (C) has at least 40 hours documented training in the  
24 specialty of sex offender evaluation, treatment, or  
25 management.

26 ~~Until January 1, 2015, the requirements of subparagraphs~~

1 ~~(B) and (C) of paragraph (2) of this subsection (b) are~~  
2 ~~satisfied if the applicant has been listed on the Sex Offender~~  
3 ~~Management Board's Approved Provider List for a minimum of 2~~  
4 ~~years before application.~~

5 (c) (1) A person is qualified for licensure as an associate  
6 sex offender provider if that person:

7 (A) has applied in writing on forms prepared and  
8 furnished by the Department;

9 (B) has not engaged or is not engaged in any practice  
10 or conduct that would be grounds for disciplining a  
11 licensee under Section 75 of this Act; and

12 (C) satisfies the education and experience  
13 requirements of paragraph (2) of this subsection (c).

14 (2) A person who applies to the Department shall be issued  
15 an associate sex offender provider license by the Department  
16 if the person meets the qualifications set forth in paragraph  
17 (1) of this subsection (c) and provides evidence to the  
18 Department that the person holds a master's degree or higher  
19 in social work, psychology, marriage and family therapy,  
20 counseling or closely related behavioral science degree, or  
21 psychiatry.

22 (Source: P.A. 100-201, eff. 8-18-17; 100-513, eff. 1-1-18.)

23 (225 ILCS 109/40)

24 Sec. 40. Application; exemptions.

25 (a) No person may act as a sex offender evaluator, sex

1 offender treatment provider, or associate sex offender  
2 provider as defined in this Act for the provision of sex  
3 offender evaluations or sex offender treatment pursuant to the  
4 Sex Offender Management Board Act, the Sexually Dangerous  
5 Persons Act, or the Sexually Violent Persons Commitment Act  
6 unless the person is licensed to do so by the Department. Any  
7 evaluation or treatment services provided by a licensed health  
8 care professional not licensed under this Act shall not be  
9 valid under the Sex Offender Management Board Act, the  
10 Sexually Dangerous Persons Act, or the Sexually Violent  
11 Persons Commitment Act. No business shall provide, attempt to  
12 provide, or offer to provide sex offender evaluation services  
13 unless it is organized under the Professional Service  
14 Corporation Act, the Medical Corporation Act, or the  
15 Professional Limited Liability Company Act.

16 (b) Nothing in this Act shall be construed to require any  
17 licensed physician, advanced practice registered nurse,  
18 physician assistant, or other health care professional to be  
19 licensed under this Act for the provision of services for  
20 which the person is otherwise licensed. This Act does not  
21 prohibit a person licensed under any other Act in this State  
22 from engaging in the practice for which the person ~~he or she~~ is  
23 licensed. This Act only applies to the provision of sex  
24 offender evaluations or sex offender treatment provided for  
25 the purposes of complying with the Sex Offender Management  
26 Board Act, the Sexually Dangerous Persons Act, or the Sexually

1 Violent Persons Commitment Act.

2 (Source: P.A. 99-227, eff. 8-3-15; 100-513, eff. 1-1-18.)

3 (225 ILCS 109/45)

4 Sec. 45. License renewal; restoration.

5 (a) The expiration date and renewal period for a license  
6 issued under this Act shall be set by rule. The holder of a  
7 license under this Act may renew that license during the  
8 90-day ~~90-day~~ period immediately preceding the expiration date  
9 upon payment of the required renewal fees and demonstrating  
10 compliance with any continuing education requirements. The  
11 Department shall adopt rules establishing minimum requirements  
12 of continuing education and means for verification of the  
13 completion of the continuing education requirements. The  
14 Department may, by rule, specify circumstances under which the  
15 continuing education requirements may be waived.

16 (b) A licensee who has permitted the licensee's ~~his or her~~  
17 license to expire or who has had the licensee's ~~his or her~~  
18 license on inactive status may have the ~~his or her~~ license  
19 restored by making application to the Department and filing  
20 proof acceptable to the Department, as defined by rule, of the  
21 licensee's ~~his or her~~ fitness to have the ~~his or her~~ license  
22 restored, including evidence certifying to active practice in  
23 another jurisdiction satisfactory to the Department and by  
24 paying the required restoration fee.

25 (c) A licensee whose license expired while the licensee ~~he~~

1 ~~or she~~ was (1) in Federal Service on active duty with the Armed  
2 Forces of the United States, or the State Militia called into  
3 service or training, or (2) in training or education under the  
4 supervision of the United States preliminary to induction into  
5 the military service, may have the ~~his or her~~ license renewed  
6 or restored without paying any lapsed renewal fees if within 2  
7 years after honorable termination of service, training or  
8 education, the licensee ~~he or she~~ furnishes the Department  
9 with satisfactory evidence to the effect that the licensee ~~he~~  
10 ~~or she~~ has been so engaged and that the licensee's ~~his or her~~  
11 service, training or education has been terminated.

12 (Source: P.A. 97-1098, eff. 7-1-13.)

13 (225 ILCS 109/50)

14 Sec. 50. Inactive status.

15 (a) A licensee who notifies the Department in writing on  
16 forms prescribed by the Department may elect to place the  
17 licensee's ~~his or her~~ license on an inactive status and shall,  
18 subject to rules of the Department, be excused from payment of  
19 renewal fees until the licensee ~~he or she~~ notifies the  
20 Department in writing of the licensee's ~~his or her~~ intent to  
21 restore the ~~his or her~~ license.

22 (b) A licensee requesting restoration from inactive status  
23 shall be required to pay the current renewal fee and shall be  
24 required to restore the ~~his or her~~ license as provided in  
25 Section 45 of this Act.

1 (c) A licensee whose license is in an inactive status  
2 shall not practice in the State of Illinois.

3 (d) A licensee who provides sex offender evaluation or  
4 treatment services while the licensee's ~~his or her~~ license is  
5 lapsed or on inactive status shall be considered to be  
6 practicing without a license which shall be grounds for  
7 discipline under this Act.

8 (Source: P.A. 97-1098, eff. 7-1-13.)

9 (225 ILCS 109/65)

10 Sec. 65. Payments; penalty for insufficient funds. A  
11 person who delivers a check or other payment to the Department  
12 that is returned to the Department unpaid by the financial  
13 institution upon which it is drawn shall pay to the  
14 Department, in addition to the amount already owed to the  
15 Department, a fine of \$50. The fines imposed by this Section  
16 are in addition to any other discipline provided under this  
17 Act prohibiting unlicensed practice or practice on a  
18 nonrenewed license. The Department shall notify the person  
19 that payment of fees and fines shall be paid to the Department  
20 by certified check or money order within 30 calendar days  
21 after notification. If after the expiration of 30 days from  
22 the date of the notification the person has failed to submit  
23 the necessary remittance, the Department shall automatically  
24 terminate the license or deny the application without hearing.  
25 If after termination or denial the person seeks a license, the

1 person ~~he or she~~ shall apply to the Department for restoration  
2 or issuance of the license and pay all fees and fines due to  
3 the Department. The Department may establish a fee for the  
4 processing of an application for restoration of a license to  
5 pay all expenses of processing the application. The Secretary  
6 may waive the fines due under this Section in individual cases  
7 where the Secretary finds that the fines would be unreasonable  
8 or unnecessarily burdensome.

9 (Source: P.A. 97-1098, eff. 7-1-13.)

10 (225 ILCS 109/75)

11 Sec. 75. Refusal, revocation, or suspension.

12 (a) The Department may refuse to issue or renew, or may  
13 revoke, suspend, place on probation, reprimand, or take other  
14 disciplinary or non-disciplinary action, as the Department  
15 considers appropriate, including the imposition of fines not  
16 to exceed \$10,000 for each violation, with regard to any  
17 license or licensee for any one or more of the following:

18 (1) violations of this Act or of the rules adopted  
19 under this Act;

20 (2) discipline by the Department under other state law  
21 and rules which the licensee is subject to;

22 (3) conviction by plea of guilty or nolo contendere,  
23 finding of guilt, jury verdict, or entry of judgment or by  
24 sentencing for any crime, including, but not limited to,  
25 convictions, preceding sentences of supervision,

1 conditional discharge, or first offender probation, under  
2 the laws of any jurisdiction of the United States: (i)  
3 that is a felony; or (ii) that is a misdemeanor, an  
4 essential element of which is dishonesty, or that is  
5 directly related to the practice of the profession;

6 (4) professional incompetence;

7 (5) advertising in a false, deceptive, or misleading  
8 manner;

9 (6) aiding, abetting, assisting, procuring, advising,  
10 employing, or contracting with any unlicensed person to  
11 provide sex offender evaluation or treatment services  
12 contrary to any rules or provisions of this Act;

13 (7) engaging in immoral conduct in the commission of  
14 any act, such as sexual abuse, sexual misconduct, or  
15 sexual exploitation, related to the licensee's practice;

16 (8) engaging in dishonorable, unethical, or  
17 unprofessional conduct of a character likely to deceive,  
18 defraud, or harm the public;

19 (9) practicing or offering to practice beyond the  
20 scope permitted by law or accepting and performing  
21 professional responsibilities which the licensee knows or  
22 has reason to know that the licensee ~~he or she~~ is not  
23 competent to perform;

24 (10) knowingly delegating professional  
25 responsibilities to a person unqualified by training,  
26 experience, or licensure to perform;

1 (11) failing to provide information in response to a  
2 written request made by the Department within 60 days;

3 (12) having a habitual or excessive use of or  
4 addiction to alcohol, narcotics, stimulants, or any other  
5 chemical agent or drug which results in the inability to  
6 practice with reasonable judgment, skill, or safety;

7 (13) having a pattern of practice or other behavior  
8 that demonstrates incapacity or incompetence to practice  
9 under this Act;

10 (14) discipline by another state, District of  
11 Columbia, territory, or foreign nation, if at least one of  
12 the grounds for the discipline is the same or  
13 substantially equivalent to those set forth in this  
14 Section;

15 (15) a finding by the Department that the licensee,  
16 after having the licensee's ~~his or her~~ license placed on  
17 probationary status, has violated the terms of probation;

18 (16) willfully making or filing false records or  
19 reports in the licensee's ~~his or her~~ practice, including,  
20 but not limited to, false records filed with State  
21 agencies or departments;

22 (17) making a material misstatement in furnishing  
23 information to the Department or otherwise making  
24 misleading, deceptive, untrue, or fraudulent  
25 representations in violation of this Act or otherwise in  
26 the practice of the profession;

1           (18) fraud or misrepresentation in applying for or  
2           procuring a license under this Act or in connection with  
3           applying for renewal of a license under this Act;

4           (19) inability to practice the profession with  
5           reasonable judgment, skill, or safety as a result of  
6           physical illness, including, but not limited to,  
7           deterioration through the aging process, loss of motor  
8           skill, or a mental illness or disability;

9           (20) charging for professional services not rendered,  
10          including filing false statements for the collection of  
11          fees for which services are not rendered; or

12          (21) practicing under a false or, except as provided  
13          by law, an assumed name.

14          All fines shall be paid within 60 days of the effective  
15          date of the order imposing the fine.

16          (b) The Department may refuse to issue or may suspend the  
17          license of any person who fails to file a tax return, to pay  
18          the tax, penalty, or interest shown in a filed tax return, or  
19          to pay any final assessment of 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          the tax Act are satisfied in accordance with subsection (g) of  
23          Section 2105-15 of the Civil Administrative Code of Illinois.

24          (c) (Blank).

25          (d) In cases where the Department of Healthcare and Family  
26          Services has previously determined that a licensee or a

1 potential licensee is more than 30 days delinquent in the  
2 payment of child support and has subsequently certified the  
3 delinquency to the Department, the Department may refuse to  
4 issue or renew or may revoke or suspend that person's license  
5 or may take other disciplinary action against that person  
6 based solely upon the certification of delinquency made by the  
7 Department of Healthcare and Family Services in accordance  
8 with item (5) of subsection (a) of Section 2105-15 of the Civil  
9 Administrative Code of Illinois.

10 (e) The determination by a circuit court that a licensee  
11 is subject to involuntary admission or judicial admission, as  
12 provided in the Mental Health and Developmental Disabilities  
13 Code, operates as an automatic suspension. The suspension will  
14 end only upon a finding by a court that the patient is no  
15 longer subject to involuntary admission or judicial admission  
16 and the issuance of a court order so finding and discharging  
17 the patient.

18 (f) In enforcing this Act, the Department or Board, upon a  
19 showing of a possible violation, may compel an individual  
20 licensed to practice under this Act, or who has applied for  
21 licensure under this Act, to submit to a mental or physical  
22 examination, or both, as required by and at the expense of the  
23 Department. The Department or Board may order the examining  
24 physician to present testimony concerning the mental or  
25 physical examination of the licensee or applicant. No  
26 information shall be excluded by reason of any common law or

1 statutory privilege relating to communications between the  
2 licensee or applicant and the examining physician. The  
3 examining physician shall be specifically designated by the  
4 Board or Department. The individual to be examined may have,  
5 at his or her own expense, another physician of his or her  
6 choice present during all aspects of this examination. The  
7 examination shall be performed by a physician licensed to  
8 practice medicine in all its branches. Failure of an  
9 individual to submit to a mental or physical examination, when  
10 directed, shall result in an automatic suspension without  
11 hearing.

12 A person holding a license under this Act or who has  
13 applied for a license under this Act who, because of a physical  
14 or mental illness or disability, including, but not limited  
15 to, deterioration through the aging process or loss of motor  
16 skill, is unable to practice the profession with reasonable  
17 judgment, skill, or safety, may be required by the Department  
18 to submit to care, counseling, or treatment by physicians  
19 approved or designated by the Department as a condition, term,  
20 or restriction for continued, reinstated, or renewed licensure  
21 to practice. Submission to care, counseling, or treatment as  
22 required by the Department shall not be considered discipline  
23 of a license. If the licensee refuses to enter into a care,  
24 counseling, or treatment agreement or fails to abide by the  
25 terms of the agreement, the Department may file a complaint to  
26 revoke, suspend, or otherwise discipline the license of the

1 individual. The Secretary may order the license suspended  
2 immediately, pending a hearing by the Department. Fines shall  
3 not be assessed in disciplinary actions involving physical or  
4 mental illness or impairment.

5 In instances in which the Secretary immediately suspends a  
6 person's license under this Section, a hearing on that  
7 person's license must be convened by the Department within 15  
8 days after the suspension and completed without appreciable  
9 delay. The Department and Board shall have the authority to  
10 review the subject individual's record of treatment and  
11 counseling regarding the impairment to the extent permitted by  
12 applicable federal statutes and regulations safeguarding the  
13 confidentiality of medical records.

14 An individual licensed under this Act and subject to  
15 action under this Section shall be afforded an opportunity to  
16 demonstrate to the Department or Board that he or she can  
17 resume practice in compliance with acceptable and prevailing  
18 standards under the provisions of his or her license.

19 (Source: P.A. 100-872, eff. 8-14-18; 101-81, eff. 7-12-19.)

20 (225 ILCS 109/85)

21 Sec. 85. Violations; injunctions; cease and desist order.

22 (a) If a person violates a provision of this Act, the  
23 Secretary may, in the name of the People of the State of  
24 Illinois, through the Attorney General, petition for an order  
25 enjoining the violation or for an order enforcing compliance

1 with this Act. Upon the filing of a verified petition in court,  
2 the court may issue a temporary restraining order, without  
3 notice or bond, and may preliminarily and permanently enjoin  
4 the violation. If it is established that the person has  
5 violated or is violating the injunction, the court may punish  
6 the offender for contempt of court. Proceedings under this  
7 Section are in addition to, and not in lieu of, all other  
8 remedies and penalties provided by this Act.

9 (b) If a person engages in sex offender evaluation or  
10 treatment or holds oneself ~~himself or herself~~ out as licensee  
11 without having a valid license under this Act, then any  
12 licensee, any interested party or any person injured thereby  
13 may, in addition to the Secretary, petition for relief as  
14 provided in subsection (a) of this Section.

15 (c) Whenever in the opinion of the Department a person has  
16 violated any provision of this Act, the Department may issue a  
17 rule to show cause why an order to cease and desist should not  
18 be entered against that person ~~him or her~~. The rule shall  
19 clearly set forth the grounds relied upon by the Department  
20 and shall provide a period of 7 days from the date of the rule  
21 to file an answer to the satisfaction of the Department.  
22 Failure to answer to the satisfaction of the Department shall  
23 cause an order to cease and desist to be issued immediately.

24 (Source: P.A. 97-1098, eff. 7-1-13.)

1           Sec. 90. Unlicensed practice; violation; civil penalty.

2           (a) A person who holds oneself ~~himself or herself~~ out to  
3 practice as a licensee without being licensed under this Act  
4 shall, in addition to any other penalty provided by law, pay a  
5 civil penalty to the Department in an amount not to exceed  
6 \$10,000 for each offense, as determined by the Department. The  
7 civil penalty shall be assessed by the Department after a  
8 hearing is held in accordance with the provisions of this Act  
9 regarding 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. 97-1098, eff. 7-1-13.)

18           (225 ILCS 109/95)

19           Sec. 95. Investigation; notice and hearing.       The  
20 Department may investigate the actions or qualifications of  
21 any person or persons holding or claiming to hold a license.  
22 Before suspending, revoking, placing on probationary status,  
23 or taking any other disciplinary action as the Department may  
24 deem proper with regard to any license, at least 30 days before  
25 the date set for the hearing, the Department shall (i) notify

1 the accused in writing of any charges made and the time and  
2 place for a hearing on the charges before the Department  
3 ~~Board~~, (ii) direct the accused ~~him or her~~ to file a written  
4 answer to the charges with the Department ~~Board~~ under oath  
5 within 20 days after the service on the accused ~~him or her~~ of  
6 the notice, and (iii) inform the accused ~~him or her~~ that if the  
7 accused ~~he or she~~ fails to file an answer, default will be  
8 taken against the accused ~~him or her~~ and the accused's ~~his or~~  
9 ~~her~~ license may be suspended, revoked, placed on probationary  
10 status, or other disciplinary action taken with regard to the  
11 license, including limiting the scope, nature, or extent of  
12 his or her practice, as the Department may deem proper. In case  
13 the person, after receiving notice, fails to file an answer,  
14 the person's ~~his or her~~ license may, in the discretion of the  
15 Department, be suspended, revoked, placed on probationary  
16 status, or the Department may take whatever disciplinary  
17 action is deemed proper, including limiting the scope, nature,  
18 or extent of the person's practice or the imposition of a fine,  
19 without a hearing, if the act or acts charged constitute  
20 sufficient grounds for that action under this Act. Written  
21 notice may be served by ~~personal delivery or by registered or~~  
22 ~~certified~~ mail to the applicant or licensee at the applicant's  
23 or licensee's ~~his or her~~ last address of record with the  
24 Department. In case the person fails to file an answer after  
25 receiving notice, the person's ~~his or her~~ license may, in the  
26 discretion of the Department, be suspended, revoked, or placed

1 on probationary status, or the Department may take whatever  
2 disciplinary action is deemed proper, including limiting the  
3 scope, nature, or extent of the person's practice or the  
4 imposition of a fine, without a hearing, if the act or acts  
5 charged constitute sufficient grounds for that action under  
6 this Act. The written answer shall be served by personal  
7 delivery, certified delivery, or certified or registered mail  
8 to the Department. At the time and place fixed in the notice,  
9 the Department shall proceed to hear the charges and the  
10 parties or their counsel shall be accorded ample opportunity  
11 to present statements, testimony, evidence, and argument as  
12 may be pertinent to the charges or to the defense thereto. The  
13 Department may continue the hearing from time to time. At the  
14 discretion of the Secretary after having first received the  
15 recommendation of the hearing officer ~~Board~~, the accused  
16 person's license may be suspended or revoked, if the evidence  
17 constitutes sufficient grounds for that action under this Act.  
18 (Source: P.A. 97-1098, eff. 7-1-13.)

19 (225 ILCS 109/100)

20 Sec. 100. Record of proceeding. The Department, at its  
21 expense, shall preserve a record of all proceedings at the  
22 formal hearing of any case. The notice of hearing, complaint  
23 and all other documents in the nature of pleadings and written  
24 motions filed in the proceedings, the transcript of testimony,  
25 the report of the hearing officer ~~Board~~ and orders of the

1 Department shall be in the record of the proceedings. The  
2 Department shall furnish a transcript of the record to any  
3 person interested in the hearing upon payment of the fee  
4 required under Section 2105-115 of the Department of  
5 Professional Regulation Law.

6 (Source: P.A. 97-1098, eff. 7-1-13.)

7 (225 ILCS 109/105)

8 Sec. 105. Subpoenas; oaths; attendance of witnesses. The  
9 Department has the power to subpoena and to bring before it any  
10 person and to take testimony either orally or by deposition,  
11 or both, with the same fees and mileage and in the same manner  
12 as prescribed in civil cases in the courts of this State.

13 The Secretary and ~~7~~ the designated hearing officer have  
14 the ~~7~~ ~~and every member of the Board has~~ power to administer  
15 oaths to witnesses at any hearing that the Department is  
16 authorized to conduct and any other oaths authorized in any  
17 Act administered by the Department. A circuit court may, upon  
18 application of the Department or its designee, or of the  
19 applicant or licensee against whom proceedings under this Act  
20 are pending, enter an order requiring the attendance of  
21 witnesses and their testimony, and the production of  
22 documents, papers, files, books and records in connection with  
23 any hearing or investigation. The court may compel obedience  
24 to its order by proceedings for contempt.

25 (Source: P.A. 97-1098, eff. 7-1-13.)

1 (225 ILCS 109/110)

2 Sec. 110. Recommendations for disciplinary action. At the  
3 conclusion of the hearing, the hearing officer ~~Board~~ shall  
4 present to the Secretary a written report of the hearing  
5 officer's ~~its~~ findings and recommendations. The report shall  
6 contain a finding whether or not the accused person violated  
7 this Act or failed to comply with the conditions required in  
8 this Act. The hearing officer ~~Board~~ shall specify the nature  
9 of the violation or failure to comply, and shall make its  
10 recommendations to the Secretary.

11 The report of findings and recommendations of the hearing  
12 officer ~~Board~~ shall be the basis for the Department's order  
13 for refusal or for the granting of a license, or for any  
14 disciplinary action, unless the Secretary shall determine that  
15 the hearing officer's ~~Board's~~ report is contrary to the  
16 manifest weight of the evidence, in which case the Secretary  
17 may issue an order in contravention of the hearing officer's  
18 ~~Board's~~ report. The finding is not admissible in evidence  
19 against the person in a criminal prosecution brought for the  
20 violation of this Act, but the hearing and finding are not a  
21 bar to a criminal prosecution brought for the violation of  
22 this Act.

23 (Source: P.A. 97-1098, eff. 7-1-13.)

24 (225 ILCS 109/115)

1           Sec. 115. Rehearing. In a hearing involving disciplinary  
2 action against a licensee, a copy of the hearing officer's  
3 ~~Board's~~ report shall be served upon the respondent by the  
4 Department, either personally or as provided in this Act for  
5 the service of the notice of hearing. Within 20 calendar days  
6 after service, the respondent may present to the Department a  
7 motion in writing for a rehearing that shall specify the  
8 particular grounds for rehearing. If no motion for rehearing  
9 is filed, then upon the expiration of the time specified for  
10 filing a motion, or if a motion for rehearing is denied, then  
11 upon denial, the Secretary may enter an order in accordance  
12 with recommendations of the hearing officer ~~Board~~, except as  
13 provided in this Act. If the respondent orders from the  
14 reporting service, and pays for, a transcript of the record  
15 within the time for filing a motion for rehearing, the 20  
16 calendar day period within which a motion may be filed shall  
17 commence upon the delivery of the transcript to the  
18 respondent.

19       (Source: P.A. 97-1098, eff. 7-1-13.)

20           (225 ILCS 109/125)

21           Sec. 125. Appointment of a hearing officer. The Secretary  
22 has the authority to appoint any attorney duly licensed to  
23 practice law in the State of Illinois to serve as the hearing  
24 officer in any action for refusal to issue or renew a license,  
25 or to discipline a licensee. The hearing officer has full

1 authority to conduct the hearing. The hearing officer shall  
2 report the ~~his or her~~ findings and recommendations to ~~the~~  
3 ~~Board and~~ the Secretary. In the hearing officer's report, the  
4 hearing officer shall make a finding of whether or not the  
5 charged licensee or applicant violated a provision of this Act  
6 or any rules adopted under this Act. Upon presenting the  
7 report to the Secretary, the Secretary may issue an order  
8 based on the report of the hearing officer. If the Secretary  
9 disagrees with the report of the hearing officer, the  
10 Secretary may issue an order in contravention of the hearing  
11 officer's report. The finding by the hearing officer shall not  
12 be admissible in evidence against the person in a criminal  
13 prosecution brought for a violation of this Act nor shall a  
14 finding by the hearing officer be a bar to a criminal  
15 prosecution brought for a violation of this Act. ~~The Board has~~  
16 ~~60 calendar days from receipt of the report to review the~~  
17 ~~report of the hearing officer and present its findings of~~  
18 ~~fact, conclusions of law and recommendations to the Secretary.~~  
19 ~~If the Board fails to present its report within the 60 calendar~~  
20 ~~day period, the respondent may request in writing a direct~~  
21 ~~appeal to the Secretary, in which case the Secretary shall,~~  
22 ~~within 7 calendar days after receipt of the request, issue an~~  
23 ~~order directing the Board to issue its findings of fact,~~  
24 ~~conclusions of law, and recommendations to the Secretary~~  
25 ~~within 30 calendar days after that order. If the Board fails to~~  
26 ~~issue its findings of fact, conclusions of law, and~~

1 ~~recommendations within that time frame to the Secretary after~~  
2 ~~the entry of the order, the Secretary shall, within 30~~  
3 ~~calendar days thereafter, issue an order based upon the report~~  
4 ~~of the hearing officer and the record of the proceedings or~~  
5 ~~issue an order remanding the matter back to the hearing~~  
6 ~~officer for additional proceedings in accordance with the~~  
7 ~~order. If (i) a direct appeal is requested, (ii) the Board~~  
8 ~~fails to issue its findings of fact, conclusions of law, and~~  
9 ~~recommendations within the 30 day mandate from the Secretary~~  
10 ~~or the Secretary fails to order the Board to do so, and (iii)~~  
11 ~~the Secretary fails to issue an order within 30 calendar days~~  
12 ~~thereafter, then the hearing officer's report is deemed~~  
13 ~~accepted and a final decision of the Secretary.~~

14 Notwithstanding any other provision of this Section, if the  
15 Secretary, upon review, determines that substantial justice  
16 has not been done in the revocation, suspension, or refusal to  
17 issue or renew a license or other disciplinary action taken as  
18 the result of the entry of the hearing officer's report, the  
19 Secretary may order a rehearing by the same or other hearing  
20 officer. If the Secretary disagrees with the recommendation of  
21 the ~~Board or the~~ hearing officer, the Secretary may issue an  
22 order in contravention of the recommendation.

23 (Source: P.A. 97-1098, eff. 7-1-13.)

24 (225 ILCS 109/130)

25 Sec. 130. Order; certified copy. An order or a certified

1 copy of the order, over the seal of the Department and  
2 purporting to be signed by the Secretary, shall be prima facie  
3 proof:

4 (a) that the signature is the genuine signature of the  
5 Secretary;

6 (b) that the Secretary is duly appointed and  
7 qualified; and

8 (c) (blank). ~~that the Board and its members are~~  
9 ~~qualified to act.~~

10 (Source: P.A. 97-1098, eff. 7-1-13.)

11 (225 ILCS 109/135)

12 Sec. 135. Restoration. At any time after the suspension  
13 or revocation of a license, the Department may restore the  
14 license to the accused person, upon the filing of an  
15 application, the filing of proof of fitness acceptable to the  
16 Department, and the payment of the required restoration fee  
17 ~~written recommendation of the Board~~, unless after an  
18 investigation and a hearing the Department Board determines  
19 that restoration is not in the public interest.

20 (Source: P.A. 97-1098, eff. 7-1-13.)

21 (225 ILCS 109/145)

22 Sec. 145. Summary suspension. The Secretary may summarily  
23 suspend the license of a licensee without a hearing,  
24 simultaneously with the institution of proceedings for a

1 hearing provided for in this Act, if the Secretary finds that  
2 evidence in the Secretary's ~~his or her~~ possession indicates  
3 that a licensee's continuation in practice would constitute an  
4 imminent danger to the public. In the event that the Secretary  
5 summarily suspends the license of a licensee without a  
6 hearing, a hearing ~~by the Board~~ must be held within 30 calendar  
7 days after the suspension has occurred.

8 (Source: P.A. 97-1098, eff. 7-1-13.)

9 (225 ILCS 109/70 rep.)

10 Section 50. The Sex Offender Evaluation and Treatment  
11 Provider Act is amended by repealing Section 70.

12 Section 55. The Barber, Cosmetology, Esthetics, Hair  
13 Braiding, and Nail Technology Act of 1985 is amended by  
14 changing Section 3D-5 as follows:

15 (225 ILCS 410/3D-5)

16 (Section scheduled to be repealed on January 1, 2031)

17 Sec. 3D-5. Requisites for ownership or operation of  
18 cosmetology, esthetics, hair braiding, and nail technology  
19 salons and barber shops.

20 (a) No person, firm, partnership, limited liability  
21 company, professional limited liability company, corporation,  
22 or professional service corporation shall own or operate a  
23 cosmetology, esthetics, hair braiding, or nail technology

1 salon or barber shop or employ, rent space to, or  
2 independently contract with any licensee under this Act  
3 without applying on forms provided by the Department for a  
4 certificate of registration. This registration shall be in  
5 addition to and shall not replace or supersede any other  
6 business license, registration, or permit that may be required  
7 by local municipalities or other governmental entities to own  
8 or operate a business in the governmental entity's  
9 jurisdiction. The issuance of a license, registration, or  
10 permit by a municipality or another governmental entity to a  
11 salon or shop shall not waive the requirement to obtain a  
12 certificate of registration from the Department to own or  
13 operate a salon or shop.

14 (b) The application for a certificate of registration  
15 under this Section shall set forth the name, address, and  
16 telephone number of the proposed cosmetology, esthetics, hair  
17 braiding, or nail technology salon or barber shop; the name,  
18 address, and telephone number of the person, firm,  
19 partnership, limited liability company, professional limited  
20 liability company, corporation, or professional service  
21 corporation that is to own or operate the salon or shop; the  
22 license number of the owner or operator of the shop if they are  
23 licensed under the Act or the name and license number of the  
24 individual manager of the salon or shop; and, if the salon or  
25 shop is to be owned or operated by an entity other than an  
26 individual, the name, address, and telephone number of the

1 managing partner or the chief executive officer of the  
2 corporation or other entity that owns or operates the salon or  
3 shop. A person who is not licensed under the Act may own or  
4 operate a salon or shop, but may not practice barbering,  
5 cosmetology, esthetics, hair braiding, or nail technology. An  
6 unlicensed owner or operator of a salon or shop shall employ at  
7 least one person as a manager who holds a license under the Act  
8 and manages the salon or shop. The licensed owner, operator,  
9 or manager of a salon or shop shall ensure that the salon or  
10 shop operates in compliance with this Act and any applicable  
11 rules, and the owner's, operator's, or manager's name and  
12 license number shall be posted with the certificate of  
13 registration at the salon or shop.

14 (c) The Department shall be notified by the owner or  
15 operator of a salon or shop that is moved to a new location. If  
16 there is a change in the ownership or operation or manager of a  
17 salon or shop, the new owner, operator, or manager shall  
18 report that change to the Department along with completion of  
19 any additional requirements set forth by rule.

20 (d) If a person, firm, partnership, limited liability  
21 company, professional limited liability company, corporation,  
22 or professional service corporation owns or operates more than  
23 one shop or salon, a separate certificate of registration must  
24 be obtained for each salon or shop.

25 (e) A certificate of registration granted under this  
26 Section may be revoked in accordance with the provisions of

1 Article IV and the holder of the certificate and any licensed  
2 managers may be otherwise disciplined by the Department in  
3 accordance with rules adopted under this Act.

4 (f) The Department may promulgate rules to establish  
5 additional requirements for owning or operating a salon or  
6 shop.

7 (g) The requirement of a certificate of registration as  
8 set forth in this Section shall also apply to any person, firm,  
9 partnership, limited liability company, professional limited  
10 liability company, corporation, or professional service  
11 corporation providing barbering, cosmetology, esthetics, hair  
12 braiding, or nail technology services at any location not  
13 owned or rented by such person, firm, partnership, limited  
14 liability company, professional limited liability company,  
15 corporation, or professional service corporation for these  
16 purposes or from a mobile shop or salon. Notwithstanding any  
17 provision of this Section, applicants for a certificate of  
18 registration under this subsection (g) shall report in its  
19 application the address and telephone number of its office and  
20 shall not be required to report the location where services  
21 are or will be rendered. Nothing in this subsection (g) shall  
22 apply to a sole proprietor who has no employees or contractors  
23 and is not operating a mobile shop or salon.

24 (h) Nothing in this Act shall prohibit the use of the terms  
25 "electrology", "electrologist", "massage", "massage therapy",  
26 or "massage therapist" by a salon or shop registered under

1 this Act as long as the salon or shop offers electrology  
2 services in accordance with the Electrologist Licensing Act or  
3 massage therapy services in accordance with the Massage  
4 Therapy Practice Act.

5 (Source: P.A. 104-153, eff. 1-1-26.)

6 Section 60. The Electrologist Licensing Act is amended by  
7 changing Section 20 as follows:

8 (225 ILCS 412/20)

9 (Section scheduled to be repealed on January 1, 2029)

10 Sec. 20. Exemptions. This Act does not prohibit:

11 (1) A person licensed in this State under any other  
12 Act from engaging in the practice for which that person is  
13 licensed.

14 (2) The practice of electrology by a person who is  
15 employed by the United States government or any bureau,  
16 division, or agency thereof while in the discharge of the  
17 employee's official duties.

18 (3) The practice of electrology included in a program  
19 of study by students enrolled in schools or in refresher  
20 courses approved by the Department.

21 Nothing in this Act shall be construed to prevent a person  
22 who is licensed under this Act and functioning as an assistant  
23 to a person who is licensed to practice medicine in all of its  
24 branches from providing delegated services. Such delegated

1 services may not be performed by a person while holding  
2 himself or herself out as an electrologist or in any manner  
3 that indicates that the services are part of the practice of  
4 electrology.

5 Nothing in this Act shall prohibit the use of the terms  
6 "electrology" or "electrologist" by a salon or shop registered  
7 under the Barber, Cosmetology, Esthetics, Hair Braiding, and  
8 Nail Technology Act of 1985 as long as the salon offers  
9 electrology services in accordance with this Act.

10 (Source: P.A. 96-569, eff. 8-18-09.)

11 Section 65. The Professional Service Corporation Act is  
12 amended by changing Section 3.6 as follows:

13 (805 ILCS 10/3.6) (from Ch. 32, par. 415-3.6)

14 Sec. 3.6. "Related professions" and "related professional  
15 services" mean more than one personal service which requires  
16 as a condition precedent to the rendering thereof the  
17 obtaining of a license and which prior to October 1, 1973 could  
18 not be performed by a corporation by reason of law; provided,  
19 however, that these terms shall be restricted to:

20 (1) a combination of 2 or more of the following  
21 personal services: (a) "architecture" as defined in  
22 Section 5 of the Illinois Architecture Practice Act of  
23 1989, (b) "professional engineering" as defined in Section  
24 4 of the Professional Engineering Practice Act of 1989,

1 (c) "structural engineering" as defined in Section 5 of  
2 the Structural Engineering Practice Act of 1989, (d) "land  
3 surveying" as defined in Section 2 of the Illinois  
4 Professional Land Surveyor Act of 1989;

5 (2) a combination of the following personal services:

6 (a) the practice of medicine by persons licensed under the  
7 Medical Practice Act of 1987, (b) the practice of podiatry  
8 as defined in the Podiatric Medical Practice Act of 1987,  
9 (c) the practice of dentistry as defined in the Illinois  
10 Dental Practice Act, (d) the practice of optometry as  
11 defined in the Illinois Optometric Practice Act of 1987;

12 (3) a combination of 2 or more of the following  
13 personal services: (a) the practice of clinical psychology  
14 by persons licensed under the Clinical Psychologist  
15 Licensing Act, (b) the practice of social work or clinical  
16 social work by persons licensed under the Clinical Social  
17 Work and Social Work Practice Act, (c) the practice of  
18 marriage and family therapy by persons licensed under the  
19 Marriage and Family Therapy Licensing Act, (d) the  
20 practice of professional counseling or clinical  
21 professional counseling by persons licensed under the  
22 Professional Counselor and Clinical Professional Counselor  
23 Licensing and Practice Act, or (e) the practice of sex  
24 offender evaluations by persons licensed under the Sex  
25 Offender Evaluation and Treatment Provider Act; ~~or~~

26 (4) a combination of 2 or more of the following

1 personal services: (a) the practice of acupuncture by  
2 persons licensed under the Acupuncture Practice Act, (b)  
3 the practice of massage by persons licensed under the  
4 Massage Therapy Practice Act, (c) the practice of  
5 naprapathy by persons licensed under the Naprapathic  
6 Practice Act, (d) the practice of occupational therapy by  
7 persons licensed under the Illinois Occupational Therapy  
8 Practice Act, (e) the practice of physical therapy by  
9 persons licensed under the Illinois Physical Therapy Act,  
10 or (f) the practice of speech-language therapy by persons  
11 licensed under the Illinois Speech-Language Pathology and  
12 Audiology Practice Act; ~~or-~~

13 (5) a combination of 2 or more of the following  
14 personal services: (a) services provided by persons  
15 licensed under the Barber, Cosmetology, Esthetics, Hair  
16 Braiding, and Nail Technology Act of 1985, (b) the  
17 practice of massage therapy by persons licensed under the  
18 Massage Therapy Practice Act, or (c) the practice of  
19 electrology by persons licensed under the Electrologist  
20 Licensing Act.

21 (Source: P.A. 101-95, eff. 7-19-19; 102-20, eff. 1-1-22.)

22 Section 70. The Professional Limited Liability Company Act  
23 is amended by changing Section 13 as follows:

24 (805 ILCS 185/13)

1           Sec. 13. Nature of business.

2           (a) A professional limited liability company may be formed  
3 to provide a professional service or services licensed by the  
4 Department except:

5                 (1) the practice of dentistry unless all the members  
6 and managers are licensed as dentists under the Illinois  
7 Dental Practice Act;

8                 (2) the practice of medicine unless all the managers,  
9 if any, are licensed to practice medicine under the  
10 Medical Practice Act of 1987 and each member is either:

11                     (A) licensed to practice medicine under the  
12 Medical Practice Act of 1987;

13                     (B) a registered medical corporation or  
14 corporations organized pursuant to the Medical  
15 Corporation Act;

16                     (C) a professional corporation organized pursuant  
17 to the Professional Service Corporation Act of  
18 physicians licensed to practice under the Medical  
19 Practice Act of 1987;

20                     (D) a hospital or hospital affiliate as defined in  
21 Section 10.8 of the Hospital Licensing Act; or

22                     (E) a professional limited liability company that  
23 satisfies the requirements of subparagraph (A), (B),  
24 (C), or (D);

25                 (3) the practice of real estate unless all the members  
26 and managers, if any, that actively participate in the

1 real estate activities of the professional limited  
2 liability company are licensed to practice as a managing  
3 broker or broker pursuant to the Real Estate License Act  
4 of 2000. All nonparticipating members or managers shall  
5 submit affidavits of nonparticipation as required by the  
6 Department and the Real Estate License Act of 2000;

7 (4) the practice of clinical psychology unless all the  
8 managers and members are licensed to practice as a  
9 clinical psychologist under the Clinical Psychologist  
10 Licensing Act;

11 (5) the practice of social work unless all the  
12 managers and members are licensed to practice as a  
13 clinical social worker or social worker under the Clinical  
14 Social Work and Social Work Practice Act;

15 (6) the practice of marriage and family therapy unless  
16 all the managers and members are licensed to practice as a  
17 marriage and family therapist under the Marriage and  
18 Family Therapy Licensing Act;

19 (7) the practice of professional counseling unless all  
20 the managers and members are licensed to practice as a  
21 clinical professional counselor or a professional  
22 counselor under the Professional Counselor and Clinical  
23 Professional Counselor Licensing and Practice Act;

24 (8) the practice of sex offender evaluation and  
25 treatment unless all the managers and members are licensed  
26 to practice as a sex offender evaluator or sex offender

1 treatment provider under the Sex Offender Evaluation and  
2 Treatment Provider Act; or

3 (9) the practice of veterinary medicine unless all the  
4 managers and members are licensed to practice as a  
5 veterinarian under the Veterinary Medicine and Surgery  
6 Practice Act of 2004.

7 (b) Notwithstanding any provision of this Section, any of  
8 the following professional services may be combined and  
9 offered within a single professional limited liability company  
10 provided that each professional service is offered only by  
11 persons licensed to provide that professional service and all  
12 managers and members are licensed in at least one of the  
13 professional services offered by the professional limited  
14 liability company:

15 (1) the practice of medicine by physicians licensed  
16 under the Medical Practice Act of 1987, the practice of  
17 podiatry by podiatric physicians licensed under the  
18 Podiatric Medical Practice Act of 1987, the practice of  
19 dentistry by dentists licensed under the Illinois Dental  
20 Practice Act, and the practice of optometry by  
21 optometrists licensed under the Illinois Optometric  
22 Practice Act of 1987;

23 (2) the practice of clinical psychology by clinical  
24 psychologists licensed under the Clinical Psychologist  
25 Licensing Act, the practice of social work by clinical  
26 social workers or social workers licensed under the

1 Clinical Social Work and Social Work Practice Act, the  
2 practice of marriage and family counseling by marriage and  
3 family therapists licensed under the Marriage and Family  
4 Therapy Licensing Act, the practice of professional  
5 counseling by professional counselors and clinical  
6 professional counselors licensed under the Professional  
7 Counselor and Clinical Professional Counselor Licensing  
8 and Practice Act, and the practice of sex offender  
9 evaluation and treatment by sex offender evaluators and  
10 sex offender treatment providers licensed under the Sex  
11 Offender Evaluation and Treatment Provider Act;

12 (3) the practice of architecture by persons licensed  
13 under the Illinois Architecture Practice Act of 1989, the  
14 practice of professional engineering by persons licensed  
15 under the Professional Engineering Practice Act of 1989,  
16 the practice of structural engineering by persons licensed  
17 under the Structural Engineering Practice Act of 1989, and  
18 the practice of land surveying by persons licensed under  
19 the Illinois Professional Land Surveyor Act of 1989; ~~or~~

20 (4) the practice of acupuncture by persons licensed  
21 under the Acupuncture Practice Act, the practice of  
22 massage by persons licensed under the Massage Licensing  
23 Act, the practice of naprapathy by persons licensed under  
24 the Naprapathic Practice Act, the practice of occupational  
25 therapy by persons licensed under the Illinois  
26 Occupational Therapy Practice Act, the practice of

1 physical therapy by persons licensed under the Illinois  
2 Physical Therapy Act, and the practice of speech-language  
3 pathology by persons licensed under the Illinois  
4 Speech-Language Pathology and Audiology Practice Act; ~~or-~~

5 (5) services provided by persons licensed under the  
6 Barber, Cosmetology, Esthetics, Hair Braiding, and Nail  
7 Technology Act of 1985, the practice of massage therapy by  
8 persons licensed under the Massage Therapy Practice Act,  
9 and the practice of electrology by persons licensed under  
10 the Electrologist Licensing Act.

11 (Source: P.A. 102-970, eff. 5-27-22.)

12 Section 99. Effective date. This Act takes effect upon  
13 becoming law."