



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB2059

Introduced 2/9/2023, by Sen. Christopher Belt

SYNOPSIS AS INTRODUCED:

See Index

Amends the Regulatory Sunset Act. Repeals the Veterinary Medicine and Surgery Practice Act of 2004 on January 1, 2029 (rather than January 1, 2024). Amends the Veterinary Medicine and Surgery Practice Act of 2004. Adds provisions concerning an email address of record and for electronic delivery of certain notices to an email address of records. Provides for instances in which telehealth may be used. Provides that a veterinarian shall not substitute telehealth, teleadvice, telemedicine, or teletriage when a physical examination is warranted or necessary for an accurate diagnosis of any medical condition or creation of an appropriate treatment plan. Makes changes to provisions concerning: application for licensure; reports; procedures for refusal to license or issue certificate; and hearing officers, reports, and review. Removes provisions concerning: refusing to issue or renew, or revoking, suspending, placing on probation, reprimanding, or taking other disciplinary or non-disciplinary action for a conviction by any court of competent jurisdiction, either within or outside this State, of any violation of any law governing the practice of veterinary medicine; and certifying exhibits without cost. Repeals a provision requiring the Department of Financial and Professional Regulation to maintain a roster. Makes corresponding and other changes. Provisions amending the Regulatory Sunset Act are effective immediately.

LRB103 28981 AMQ 55367 b

1 AN ACT concerning regulation.

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

4 Section 5. The Regulatory Sunset Act is amended by
5 changing Sections 4.34 and 4.39 as follows:

6 (5 ILCS 80/4.34)

7 Sec. 4.34. Acts and Section repealed on January 1, 2024.

8 The following Acts and Section of an Act are repealed on
9 January 1, 2024:

10 The Crematory Regulation Act.

11 The Electrologist Licensing Act.

12 The Illinois Certified Shorthand Reporters Act of
13 1984.

14 The Illinois Occupational Therapy Practice Act.

15 The Illinois Public Accounting Act.

16 The Private Detective, Private Alarm, Private
17 Security, Fingerprint Vendor, and Locksmith Act of 2004.

18 The Registered Surgical Assistant and Registered
19 Surgical Technologist Title Protection Act.

20 Section 2.5 of the Illinois Plumbing License Law.

21 ~~The Veterinary Medicine and Surgery Practice Act of~~
22 ~~2004.~~

23 (Source: P.A. 102-291, eff. 8-6-21.)

1 (5 ILCS 80/4.39)

2 Sec. 4.39. Acts repealed on January 1, 2029 and December
3 31, 2029.

4 (a) The following Act is repealed on January 1, 2029:

5 The Environmental Health Practitioner Licensing Act.

6 The Veterinary Medicine and Surgery Practice Act of
7 2004.

8 (b) The following Act is repealed on December 31, 2029:

9 The Structural Pest Control Act.

10 (Source: P.A. 100-716, eff. 8-3-18; 100-796, eff. 8-10-18;
11 101-81, eff. 7-12-19.)

12 Section 10. The Veterinary Medicine and Surgery Practice
13 Act of 2004 is amended by changing Sections 3, 4, 8, 10, 10.5,
14 11, 12, 14.1, 25, 25.2, 25.6, 25.7, 25.9, 25.15, 25.17, and 27
15 and by adding Sections 3.5 and 4.5 as follows:

16 (225 ILCS 115/3) (from Ch. 111, par. 7003)

17 (Section scheduled to be repealed on January 1, 2024)

18 Sec. 3. Definitions. The following terms have the meanings
19 indicated, unless the context requires otherwise:

20 "Accredited college of veterinary medicine" means a
21 veterinary college, school, or division of a university or
22 college that offers the degree of Doctor of Veterinary
23 Medicine or its equivalent and that is accredited by the

1 Council on Education of the American Veterinary Medical
2 Association (AVMA).

3 "Address of record" means the designated address recorded
4 by the Department in the applicant's or licensee's application
5 file or license file as maintained by the Department's
6 licensure maintenance unit. ~~It is the duty of the applicant or
7 licensee to inform the Department of any change of address,
8 and those changes must be made either through the Department's
9 website or by contacting the Department.~~

10 "Accredited program in veterinary technology" means any
11 post-secondary educational program that is accredited by the
12 AVMA's Committee on Veterinary Technician Education and
13 Activities or any veterinary technician program that is
14 recognized as its equivalent by the AVMA's Committee on
15 Veterinary Technician Education and Activities.

16 "Animal" means any animal, vertebrate or invertebrate,
17 other than a human.

18 "Board" means the Veterinary Licensing and Disciplinary
19 Board.

20 "Certified veterinary technician" means a person who is
21 validly and currently licensed to practice veterinary
22 technology in this State.

23 "Client" means an entity, person, group, or corporation
24 that has entered into an agreement with a veterinarian for the
25 purposes of obtaining veterinary medical services.

26 "Complementary, alternative, and integrative therapies"

1 means a heterogeneous group of diagnostic and therapeutic
2 philosophies and practices, which at the time they are
3 performed may differ from current scientific knowledge, or
4 whose theoretical basis and techniques may diverge from
5 veterinary medicine routinely taught in accredited veterinary
6 medical colleges, or both. "Complementary, alternative, and
7 integrative therapies" include, but are not limited to,
8 veterinary acupuncture, acuthery, and acupressure;
9 veterinary homeopathy; veterinary manual or manipulative
10 therapy or therapy based on techniques practiced in
11 osteopathy, chiropractic medicine, or physical medicine and
12 therapy; veterinary nutraceutical therapy; veterinary
13 phytotherapy; and other therapies as defined by rule.

14 "Consultation" means when a veterinarian receives advice
15 in person, telephonically, electronically, or by any other
16 method of communication from a veterinarian licensed in this
17 or any other state or other person whose expertise, in the
18 opinion of the veterinarian, would benefit a patient. Under
19 any circumstance, the responsibility for the welfare of the
20 patient remains with the veterinarian receiving consultation.

21 "Department" means the Department of Financial and
22 Professional Regulation.

23 "Direct supervision" means the supervising veterinarian is
24 readily available on the premises where the animal is being
25 treated.

26 "Email address of record" means the designated email

1 address recorded by the Department in the applicant's
2 application file or the licensee's license file, as maintained
3 by the Department's licensure maintenance unit.

4 "Immediate supervision" means the supervising veterinarian
5 is in the immediate area, within audible and visual range of
6 the ~~animal~~ patient and the person treating the patient.

7 "Impaired veterinarian" means a veterinarian who is unable
8 to practice veterinary medicine with reasonable skill and
9 safety because of a physical or mental disability as evidenced
10 by a written determination or written consent based on
11 clinical evidence, including deterioration through the aging
12 process, loss of motor skills, or abuse of drugs or alcohol of
13 sufficient degree to diminish a person's ability to deliver
14 competent patient care.

15 "Indirect supervision" means the supervising veterinarian
16 need not be on the premises, but has given either written or
17 oral instructions for the treatment of the animal and is
18 available by telephone or other form of communication.

19 "Licensed veterinarian" means a person who is validly and
20 currently licensed to practice veterinary medicine in this
21 State.

22 "Patient" means an animal that is examined or treated by a
23 veterinarian.

24 "Person" means an individual, firm, partnership (general,
25 limited, or limited liability), association, joint venture,
26 cooperative, corporation, limited liability company, or any

1 other group or combination acting in concert, whether or not
2 acting as a principal, partner, member, trustee, fiduciary,
3 receiver, or any other kind of legal or personal
4 representative, or as the successor in interest, assignee,
5 agent, factor, servant, employee, director, officer, or any
6 other representative of such person.

7 "Practice of veterinary medicine" means to diagnose,
8 prognose, treat, correct, change, alleviate, or prevent animal
9 disease, illness, pain, deformity, defect, injury, or other
10 physical, dental, or mental conditions by any method or mode,
11 such as telehealth, including the performance of one or more
12 of the following:

13 (1) Prescribing, dispensing, administering, applying,
14 or ordering the administration of any drug, medicine,
15 biologic, apparatus, anesthetic, or other therapeutic or
16 diagnostic substance, or medical or surgical technique.

17 (2) (Blank).

18 (3) Performing upon an animal a surgical or dental
19 operation.

20 (3.5) Performing upon an animal complementary,
21 alternative, or integrative therapy.

22 (4) Performing upon an animal any manual or mechanical
23 procedure for reproductive management, including the
24 diagnosis or treatment of pregnancy, sterility, or
25 infertility.

26 (4.5) The rendering of advice or recommendation by any

1 means, including telephonic and other electronic
2 communications, with regard to the performing upon an
3 animal any manual or mechanical procedure for reproductive
4 management, including the diagnosis or treatment of
5 pregnancy, sterility, or infertility.

6 (5) Determining the health and fitness of an animal.

7 (6) Representing oneself, directly or indirectly, as
8 engaging in the practice of veterinary medicine.

9 (7) Using any word, letters, or title under such
10 circumstances as to induce the belief that the person
11 using them is qualified to engage in the practice of
12 veterinary medicine or any of its branches. Such use shall
13 be prima facie evidence of the intention to represent
14 oneself as engaging in the practice of veterinary
15 medicine.

16 "Secretary" means the Secretary of Financial and
17 Professional Regulation.

18 "Supervising veterinarian" means a veterinarian who
19 assumes responsibility for the professional care given to an
20 animal by a person working under his or her direction in either
21 an immediate, direct, or indirect supervision arrangement. The
22 supervising veterinarian must have examined the animal at such
23 time as acceptable veterinary medical practices requires,
24 consistent with the particular delegated animal health care
25 task.

26 "Teleadvice" means the provision of any health

1 information, opinion, guidance, or recommendation concerning
2 prudent actions that are not specific to a particular
3 patient's health, illness, or injury. This general advice is
4 not intended to diagnose, prognose, treat, correct, change,
5 alleviate, or prevent animal disease, illness, pain,
6 deformity, defect, injury, or other physical or mental
7 conditions. "Teleadvice" includes recommendations made by
8 veterinarians or non-veterinarians via phone, text, or online
9 that all animals should receive physical exams or premise
10 visits as part of a comprehensive healthcare plan or reference
11 to the importance of attending to regular vaccination or
12 parasite prevention as a key part of preventive care.

13 "Telehealth" means all uses of technology to remotely
14 gather and deliver health information, advice, education, and
15 care. "Telehealth" may be divided into categories based on who
16 is involved in the communication. For communication between
17 veterinarians and animal owners, 2 telehealth categories exist
18 that are distinguished by whether a
19 veterinarian-client-patient relationship has been
20 established, including:

21 (1) telemedicine includes the delivery of information
22 specific to a particular patient and is allowable only
23 within the context of an established
24 veterinarian-client-patient relationship; and

25 (2) without a veterinarian-client-patient
26 relationship, telehealth includes the delivery of general

1 advice, educational information, and teletriage to support
2 the care of animals in emergency situations.

3 "Telemedicine" means the use of a tool to exchange
4 information about a patient's clinical health status
5 electronically from one site to another. "Telemedicine"
6 includes using technology to communicate with a client and
7 visually observe the patient during a postoperative follow-up
8 examination and discussion.

9 "Telesupervision" means the supervision of certified
10 veterinary technicians using mediums such as audio conference,
11 audio and video conference, text message, and email.

12 "Teletriage" means the safe, appropriate, and timely
13 assessment and management, including an immediate referral to
14 a veterinarian or not, of a patient via electronic
15 consultation with the patient's owners. In assessing a
16 patient's condition electronically, the assessor determines
17 urgency and the need for immediate referral to a veterinarian
18 based on the owner's or responsible party's report of history
19 and clinical signs, which is sometimes supplemented by visual
20 information, such as photographs or video. During teletriage,
21 a diagnosis is not rendered.

22 "Therapeutic" means the treatment, control, and prevention
23 of disease.

24 "Veterinarian" means a person who is validly and currently
25 licensed to practice veterinary medicine in this State.

26 "Veterinarian-client-patient relationship" means that all

1 of the following conditions have been met:

2 (1) The veterinarian has assumed the responsibility
3 for making clinical judgments regarding the health of an
4 animal and the need for medical treatment and the client,
5 owner, or other caretaker has agreed to follow the
6 instructions of the veterinarian;

7 (2) There is sufficient knowledge of an animal by the
8 veterinarian to initiate at least a general or preliminary
9 diagnosis of the medical condition of the animal. This
10 means that the veterinarian has recently seen and is
11 personally acquainted with the keeping and care of the
12 animal by virtue of an examination of the animal or by
13 medically appropriate and timely visits to the premises
14 where the animal is kept, or the veterinarian has access
15 to the ~~animal~~ patient's records and has been designated by
16 the veterinarian with the prior relationship to provide
17 reasonable and appropriate medical care if the
18 veterinarian with the prior relationship ~~he or she~~ is
19 unavailable; and

20 (3) The practicing veterinarian is readily available
21 for follow-up in case of adverse reactions or failure of
22 the treatment regimen or, if unavailable, has designated
23 another available veterinarian who has access to the
24 ~~animal~~ patient's records to provide reasonable and
25 appropriate medical care.

26 "Veterinarian-client-patient relationship" does not mean a

1 relationship solely based on telephonic or other electronic
2 communications.

3 "Veterinary medicine" means all branches and specialties
4 included within the practice of veterinary medicine.

5 "Veterinary premises" means any premises or facility where
6 the practice of veterinary medicine occurs, including, but not
7 limited to, a mobile clinic, outpatient clinic, satellite
8 clinic, or veterinary hospital or clinic. "Veterinary
9 premises" does not mean the premises of a veterinary client,
10 research facility, a federal military base, or an accredited
11 college of veterinary medicine.

12 "Veterinary prescription drugs" means those drugs
13 restricted to use by or on the order of a licensed veterinarian
14 in accordance with Section 503(f) of the Federal Food, Drug,
15 and Cosmetic Act (21 U.S.C. 353).

16 "Veterinary specialist" means that a veterinarian is a
17 diplomate within an AVMA-recognized veterinary specialty
18 organization.

19 "Veterinary technology" means the performance of services
20 within the field of veterinary medicine by a person who, for
21 compensation or personal profit, is employed by a licensed
22 veterinarian to perform duties that require an understanding
23 of veterinary medicine necessary to carry out the orders of
24 the veterinarian. Those services, however, shall not include
25 diagnosing, prognosing, writing prescriptions, or surgery.

26 (Source: P.A. 98-339, eff. 12-31-13.)

1 (225 ILCS 115/3.5 new)

2 Sec. 3.5. Address of record; email address of record. All
3 applicants and licensees shall:

4 (1) provide a valid address and email address to the
5 Department, which shall serve as the address of record and
6 email address of record, respectively, at the time of
7 application for licensure or renewal of a license; and

8 (2) inform the Department of any change of address of
9 record or email address of record within 14 days after
10 such change either through the Department's website or by
11 contacting the Department's licensure maintenance unit.

12 (225 ILCS 115/4) (from Ch. 111, par. 7004)

13 (Section scheduled to be repealed on January 1, 2024)

14 Sec. 4. Exemptions. Nothing in this Act shall apply to any
15 of the following:

16 (1) Veterinarians employed by the federal or State
17 government while engaged in their official duties.

18 (2) Licensed veterinarians from other states who are
19 invited to Illinois for consultation by a veterinarian
20 licensed in Illinois.

21 (3) Veterinarians employed by colleges or universities
22 while engaged in the performance of their official duties,
23 or faculty engaged in animal husbandry or animal
24 management programs of colleges or universities.

1 (3.5) A veterinarian or veterinary technician from
2 another state or country who (A) is not licensed under
3 this Act; (B) is currently licensed as a veterinarian or
4 veterinary technician in another state or country, or
5 otherwise exempt from licensure in the other state; (C) is
6 an invited guest of a professional veterinary association,
7 veterinary training program, or continuing education
8 provider approved by the Department; and (D) engages in
9 professional education through lectures, clinics, or
10 demonstrations.

11 (4) A veterinarian employed by an accredited college
12 of veterinary medicine providing assistance requested by a
13 veterinarian licensed in Illinois, acting with informed
14 consent from the client and acting under the direct or
15 indirect supervision and control of the licensed
16 veterinarian. Providing assistance involves hands-on
17 active participation in the treatment and care of the
18 patient. The licensed veterinarian shall maintain
19 responsibility for the veterinarian-client-patient
20 relationship.

21 (5) Veterinary students in an accredited college of
22 veterinary medicine, university, department of a
23 university, or other institution of veterinary medicine
24 and surgery engaged in duties assigned by their
25 instructors or working under the immediate or direct
26 supervision of a licensed veterinarian.

1 (5.5) Students of an accredited program in veterinary
2 technology performing veterinary technology duties or
3 actions assigned by instructors or working under the
4 immediate or direct supervision of a licensed
5 veterinarian.

6 (6) Any person engaged in bona fide scientific
7 research which requires the use of animals.

8 (7) An owner of livestock and any of the owner's
9 employees or the owner and employees of a service and care
10 provider of livestock caring for and treating livestock
11 belonging to the owner or under a provider's care,
12 including but not limited to, the performance of husbandry
13 and livestock management practices such as dehorning,
14 castration, emasculation, or docking of cattle, horses,
15 sheep, goats, and swine, artificial insemination, and
16 drawing of semen. Nor shall this Act be construed to
17 prohibit any person from administering in a humane manner
18 medicinal or surgical treatment to any livestock in the
19 care of such person. However, any such services shall
20 comply with the Humane Care for Animals Act.

21 (8) An owner of an animal, or an agent of the owner
22 acting with the owner's approval, in caring for, training,
23 or treating an animal belonging to the owner, so long as
24 that individual or agent does not represent himself or
25 herself as a veterinarian or use any title associated with
26 the practice of veterinary medicine or surgery or

1 diagnose, prescribe drugs, or perform surgery. The agent
2 shall provide the owner with a written statement
3 summarizing the nature of the services provided and obtain
4 a signed acknowledgment from the owner that they accept
5 the services provided. The services shall comply with the
6 Humane Care for Animals Act. The provisions of this item
7 (8) do not apply to a person who is exempt under item (7).

8 (9) A member in good standing of another licensed or
9 regulated profession within any state or a member of an
10 organization or group approved by the Department by rule
11 providing assistance that is requested in writing by a
12 veterinarian licensed in this State acting within a
13 veterinarian-client-patient relationship and with
14 informed consent from the client and the member is acting
15 under the immediate, direct, or indirect supervision and
16 control of the licensed veterinarian. Providing assistance
17 involves hands-on active participation in the treatment
18 and care of the patient, as defined by rule. The licensed
19 veterinarian shall maintain responsibility for the
20 veterinarian-client-patient relationship, but shall be
21 immune from liability, except for willful and wanton
22 conduct, in any civil or criminal action if a member
23 providing assistance does not meet the requirements of
24 this item (9).

25 (10) A graduate of a non-accredited college of
26 veterinary medicine who is in the process of obtaining a

1 certificate of educational equivalence and is performing
2 duties or actions assigned by instructors in an approved
3 college of veterinary medicine.

4 (10.5) A veterinarian who is enrolled in a
5 postgraduate instructional program in an accredited
6 college of veterinary medicine performing duties or
7 actions assigned by instructors or working under the
8 immediate or direct supervision of a licensed veterinarian
9 or a faculty member of the College of Veterinary Medicine
10 at the University of Illinois.

11 (11) A certified euthanasia technician who is
12 authorized to perform euthanasia in the course and scope
13 of his or her employment only as permitted by the Humane
14 Euthanasia in Animal Shelters Act.

15 (12) A person who, without expectation of
16 compensation, provides emergency veterinary care in an
17 emergency or disaster situation so long as the person ~~he~~
18 ~~or she~~ does not represent oneself ~~himself or herself~~ as a
19 veterinarian or use a title or degree pertaining to the
20 practice of veterinary medicine and surgery.

21 (13) Any certified veterinary technician or other
22 employee of a licensed veterinarian performing permitted
23 duties other than diagnosis, prognosis, prescription, or
24 surgery under the appropriate direction and supervision of
25 the veterinarian, who shall be responsible for the
26 performance of the employee.

1 (13.5) Any pharmacist licensed in the State, merchant,
2 or manufacturer selling at a ~~his or her~~ regular place of
3 business medicines, feed, appliances, or other products
4 used in the prevention or treatment of animal diseases as
5 permitted by law and provided that the services provided
6 ~~he or she provides~~ do not include diagnosing, prognosing,
7 writing prescriptions, or surgery.

8 (14) An approved humane investigator regulated under
9 the Humane Care for Animals Act or employee of a shelter
10 licensed under the Animal Welfare Act, working under the
11 indirect supervision of a licensed veterinarian.

12 (15) An individual providing equine dentistry services
13 requested by a veterinarian licensed to practice in this
14 State, an owner, or an owner's agent. For the purposes of
15 this item (15), "equine dentistry services" means floating
16 teeth without the use of drugs or extraction.

17 (15.5) In the event of an emergency or disaster, a
18 veterinarian or veterinary technician not licensed in this
19 State who (A) is responding to a request for assistance
20 from the Illinois Department of Agriculture, the Illinois
21 Department of Public Health, the Illinois Emergency
22 Management Agency, or other State agency as determined by
23 the Department; (B) is licensed and in good standing in
24 another state; and (C) has been granted a temporary waiver
25 from licensure by the Department.

26 (16) Private treaty sale of animals unless otherwise

1 provided by law.

2 (Source: P.A. 98-339, eff. 12-31-13.)

3 (225 ILCS 115/4.5 new)

4 Sec. 4.5. Telehealth. Telehealth occurs when either the
5 animal who is receiving the care is located in the State when
6 receiving telehealth treatment or the veterinarian providing
7 the care to the animal is located in the State when providing
8 telehealth treatment, pursuant to the provisions of Section 5.
9 Telehealth may only be used when a veterinarian has an
10 established veterinarian-client-patient relationship.
11 Telehealth may be used in the following circumstances:

12 (1) when a physical examination of the patient has
13 been conducted within one year; or

14 (2) if it is possible to make a diagnosis and create a
15 treatment plan without a recent physical examination based
16 on professional standards of care.

17 A veterinarian shall not substitute telehealth,
18 teleadvice, telemedicine, or teletriage when a physical
19 examination is warranted or necessary for an accurate
20 diagnosis of any medical condition or creation of an
21 appropriate treatment plan. All minimum standards of practice
22 and provisions under this Act and rules shall be maintained.

23 A veterinarian shall ensure that any technology used in
24 the provision of telehealth is sufficient and of appropriate
25 quality to provide accurate remote assessment and diagnosis. A

1 veterinarian shall meet all recordkeeping requirements
2 pursuant to subsection (c) of Section 25.17.

3 A supervising veterinarian may delegate telehealth
4 services to a certified veterinary technician who is acting
5 under direct or indirect supervision and in accordance with
6 the Act and rules. A valid veterinarian-client-patient
7 relationship established by a physical examination conducted
8 by the supervising veterinarian must exist for the certified
9 veterinary technician to provide delegated telehealth
10 services.

11 A veterinarian and a certified veterinary technician
12 providing telehealth services shall, at the time of service,
13 provide the veterinarian or certified veterinary technician's
14 contact information, including the veterinarian or certified
15 veterinary technician's full name, to the client or practice
16 using the service. All telehealth records shall be provided to
17 the client upon request.

18 (225 ILCS 115/8) (from Ch. 111, par. 7008)

19 (Section scheduled to be repealed on January 1, 2024)

20 Sec. 8. Qualifications. A person is qualified to receive a
21 license if the applicant ~~he or she~~: (1) is of good moral
22 character; (2) has graduated from an accredited college or
23 school of veterinary medicine; and (3) has passed the
24 examination authorized by the Department to determine fitness
25 to hold a license.

1 Applicants for licensure from non-accredited veterinary
2 schools are required to successfully complete a program of
3 educational equivalency as established by rule. At a minimum,
4 this program shall include all of the following:

5 (1) A certified transcript indicating graduation from
6 such college.

7 (2) Successful completion of a communication ability
8 examination designed to assess communication skills,
9 including a command of the English language.

10 (3) Successful completion of an examination or
11 assessment mechanism designed to evaluate educational
12 equivalence, including both preclinical and clinical
13 competencies.

14 (4) Any other reasonable assessment mechanism designed
15 to ensure an applicant possesses the educational
16 background necessary to protect the public health and
17 safety.

18 Successful completion of the criteria set forth in this
19 Section shall establish education equivalence as one of the
20 criteria for licensure set forth in this Act. Applicants under
21 this Section must also meet all other statutory criteria for
22 licensure prior to the issuance of any such license, including
23 graduation from veterinary school.

24 A graduate of a non-approved veterinary school who was
25 issued a work permit by the Department before the effective
26 date of this amendatory Act of the 93rd General Assembly may

1 continue to work under the direct supervision of a licensed
2 veterinarian until the expiration of his or her permit.

3 In determining moral character under this Section, the
4 Department may take into consideration any felony conviction
5 of the applicant, but such a conviction shall not operate as a
6 bar to obtaining a license. The Department may also request
7 the applicant to submit and may consider as evidence of moral
8 character, endorsements from 2 individuals licensed under this
9 Act.

10 (Source: P.A. 93-281, eff. 12-31-03.)

11 (225 ILCS 115/10) (from Ch. 111, par. 7010)

12 (Section scheduled to be repealed on January 1, 2024)

13 Sec. 10. Application for licensure. A person who desires
14 to obtain a license as a veterinarian or a certificate as a
15 veterinary technician shall apply to the Department on forms
16 provided by the Department. Each application shall be
17 accompanied by proof of qualifications and shall be verified
18 by the applicant under oath and be accompanied by the required
19 fee.

20 If an applicant neglects, fails, or refuses to take an
21 examination or fails to pass an examination for a license or
22 otherwise fails to complete the application process under this
23 Act within 3 years after filing the applicant's application,
24 the application shall be denied. However, such applicant may
25 make a new application for examination accompanied by the

1 required fee and must furnish proof of meeting qualifications
2 for examination in effect at the time of new application.

3 (Source: P.A. 88-424.)

4 (225 ILCS 115/10.5)

5 (Section scheduled to be repealed on January 1, 2024)

6 Sec. 10.5. Social Security Number or federal individual
7 taxpayer identification number on license application. In
8 addition to any other information required to be contained in
9 the application, every application for an original license
10 under this Act shall include the applicant's Social Security
11 Number or federal individual taxpayer identification number,
12 which shall be retained in the agency's records pertaining to
13 the license. As soon as practical, the Department shall assign
14 a customer's identification number to each applicant for a
15 license.

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

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

19 (225 ILCS 115/11) (from Ch. 111, par. 7011)

20 (Section scheduled to be repealed on January 1, 2024)

21 Sec. 11. Practice pending licensure. A person holding the
22 degree of Doctor of Veterinary Medicine, or its equivalent,
23 from an accredited college of veterinary medicine, and who has
24 applied in writing to the Department for a license to practice

1 veterinary medicine and surgery in any of its branches, and
2 who has fulfilled the requirements of Section 8 of this Act,
3 with the exception of receipt of notification of his or her
4 examination results, may practice under the direct supervision
5 of a veterinarian who is licensed in this State, until: (1) the
6 applicant has been notified of his or her failure to pass the
7 examination authorized by the Department; (2) the applicant
8 has withdrawn his or her application; (3) the applicant has
9 received a license from the Department after successfully
10 passing the examination authorized by the Department; or (4)
11 the applicant has been notified by the Department to cease and
12 desist from practicing.

13 The applicant shall perform only those acts that may be
14 prescribed by and incidental to his or her employment and
15 those acts shall be performed under the direction of a
16 supervising veterinarian who is licensed in this State. The
17 applicant shall not be entitled to otherwise engage in the
18 practice of veterinary medicine until fully licensed in this
19 State.

20 The Department shall immediately notify, ~~by certified~~
21 ~~mail,~~ the supervising veterinarian employing the applicant and
22 the applicant that the applicant shall immediately cease and
23 desist from practicing if the applicant (1) practices outside
24 his or her employment under a licensed veterinarian; (2)
25 violates any provision of this Act; or (3) becomes ineligible
26 for licensure under this Act.

1 (Source: P.A. 96-571, eff. 8-18-09; 96-638, eff. 8-24-09;
2 96-1000, eff. 7-2-10.)

3 (225 ILCS 115/12) (from Ch. 111, par. 7012)

4 (Section scheduled to be repealed on January 1, 2024)

5 Sec. 12. Renewal and inactive status; restoration;
6 military service.

7 (a) The expiration date and renewal period for each
8 license or certificate shall be set by rule.

9 (b) A licensee who has permitted his or her license to
10 expire or who has had his or her license on inactive status may
11 have the license restored by making application to the
12 Department by filing proof acceptable to the Department of his
13 or her fitness to have the license restored and by paying the
14 required fees. Proof of fitness may include sworn evidence
15 certifying to active lawful practice in another jurisdiction.
16 If the licensee has not maintained an active practice in
17 another jurisdiction satisfactory to the Department, the
18 Department shall determine, by an evaluation program
19 established by rule, his or her fitness for restoration of the
20 license and shall establish procedures and requirements for
21 restoration.

22 (c) A licensee whose license expired while the licensee ~~he~~
23 ~~or she~~ was (1) in federal service on active duty with the Armed
24 Forces of the United States or the State Militia called into
25 service or training or (2) in training or education under the

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

9 (d) Any licensee who notifies the Department in writing on
10 the prescribed form may place the licensee's ~~his or her~~ license
11 or certification on an inactive status and shall, subject to
12 rule, be exempt from payment of the renewal fee until the
13 licensee ~~he or she~~ notifies the Department in writing of the
14 licensee's ~~his or her~~ intention to resume active status.

15 (e) Any veterinarian or certified veterinary technician
16 requesting restoration from inactive or expired status shall
17 be required to complete the continuing education requirements
18 for a single license or certificate renewal period, pursuant
19 to rule, and pay the current renewal fee to restore the renewal
20 applicant's ~~his or her~~ license or certification as provided in
21 this Act.

22 (f) Any licensee whose license is in inactive, expired, or
23 suspended status shall not practice veterinary medicine and
24 surgery in this State.

25 (Source: P.A. 98-339, eff. 12-31-13.)

1 (225 ILCS 115/14.1) (from Ch. 111, par. 7014.1)

2 (Section scheduled to be repealed on January 1, 2024)

3 Sec. 14.1. Returned checks; fines. Any person who delivers
4 a check or other payment to the Department that is returned to
5 the Department unpaid by the financial institution upon which
6 it is drawn shall pay to the Department, in addition to the
7 amount already owed to the Department, a fine of \$50. The fines
8 imposed by this Section are in addition to any other
9 discipline provided under this Act for unlicensed practice or
10 practice on a nonrenewed license or certificate. The
11 Department shall notify the person that payment of fees and
12 fines shall be paid to the Department by certified check or
13 money order within 30 calendar days of the notification. If,
14 after the expiration of 30 days from the date of the
15 notification, the person has failed to submit the necessary
16 remittance, the Department shall automatically terminate the
17 license or certificate or deny the application, without
18 hearing. If, after termination or denial, the person seeks a
19 license or certificate, the person ~~he or she~~ shall apply to the
20 Department for restoration or issuance of the license or
21 certificate and pay all fees and fines due to the Department.
22 The Department may establish a fee for the processing of an
23 application for restoration of a license or certificate to pay
24 all expenses of processing this application. The Secretary may
25 waive the fines due under this Section in individual cases
26 where the Secretary finds that the fines would be unreasonable

1 or unnecessarily burdensome.

2 (Source: P.A. 96-1322, eff. 7-27-10.)

3 (225 ILCS 115/25) (from Ch. 111, par. 7025)

4 (Section scheduled to be repealed on January 1, 2024)

5 Sec. 25. Disciplinary actions.

6 1. The Department may refuse to issue or renew, or may
7 revoke, suspend, place on probation, reprimand, or take other
8 disciplinary or non-disciplinary action as the Department may
9 deem appropriate, including imposing fines not to exceed
10 \$10,000 for each violation and the assessment of costs as
11 provided for in Section 25.3 of this Act, with regard to any
12 license or certificate for any one or combination of the
13 following:

14 A. Material misstatement in furnishing information to
15 the Department.

16 B. Violations of this Act, or of the rules adopted
17 pursuant to this Act.

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

1 practice of the profession.

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

5 E. Professional incompetence.

6 F. Malpractice.

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

9 H. Failing, within 60 days, to provide information in
10 response to a written request made by the Department.

11 I. Engaging in dishonorable, unethical, or
12 unprofessional conduct of a character likely to deceive,
13 defraud, or harm the public.

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

18 K. Discipline by another state, unit of government,
19 government agency, District of Columbia, territory, or
20 foreign nation, if at least one of the grounds for the
21 discipline is the same or substantially equivalent to
22 those set forth herein.

23 L. Charging for professional services not rendered,
24 including filing false statements for the collection of
25 fees for which services are not rendered.

26 M. A finding by the Board that the licensee or

1 certificate holder, after having his license or
2 certificate placed on probationary status, has violated
3 the terms of probation.

4 N. Willfully making or filing false records or reports
5 in his practice, including but not limited to false
6 records filed with State agencies or departments.

7 O. Physical illness, including but not limited to,
8 deterioration through the aging process, or loss of motor
9 skill which results in the inability to practice under
10 this Act with reasonable judgment, skill, or safety.

11 P. Solicitation of professional services other than
12 permitted advertising.

13 Q. Allowing one's license under this Act to be used by
14 an unlicensed person in violation of this Act.

15 R. Conviction of or cash compromise of a charge or
16 violation of the Harrison Act or the Illinois Controlled
17 Substances Act, regulating narcotics.

18 S. Fraud or dishonesty in applying, treating, or
19 reporting on tuberculin or other biological tests.

20 T. Failing to report, as required by law, or making
21 false report of any contagious or infectious diseases.

22 U. Fraudulent use or misuse of any health certificate,
23 shipping certificate, brand inspection certificate, or
24 other blank forms used in practice that might lead to the
25 dissemination of disease or the transportation of diseased
26 animals dead or alive; or dilatory methods, willful

1 neglect, or misrepresentation in the inspection of milk,
2 meat, poultry, and the by-products thereof.

3 V. Conviction on a charge of cruelty to animals.

4 W. Failure to keep one's premises and all equipment
5 therein in a clean and sanitary condition.

6 X. Failure to provide satisfactory proof of having
7 participated in approved continuing education programs.

8 Y. Mental illness or disability that results in the
9 inability to practice under this Act with reasonable
10 judgment, skill, or safety.

11 Z. (Blank). ~~Conviction by any court of competent~~
12 ~~jurisdiction, either within or outside this State, of any~~
13 ~~violation of any law governing the practice of veterinary~~
14 ~~medicine, if the Department determines, after~~
15 ~~investigation, that the person has not been sufficiently~~
16 ~~rehabilitated to warrant the public trust.~~

17 AA. Promotion of the sale of drugs, devices,
18 appliances, or goods provided for a patient in any manner
19 to exploit the client for financial gain of the
20 veterinarian.

21 BB. Gross, willful, or continued overcharging for
22 professional services.

23 CC. Practicing under a false or, except as provided by
24 law, an assumed name.

25 DD. Violating state or federal laws or regulations
26 relating to controlled substances or legend drugs.

1 EE. Cheating on or attempting to subvert the licensing
2 examination administered under this Act.

3 FF. Using, prescribing, or selling a prescription drug
4 or the extra-label use of a prescription drug by any means
5 in the absence of a valid veterinarian-client-patient
6 relationship.

7 GG. Failing to report a case of suspected aggravated
8 cruelty, torture, or animal fighting pursuant to Section
9 3.07 or 4.01 of the Humane Care for Animals Act or Section
10 26-5 or 48-1 of the Criminal Code of 1961 or the Criminal
11 Code of 2012.

12 All fines imposed under this Section shall be paid within
13 60 days after the effective date of the order imposing the fine
14 or in accordance with the terms set forth in the order imposing
15 the fine.

16 2. The determination by a circuit court that a licensee or
17 certificate holder is subject to involuntary admission or
18 judicial admission as provided in the Mental Health and
19 Developmental Disabilities Code operates as an automatic
20 suspension. The suspension will end only upon a finding by a
21 court that the patient is no longer subject to involuntary
22 admission or judicial admission and issues an order so finding
23 and discharging the patient. In any case where a license is
24 suspended under this provision, the licensee shall file a
25 petition for restoration and shall include evidence acceptable
26 to the Department that the licensee can resume practice in

1 compliance with acceptable and prevailing standards of his or
2 her profession.

3 3. All proceedings to suspend, revoke, place on
4 probationary status, or take any other disciplinary action as
5 the Department may deem proper, with regard to a license or
6 certificate on any of the foregoing grounds, must be commenced
7 within 5 years after receipt by the Department of a complaint
8 alleging the commission of or notice of the conviction order
9 for any of the acts described in this Section. Except for
10 proceedings brought for violations of items (CC), (DD), or
11 (EE), no action shall be commenced more than 5 years after the
12 date of the incident or act alleged to have violated this
13 Section. In the event of the settlement of any claim or cause
14 of action in favor of the claimant or the reduction to final
15 judgment of any civil action in favor of the plaintiff, the
16 claim, cause of action, or civil action being grounded on the
17 allegation that a person licensed or certified under this Act
18 was negligent in providing care, the Department shall have an
19 additional period of one year from the date of the settlement
20 or final judgment in which to investigate and begin formal
21 disciplinary proceedings under Section 25.2 of this Act,
22 except as otherwise provided by law. The time during which the
23 holder of the license or certificate was outside the State of
24 Illinois shall not be included within any period of time
25 limiting the commencement of disciplinary action by the
26 Department.

1 4. The Department may refuse to issue or may suspend
2 without hearing, as provided for in the Illinois Code of Civil
3 Procedure, the license of any person who fails to file a
4 return, to pay the tax, penalty, or interest shown in a filed
5 return, or to pay any final assessment of tax, penalty, or
6 interest as required by any tax Act administered by the
7 Illinois Department of Revenue, until such time as the
8 requirements of any such tax Act are satisfied in accordance
9 with subsection (g) of Section 2105-15 of the Civil
10 Administrative Code of Illinois.

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

1 professional counselors, and other professional and
2 administrative staff. Any examining physician or member of the
3 multidisciplinary team may require any person ordered to
4 submit to an examination and evaluation pursuant to this
5 Section to submit to any additional supplemental testing
6 deemed necessary to complete any examination or evaluation
7 process, including, but not limited to, blood testing,
8 urinalysis, psychological testing, or neuropsychological
9 testing.

10 The Department may order the examining physician or any
11 member of the multidisciplinary team to provide to the
12 Department any and all records, including business records,
13 that relate to the examination and evaluation, including any
14 supplemental testing performed. The Department may order the
15 examining physician or any member of the multidisciplinary
16 team to present testimony concerning this examination and
17 evaluation of the registrant or applicant, including testimony
18 concerning any supplemental testing or documents relating to
19 the examination and evaluation. No information, report,
20 record, or other documents in any way related to the
21 examination and evaluation shall be excluded by reason of any
22 common law or statutory privilege relating to communication
23 between the licensee or applicant and the examining physician
24 or any member of the multidisciplinary team. No authorization
25 is necessary from the registrant or applicant ordered to
26 undergo an evaluation and examination for the examining

1 physician or any member of the multidisciplinary team to
2 provide information, reports, records, or other documents or
3 to provide any testimony regarding the examination and
4 evaluation. The individual to be examined may have, at his or
5 her own expense, another physician of his or her choice
6 present during all aspects of the examination.

7 Failure of any individual to submit to mental or physical
8 examination or evaluation, or both, when directed, shall
9 result in an automatic suspension without hearing, until such
10 time as the individual submits to the examination. If the
11 Department finds a registrant unable to practice because of
12 the reasons set forth in this Section, the Department shall
13 require such registrant to submit to care, counseling, or
14 treatment by physicians approved or designated by the
15 Department as a condition for continued, reinstated, or
16 renewed registration.

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

26 Individuals registered under this Act who are affected

1 under this Section, shall be afforded an opportunity to
2 demonstrate to the Department that they can resume practice in
3 compliance with acceptable and prevailing standards under the
4 provisions of their registration.

5 6. (Blank).

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

17 (Source: P.A. 99-78, eff. 7-20-15; 100-872, eff. 8-14-18.)

18 (225 ILCS 115/25.2) (from Ch. 111, par. 7025.2)

19 (Section scheduled to be repealed on January 1, 2024)

20 Sec. 25.2. Investigation; notice and hearing. The
21 Department may investigate the actions of any applicant or of
22 any person or persons holding or claiming to hold a license or
23 certificate. The Department shall, before refusing to issue,
24 to renew or discipline a license or certificate under Section
25 25, at least 30 days prior to the date set for the hearing,

1 notify the applicant or licensee in writing of the nature of
2 the charges and the time and place for a hearing on the
3 charges. The Department shall direct the applicant,
4 certificate holder, or licensee to file a written answer to
5 the charges with the Board under oath within 20 days after the
6 service of the notice and inform the applicant, certificate
7 holder, or licensee that failure to file an answer will result
8 in default being taken against the applicant, certificate
9 holder, or licensee. At the time and place fixed in the notice,
10 the Department shall proceed to hear the charges and the
11 parties or their counsel shall be accorded ample opportunity
12 to present any pertinent statements, testimony, evidence, and
13 arguments. The Department may continue the hearing from time
14 to time. In case the person, after receiving the notice, fails
15 to file an answer, his or her license may, in the discretion of
16 the Department, be revoked, suspended, placed on probationary
17 status, or the Department may take whatever disciplinary
18 action considered proper, including limiting the scope,
19 nature, or extent of the person's practice or the imposition
20 of a fine, without a hearing, if the act or acts charged
21 constitute sufficient grounds for that action under the Act.
22 The written notice and any notice in the subsequent proceeding
23 may be served by regular ~~registered or certified~~ mail to the
24 licensee's address or electronically to the licensee's email
25 address of record.

26 (Source: P.A. 98-339, eff. 12-31-13.)

1 (225 ILCS 115/25.6) (from Ch. 111, par. 7025.6)

2 (Section scheduled to be repealed on January 1, 2024)

3 Sec. 25.6. Board report. At the conclusion of the hearing
4 the Board shall present to the Secretary a written report of
5 its findings of fact, conclusions of law, and recommendations.
6 The report shall contain a finding whether or not the accused
7 person violated this Act or failed to comply with the
8 conditions required in this Act. The Board shall specify the
9 nature of the violation or failure to comply, and shall make
10 its recommendations to the Secretary.

11 The report of findings of fact, conclusions of law and
12 recommendation of the Board shall be the basis for the
13 Secretary's ~~Department's~~ order for refusing to issue, restore,
14 or renew a license, or otherwise disciplining a licensee, or
15 for the granting of a license, certificate, or permit. If the
16 Secretary disagrees in any regard with the report of the
17 Board, then the Secretary may issue an order in contravention
18 thereof. The finding is not admissible in evidence against the
19 person in a criminal prosecution brought for the violation of
20 this Act, but the hearing and finding are not a bar to a
21 criminal prosecution brought for the violation of this Act.

22 (Source: P.A. 98-339, eff. 12-31-13.)

23 (225 ILCS 115/25.7) (from Ch. 111, par. 7025.7)

24 (Section scheduled to be repealed on January 1, 2024)

1 Sec. 25.7. Motion for rehearing; procedure upon refusal to
2 license or issue certificate. In any hearing involving the
3 refusal to issue, renew, or discipline a license or
4 certificate, a copy of the Board's report shall be served upon
5 the respondent by the Department, either personally or as
6 provided in this Act for the service of the notice of hearing.
7 Within 20 days after service, the respondent may present to
8 the Secretary ~~Department~~ a motion in writing for a rehearing.
9 The motion shall specify the particular grounds for the
10 rehearing. If no motion for rehearing is filed, then upon the
11 expiration of the time specified for filing a motion, or if a
12 motion for rehearing is denied, then upon the denial, then the
13 Secretary may enter an order in accordance with
14 recommendations of the Board except as provided in Section
15 25.6 of this Act. If the respondent orders from the reporting
16 service, and pays for a transcript of the record within the
17 time for filing a motion for rehearing, the 20-day ~~20-day~~
18 period within which such a motion may be filed shall commence
19 upon the delivery of the transcript to the respondent.

20 (Source: P.A. 98-339, eff. 12-31-13.)

21 (225 ILCS 115/25.9) (from Ch. 111, par. 7025.9)

22 (Section scheduled to be repealed on January 1, 2024)

23 Sec. 25.9. Hearing officers; reports; review. The
24 Secretary shall have the authority to appoint any attorney
25 duly licensed to practice law in the State of Illinois to serve

1 as the hearing officer in any action for refusal to issue,
2 renew, or discipline of a license, certificate, or permit. The
3 hearing officer shall have full authority to conduct the
4 hearing. The hearing officer shall report his or her findings
5 of fact, conclusions of law, and recommendations to the Board
6 ~~and the Secretary~~. The Board shall have 60 days from receipt of
7 the report to review the report of the hearing officer and
8 present its findings of fact, conclusions of law, and
9 recommendations to the Secretary. If the Board fails to
10 present its report within the 60-day ~~60-day~~ period, then the
11 Secretary may issue an order based on the report of the hearing
12 officer. If the Secretary disagrees with the recommendation of
13 the Board or hearing officer, then the Secretary may issue an
14 order in contravention of the report.

15 (Source: P.A. 98-339, eff. 12-31-13.)

16 (225 ILCS 115/25.15) (from Ch. 111, par. 7025.15)

17 (Section scheduled to be repealed on January 1, 2024)

18 Sec. 25.15. Certification of record. The Department shall
19 not be required to certify any record to the Court or file any
20 answer in court or otherwise appear in any court in a judicial
21 review proceeding, unless and until the Department has
22 received from the plaintiff payment of the costs of furnishing
23 and certifying the record, which costs shall be determined by
24 the Department. ~~Exhibits shall be certified without cost.~~
25 Failure on the part of the plaintiff to file a receipt in Court

1 shall be grounds for dismissal of the action.

2 (Source: P.A. 98-339, eff. 12-31-13.)

3 (225 ILCS 115/25.17)

4 (Section scheduled to be repealed on January 1, 2024)

5 Sec. 25.17. Disclosure of patient records; maintenance.

6 (a) No veterinarian shall be required to disclose any
7 information concerning the veterinarian's care of an animal
8 except on written authorization or other waiver by the
9 veterinarian's client or on appropriate court order or
10 subpoena. Any veterinarian releasing information under written
11 authorization, or other waiver by the client, or court order
12 of subpoena is not liable to the client or any other person.
13 The privilege provided by this Section is waived to the extent
14 that the veterinarian's client or the owner of the animal
15 places the care and treatment or the nature and extent of
16 injuries to the animal at issue in any civil or criminal
17 proceeding. When communicable disease laws, cruelty to animal
18 laws, or laws providing for public health and safety are
19 involved, the privilege provided by this Section is waived.

20 (b) Copies of patient records must be released to the
21 client upon written request as provided for by rule.

22 (c) Each person who provides veterinary medical services
23 shall maintain appropriate patient records as defined by rule.
24 The patient records are the property of the practice and the
25 practice owner. Patient records shall, if applicable, include

1 the following:

2 (1) patient identification;

3 (2) client identification;

4 (3) dated reason for visit and pertinent history;

5 (4) physical exam findings;

6 (5) diagnostic, medical, surgical or therapeutic
7 procedures performed;

8 (6) all medical treatment must include identification
9 of each medication given in the practice, together with
10 the date, dosage, and route of administration and
11 frequency and duration of treatment;

12 (7) all medicines dispensed or prescribed must be
13 recorded, including directions for use and quantity;

14 (8) any changes in medications or dosages, including
15 telephonically or electronically initiated changes, must
16 be recorded;

17 (9) if a necropsy is performed, then the record must
18 reflect the findings;

19 (10) any written records and notes, radiographs,
20 sonographic images, video recordings, photographs or other
21 images, and laboratory reports;

22 (11) other information received as the result of
23 consultation;

24 (12) identification of any designated agent of the
25 client for the purpose of authorizing veterinary medical
26 or animal health care decisions; and

1 (13) any authorizations, releases, waivers, or other
2 related documents.

3 (d) Patient records must be maintained for a minimum of 5
4 years from the date of the last known contact with a ~~an animal~~
5 patient.

6 (e) Information and records related to patient care shall
7 remain confidential except as provided in subsections (a) and
8 (b) of this Section.

9 (Source: P.A. 96-1322, eff. 7-27-10.)

10 (225 ILCS 115/27) (from Ch. 111, par. 7027)

11 (Section scheduled to be repealed on January 1, 2024)

12 Sec. 27. Administrative Procedure Act. The Illinois
13 Administrative Procedure Act is hereby expressly adopted and
14 incorporated into this Act as if all of the provisions of that
15 Act were included in this Act, except that the provision of
16 subsection (d) of Section 10-65 of the Illinois Administrative
17 Procedure Act that provides that at hearings the licensee or
18 certificate holder has the right to show compliance with all
19 lawful requirements for retention, continuation, or renewal of
20 the license or certificate is specifically excluded. For the
21 purpose of this Act the notice required under Section 10-25 of
22 the Illinois Administrative Procedure Act is considered
23 sufficient when mailed to the last known address of record or
24 sent electronically to the last known email address of record.

25 (Source: P.A. 98-339, eff. 12-31-13.)

1 (225 ILCS 115/23 rep.)

2 Section 15. The Veterinary Medicine and Surgery Practice
3 Act of 2004 is amended by repealing Section 23.

4 Section 99. Effective date. This Section and Section 5
5 take effect upon becoming law.

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