



1 AN ACT concerning insurance.

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

4 Section 5. The Department of Professional Regulation Law of  
5 the Civil Administrative Code of Illinois is amended by  
6 changing Section 2105-15 as follows:

7 (20 ILCS 2105/2105-15) (was 20 ILCS 2105/60)

8 Sec. 2105-15. General powers and duties. (a) The  
9 Department has, subject to the provisions of the Civil  
10 Administrative Code of Illinois, the following powers and  
11 duties:

12 (1) To authorize examinations in English to ascertain  
13 the qualifications and fitness of applicants to exercise  
14 the profession, trade, or occupation for which the  
15 examination is held.

16 (2) To prescribe rules and regulations for a fair and  
17 wholly impartial method of examination of candidates to  
18 exercise the respective professions, trades, or  
19 occupations.

20 (3) To pass upon the qualifications of applicants for  
21 licenses, certificates, and authorities, whether by  
22 examination, by reciprocity, or by endorsement.

23 (4) To prescribe rules and regulations defining, for  
24 the respective professions, trades, and occupations, what  
25 shall constitute a school, college, or university, or  
26 department of a university, or other institution,  
27 reputable and in good standing, and to determine the  
28 reputability and good standing of a school, college, or  
29 university, or department of a university, or other  
30 institution, reputable and in good standing, by reference  
31 to a compliance with those rules and regulations; provided,  
32 that no school, college, or university, or department of a

1 university, or other institution that refuses admittance  
2 to applicants solely on account of race, color, creed, sex,  
3 or national origin shall be considered reputable and in  
4 good standing.

5 (5) To conduct hearings on proceedings to revoke,  
6 suspend, refuse to renew, place on probationary status, or  
7 take other disciplinary action as authorized in any  
8 licensing Act administered by the Department with regard to  
9 licenses, certificates, or authorities of persons  
10 exercising the respective professions, trades, or  
11 occupations and to revoke, suspend, refuse to renew, place  
12 on probationary status, or take other disciplinary action  
13 as authorized in any licensing Act administered by the  
14 Department with regard to those licenses, certificates, or  
15 authorities. The Department shall issue a monthly  
16 disciplinary report. The Department shall deny any license  
17 or renewal authorized by the Civil Administrative Code of  
18 Illinois to any person who has defaulted on an educational  
19 loan or scholarship provided by or guaranteed by the  
20 Illinois Student Assistance Commission or any governmental  
21 agency of this State; however, the Department may issue a  
22 license or renewal if the aforementioned persons have  
23 established a satisfactory repayment record as determined  
24 by the Illinois Student Assistance Commission or other  
25 appropriate governmental agency of this State.  
26 Additionally, beginning June 1, 1996, any license issued by  
27 the Department may be suspended or revoked if the  
28 Department, after the opportunity for a hearing under the  
29 appropriate licensing Act, finds that the licensee has  
30 failed to make satisfactory repayment to the Illinois  
31 Student Assistance Commission for a delinquent or  
32 defaulted loan. For the purposes of this Section,  
33 "satisfactory repayment record" shall be defined by rule.  
34 The Department shall refuse to issue or renew a license to,  
35 or shall suspend or revoke a license of, any person who,  
36 after receiving notice, fails to comply with a subpoena or

1 warrant relating to a paternity or child support  
2 proceeding. However, the Department may issue a license or  
3 renewal upon compliance with the subpoena or warrant.

4 The Department, without further process or hearings,  
5 shall revoke, suspend, or deny any license or renewal  
6 authorized by the Civil Administrative Code of Illinois to  
7 a person who is certified by the Illinois Department of  
8 Public Aid as being more than 30 days delinquent in  
9 complying with a child support order or who is certified by  
10 a court as being in violation of the Non-Support Punishment  
11 Act for more than 60 days. The Department may, however,  
12 issue a license or renewal if the person has established a  
13 satisfactory repayment record as determined by the  
14 Illinois Department of Public Aid or if the person is  
15 determined by the court to be in compliance with the  
16 Non-Support Punishment Act. The Department may implement  
17 this paragraph as added by Public Act 89-6 through the use  
18 of emergency rules in accordance with Section 5-45 of the  
19 Illinois Administrative Procedure Act. For purposes of the  
20 Illinois Administrative Procedure Act, the adoption of  
21 rules to implement this paragraph shall be considered an  
22 emergency and necessary for the public interest, safety,  
23 and welfare.

24 (6) To transfer jurisdiction of any realty under the  
25 control of the Department to any other department of the  
26 State Government or to acquire or accept federal lands when  
27 the transfer, acquisition, or acceptance is advantageous  
28 to the State and is approved in writing by the Governor.

29 (7) To formulate rules and regulations necessary for  
30 the enforcement of any Act administered by the Department.

31 (8) To exchange with the Illinois Department of Public  
32 Aid information that may be necessary for the enforcement  
33 of child support orders entered pursuant to the Illinois  
34 Public Aid Code, the Illinois Marriage and Dissolution of  
35 Marriage Act, the Non-Support of Spouse and Children Act,  
36 the Non-Support Punishment Act, the Revised Uniform

1 Reciprocal Enforcement of Support Act, the Uniform  
2 Interstate Family Support Act, or the Illinois Parentage  
3 Act of 1984. Notwithstanding any provisions in this Code to  
4 the contrary, the Department of Professional Regulation  
5 shall not be liable under any federal or State law to any  
6 person for any disclosure of information to the Illinois  
7 Department of Public Aid under this paragraph (8) or for  
8 any other action taken in good faith to comply with the  
9 requirements of this paragraph (8).

10 (9) To perform other duties prescribed by law.

11 (10) To create a link on the Department's website to  
12 the Medical Liability Insurance Resource Clearinghouse  
13 maintained on the Department of Insurance's website and to  
14 include a written notice about the Clearinghouse with any  
15 license renewal information for all health care  
16 professions regulated by the Department.

17 (b) The Department may, when a fee is payable to the  
18 Department for a wall certificate of registration provided by  
19 the Department of Central Management Services, require that  
20 portion of the payment for printing and distribution costs be  
21 made directly or through the Department to the Department of  
22 Central Management Services for deposit into the Paper and  
23 Printing Revolving Fund. The remainder shall be deposited into  
24 the General Revenue Fund.

25 (c) For the purpose of securing and preparing evidence, and  
26 for the purchase of controlled substances, professional  
27 services, and equipment necessary for enforcement activities,  
28 recoupment of investigative costs, and other activities  
29 directed at suppressing the misuse and abuse of controlled  
30 substances, including those activities set forth in Sections  
31 504 and 508 of the Illinois Controlled Substances Act, the  
32 Director and agents appointed and authorized by the Director  
33 may expend sums from the Professional Regulation Evidence Fund  
34 that the Director deems necessary from the amounts appropriated  
35 for that purpose. Those sums may be advanced to the agent when  
36 the Director deems that procedure to be in the public interest.

1 Sums for the purchase of controlled substances, professional  
2 services, and equipment necessary for enforcement activities  
3 and other activities as set forth in this Section shall be  
4 advanced to the agent who is to make the purchase from the  
5 Professional Regulation Evidence Fund on vouchers signed by the  
6 Director. The Director and those agents are authorized to  
7 maintain one or more commercial checking accounts with any  
8 State banking corporation or corporations organized under or  
9 subject to the Illinois Banking Act for the deposit and  
10 withdrawal of moneys to be used for the purposes set forth in  
11 this Section; provided, that no check may be written nor any  
12 withdrawal made from any such account except upon the written  
13 signatures of 2 persons designated by the Director to write  
14 those checks and make those withdrawals. Vouchers for those  
15 expenditures must be signed by the Director. All such  
16 expenditures shall be audited by the Director, and the audit  
17 shall be submitted to the Department of Central Management  
18 Services for approval.

19 (d) Whenever the Department is authorized or required by  
20 law to consider some aspect of criminal history record  
21 information for the purpose of carrying out its statutory  
22 powers and responsibilities, then, upon request and payment of  
23 fees in conformance with the requirements of Section 2605-400  
24 of the Department of State Police Law (20 ILCS 2605/2605-400),  
25 the Department of State Police is authorized to furnish,  
26 pursuant to positive identification, the information contained  
27 in State files that is necessary to fulfill the request.

28 (e) The provisions of this Section do not apply to private  
29 business and vocational schools as defined by Section 1 of the  
30 Private Business and Vocational Schools Act.

31 (f) Beginning July 1, 1995, this Section does not apply to  
32 those professions, trades, and occupations licensed under the  
33 Real Estate License Act of 2000, nor does it apply to any  
34 permits, certificates, or other authorizations to do business  
35 provided for in the Land Sales Registration Act of 1989 or the  
36 Illinois Real Estate Time-Share Act.

1 (Source: P.A. 91-239, eff. 1-1-00; 91-245, eff. 12-31-99;  
2 91-613, eff. 10-1-99; 92-16, eff. 6-28-01.)

3 Section 10. The Department of Public Health Powers and  
4 Duties Law of the Civil Administrative Code of Illinois is  
5 amended by adding Section 2310-610 as follows:

6 (20 ILCS 2310/2310-610 new)

7 Sec. 2310-610. The Medical Liability Insurance  
8 Clearinghouse; notice. To create a link on the Department's  
9 website to the Medical Liability Insurance Resource  
10 Clearinghouse maintained on the Department of Insurance's  
11 website and to include a written notice about the Clearinghouse  
12 with any license renewal information for all health care  
13 facilities, equipment, or providers regulated by the  
14 Department.

15 Section 15. The Illinois Insurance Code is amended by  
16 adding Section 155.18a as follows:

17 (215 ILCS 5/155.18a new)

18 Sec. 155.18a. The Medical Liability Insurance Resource  
19 Clearinghouse. The Director of Insurance shall establish a  
20 Medical Liability Insurance Resource Clearinghouse. The  
21 Clearinghouse shall be a list containing the names, street  
22 addresses, telephone numbers, and company website addresses of  
23 (i) all licensed, certified, or registered companies providing  
24 medical liability insurance in this State to any health care  
25 professionals or health care providers as defined in the  
26 Managed Care Reform and Patients Rights Act, and (ii) all  
27 insurance producers, as defined in Article XXXI of the Illinois  
28 Insurance Code, that provide access to medical liability  
29 insurance in this State to any health care professionals or  
30 health care providers as defined in the Managed Care Reform and  
31 Patients Rights Act. The Clearinghouse shall be maintained on  
32 the Department's website and made available to the public upon

1 written request.

2 Section 99. Effective date. This Act takes effect upon  
3 becoming law.