

SB2424



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

SB2424

Introduced 2/15/2008, by Sen. Ira I. Silverstein

SYNOPSIS AS INTRODUCED:

225 ILCS 100/3	from Ch. 111, par. 4803
805 ILCS 10/3.6	from Ch. 32, par. 415-3.6
805 ILCS 180/1-25	

Amends the Podiatric Medical Practice Act of 1987, the Professional Service Corporation Act, and the Limited Liability Company Act. Replaces certain references to the practice of medicine in all of its branches with references to practice under the Medical Practice Act of 1987.

LRB095 16521 RAS 42550 b

A BILL FOR

1 AN ACT concerning regulation.

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

4 Section 5. The Podiatric Medical Practice Act of 1987 is
5 amended by changing Section 3 as follows:

6 (225 ILCS 100/3) (from Ch. 111, par. 4803)

7 (Section scheduled to be repealed on January 1, 2018)

8 Sec. 3. Exceptions. This Act does not prohibit:

9 (A) Any person licensed ~~to practice medicine and~~
10 ~~surgery in all of its branches~~ in this State under the
11 Medical Practice Act of 1987 from engaging in the practice
12 for which he or she is licensed.

13 (B) The practice of podiatric medicine by a person who
14 is employed by the United States government or any bureau,
15 division or agency thereof while in the discharge of the
16 employee's official duties.

17 (C) The practice of podiatric medicine that is included
18 in their program of study by students enrolled in any
19 approved college of podiatric medicine or in refresher
20 courses approved by the Department.

21 (D) The practice of podiatric medicine by one who has
22 applied in writing to the Department, in form and substance
23 satisfactory to the Department, for a license as a

1 podiatric physician and has complied with all the
2 provisions under Section 10 of this Act, except the passing
3 of an examination to be eligible to receive such license,
4 until the decision of the Department that the applicant has
5 failed to pass the next available examination authorized by
6 the Department or has failed to take the next available
7 examination authorized by the Department, or the
8 withdrawal of the application.

9 (E) The practice of podiatric medicine by one who is a
10 podiatric physician under the laws of another state,
11 territory of the United States or country as described in
12 Section 18 of this Act, and has applied in writing to the
13 Department, in form and substance satisfactory to the
14 Department, for a license as a podiatric physician and who
15 is qualified to receive such license under Section 13 or
16 Section 9, until:

17 (1) the expiration of 6 months after the filing of
18 such written application,

19 (2) the withdrawal of such application, or

20 (3) the denial of such application by the
21 Department.

22 (F) The provision of emergency care without fee by a
23 podiatric physician assisting in an emergency as provided
24 in Section 4.

25 An applicant for a license to practice podiatric medicine,
26 practicing under the exceptions set forth in paragraphs (D) or

1 (E), may use the title podiatric physician, podiatrist, doctor
2 of podiatric medicine, or chiropodist as set forth in Section 5
3 of this Act.

4 (Source: P.A. 95-235, eff. 8-17-07.)

5 Section 10. The Professional Service Corporation Act is
6 amended by changing Section 3.6 as follows:

7 (805 ILCS 10/3.6) (from Ch. 32, par. 415-3.6)

8 Sec. 3.6. "Related professions" and "related professional
9 services" mean more than one personal service which requires as
10 a condition precedent to the rendering thereof the obtaining of
11 a license and which prior to October 1, 1973 could not be
12 performed by a corporation by reason of law; provided, however,
13 that these terms shall be restricted to:

14 (1) a combination of two or more of the following
15 personal services: (a) "architecture" as defined in
16 Section 5 of the Illinois Architecture Practice Act of
17 1989, (b) "professional engineering" as defined in Section
18 4 of the Professional Engineering Practice Act of 1989, (c)
19 "structural engineering" as defined in Section 5 of the
20 Structural Engineering Practice Act of 1989, (d) "land
21 surveying" as defined in Section 2 of the Illinois
22 Professional Land Surveyor Act of 1989; or

23 (2) a combination of the following personal services:

24 (a) the practice of medicine by persons licensed under the

1 Medical Practice Act of 1987 ~~in all of its branches~~, (b)
2 the practice of podiatry as defined in Section 5 of the
3 Podiatric Medical Practice Act of 1987, (c) the practice of
4 dentistry as defined in the Illinois Dental Practice Act,
5 (d) the practice of optometry as defined in the Illinois
6 Optometric Practice Act of 1987.

7 (Source: P.A. 90-230, eff. 1-1-98; 91-91, eff. 1-1-00.)

8 Section 15. The Limited Liability Company Act is amended by
9 changing Section 1-25 as follows:

10 (805 ILCS 180/1-25)

11 Sec. 1-25. Nature of business. A limited liability company
12 may be formed for any lawful purpose or business except:

13 (1) (blank);

14 (2) insurance unless, for the purpose of carrying on
15 business as a member of a group including incorporated and
16 individual unincorporated underwriters, the Director of
17 Insurance finds that the group meets the requirements of
18 subsection (3) of Section 86 of the Illinois Insurance Code
19 and the limited liability company, if insolvent, is subject
20 to liquidation by the Director of Insurance under Article
21 XIII of the Illinois Insurance Code;

22 (3) the practice of dentistry unless all the members
23 and managers are licensed as dentists under the Illinois
24 Dental Practice Act; or

1 (4) the practice of medicine unless all the managers,
2 if any, are licensed to practice medicine under the Medical
3 Practice Act of 1987 and each member is either:

4 (A) licensed to practice medicine under the
5 Medical Practice Act of 1987; or

6 (B) a registered medical corporation or
7 corporations organized pursuant to the Medical
8 Corporation Act; or

9 (C) a professional corporation organized pursuant
10 to the Professional Service Corporation Act of
11 physicians licensed to practice under the Medical
12 Practice Act of 1987 ~~medicine in all its branches~~; or

13 (D) a limited liability company that satisfies the
14 requirements of subparagraph (A), (B), or (C).

15 (Source: P.A. 95-331, eff. 8-21-07.)