

HB4071



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB4071

by Rep. Mary E. Flowers

SYNOPSIS AS INTRODUCED:

225 ILCS 60/21

from Ch. 111, par. 4400-21

Amends the Medical Practice Act of 1987. Increases various fees concerning licenses and renewal of licenses under the Act. Effective immediately.

LRB097 16032 CEL 61184 b

FISCAL NOTE ACT
MAY APPLY

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 Medical Practice Act of 1987 is amended by
5 changing Section 21 as follows:

6 (225 ILCS 60/21) (from Ch. 111, par. 4400-21)

7 (Section scheduled to be repealed on December 31, 2012)

8 Sec. 21. License renewal; restoration; inactive status;
9 disposition and collection of fees.

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

18 The Department shall mail to each licensee under this Act,
19 at his or her address of record, at least 60 days in advance of
20 the expiration date of his or her license, a renewal notice. No
21 such license shall be deemed to have lapsed until 90 days after
22 the expiration date and after such notice has been mailed by
23 the Department as herein provided.

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

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

18 However, any registrant whose license has expired while he
19 or she has been engaged (a) in Federal Service on active duty
20 with the Army of the United States, the United States Navy, the
21 Marine Corps, the Air Force, the Coast Guard, the Public Health
22 Service or the State Militia called into the service or
23 training of the United States of America, or (b) in training or
24 education under the supervision of the United States
25 preliminary to induction into the military service, may have
26 his or her license reinstated or restored without paying any

1 lapsed renewal fees, if within 2 years after honorable
2 termination of such service, training, or education, he or she
3 furnishes to the Department with satisfactory evidence to the
4 effect that he or she has been so engaged and that his or her
5 service, training, or education has been so terminated.

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

12 Any licensee requesting restoration from inactive status
13 shall be required to pay the current renewal fee, provide proof
14 of meeting the continuing education requirements for the period
15 of time the license is inactive not to exceed one renewal
16 period, and shall be required to restore his or her license as
17 provided in subsection (B).

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

20 (D) Disposition of monies collected. All monies collected
21 under this Act by the Department shall be deposited in the
22 Illinois State Medical Disciplinary Fund in the State Treasury,
23 and used only for the following purposes: (a) by the
24 Disciplinary Board and Licensing Board in the exercise of its
25 powers and performance of its duties, as such use is made by
26 the Department with full consideration of all recommendations

1 of the Disciplinary Board and Licensing Board, (b) for costs
2 directly related to persons licensed under this Act, and (c)
3 for direct and allocable indirect costs related to the public
4 purposes of the Department.

5 Moneys in the Fund may be transferred to the Professions
6 Indirect Cost Fund as authorized under Section 2105-300 of the
7 Department of Professional Regulation Law (20 ILCS
8 2105/2105-300).

9 All earnings received from investment of monies in the
10 Illinois State Medical Disciplinary Fund shall be deposited in
11 the Illinois State Medical Disciplinary Fund and shall be used
12 for the same purposes as fees deposited in such Fund.

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

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

24 (2) The fee for a license under Section 9 of this Act
25 is \$600 ~~\$300~~.

26 (3) The fee for a license under Section 19 of this Act

1 is \$600 ~~\$300~~.

2 (4) The fee for the renewal of a license for a resident
3 of Illinois shall be calculated at the rate of \$200 ~~\$100~~
4 per year, except for licensees who were issued a license
5 within 12 months of the expiration date of the license, the
6 fee for the renewal shall be \$200 ~~\$100~~. The fee for the
7 renewal of a license for a nonresident shall be calculated
8 at the rate of \$400 ~~\$200~~ per year, except for licensees who
9 were issued a license within 12 months of the expiration
10 date of the license, the fee for the renewal shall be \$400
11 ~~\$200~~.

12 (5) The fee for the restoration of a license other than
13 from inactive status, is \$200 ~~\$100~~. In addition, payment of
14 all lapsed renewal fees not to exceed \$1,200 ~~\$600~~ is
15 required.

16 (6) The fee for a 3-year temporary license under
17 Section 17 is \$200 ~~\$100~~.

18 (7) The fee for the issuance of a duplicate license,
19 for the issuance of a replacement license for a license
20 which has been lost or destroyed, or for the issuance of a
21 license with a change of name or address other than during
22 the renewal period is \$20. No fee is required for name and
23 address changes on Department records when no duplicate
24 license is issued.

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

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

5 (10) The fee to be paid by a licensee for a wall
6 certificate showing his or her license shall be the actual
7 cost of producing the certificate as determined by the
8 Department.

9 (11) The fee for a roster of persons licensed as
10 physicians in this State shall be the actual cost of
11 producing such a roster as determined by the Department.

12 (F) Any person who delivers a check or other payment to the
13 Department that is returned to the Department unpaid by the
14 financial institution upon which it is drawn shall pay to the
15 Department, in addition to the amount already owed to the
16 Department, a fine of \$50. The fines imposed by this Section
17 are in addition to any other discipline provided under this Act
18 for unlicensed practice or practice on a nonrenewed license.
19 The Department shall notify the person that payment of fees and
20 fines shall be paid to the Department by certified check or
21 money order within 30 calendar days of the notification. If,
22 after the expiration of 30 days from the date of the
23 notification, the person has failed to submit the necessary
24 remittance, the Department shall automatically terminate the
25 license or certificate or deny the application, without
26 hearing. If, after termination or denial, the person seeks a

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

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

11 Section 99. Effective date. This Act takes effect upon
12 becoming law.