

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 Illinois Optometric Practice Act of 1987 is
5 amended by changing Section 15.1 as follows:

6 (225 ILCS 80/15.1)

7 (Section scheduled to be repealed on January 1, 2017)

8 Sec. 15.1. Diagnostic and therapeutic authority.

9 (a) For purposes of the Act, "ocular pharmaceutical agents"
10 means topical anesthetics, topical mydriatics, topical
11 cycloplegics, topical miotics and mydriatic reversing agents,
12 anti-infective agents, anti-allergy agents, anti-glaucoma
13 agents (except oral carbonic anhydrase inhibitors, which may be
14 prescribed only in a quantity sufficient to provide treatment
15 for up to 72 hours), anti-inflammatory agents (except oral
16 steroids), over-the-counter agents, analgesic agents, anti-dry
17 eye agents, and agents for the treatment of hypotrichosis.

18 (a-3) In addition to ocular pharmaceutical agents that fall
19 within the categories set forth in subsection (a) of this
20 Section, the Board may add a pharmaceutical agent approved by
21 the FDA or class of agents for the purpose of the diagnosis or
22 treatment of conditions of the eye and adnexa after
23 consideration of the agent's systemic effects, side effects,

1 and the use of the agent within the practice of optometry. The
2 Board shall consider requests for additional agents and make
3 recommendations within 90 days after the receipt of the
4 request.

5 Within 45 days after the Board's recommendation to the
6 Department of a pharmaceutical agent or class of agents, the
7 Department shall promulgate rules necessary to allow for the
8 prescribing or administering of the pharmaceutical agent or
9 class of agents under this Act.

10 (a-5) Ocular pharmaceutical agents administered by
11 injection may be used only for the treatment of anaphylaxis.

12 (a-10) Oral pharmaceutical agents may be prescribed for a
13 child under 5 years of age only in consultation with a
14 physician licensed to practice medicine in all its branches.

15 (a-15) The authority to prescribe a Schedule III, IV, or V
16 controlled substance shall include ~~only~~ analgesic agents only
17 in a quantity sufficient to provide treatment for up to 72
18 hours. The prescription of a Schedule II controlled substance
19 is prohibited, except for Dihydrocodeinone (Hydrocodone) with
20 one or more active, non-narcotic ingredients only in a quantity
21 sufficient to provide treatment for up to 72 hours, and only if
22 such formulations of Dihydrocodeinone are reclassified as
23 Schedule II by the U.S. Food and Drug Administration.

24 (b) A licensed optometrist may remove superficial foreign
25 bodies from the human eye and adnexa and may give orders for
26 patient care to a nurse licensed to practice under Illinois

1 law.

2 (c) An optometrist's license shall be revoked or suspended
3 by the Department upon recommendation of the Board based upon
4 either of the following causes:

5 (1) grave or repeated misuse of any ocular
6 pharmaceutical agent; and

7 (2) the use of any agent or procedure in the course of
8 optometric practice by an optometrist not properly
9 authorized under this Act.

10 (d) The Secretary of Financial and Professional Regulation
11 shall notify the Director of Public Health as to the categories
12 of ocular pharmaceutical agents permitted for use by an
13 optometrist. The Director of Public Health shall in turn notify
14 every licensed pharmacist in the State of the categories of
15 ocular pharmaceutical agents that can be utilized and
16 prescribed by an optometrist.

17 (Source: P.A. 97-170, eff. 7-22-11.)

18 Section 10. The Illinois Controlled Substances Act is
19 amended by changing Section 102 as follows:

20 (720 ILCS 570/102) (from Ch. 56 1/2, par. 1102)

21 Sec. 102. Definitions. As used in this Act, unless the
22 context otherwise requires:

23 (a) "Addict" means any person who habitually uses any drug,
24 chemical, substance or dangerous drug other than alcohol so as

1 to endanger the public morals, health, safety or welfare or who
2 is so far addicted to the use of a dangerous drug or controlled
3 substance other than alcohol as to have lost the power of self
4 control with reference to his or her addiction.

5 (b) "Administer" means the direct application of a
6 controlled substance, whether by injection, inhalation,
7 ingestion, or any other means, to the body of a patient,
8 research subject, or animal (as defined by the Humane
9 Euthanasia in Animal Shelters Act) by:

10 (1) a practitioner (or, in his or her presence, by his
11 or her authorized agent),

12 (2) the patient or research subject pursuant to an
13 order, or

14 (3) a euthanasia technician as defined by the Humane
15 Euthanasia in Animal Shelters Act.

16 (c) "Agent" means an authorized person who acts on behalf
17 of or at the direction of a manufacturer, distributor,
18 dispenser, prescriber, or practitioner. It does not include a
19 common or contract carrier, public warehouseman or employee of
20 the carrier or warehouseman.

21 (c-1) "Anabolic Steroids" means any drug or hormonal
22 substance, chemically and pharmacologically related to
23 testosterone (other than estrogens, progestins,
24 corticosteroids, and dehydroepiandrosterone), and includes:

25 (i) 3[beta] ,17-dihydroxy-5a-androstane,

26 (ii) 3[alpha] ,17[beta] -dihydroxy-5a-androstane,

- 1 (iii) 5[alpha] -androstan-3,17-dione,
2 (iv) 1-androstenediol (3[beta] ,
3 17[beta] -dihydroxy-5[alpha] -androst-1-ene) ,
4 (v) 1-androstenediol (3[alpha] ,
5 17[beta] -dihydroxy-5[alpha] -androst-1-ene) ,
6 (vi) 4-androstenediol
7 (3[beta] , 17[beta] -dihydroxy-androst-4-ene) ,
8 (vii) 5-androstenediol
9 (3[beta] , 17[beta] -dihydroxy-androst-5-ene) ,
10 (viii) 1-androstenedione
11 ([5alpha] -androst-1-en-3,17-dione) ,
12 (ix) 4-androstenedione
13 (androst-4-en-3,17-dione) ,
14 (x) 5-androstenedione
15 (androst-5-en-3,17-dione) ,
16 (xi) bolasterone (7[alpha] , 17a-dimethyl-17[beta] -
17 hydroxyandrost-4-en-3-one) ,
18 (xii) boldenone (17[beta] -hydroxyandrost-
19 1,4,-diene-3-one) ,
20 (xiii) boldione (androsta-1,4-
21 diene-3,17-dione) ,
22 (xiv) calusterone (7[beta] , 17[alpha] -dimethyl-17
23 [beta] -hydroxyandrost-4-en-3-one) ,
24 (xv) clostebol (4-chloro-17[beta] -
25 hydroxyandrost-4-en-3-one) ,
26 (xvi) dehydrochloromethyltestosterone (4-chloro-

1 17[beta] -hydroxy-17[alpha] -methyl-
2 androst-1,4-dien-3-one),
3 (xvii) desoxymethyltestosterone
4 (17[alpha] -methyl-5[alpha]
5 -androst-2-en-17[beta] -ol) (a.k.a., madol),
6 (xviii) [delta] 1-dihydrotestosterone (a.k.a.
7 '1-testosterone') (17[beta] -hydroxy-
8 5[alpha] -androst-1-en-3-one),
9 (xix) 4-dihydrotestosterone (17[beta] -hydroxy-
10 androstan-3-one),
11 (xx) drostanolone (17[beta] -hydroxy-2[alpha] -methyl-
12 5[alpha] -androstan-3-one),
13 (xxi) ethylestrenol (17[alpha] -ethyl-17[beta] -
14 hydroxyestr-4-ene),
15 (xxii) fluoxymesterone (9-fluoro-17[alpha] -methyl-
16 1[beta] ,17[beta] -dihydroxyandrost-4-en-3-one),
17 (xxiii) formebolone (2-formyl-17[alpha] -methyl-11[alpha] ,
18 17[beta] -dihydroxyandrost-1,4-dien-3-one),
19 (xxiv) furazabol (17[alpha] -methyl-17[beta] -
20 hydroxyandrostan[2,3-c] -furan),
21 (xxv) 13[beta] -ethyl-17[beta] -hydroxygon-4-en-3-one)
22 (xxvi) 4-hydroxytestosterone (4,17[beta] -dihydroxy-
23 androst-4-en-3-one),
24 (xxvii) 4-hydroxy-19-nortestosterone (4,17[beta] -
25 dihydroxy-estr-4-en-3-one),
26 (xxviii) mestanolone (17[alpha] -methyl-17[beta] -

1 hydroxy-5-androstan-3-one),
2 (xxix) mesterolone (1-methyl-17[beta] -hydroxy-
3 [5a] -androstan-3-one),
4 (xxx) methandienone (17[alpha] -methyl-17[beta] -
5 hydroxyandrost-1,4-dien-3-one),
6 (xxxii) methandriol (17[alpha] -methyl-3[beta] ,17[beta] -
7 dihydroxyandrost-5-ene),
8 (xxxiii) methenolone (1-methyl-17[beta] -hydroxy-
9 5[alpha] -androst-1-en-3-one),
10 (xxxiiii) 17[alpha] -methyl-3[beta] , 17[beta] -
11 dihydroxy-5a-androstane),
12 (xxxv) 17[alpha] -methyl-3[alpha] ,17[beta] -dihydroxy
13 -5a-androstane),
14 (xxxvi) 17[alpha] -methyl-3[beta] ,17[beta] -
15 dihydroxyandrost-4-ene),
16 (xxxvii) 17[alpha] -methyl-4-hydroxynandrolone (17[alpha] -
17 methyl-4-hydroxy-17[beta] -hydroxyestr-4-en-3-one),
18 (xxxviii) methyldienolone (17[alpha] -methyl-17[beta] -
19 hydroxyestra-4,9(10)-dien-3-one),
20 (xxxix) methyltrienolone (17[alpha] -methyl-17[beta] -
21 hydroxyestra-4,9-11-trien-3-one),
22 (xl) methyltestosterone (17[alpha] -methyl-17[beta] -
23 hydroxyandrost-4-en-3-one),
24 (xli) mibolerone (7[alpha] ,17a-dimethyl-17[beta] -
25 hydroxyestr-4-en-3-one),
26 (xlii) 17[alpha] -methyl-[delta] 1-dihydrotestosterone

1 (17b[beta] -hydroxy-17[alpha] -methyl-5[alpha] -
2 androst-1-en-3-one) (a.k.a. '17-[alpha] -methyl-
3 1-testosterone'),
4 (xlii) nandrolone (17[beta] -hydroxyestr-4-en-3-one),
5 (xliii) 19-nor-4-androstenediol (3[beta] , 17[beta] -
6 dihydroxyestr-4-ene),
7 (xliv) 19-nor-4-androstenediol (3[alpha] , 17[beta] -
8 dihydroxyestr-4-ene),
9 (xlv) 19-nor-5-androstenediol (3[beta] , 17[beta] -
10 dihydroxyestr-5-ene),
11 (xlvi) 19-nor-5-androstenediol (3[alpha] , 17[beta] -
12 dihydroxyestr-5-ene),
13 (xlvii) 19-nor-4,9(10)-androstadienedione
14 (estra-4,9(10)-diene-3,17-dione),
15 (xlviii) 19-nor-4-androstenedione (estr-4-
16 en-3,17-dione),
17 (xlix) 19-nor-5-androstenedione (estr-5-
18 en-3,17-dione),
19 (l) norbolethone (13[beta] , 17a-diethyl-17[beta] -
20 hydroxygon-4-en-3-one),
21 (li) norclostebol (4-chloro-17[beta] -
22 hydroxyestr-4-en-3-one),
23 (lii) norethandrolone (17[alpha] -ethyl-17[beta] -
24 hydroxyestr-4-en-3-one),
25 (liii) normethandrolone (17[alpha] -methyl-17[beta] -
26 hydroxyestr-4-en-3-one),

- 1 (liv) oxandrolone (17[alpha] -methyl-17[beta] -hydroxy-
2 2-oxa-5[alpha] -androstan-3-one),
3 (lv) oxymesterone (17[alpha] -methyl-4,17[beta] -
4 dihydroxyandrost-4-en-3-one),
5 (lvi) oxymetholone (17[alpha] -methyl-2-hydroxymethylene-
6 17[beta] -hydroxy- (5[alpha] -androstan-3-one),
7 (lvii) stanozolol (17[alpha] -methyl-17[beta] -hydroxy-
8 (5[alpha] -androst-2-en[3,2-c] -pyrazole),
9 (lviii) stenbolone (17[beta] -hydroxy-2-methyl-
10 (5[alpha] -androst-1-en-3-one),
11 (lix) testolactone (13-hydroxy-3-oxo-13,17-
12 secoandrosta-1,4-dien-17-oic
13 acid lactone),
14 (lx) testosterone (17[beta] -hydroxyandrost-
15 4-en-3-one),
16 (lxi) tetrahydrogestrinone (13[beta] , 17[alpha] -
17 diethyl-17[beta] -hydroxygon-
18 4,9,11-trien-3-one),
19 (lxii) trenbolone (17[beta] -hydroxyestr-4,9,
20 11-trien-3-one).

21 Any person who is otherwise lawfully in possession of an
22 anabolic steroid, or who otherwise lawfully manufactures,
23 distributes, dispenses, delivers, or possesses with intent to
24 deliver an anabolic steroid, which anabolic steroid is
25 expressly intended for and lawfully allowed to be administered
26 through implants to livestock or other nonhuman species, and

1 which is approved by the Secretary of Health and Human Services
2 for such administration, and which the person intends to
3 administer or have administered through such implants, shall
4 not be considered to be in unauthorized possession or to
5 unlawfully manufacture, distribute, dispense, deliver, or
6 possess with intent to deliver such anabolic steroid for
7 purposes of this Act.

8 (d) "Administration" means the Drug Enforcement
9 Administration, United States Department of Justice, or its
10 successor agency.

11 (d-5) "Clinical Director, Prescription Monitoring Program"
12 means a Department of Human Services administrative employee
13 licensed to either prescribe or dispense controlled substances
14 who shall run the clinical aspects of the Department of Human
15 Services Prescription Monitoring Program and its Prescription
16 Information Library.

17 (d-10) "Compounding" means the preparation and mixing of
18 components, excluding flavorings, (1) as the result of a
19 prescriber's prescription drug order or initiative based on the
20 prescriber-patient-pharmacist relationship in the course of
21 professional practice or (2) for the purpose of, or incident
22 to, research, teaching, or chemical analysis and not for sale
23 or dispensing. "Compounding" includes the preparation of drugs
24 or devices in anticipation of receiving prescription drug
25 orders based on routine, regularly observed dispensing
26 patterns. Commercially available products may be compounded

1 for dispensing to individual patients only if both of the
2 following conditions are met: (i) the commercial product is not
3 reasonably available from normal distribution channels in a
4 timely manner to meet the patient's needs and (ii) the
5 prescribing practitioner has requested that the drug be
6 compounded.

7 (e) "Control" means to add a drug or other substance, or
8 immediate precursor, to a Schedule whether by transfer from
9 another Schedule or otherwise.

10 (f) "Controlled Substance" means (i) a drug, substance, or
11 immediate precursor in the Schedules of Article II of this Act
12 or (ii) a drug or other substance, or immediate precursor,
13 designated as a controlled substance by the Department through
14 administrative rule. The term does not include distilled
15 spirits, wine, malt beverages, or tobacco, as those terms are
16 defined or used in the Liquor Control Act of 1934 and the
17 Tobacco Products Tax Act of 1995.

18 (f-5) "Controlled substance analog" means a substance:

19 (1) the chemical structure of which is substantially
20 similar to the chemical structure of a controlled substance
21 in Schedule I or II;

22 (2) which has a stimulant, depressant, or
23 hallucinogenic effect on the central nervous system that is
24 substantially similar to or greater than the stimulant,
25 depressant, or hallucinogenic effect on the central
26 nervous system of a controlled substance in Schedule I or

1 II; or

2 (3) with respect to a particular person, which such
3 person represents or intends to have a stimulant,
4 depressant, or hallucinogenic effect on the central
5 nervous system that is substantially similar to or greater
6 than the stimulant, depressant, or hallucinogenic effect
7 on the central nervous system of a controlled substance in
8 Schedule I or II.

9 (g) "Counterfeit substance" means a controlled substance,
10 which, or the container or labeling of which, without
11 authorization bears the trademark, trade name, or other
12 identifying mark, imprint, number or device, or any likeness
13 thereof, of a manufacturer, distributor, or dispenser other
14 than the person who in fact manufactured, distributed, or
15 dispensed the substance.

16 (h) "Deliver" or "delivery" means the actual, constructive
17 or attempted transfer of possession of a controlled substance,
18 with or without consideration, whether or not there is an
19 agency relationship.

20 (i) "Department" means the Illinois Department of Human
21 Services (as successor to the Department of Alcoholism and
22 Substance Abuse) or its successor agency.

23 (j) (Blank).

24 (k) "Department of Corrections" means the Department of
25 Corrections of the State of Illinois or its successor agency.

26 (l) "Department of Financial and Professional Regulation"

1 means the Department of Financial and Professional Regulation
2 of the State of Illinois or its successor agency.

3 (m) "Depressant" means any drug that (i) causes an overall
4 depression of central nervous system functions, (ii) causes
5 impaired consciousness and awareness, and (iii) can be
6 habit-forming or lead to a substance abuse problem, including
7 but not limited to alcohol, cannabis and its active principles
8 and their analogs, benzodiazepines and their analogs,
9 barbiturates and their analogs, opioids (natural and
10 synthetic) and their analogs, and chloral hydrate and similar
11 sedative hypnotics.

12 (n) (Blank).

13 (o) "Director" means the Director of the Illinois State
14 Police or his or her designated agents.

15 (p) "Dispense" means to deliver a controlled substance to
16 an ultimate user or research subject by or pursuant to the
17 lawful order of a prescriber, including the prescribing,
18 administering, packaging, labeling, or compounding necessary
19 to prepare the substance for that delivery.

20 (q) "Dispenser" means a practitioner who dispenses.

21 (r) "Distribute" means to deliver, other than by
22 administering or dispensing, a controlled substance.

23 (s) "Distributor" means a person who distributes.

24 (t) "Drug" means (1) substances recognized as drugs in the
25 official United States Pharmacopoeia, Official Homeopathic
26 Pharmacopoeia of the United States, or official National

1 Formulary, or any supplement to any of them; (2) substances
2 intended for use in diagnosis, cure, mitigation, treatment, or
3 prevention of disease in man or animals; (3) substances (other
4 than food) intended to affect the structure of any function of
5 the body of man or animals and (4) substances intended for use
6 as a component of any article specified in clause (1), (2), or
7 (3) of this subsection. It does not include devices or their
8 components, parts, or accessories.

9 (t-5) "Euthanasia agency" means an entity certified by the
10 Department of Financial and Professional Regulation for the
11 purpose of animal euthanasia that holds an animal control
12 facility license or animal shelter license under the Animal
13 Welfare Act. A euthanasia agency is authorized to purchase,
14 store, possess, and utilize Schedule II nonnarcotic and
15 Schedule III nonnarcotic drugs for the sole purpose of animal
16 euthanasia.

17 (t-10) "Euthanasia drugs" means Schedule II or Schedule III
18 substances (nonnarcotic controlled substances) that are used
19 by a euthanasia agency for the purpose of animal euthanasia.

20 (u) "Good faith" means the prescribing or dispensing of a
21 controlled substance by a practitioner in the regular course of
22 professional treatment to or for any person who is under his or
23 her treatment for a pathology or condition other than that
24 individual's physical or psychological dependence upon or
25 addiction to a controlled substance, except as provided herein:
26 and application of the term to a pharmacist shall mean the

1 dispensing of a controlled substance pursuant to the
2 prescriber's order which in the professional judgment of the
3 pharmacist is lawful. The pharmacist shall be guided by
4 accepted professional standards including, but not limited to
5 the following, in making the judgment:

6 (1) lack of consistency of prescriber-patient
7 relationship,

8 (2) frequency of prescriptions for same drug by one
9 prescriber for large numbers of patients,

10 (3) quantities beyond those normally prescribed,

11 (4) unusual dosages (recognizing that there may be
12 clinical circumstances where more or less than the usual
13 dose may be used legitimately),

14 (5) unusual geographic distances between patient,
15 pharmacist and prescriber,

16 (6) consistent prescribing of habit-forming drugs.

17 (u-0.5) "Hallucinogen" means a drug that causes markedly
18 altered sensory perception leading to hallucinations of any
19 type.

20 (u-1) "Home infusion services" means services provided by a
21 pharmacy in compounding solutions for direct administration to
22 a patient in a private residence, long-term care facility, or
23 hospice setting by means of parenteral, intravenous,
24 intramuscular, subcutaneous, or intraspinal infusion.

25 (u-5) "Illinois State Police" means the State Police of the
26 State of Illinois, or its successor agency.

1 (v) "Immediate precursor" means a substance:

2 (1) which the Department has found to be and by rule
3 designated as being a principal compound used, or produced
4 primarily for use, in the manufacture of a controlled
5 substance;

6 (2) which is an immediate chemical intermediary used or
7 likely to be used in the manufacture of such controlled
8 substance; and

9 (3) the control of which is necessary to prevent,
10 curtail or limit the manufacture of such controlled
11 substance.

12 (w) "Instructional activities" means the acts of teaching,
13 educating or instructing by practitioners using controlled
14 substances within educational facilities approved by the State
15 Board of Education or its successor agency.

16 (x) "Local authorities" means a duly organized State,
17 County or Municipal peace unit or police force.

18 (y) "Look-alike substance" means a substance, other than a
19 controlled substance which (1) by overall dosage unit
20 appearance, including shape, color, size, markings or lack
21 thereof, taste, consistency, or any other identifying physical
22 characteristic of the substance, would lead a reasonable person
23 to believe that the substance is a controlled substance, or (2)
24 is expressly or impliedly represented to be a controlled
25 substance or is distributed under circumstances which would
26 lead a reasonable person to believe that the substance is a

1 controlled substance. For the purpose of determining whether
2 the representations made or the circumstances of the
3 distribution would lead a reasonable person to believe the
4 substance to be a controlled substance under this clause (2) of
5 subsection (y), the court or other authority may consider the
6 following factors in addition to any other factor that may be
7 relevant:

8 (a) statements made by the owner or person in control
9 of the substance concerning its nature, use or effect;

10 (b) statements made to the buyer or recipient that the
11 substance may be resold for profit;

12 (c) whether the substance is packaged in a manner
13 normally used for the illegal distribution of controlled
14 substances;

15 (d) whether the distribution or attempted distribution
16 included an exchange of or demand for money or other
17 property as consideration, and whether the amount of the
18 consideration was substantially greater than the
19 reasonable retail market value of the substance.

20 Clause (1) of this subsection (y) shall not apply to a
21 noncontrolled substance in its finished dosage form that was
22 initially introduced into commerce prior to the initial
23 introduction into commerce of a controlled substance in its
24 finished dosage form which it may substantially resemble.

25 Nothing in this subsection (y) prohibits the dispensing or
26 distributing of noncontrolled substances by persons authorized

1 to dispense and distribute controlled substances under this
2 Act, provided that such action would be deemed to be carried
3 out in good faith under subsection (u) if the substances
4 involved were controlled substances.

5 Nothing in this subsection (y) or in this Act prohibits the
6 manufacture, preparation, propagation, compounding,
7 processing, packaging, advertising or distribution of a drug or
8 drugs by any person registered pursuant to Section 510 of the
9 Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360).

10 (y-1) "Mail-order pharmacy" means a pharmacy that is
11 located in a state of the United States that delivers,
12 dispenses or distributes, through the United States Postal
13 Service or other common carrier, to Illinois residents, any
14 substance which requires a prescription.

15 (z) "Manufacture" means the production, preparation,
16 propagation, compounding, conversion or processing of a
17 controlled substance other than methamphetamine, either
18 directly or indirectly, by extraction from substances of
19 natural origin, or independently by means of chemical
20 synthesis, or by a combination of extraction and chemical
21 synthesis, and includes any packaging or repackaging of the
22 substance or labeling of its container, except that this term
23 does not include:

24 (1) by an ultimate user, the preparation or compounding
25 of a controlled substance for his or her own use; or

26 (2) by a practitioner, or his or her authorized agent

1 under his or her supervision, the preparation,
2 compounding, packaging, or labeling of a controlled
3 substance:

4 (a) as an incident to his or her administering or
5 dispensing of a controlled substance in the course of
6 his or her professional practice; or

7 (b) as an incident to lawful research, teaching or
8 chemical analysis and not for sale.

9 (z-1) (Blank).

10 (z-5) "Medication shopping" means the conduct prohibited
11 under subsection (a) of Section 314.5 of this Act.

12 (z-10) "Mid-level practitioner" means (i) a physician
13 assistant who has been delegated authority to prescribe through
14 a written delegation of authority by a physician licensed to
15 practice medicine in all of its branches, in accordance with
16 Section 7.5 of the Physician Assistant Practice Act of 1987,
17 (ii) an advanced practice nurse who has been delegated
18 authority to prescribe through a written delegation of
19 authority by a physician licensed to practice medicine in all
20 of its branches or by a podiatric physician, in accordance with
21 Section 65-40 of the Nurse Practice Act, or (iii) an animal
22 euthanasia agency.

23 (aa) "Narcotic drug" means any of the following, whether
24 produced directly or indirectly by extraction from substances
25 of vegetable origin, or independently by means of chemical
26 synthesis, or by a combination of extraction and chemical

1 synthesis:

2 (1) opium, opiates, derivatives of opium and opiates,
3 including their isomers, esters, ethers, salts, and salts
4 of isomers, esters, and ethers, whenever the existence of
5 such isomers, esters, ethers, and salts is possible within
6 the specific chemical designation; however the term
7 "narcotic drug" does not include the isoquinoline
8 alkaloids of opium;

9 (2) (blank);

10 (3) opium poppy and poppy straw;

11 (4) coca leaves, except coca leaves and extracts of
12 coca leaves from which substantially all of the cocaine and
13 ecgonine, and their isomers, derivatives and salts, have
14 been removed;

15 (5) cocaine, its salts, optical and geometric isomers,
16 and salts of isomers;

17 (6) ecgonine, its derivatives, their salts, isomers,
18 and salts of isomers;

19 (7) any compound, mixture, or preparation which
20 contains any quantity of any of the substances referred to
21 in subparagraphs (1) through (6).

22 (bb) "Nurse" means a registered nurse licensed under the
23 Nurse Practice Act.

24 (cc) (Blank).

25 (dd) "Opiate" means any substance having an addiction
26 forming or addiction sustaining liability similar to morphine

1 or being capable of conversion into a drug having addiction
2 forming or addiction sustaining liability.

3 (ee) "Opium poppy" means the plant of the species *Papaver*
4 *somniferum* L., except its seeds.

5 (ee-5) "Oral dosage" means a tablet, capsule, elixir, or
6 solution or other liquid form of medication intended for
7 administration by mouth, but the term does not include a form
8 of medication intended for buccal, sublingual, or transmucosal
9 administration.

10 (ff) "Parole and Pardon Board" means the Parole and Pardon
11 Board of the State of Illinois or its successor agency.

12 (gg) "Person" means any individual, corporation,
13 mail-order pharmacy, government or governmental subdivision or
14 agency, business trust, estate, trust, partnership or
15 association, or any other entity.

16 (hh) "Pharmacist" means any person who holds a license or
17 certificate of registration as a registered pharmacist, a local
18 registered pharmacist or a registered assistant pharmacist
19 under the Pharmacy Practice Act.

20 (ii) "Pharmacy" means any store, ship or other place in
21 which pharmacy is authorized to be practiced under the Pharmacy
22 Practice Act.

23 (ii-5) "Pharmacy shopping" means the conduct prohibited
24 under subsection (b) of Section 314.5 of this Act.

25 (ii-10) "Physician" (except when the context otherwise
26 requires) means a person licensed to practice medicine in all

1 of its branches.

2 (jj) "Poppy straw" means all parts, except the seeds, of
3 the opium poppy, after mowing.

4 (kk) "Practitioner" means a physician licensed to practice
5 medicine in all its branches, dentist, optometrist, podiatric
6 physician, veterinarian, scientific investigator, pharmacist,
7 physician assistant, advanced practice nurse, licensed
8 practical nurse, registered nurse, hospital, laboratory, or
9 pharmacy, or other person licensed, registered, or otherwise
10 lawfully permitted by the United States or this State to
11 distribute, dispense, conduct research with respect to,
12 administer or use in teaching or chemical analysis, a
13 controlled substance in the course of professional practice or
14 research.

15 (ll) "Pre-printed prescription" means a written
16 prescription upon which the designated drug has been indicated
17 prior to the time of issuance; the term does not mean a written
18 prescription that is individually generated by machine or
19 computer in the prescriber's office.

20 (mm) "Prescriber" means a physician licensed to practice
21 medicine in all its branches, dentist, optometrist, podiatric
22 physician or veterinarian who issues a prescription, a
23 physician assistant who issues a prescription for a controlled
24 substance in accordance with Section 303.05, a written
25 delegation, and a written supervision agreement required under
26 Section 7.5 of the Physician Assistant Practice Act of 1987, or

1 an advanced practice nurse with prescriptive authority
2 delegated under Section 65-40 of the Nurse Practice Act and in
3 accordance with Section 303.05, a written delegation, and a
4 written collaborative agreement under Section 65-35 of the
5 Nurse Practice Act.

6 (nn) "Prescription" means a written, facsimile, or oral
7 order, or an electronic order that complies with applicable
8 federal requirements, of a physician licensed to practice
9 medicine in all its branches, dentist, podiatric physician or
10 veterinarian for any controlled substance, of an optometrist
11 for a Schedule II, III, IV, or V controlled substance in
12 accordance with Section 15.1 of the Illinois Optometric
13 Practice Act of 1987, of a physician assistant for a controlled
14 substance in accordance with Section 303.05, a written
15 delegation, and a written supervision agreement required under
16 Section 7.5 of the Physician Assistant Practice Act of 1987, or
17 of an advanced practice nurse with prescriptive authority
18 delegated under Section 65-40 of the Nurse Practice Act who
19 issues a prescription for a controlled substance in accordance
20 with Section 303.05, a written delegation, and a written
21 collaborative agreement under Section 65-35 of the Nurse
22 Practice Act when required by law.

23 (nn-5) "Prescription Information Library" (PIL) means an
24 electronic library that contains reported controlled substance
25 data.

26 (nn-10) "Prescription Monitoring Program" (PMP) means the

1 entity that collects, tracks, and stores reported data on
2 controlled substances and select drugs pursuant to Section 316.

3 (oo) "Production" or "produce" means manufacture,
4 planting, cultivating, growing, or harvesting of a controlled
5 substance other than methamphetamine.

6 (pp) "Registrant" means every person who is required to
7 register under Section 302 of this Act.

8 (qq) "Registry number" means the number assigned to each
9 person authorized to handle controlled substances under the
10 laws of the United States and of this State.

11 (qq-5) "Secretary" means, as the context requires, either
12 the Secretary of the Department or the Secretary of the
13 Department of Financial and Professional Regulation, and the
14 Secretary's designated agents.

15 (rr) "State" includes the State of Illinois and any state,
16 district, commonwealth, territory, insular possession thereof,
17 and any area subject to the legal authority of the United
18 States of America.

19 (rr-5) "Stimulant" means any drug that (i) causes an
20 overall excitation of central nervous system functions, (ii)
21 causes impaired consciousness and awareness, and (iii) can be
22 habit-forming or lead to a substance abuse problem, including
23 but not limited to amphetamines and their analogs,
24 methylphenidate and its analogs, cocaine, and phencyclidine
25 and its analogs.

26 (ss) "Ultimate user" means a person who lawfully possesses

1 a controlled substance for his or her own use or for the use of
2 a member of his or her household or for administering to an
3 animal owned by him or her or by a member of his or her
4 household.

5 (Source: P.A. 97-334, eff. 1-1-12; 98-214, eff. 8-9-13; revised
6 11-12-13.)

7 Section 99. Effective date. This Act takes effect upon
8 becoming law.