

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 changing
5 Section 4.28 and by adding Section 4.38 as follows:

6 (5 ILCS 80/4.28)

7 Sec. 4.28. Acts repealed on January 1, 2018. The following
8 Acts are repealed on January 1, 2018:

9 The Illinois Petroleum Education and Marketing Act.

10 The Podiatric Medical Practice Act of 1987.

11 The Acupuncture Practice Act.

12 ~~The Illinois Speech Language Pathology and Audiology~~
13 ~~Practice Act.~~

14 The Interpreter for the Deaf Licensure Act of 2007.

15 The Nurse Practice Act.

16 The Clinical Social Work and Social Work Practice Act.

17 The Pharmacy Practice Act.

18 The Home Medical Equipment and Services Provider License
19 Act.

20 The Marriage and Family Therapy Licensing Act.

21 The Nursing Home Administrators Licensing and Disciplinary
22 Act.

23 The Physician Assistant Practice Act of 1987.

1 (Source: P.A. 95-187, eff. 8-16-07; 95-235, eff. 8-17-07;
2 95-450, eff. 8-27-07; 95-465, eff. 8-27-07; 95-617, eff.
3 9-12-07; 95-639, eff. 10-5-07; 95-687, eff. 10-23-07; 95-689,
4 eff. 10-29-07; 95-703, eff. 12-31-07; 95-876, eff. 8-21-08;
5 96-328, eff. 8-11-09.)

6 (5 ILCS 80/4.38 new)

7 Sec. 4.38. Act repealed on January 1, 2028. The following
8 Act is repealed on January 1, 2028:

9 The Illinois Speech-Language Pathology and Audiology
10 Practice Act.

11 Section 10. The Illinois Speech-Language Pathology and
12 Audiology Practice Act is amended by changing Sections 3, 3.5,
13 5, 7, 8, 8.1, 8.5, 8.8, 11, 14, 16, 17, 22, 23, 24.1, 31a, and
14 34 and by adding Sections 4.5, 8.2, 8.3, and 34.1 as follows:

15 (225 ILCS 110/3) (from Ch. 111, par. 7903)

16 (Section scheduled to be repealed on January 1, 2018)

17 Sec. 3. Definitions. The following words and phrases shall
18 have the meaning ascribed to them in this Section unless the
19 context clearly indicates otherwise:

20 (a) "Department" means the Department of Financial and
21 Professional Regulation.

22 (b) "Secretary" means the Secretary of Financial and
23 Professional Regulation.

1 (c) "Board" means the Board of Speech-Language Pathology
2 and Audiology established under Section 5 of this Act.

3 (d) "Speech-Language Pathologist" means a person who has
4 received a license pursuant to this Act and who engages in the
5 practice of speech-language pathology.

6 (e) "Audiologist" means a person who has received a license
7 pursuant to this Act and who engages in the practice of
8 audiology.

9 (f) "Public member" means a person who is not a health
10 professional. For purposes of board membership, any person with
11 a significant financial interest in a health service or
12 profession is not a public member.

13 (g) "The practice of audiology" is the application of
14 nonsurgical ~~nonmedical~~ methods and procedures for the
15 screening, identification, measurement, monitoring, testing,
16 appraisal, prediction, interpretation, habilitation,
17 rehabilitation, or instruction related to audiologic or
18 vestibular disorders, including hearing and disorders of
19 hearing. These procedures are for the purpose of counseling,
20 consulting and rendering or offering to render services or for
21 participating in the planning, directing or conducting of
22 programs that are designed to modify communicative disorders
23 involving speech, language, ~~or~~ auditory, or vestibular
24 function related to hearing loss. The practice of audiology may
25 include, but shall not be limited to, the following:

26 (1) any task, procedure, act, or practice that is

1 necessary for the evaluation and management of audiologic,
2 hearing, or vestibular function, including, but not
3 limited to, neurophysiologic intraoperative monitoring of
4 the seventh or eighth cranial nerve function;

5 (2) training in the use of amplification devices;

6 (3) the evaluation, fitting, dispensing, or servicing
7 of hearing instruments and auditory prosthetic devices,
8 such as cochlear implants, auditory osseointegrated
9 devices, and brainstem implants;

10 (4) cerumen removal; ~~and~~

11 (5) ~~(4)~~ performing basic speech and language screening
12 tests and procedures consistent with audiology training;
13 and-

14 (6) performing basic health screenings in accordance
15 with Section 8.3 of this Act.

16 (h) "The practice of speech-language pathology" is the
17 application of nonmedical methods and procedures for the
18 identification, measurement, testing, appraisal, prediction,
19 habilitation, rehabilitation, and modification related to
20 communication development, and disorders or disabilities of
21 speech, language, voice, swallowing, and other speech,
22 language and voice related disorders. These procedures are for
23 the purpose of counseling, consulting and rendering or offering
24 to render services, or for participating in the planning,
25 directing or conducting of programs that are designed to modify
26 communicative disorders and conditions in individuals or

1 groups of individuals involving speech, language, voice and
2 swallowing function.

3 "The practice of speech-language pathology" shall include,
4 but shall not be limited to, the following:

5 (1) hearing screening tests and aural rehabilitation
6 procedures consistent with speech-language pathology
7 training;

8 (2) tasks, procedures, acts or practices that are
9 necessary for the evaluation of, and training in the use
10 of, augmentative communication systems, communication
11 variation, cognitive rehabilitation, non-spoken language
12 production and comprehension; ~~and~~

13 (3) the use of rigid or flexible laryngoscopes for the
14 sole purpose of observing and obtaining images of the
15 pharynx and larynx in accordance with Section 9.3 of this
16 Act; and -

17 (4) performing basic health screenings in accordance
18 with Section 8.3 of this Act.

19 (i) "Speech-language pathology assistant" means a person
20 who has received a license pursuant to this Act to assist a
21 speech-language pathologist in the manner provided in this Act.

22 (j) "Physician" means a physician licensed to practice
23 medicine in all its branches under the Medical Practice Act of
24 1987.

25 (k) "Email address of record" means the designated email
26 address recorded by the Department in the applicant's

1 application file or the licensee's license file, as maintained
2 by the Department's licensure maintenance unit.

3 (l) "Address of record" means the designated address
4 recorded by the Department in the applicant's or licensee's
5 application file or license file as maintained by the
6 Department's licensure maintenance unit.

7 (m) "Neurophysiologic intraoperative monitoring" means the
8 process of continual testing and interpretation of test results
9 using electrodiagnostic modalities to monitor the seventh and
10 eighth cranial nerve function during a surgical procedure.
11 Neurophysiologic intraoperative monitoring does not include
12 testing and interpretation of test results using
13 electrodiagnostic modalities to monitor the spinal cord,
14 peripheral nerves (other than the seventh and eighth cranial
15 nerve), cerebral hemispheres, or brainstem. Neurophysiologic
16 intraoperative monitoring may be performed by an audiologist
17 only if authorized by the physician performing the surgical
18 procedure.

19 (Source: P.A. 95-465, eff. 8-27-07; 96-719, eff. 8-25-09.)

20 (225 ILCS 110/3.5)

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

22 Sec. 3.5. Exemptions. This Act does not prohibit:

23 (a) The practice of speech-language pathology or
24 audiology by students in their course of study in programs
25 approved by the Department when acting under the direction

1 and supervision of licensed speech-language pathologists
2 or audiologists.

3 (b) The performance of any speech-language pathology
4 service by a speech-language pathology assistant ~~or a~~
5 ~~speech-language pathology paraprofessional~~ if such service
6 is performed under the supervision and full responsibility
7 of a licensed speech-language pathologist. A speech
8 language pathology assistant may perform only those duties
9 authorized by Section 8.7 under the supervision of a
10 speech-language pathologist as provided in Section 8.8.

11 (b-5) The performance of an audiology service by an
12 appropriately trained person if that service is performed
13 under the supervision and full responsibility of a licensed
14 audiologist.

15 (c) The performance of audiometric testing for the
16 purpose of industrial hearing conservation by an
17 audiometric technician certified by the Council of
18 Accreditation for Occupational Hearing Conservation
19 (CAOHC).

20 (d) The performance of an audiometric screening by an
21 audiometric screenings technician certified by the
22 Department of Public Health.

23 (e) The selling or practice of fitting, dispensing, or
24 servicing hearing instruments by a hearing instrument
25 dispenser licensed under the Hearing Instrument Consumer
26 Protection Act.

1 (f) A person licensed in this State under any other Act
2 from engaging in the practice for which he or she is
3 licensed.

4 (g) The performance of vestibular function testing by
5 an appropriately trained person under the supervision of a
6 physician licensed to practice medicine in all its
7 branches.

8 (h) The performance of neurophysiologic intraoperative
9 monitoring of the seventh and eighth cranial nerve by an
10 individual certified by the American Board of Registration
11 of Electroencephalographic and Evoked Potential
12 Technologists as Certified in Neurophysiologic
13 Intraoperative Monitoring only if authorized and
14 supervised by the physician performing the surgical
15 procedure.

16 (Source: P.A. 92-510, eff. 6-1-02.)

17 (225 ILCS 110/4.5 new)

18 Sec. 4.5. Address of record; email address of record. All
19 applicants and licensees shall:

20 (1) provide a valid address and email address to the
21 Department, which shall serve as the address of record and
22 email address of record, respectively, at the time of
23 application for licensure or renewal of a license; and

24 (2) inform the Department of any change of address of
25 record or email address of record within 14 days after such

1 change either through the Department's website or by
2 contacting the Department's licensure maintenance unit.

3 (225 ILCS 110/5) (from Ch. 111, par. 7905)

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

5 Sec. 5. Board of Speech-Language Pathology and Audiology.
6 There is created a Board of Speech-Language Pathology and
7 Audiology to be composed of persons designated from time to
8 time by the Secretary, as follows:

9 (a) Five persons, 2 of whom have been licensed
10 speech-language pathologists for a period of 5 years or
11 more, 2 of whom have been licensed audiologists for a
12 period of 5 years or more, and one public member. The board
13 shall annually elect a chairperson and a vice-chairperson.

14 (b) Terms for all members shall be for 3 years. A
15 member shall serve until his or her successor is appointed
16 and qualified. Partial terms over 2 years in length shall
17 be considered as full terms. A member may be reappointed
18 for a successive term, but no member shall serve more than
19 2 full terms.

20 (c) The membership of the Board should reasonably
21 reflect representation from the various geographic areas
22 of the State.

23 (d) In making appointments to the Board, the Secretary
24 shall give due consideration to recommendations by
25 organizations of the speech-language pathology and

1 audiology professions in Illinois, including the Illinois
2 Speech-Language-Hearing Association and the Illinois
3 Academy of Audiology, and shall promptly give due notice to
4 such organizations of any vacancy in the membership of the
5 Board. The Secretary may terminate the appointment of any
6 member for any cause, which in the opinion of the
7 Secretary, reasonably justifies such termination.

8 (e) A majority of the Board members currently appointed
9 shall constitute a quorum. A vacancy in the membership of
10 the Board shall not impair the right of a quorum to
11 exercise all the rights and perform all the duties of the
12 Board.

13 (f) The members of the Board may each receive as
14 compensation a reasonable sum as determined by the
15 Secretary for each day actually engaged in the duties of
16 the office, and all legitimate and necessary expenses
17 incurred in attending the meetings of the Board.

18 (g) Members of the Board shall have no liability ~~be~~
19 ~~immune from suit~~ in any action based upon any disciplinary
20 proceedings or other activity ~~activities~~ performed in good
21 faith as members of the Board.

22 (h) The Secretary may consider the recommendations of
23 the Board in establishing guidelines for professional
24 conduct, the conduct of formal disciplinary proceedings
25 brought under this Act, and qualifications of applicants.
26 Notice of proposed rulemaking shall be transmitted to the

1 Board and the Department shall review the response of the
2 Board and any recommendations made in the response. The
3 Department, at any time, may seek the expert advice and
4 knowledge of the Board on any matter relating to the
5 administration or enforcement of this Act.

6 (i) Whenever the Secretary is satisfied that
7 substantial justice has not been done either in an
8 examination or in the revocation, suspension, or refusal of
9 a license, or other disciplinary action relating to a
10 license, the Secretary may order a reexamination or
11 rehearing.

12 (Source: P.A. 94-528, eff. 8-10-05; 95-465, eff. 8-27-07.)

13 (225 ILCS 110/7) (from Ch. 111, par. 7907)

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

15 Sec. 7. Licensure requirement.

16 (a) Except as provided in subsection (b), on or after June
17 1, 1989, no person shall practice speech-language pathology or
18 audiology without first applying for and obtaining a license
19 for such purpose from the Department. Except as provided in
20 this Section, on or after January 1, 2002, no person shall
21 perform the functions and duties of a speech-language pathology
22 assistant without first applying for and obtaining a license
23 for that purpose from the Department.

24 (b) A person holding a regular license to practice
25 speech-language pathology or audiology under the laws of

1 another state, a territory of the United States, or the
2 District of Columbia who has made application to the Department
3 for a license to practice speech-language pathology or
4 audiology may practice speech-language pathology or audiology
5 without a license for 90 days from the date of application or
6 until disposition of the license application by the Department,
7 whichever is sooner, if the person (i) in the case of a
8 speech-language pathologist, holds a Certificate of Clinical
9 Competence from the American Speech-Language-Hearing
10 Association in speech-language pathology ~~or audiology or, in~~
11 ~~the case of an audiologist, a certificate from the American~~
12 ~~Board of Audiology~~ and (ii) has not been disciplined and has no
13 disciplinary matters pending in a state, a territory, or the
14 District of Columbia.

15 A person applying for an initial license to practice
16 audiology who is a recent graduate of a Department-approved
17 audiology program may practice as an audiologist for a period
18 of 60 days after the date of application or until disposition
19 of the license application by the Department, whichever is
20 sooner, provided that he or she meets the applicable
21 requirements of Section 8 of this Act.

22 (Source: P.A. 95-465, eff. 8-27-07.)

23 (225 ILCS 110/8) (from Ch. 111, par. 7908)

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

25 Sec. 8. Qualifications for licenses to practice

1 speech-language pathology or audiology. The Department shall
2 require that each applicant for a license to practice
3 speech-language pathology or audiology shall:

4 (a) (blank);

5 (b) be at least 21 years of age;

6 (c) not have violated any provisions of Section 16 of
7 this Act;

8 (d) for a license as a speech-language pathologist,
9 present satisfactory evidence of receiving a master's or
10 doctoral degree in speech-language pathology from a
11 program approved by the Department. Nothing in this Act
12 shall be construed to prevent any program from establishing
13 higher standards than specified in this Act;

14 (d-5) for a license as an audiologist, present
15 satisfactory evidence of having received a master's or
16 doctoral degree in audiology from a program approved by the
17 Department; however, an applicant for licensure as an
18 audiologist whose degree was conferred on or after January
19 1, 2008, must present satisfactory evidence of having
20 received a doctoral degree in audiology from a program
21 approved by the Department;

22 (e) pass a national examination recognized by the
23 Department in the theory and practice of the profession;

24 (f) for a license as a speech-language pathologist,
25 have completed the equivalent of 9 months of supervised
26 experience; and

1 (g) for a license as an audiologist, have completed a
2 minimum of 1,500 clock hours of supervised experience or
3 present evidence of a Doctor of Audiology (AuD) degree.

4 An applicant for licensure as a speech-language
5 pathologist who received education and training at a
6 speech-language pathology program located outside of the
7 United States must meet the requirements of this Section,
8 including, but not limited to, substantially complying with the
9 minimum requirements of an approved program as set forth by
10 rule.

11 Applicants have 3 years from the date of application to
12 complete the application process. If the process has not been
13 completed within 3 years, the application shall be denied, the
14 fee shall be forfeited, and the applicant must reapply and meet
15 the requirements in effect at the time of reapplication.

16 (Source: P.A. 94-528, eff. 8-10-05; 95-465, eff. 8-27-07.)

17 (225 ILCS 110/8.1)

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

19 Sec. 8.1. Temporary license. On and after July 1, 2005, a
20 person who has met the requirements of items (a) through (e) of
21 Section 8 and intends to undertake supervised professional
22 experience as a speech-language pathologist, as required by
23 subsection (f) of Section 8 and the rules adopted by the
24 Department, must first obtain a temporary license from the
25 Department. A temporary license may be issued by the Department

1 only to an applicant pursuing licensure as a speech-language
2 pathologist in this State. A temporary license shall be issued
3 to an applicant upon receipt of the required fee as set forth
4 by rule and documentation on forms prescribed by the Department
5 certifying that his or her professional experience will be
6 supervised by a licensed speech-language pathologist. A
7 temporary license shall be issued for a period of 18 ~~12~~ months
8 and may be renewed only once for good cause shown.

9 A person who has completed the course and clinical
10 curriculum required to receive a master's degree in
11 speech-language pathology, as minimally required under
12 subsection (d) of Section 8 of this Act for a license to
13 practice speech-language pathology, but who has not yet been
14 conferred the master's degree, may make application to the
15 Department for a temporary license under this Section and may
16 begin his or her supervised professional experience as a
17 speech-language pathologist without a temporary license for
18 120 days from the date of application or until disposition of
19 the license application by the Department, whichever is sooner.

20 (Source: P.A. 93-112, eff. 1-1-04; 93-1060, eff. 12-23-04;
21 94-1082, eff. 1-19-07.)

22 (225 ILCS 110/8.2 new)

23 Sec. 8.2. Remote practice of audiology and speech-language
24 pathology.

25 (a) An audiologist licensed under this Act may conduct the

1 practice of audiology remotely subject to the following
2 conditions:

3 (1) the practice of audiology may be conducted remotely
4 using video conferencing;

5 (2) the use of telephone, email, instant messaging,
6 store and forward technology, or facsimile must be in
7 conjunction with or supplementary to the use of video
8 conferencing;

9 (3) an audiologist who practices audiology remotely
10 must follow all applicable Health Insurance Portability
11 and Accountability Act privacy and security regulations;

12 (4) an audiologist who practices audiology remotely is
13 subject to the same standard of care required of an
14 audiologist who practices audiology in a clinic or office
15 setting; and

16 (5) services delivered remotely by an audiologist must
17 be equivalent to the quality of services delivered in
18 person in a clinic or office setting.

19 (b) A speech-language pathologist licensed under this Act
20 may conduct the practice of speech-language pathology remotely
21 subject to the following conditions:

22 (1) the practice of speech-language pathology may be
23 conducted remotely using video conferencing;

24 (2) the use of telephone, email, instant messaging,
25 store and forward technology, or facsimile must be in
26 conjunction with or supplementary to the use of video

1 conferencing;

2 (3) a speech-language pathologist who practices
3 speech-language pathology remotely must follow all
4 applicable Health Insurance Portability and Accountability
5 Act privacy and security regulations;

6 (4) a speech-language pathologist who practices
7 speech-language pathology remotely is subject to the same
8 standard of care required of a speech-language pathologist
9 who practices speech-language pathology in a clinic or
10 office setting; and

11 (5) services delivered remotely by a speech-language
12 pathologist must be equivalent to the quality of services
13 delivered in person in a clinic setting.

14 (c) An out-of-state person providing speech-language
15 pathology or audiology services to a person residing in
16 Illinois without a license issued pursuant to this Act submits
17 himself or herself to the jurisdiction of the Department and
18 the courts of this State.

19 (225 ILCS 110/8.3 new)

20 Sec. 8.3. Basic health screenings. A speech-language
21 pathologist or an audiologist may perform basic health
22 screenings and create the resulting plans of care if: (1) the
23 elements of the plan of care are within the scope of practice
24 of a speech-language pathologist or an audiologist and (2) the
25 speech-language pathologist or audiologist is trained in the

1 performance of basic health screenings as set forth by rule
2 from one of the following: (A) as part of the curriculum of an
3 approved program, (B) through worksite training, or (C) through
4 continuing education. A plan of care that includes elements
5 that are outside the scope of practice of a speech-language
6 pathologist or an audiologist must be referred to appropriate
7 medical personnel for further evaluation or management.

8 (225 ILCS 110/8.5)

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

10 Sec. 8.5. Qualifications for licenses as a speech-language
11 pathology assistant. A person is qualified to be licensed as a
12 speech-language pathology assistant if that person has applied
13 in writing or electronically on forms prescribed by the
14 Department, has paid the required fees, and meets both of the
15 following criteria:

16 (1) Is of good moral character. In determining moral
17 character, the Department may take into consideration any
18 felony conviction or plea of guilty or nolo contendere of
19 the applicant, but such a conviction or plea shall not
20 operate automatically as a complete bar to licensure.

21 (2) Has received either (i) an associate degree from a
22 speech-language pathology assistant program that has been
23 approved by the Department and that meets the minimum
24 requirements set forth in Section 8.6 or (ii) a bachelor's
25 degree and has completed course work from an accredited

1 college or university that meets the minimum requirements
2 set forth in Section 8.6.

3 (Source: P.A. 94-869, eff. 6-16-06; 95-465, eff. 8-27-07.)

4 (225 ILCS 110/8.8)

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

6 Sec. 8.8. Supervision of speech-language pathology
7 assistants.

8 (a) A speech-language pathology assistant shall practice
9 only under the supervision of a speech-language pathologist who
10 has at least 2 years experience in addition to the supervised
11 professional experience required under subsection (f) of
12 Section 8 of this Act. A speech-language pathologist who
13 supervises a speech-language pathology assistant (i) must have
14 completed at least 6 ~~10~~ clock hours of training in ~~the~~
15 supervision related to speech-language pathology, and (ii)
16 must complete at least 2 clock hours of continuing education in
17 supervision related to speech-language pathology in each new
18 licensing cycle after completion of the initial training
19 required under item (i) of ~~speech-language pathology~~
20 ~~assistants~~. The Department shall promulgate rules describing
21 the supervision training requirements. The rules may allow a
22 speech-language pathologist to apply to the Board for an
23 exemption from this training requirement based upon prior
24 supervisory experience.

25 (b) A speech-language pathology assistant must be under the

1 direct supervision of a speech-language pathologist at least
2 30% of the speech-language pathology assistant's actual
3 patient or client contact time per patient or client during the
4 first 90 days of initial employment as a speech-language
5 pathology assistant. Thereafter, a speech-language pathology
6 assistant must be under the direct supervision of a
7 speech-language pathologist at least 20% of the
8 speech-language pathology assistant's actual patient or client
9 contact time per patient or client. Supervision of a
10 speech-language pathology assistant beyond the minimum
11 requirements of this subsection may be imposed at the
12 discretion of the supervising speech-language pathologist. A
13 supervising speech-language pathologist must be available to
14 communicate with a speech-language pathology assistant
15 whenever the assistant is in contact with a patient or client.

16 (c) A speech-language pathologist that supervises a
17 speech-language pathology assistant must document direct
18 supervision activities. At a minimum, supervision
19 documentation must provide (i) information regarding the
20 quality of the speech-language pathology assistant's
21 performance of assigned duties, and (ii) verification that
22 clinical activity is limited to duties specified in Section
23 8.7.

24 (d) A full-time speech-language pathologist may supervise
25 no more than 2 speech-language pathology assistants. A
26 speech-language pathologist that does not work full-time may

1 supervise no more than one speech-language pathology
2 assistant.

3 (e) For purposes of this Section, "direct supervision"
4 means on-site, in-view observation and guidance by a
5 speech-language pathologist while an assigned activity is
6 performed by the speech-language pathology assistant.

7 (Source: P.A. 92-510, eff. 6-1-02.)

8 (225 ILCS 110/11) (from Ch. 111, par. 7911)

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

10 Sec. 11. Expiration, renewal and restoration of licenses.

11 (a) The expiration date and renewal period for each license
12 issued under this Act shall be set by rule. A speech-language
13 pathologist, speech-language pathology assistant, or
14 audiologist may renew such license during the month preceding
15 the expiration date thereof by paying the required fee.

16 (a-5) An audiologist renewing his or her license ~~All~~
17 ~~renewal applicants~~ shall provide proof as determined by the
18 Department of having met the continuing education requirements
19 set forth in the rules of the Department. At a minimum, the
20 rules shall require a renewal applicant for licensure as an ~~a~~
21 ~~speech-language pathologist or~~ audiologist to provide proof of
22 completing at least 20 clock hours of continuing education
23 during the 2-year licensing cycle for which he or she is
24 currently licensed, no more than 10 hours of which may be
25 obtained through programs sponsored by hearing instrument or

1 auditory prosthetic device manufacturers. An audiologist must
2 provide proof that at least 2 clock hours of training in ethics
3 or legal requirements pertaining to the practice of audiology
4 was completed during the 2-year licensing cycle for which he or
5 she is currently licensed. ~~An audiologist who has met the~~
6 ~~continuing education requirements of the Hearing Instrument~~
7 ~~Consumer Protection Act during an equivalent licensing cycle~~
8 ~~under this Act shall be deemed to have met the continuing~~
9 ~~education requirements of this Act. At a minimum, the rules~~
10 ~~shall require a renewal applicant for licensure as a~~
11 ~~speech-language pathology assistant to provide proof of~~
12 ~~completing at least 10 clock hours of continuing education~~
13 ~~during the 2-year period for which he or she currently holds a~~
14 ~~license.~~

15 (a-10) A speech-language pathologist or a speech-language
16 pathology assistant renewing his or her license shall provide
17 proof as determined by the Department of having met the
18 continuing education requirements set forth in the rules of the
19 Department. At a minimum, the rules shall require a renewal
20 applicant for license as a speech-language pathologist to
21 provide proof of completing at least 20 clock hours of
22 continuing education during the 2-year licensing cycle for
23 which he or she is currently licensed. A speech language
24 pathologist must provide proof that at least one clock hour of
25 ethics training was completed during the 2-year licensing cycle
26 for which he or she is currently licensed. At a minimum, the

1 rules shall require a renewal applicant for licensure as a
2 speech-language pathology assistant to provide proof of
3 completing at least 10 clock hours of continuing education
4 during the 2-year period for which he or she currently holds a
5 license.

6 (b) Inactive status.

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

13 (2) Any licensee requesting restoration from inactive
14 status shall be required to (i) pay the current renewal
15 fee; and (ii) demonstrate that he or she has completed a
16 minimum of 20 hours of continuing education and met any
17 additional continuing education requirements established
18 by the Department by rule.

19 (3) Any licensee whose license is in an inactive status
20 shall not practice in the State of Illinois without first
21 restoring his or her license.

22 (4) Any licensee who shall engage in the practice while
23 the license is lapsed or inactive shall be considered to be
24 practicing without a license which shall be grounds for
25 discipline under Section 16 of this Act.

26 (c) Any speech-language pathologist, speech-language

1 pathology assistant, or audiologist whose license has expired
2 may have his or her license restored at any time within 5 years
3 after the expiration thereof, upon payment of the required fee.

4 (d) Any person whose license has been expired or inactive
5 for 5 years or more may have his or her license restored by
6 making application to the Department and filing proof
7 acceptable to the Department of his or her fitness to have his
8 or her license restored, including sworn evidence certifying to
9 active lawful practice in another jurisdiction, and by paying
10 the required restoration fee. A person practicing on an expired
11 license is deemed to be practicing without a license.

12 (e) If a person whose license has expired has not
13 maintained active practice in another jurisdiction, the
14 Department shall determine, by an evaluation process
15 established by rule, his or her fitness to resume active status
16 and may require the person to complete a period of evaluated
17 clinical experience, and may require successful completion of
18 an examination.

19 (f) Any person whose license has expired while he or she
20 has been engaged (1) in federal or State service on active
21 duty, or (2) in training or education under the supervision of
22 the United States preliminary to induction into the military
23 service, may have his or her license restored without paying
24 any lapsed renewal or restoration fee, if within 2 years after
25 termination of such service, training or education he or she
26 furnishes the Department with satisfactory proof that he or she

1 has been so engaged and that his or her service, training or
2 education has been so terminated.

3 (Source: P.A. 95-465, eff. 8-27-07.)

4 (225 ILCS 110/14) (from Ch. 111, par. 7914)

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

6 Sec. 14. Fees.

7 (a) The Department shall provide by rule for a schedule of
8 fees to be paid for licenses by all applicants. The Department
9 shall consult with the Board and consider its recommendations
10 when establishing the schedule of fees and any increase in fees
11 to be paid by license applicants.

12 (b) Except as provided in subsection (c) below, the fees
13 for the administration and enforcement of this Act, including
14 but not limited to original licensure, renewal, and
15 restoration, shall be set by rule and shall be nonrefundable.

16 (b-5) In addition to any fees set by the Department through
17 administrative rule, the Department shall, at the time of
18 licensure and renewal, collect from each licensed audiologist a
19 Hearing Instrument Consumer Protection Fee of \$45.

20 (c) (Blank). ~~Applicants for examination shall be required~~
21 ~~to pay, either to the Department or the designated testing~~
22 ~~service, a fee covering the cost of initial screening to~~
23 ~~determine eligibility and to provide the examination. Failure~~
24 ~~to appear for the examination on the scheduled date at the time~~
25 ~~and place specified, after the application for examination has~~

1 ~~been received and acknowledged by the Department or the~~
2 ~~designated testing service, shall result in the forfeiture of~~
3 ~~the examination fee.~~

4 (Source: P.A. 90-69, eff. 7-8-97; 91-932, eff. 1-1-01.)

5 (225 ILCS 110/16) (from Ch. 111, par. 7916)

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

7 Sec. 16. Refusal, revocation or suspension of licenses.

8 (1) The Department may refuse to issue or renew, or may
9 revoke, suspend, place on probation, censure, reprimand or take
10 other disciplinary or non-disciplinary action as the
11 Department may deem proper, including fines not to exceed
12 \$10,000 for each violation, with regard to any license for any
13 one or combination of the following causes:

14 (a) Fraud in procuring the license.

15 (b) (Blank).

16 (c) Willful or repeated violations of the rules of the
17 Department of Public Health.

18 (d) Division of fees or agreeing to split or divide the
19 fees received for speech-language pathology or audiology
20 services with any person for referring an individual, or
21 assisting in the care or treatment of an individual,
22 without the knowledge of the individual or his or her legal
23 representative. Nothing in this paragraph (d) affects any
24 bona fide independent contractor or employment
25 arrangements among health care professionals, health

1 facilities, health care providers, or other entities,
2 except as otherwise prohibited by law. Any employment
3 arrangements may include provisions for compensation,
4 health insurance, pension, or other employment benefits
5 for the provision of services within the scope of the
6 licensee's practice under this Act. Nothing in this
7 paragraph (d) shall be construed to require an employment
8 arrangement to receive professional fees for services
9 rendered.

10 (e) Employing, procuring, inducing, aiding or abetting
11 a person not licensed as a speech-language pathologist or
12 audiologist to engage in the unauthorized practice of
13 speech-language pathology or audiology.

14 (e-5) Employing, procuring, inducing, aiding, or
15 abetting a person not licensed as a speech-language
16 pathology assistant to perform the functions and duties of
17 a speech-language pathology assistant.

18 (f) Making any misrepresentations or false promises,
19 directly or indirectly, to influence, persuade or induce
20 patronage.

21 (g) Professional connection or association with, or
22 lending his or her name to another for the illegal practice
23 of speech-language pathology or audiology by another, or
24 professional connection or association with any person,
25 firm or corporation holding itself out in any manner
26 contrary to this Act.

1 (h) Obtaining or seeking to obtain checks, money, or
2 any other things of value by false or fraudulent
3 representations, including but not limited to, engaging in
4 such fraudulent practice to defraud the medical assistance
5 program of the Department of Healthcare and Family Services
6 (formerly Department of Public Aid).

7 (i) Practicing under a name other than his or her own.

8 (j) Improper, unprofessional or dishonorable conduct
9 of a character likely to deceive, defraud or harm the
10 public.

11 (k) Conviction by plea of guilty or nolo contendere,
12 finding of guilt, jury verdict, or entry of judgment or
13 sentencing, including, but not limited to, convictions,
14 preceding sentences of supervision, conditional discharge,
15 or first offender probation, under the laws of any
16 jurisdiction of the United States that is (i) a felony or
17 (ii) a misdemeanor, an essential element of which is
18 dishonesty, or that is directly related to the practice of
19 the profession. ~~Conviction of or entry of a plea of guilty~~
20 ~~or nolo contendere to any crime that is a felony under the~~
21 ~~laws of the United States or any state or territory~~
22 ~~thereof, or that is a misdemeanor of which an essential~~
23 ~~element is dishonesty, or that is directly related to the~~
24 ~~practice of the profession.~~

25 (1) Permitting a person under his or her supervision to
26 perform any function not authorized by this Act.

1 (m) A violation of any provision of this Act or rules
2 promulgated thereunder.

3 (n) Discipline by another state, the District of
4 Columbia, territory, or foreign nation of a license to
5 practice speech-language pathology or audiology or a
6 license to practice as a speech-language pathology
7 assistant in its jurisdiction if at least one of the
8 grounds for that discipline is the same as or the
9 equivalent of one of the grounds for discipline set forth
10 herein.

11 (o) Willfully failing to report an instance of
12 suspected child abuse or neglect as required by the Abused
13 and Neglected Child Reporting Act.

14 (p) Gross or repeated malpractice.

15 (q) Willfully making or filing false records or reports
16 in his or her practice as a speech-language pathologist,
17 speech-language pathology assistant, or audiologist,
18 including, but not limited to, false records to support
19 claims against the public assistance program of the
20 Department of Healthcare and Family Services (formerly
21 Illinois Department of Public Aid).

22 (r) Professional incompetence as manifested by poor
23 standards of care or mental incompetence as declared by a
24 court of competent jurisdiction.

25 (s) Repeated irregularities in billing a third party
26 for services rendered to an individual. For purposes of

1 this Section, "irregularities in billing" shall include:

2 (i) reporting excessive charges for the purpose of
3 obtaining a total payment in excess of that usually
4 received by the speech-language pathologist,
5 speech-language pathology assistant, or audiologist
6 for the services rendered;

7 (ii) reporting charges for services not rendered;

8 or

9 (iii) incorrectly reporting services rendered for
10 the purpose of obtaining payment not earned.

11 (t) (Blank).

12 (u) Violation of the Health Care Worker Self-Referral
13 Act.

14 (v) Inability to practice with reasonable judgment,
15 skill, or safety as a result of habitual or excessive use
16 of or addiction to alcohol, narcotics, or stimulants or any
17 other chemical agent or drug or as a result of physical
18 illness, including, but not limited to, deterioration
19 through the aging process or loss of motor skill, mental
20 illness, or disability.

21 (w) Violation of the Hearing Instrument Consumer
22 Protection Act.

23 (x) Failure by a speech-language pathology assistant
24 and supervising speech-language pathologist to comply with
25 the supervision requirements set forth in Section 8.8.

26 (y) Willfully ~~Wilfully~~ exceeding the scope of duties

1 customarily undertaken by speech-language pathology
2 assistants set forth in Section 8.7 that results in, or may
3 result in, harm to the public.

4 (z) Willfully failing to report an instance of
5 suspected abuse, neglect, financial exploitation, or
6 self-neglect of an eligible adult as defined in and
7 required by the Adult Protective Services Act.

8 (aa) Being named as a perpetrator in an indicated
9 report by the Department on Aging under the Adult
10 Protective Services Act, and upon proof by clear and
11 convincing evidence that the licensee has caused an
12 eligible adult to be abused, neglected, or financially
13 exploited as defined in the Adult Protective Services Act.

14 (bb) Violating Section 8.2 of this Act.

15 (cc) Violating Section 8.3 of this Act.

16 (2) The Department shall deny a license or renewal
17 authorized by this Act to any person who has defaulted on an
18 educational loan guaranteed by the Illinois State Scholarship
19 Commission; however, the Department may issue a license or
20 renewal if the aforementioned persons have established a
21 satisfactory repayment record as determined by the Illinois
22 State Scholarship Commission.

23 (3) The entry of an order by a circuit court establishing
24 that any person holding a license under this Act is subject to
25 involuntary admission or judicial admission as provided for in
26 the Mental Health and Developmental Disabilities Code,

1 operates as an automatic suspension of that license. That
2 person may have his or her license restored only upon the
3 determination by a circuit court that the patient is no longer
4 subject to involuntary admission or judicial admission and the
5 issuance of an order so finding and discharging the patient,
6 and upon the Board's recommendation to the Department that the
7 license be restored. Where the circumstances so indicate, the
8 Board may recommend to the Department that it require an
9 examination prior to restoring any license automatically
10 suspended under this subsection.

11 (4) The Department may refuse to issue or may suspend the
12 license of any person who fails to file a return, or to pay the
13 tax, penalty, or interest shown in a filed return, or to pay
14 any final assessment of the tax penalty or interest, as
15 required by any tax Act administered by the Department of
16 Revenue, until such time as the requirements of any such tax
17 Act are satisfied.

18 (5) In enforcing this Section, the Board upon a showing of
19 a possible violation may compel an individual licensed to
20 practice under this Act, or who has applied for licensure
21 pursuant to this Act, to submit to a mental or physical
22 examination, or both, as required by and at the expense of the
23 Department. The examining physicians or clinical psychologists
24 shall be those specifically designated by the Board. The
25 individual to be examined may have, at his or her own expense,
26 another physician or clinical psychologist of his or her choice

1 present during all aspects of this examination. Failure of any
2 individual to submit to a mental or physical examination, when
3 directed, shall be grounds for suspension of his or her license
4 until the individual submits to the examination if the Board
5 finds, after notice and hearing, that the refusal to submit to
6 the examination was without reasonable cause.

7 If the Board finds an individual unable to practice because
8 of the reasons set forth in this Section, the Board may require
9 that individual to submit to care, counseling, or treatment by
10 physicians or clinical psychologists approved or designated by
11 the Board, as a condition, term, or restriction for continued,
12 restored ~~reinstated~~, or renewed licensure to practice; or, in
13 lieu of care, counseling, or treatment, the Board may recommend
14 to the Department to file a complaint to immediately suspend,
15 revoke, or otherwise discipline the license of the individual.
16 Any individual whose license was granted, continued, restored
17 ~~reinstated~~, renewed, disciplined or supervised subject to such
18 terms, conditions, or restrictions, and who fails to comply
19 with such terms, conditions, or restrictions, shall be referred
20 to the Secretary for a determination as to whether the
21 individual shall have his or her license suspended immediately,
22 pending a hearing by the Board.

23 In instances in which the Secretary immediately suspends a
24 person's license under this Section, a hearing on that person's
25 license must be convened by the Board within 15 days after the
26 suspension and completed without appreciable delay. The Board

1 shall have the authority to review the subject individual's
2 record of treatment and counseling regarding the impairment to
3 the extent permitted by applicable federal statutes and
4 regulations safeguarding the confidentiality of medical
5 records.

6 An individual licensed under this Act and affected under
7 this Section shall be afforded an opportunity to demonstrate to
8 the Board that he or she can resume practice in compliance with
9 acceptable and prevailing standards under the provisions of his
10 or her license.

11 (Source: P.A. 95-331, eff. 8-21-07; 95-465, eff. 8-27-07;
12 96-1482, eff. 11-29-10.)

13 (225 ILCS 110/17) (from Ch. 111, par. 7917)

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

15 Sec. 17. Investigations; notice; hearings. Licenses may be
16 refused, revoked, or suspended in the manner provided by this
17 Act and not otherwise. The Department may upon its own motion
18 and shall upon the verified complaint in writing of any person
19 setting forth facts that if proven would constitute grounds for
20 refusal to issue, suspend, or revoke under this Act,
21 investigate the actions of any person applying for, holding, or
22 claiming to hold a license.

23 The Department shall, before refusing to issue or renew or
24 suspending or revoking any license or taking other disciplinary
25 action pursuant to Section 16 of this Act, and at least 30 days

1 prior to the date set for the hearing, notify, in writing, the
2 applicant for or the holder of such license of any charges
3 made, afford the accused person an opportunity to be heard in
4 person or by counsel in reference thereto, and direct the
5 applicant or licensee to file a written answer to the Board
6 under oath within 20 days after the service of the notice and
7 inform the applicant or licensee that failure to file an answer
8 will result in default being taken against the applicant or
9 licensee and that the license or certificate may be suspended,
10 revoked, placed on probationary status, or other disciplinary
11 action may be taken, including limiting the scope, nature, or
12 extent of practice, as the Secretary may deem proper. Written
13 or electronic notice may be served by personal delivery, ~~of the~~
14 ~~same personally to the accused person or by mailing the same by~~
15 ~~certified mail, or email to the applicant or licensee at his or~~
16 ~~her last known place of residence or to the place of business last~~
17 ~~specified by the accused person in his or her last notification~~
18 ~~to the Department.~~ In case the person fails to file an answer
19 after receiving notice, his or her license or certificate may,
20 in the discretion of the Department, be suspended, revoked, or
21 placed on probationary status or the Department may take
22 whatever disciplinary action deemed proper, including limiting
23 the scope, nature, or extent of the person's practice or the
24 imposition of a fine, without a hearing, if the act or acts
25 charged constitute sufficient grounds for such action under
26

1 this Act.

2 At the time and place fixed in the notice, the Board shall
3 proceed to hearing of the charges and both the accused person
4 and the Department ~~complainant~~ shall be accorded ample
5 opportunity to present, in person or by counsel, any
6 statements, testimony, evidence, and arguments as may be
7 pertinent to the charges or to their defense. The Board may
8 continue such hearing from time to time. If the Board is not
9 sitting at the time and place fixed in the notice or at the
10 time and place to which the hearing shall have been continued,
11 the Department shall continue such hearing for a period not to
12 exceed 30 days.

13 (Source: P.A. 95-465, eff. 8-27-07.)

14 (225 ILCS 110/22) (from Ch. 111, par. 7922)

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

16 Sec. 22. Appointment of a hearing officer. The Secretary
17 has ~~shall have~~ the authority to appoint any attorney duly
18 licensed to practice law in the State of Illinois to serve as
19 the hearing officer for any action for refusal to issue,
20 restore, or renew a license or discipline of a license. The
21 hearing officer shall have full authority to conduct the
22 hearing. Board members may attend hearings. The hearing officer
23 shall report his or her findings and recommendations to the
24 Board and the Secretary. The Board shall review the report of
25 the hearing officer and present its findings of fact,

1 conclusions of law and recommendations to the Secretary and to
2 all parties to the proceedings. If the Secretary disagrees in
3 any regard with the Board's report, he or she may issue an
4 order in contravention of the Board's report.

5 (Source: P.A. 95-465, eff. 8-27-07.)

6 (225 ILCS 110/23) (from Ch. 111, par. 7923)

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

8 Sec. 23. Restoration. At any time after suspension,
9 revocation, placement on probationary status, or the taking of
10 any other disciplinary action with regard to any license, the
11 Department may restore the license, or take any other action to
12 restore ~~reinstate~~ the license to good standing upon the written
13 recommendation of the Board, unless after an investigation and
14 a hearing, the Board determines that restoration is not in the
15 public interest. No person whose license has been revoked as
16 authorized in this Act may apply for restoration of that
17 license until such time as provided for in the Civil
18 Administrative Code of Illinois.

19 A license that has been suspended or revoked shall be
20 considered nonrenewed for purposes of restoration and a person
21 restoring his or her license from suspension or revocation must
22 comply with the requirements for restoration of a nonrenewed
23 license as set forth in Section 11 of this Act and any related
24 rules adopted.

25 (Source: P.A. 95-465, eff. 8-27-07.)

1 (225 ILCS 110/24.1)

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

3 Sec. 24.1. Certifications of record; costs. The Department
4 shall not be required to certify any record to the court, to
5 file an answer in court, or to otherwise appear in any court in
6 a judicial review proceeding unless and until the Department
7 has received from the plaintiff there is filed in the court,
8 ~~with the complaint, a receipt from the Department acknowledging~~
9 payment of the costs of furnishing and certifying the record,
10 which costs shall be determined by the Department. Exhibits
11 shall be certified without cost. Failure on the part of the
12 plaintiff to file the receipt in court is grounds for dismissal
13 of the action.

14 (Source: P.A. 95-465, eff. 8-27-07.)

15 (225 ILCS 110/31a)

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

17 Sec. 31a. Advertising services.

18 (a) A speech-language pathologist or audiologist shall
19 include in every advertisement for services regulated under
20 this Act his or her title as it appears on the license or the
21 initials authorized under this Act.

22 (b) The terms "audiology", "audiologist", "clinical
23 audiologist", "licensed audiologist", "speech-language
24 pathology", "speech-language pathologist", "clinical

1 speech-language pathologist", "licensed speech-language
2 pathologist", or any other similar term, title, abbreviation,
3 or symbol that may indicate that the person is licensed under
4 this Act shall not be used by any person in any communication
5 that advertises services regulated under this Act unless he or
6 she is licensed under this Act as a speech-language pathologist
7 or an audiologist. An audiologist may use the term "doctor" if
8 it also stated that he or she is a "doctor of audiology". This
9 subsection does not apply to a person who is exempt from
10 licensure under this Act because he or she holds a professional
11 educator license issued pursuant to the School Code with a
12 special education endorsement as a teaching speech-language
13 pathologist or with a school support personnel endorsement as a
14 non-teaching speech-language pathologist issued prior to
15 January 1, 2004.

16 (Source: P.A. 91-310, eff. 1-1-00; 92-510, eff. 6-1-02.)

17 (225 ILCS 110/34) (from Ch. 111, par. 7934)

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

19 Sec. 34. Illinois Administrative Procedure Act. The
20 Illinois Administrative Procedure Act is hereby expressly
21 adopted and incorporated herein as if all of the provisions of
22 that Act were included in this Act, except that the provision
23 of subsection (d) of Section 10-65 of the Illinois
24 Administrative Procedure Act that provides that at hearings the
25 speech-language pathologist or audiologist has the right to

1 show compliance with all lawful requirements for retention,
2 continuation or renewal of the license is specifically
3 excluded. For the purposes of this Act, the notice required
4 under Section 10-25 of the Illinois Administrative Procedure
5 Act is deemed sufficient when mailed or emailed to the
6 applicant or licensee at his or her last known address of
7 record or email address of record ~~a party~~.

8 (Source: P.A. 88-45.)

9 (225 ILCS 110/34.1 new)

10 Sec. 34.1. Confidentiality. All information collected by
11 the Department in the course of an examination or investigation
12 of a licensee or applicant, including, but not limited to, any
13 complaint against a licensee filed with the Department and
14 information collected to investigate any such complaint, shall
15 be maintained for the confidential use of the Department and
16 shall not be disclosed. The Department may not disclose the
17 information to anyone other than law enforcement officials,
18 other regulatory agencies that have an appropriate regulatory
19 interest as determined by the Secretary, or a party presenting
20 a lawful subpoena to the Department. Information and documents
21 disclosed to a federal, State, county, or local law enforcement
22 agency shall not be disclosed by the agency for any purpose to
23 any other agency or person. A formal complaint filed against a
24 licensee by the Department or any order issued by the
25 Department against a licensee or applicant shall be a public

1 record, except as otherwise prohibited by law.

2 (225 ILCS 110/10 rep.)

3 Section 15. The Illinois Speech-Language Pathology and
4 Audiology Practice Act is amended by repealing Section 10.

5 Section 99. Effective date. This Act takes effect upon
6 becoming law, except that Sections 10 and 15 take effect on
7 January 1, 2018.