

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 4.29 as follows:

6 (5 ILCS 80/4.29)

7 Sec. 4.29. Acts repealed on January 1, 2019 and December  
8 31, 2019.

9 (a) The following Act is repealed on January 1, 2019:

10 The Environmental Health Practitioner Licensing Act.

11 (b) The following Acts are ~~Act is~~ repealed on December 31,  
12 2019:

13 The Medical Practice Act of 1987.

14 The Structural Pest Control Act.

15 (Source: P.A. 95-1020, eff. 12-29-08; 96-473, eff. 8-14-09.)

16 (5 ILCS 80/4.27a rep.)

17 Section 10. The Regulatory Sunset Act is amended by  
18 repealing Section 4.27a.

19 Section 15. The Medical Practice Act of 1987 is amended by  
20 changing Sections 2, 22, 35, and 39 and by adding Section 2.5  
21 as follows:

1 (225 ILCS 60/2) (from Ch. 111, par. 4400-2)

2 (Section scheduled to be repealed on December 31, 2017)

3 Sec. 2. Definitions. For purposes of this Act, the  
4 following definitions shall have the following meanings,  
5 except where the context requires otherwise:

6 "Act" means the Medical Practice Act of 1987.

7 "Address of record" means the designated address recorded  
8 by the Department in the applicant's or licensee's application  
9 file or license file as maintained by the Department's  
10 licensure maintenance unit. ~~It is the duty of the applicant or  
11 licensee to inform the Department of any change of address and  
12 those changes must be made either through the Department's  
13 website or by contacting the Department.~~

14 "Chiropractic physician" means a person licensed to treat  
15 human ailments without the use of drugs and without operative  
16 surgery. Nothing in this Act shall be construed to prohibit a  
17 chiropractic physician from providing advice regarding the use  
18 of non-prescription products or from administering atmospheric  
19 oxygen. Nothing in this Act shall be construed to authorize a  
20 chiropractic physician to prescribe drugs.

21 "Department" means the Department of Financial and  
22 Professional Regulation.

23 "Disciplinary action ~~Action~~" means revocation, suspension,  
24 probation, supervision, practice modification, reprimand,  
25 required education, fines or any other action taken by the

1 Department against a person holding a license.

2 "Disciplinary Board" means the Medical Disciplinary Board.

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

7 "Final determination ~~Determination~~" means the governing  
8 body's final action taken under the procedure followed by a  
9 health care institution, or professional association or  
10 society, against any person licensed under the Act in  
11 accordance with the bylaws or rules and regulations of such  
12 health care institution, or professional association or  
13 society.

14 "Fund" means the Illinois State Medical Disciplinary Fund.

15 "Impaired" means the inability to practice medicine with  
16 reasonable skill and safety due to physical or mental  
17 disabilities as evidenced by a written determination or written  
18 consent based on clinical evidence including deterioration  
19 through the aging process or loss of motor skill, or abuse of  
20 drugs or alcohol, of sufficient degree to diminish a person's  
21 ability to deliver competent patient care.

22 "Licensing Board" means the Medical Licensing Board.

23 "Physician" means a person licensed under the Medical  
24 Practice Act to practice medicine in all of its branches or a  
25 chiropractic physician.

26 "Professional association ~~Association~~" means an

1 association or society of persons licensed under this Act, and  
2 operating within the State of Illinois, including but not  
3 limited to, medical societies, osteopathic organizations, and  
4 chiropractic organizations, but this term shall not be deemed  
5 to include hospital medical staffs.

6 "Program of ~~care~~ Care, counseling ~~Counseling~~, or treatment  
7 ~~Treatment~~" means a written schedule of organized treatment,  
8 care, counseling, activities, or education, satisfactory to  
9 the Disciplinary Board, designed for the purpose of restoring  
10 an impaired person to a condition whereby the impaired person  
11 can practice medicine with reasonable skill and safety of a  
12 sufficient degree to deliver competent patient care.

13 "Reinstate" means to change the status of a license from  
14 inactive or nonrenewed status to active status.

15 "Restore" means to remove an encumbrance from a license due  
16 to probation, suspension, or revocation.

17 "Secretary" means the Secretary of the Department of  
18 Financial and Professional Regulation.

19 (Source: P.A. 98-1140, eff. 12-30-14; 99-933, eff. 1-27-17.)

20 (225 ILCS 60/2.5 new)

21 Sec. 2.5. Address of record; email address of record. All  
22 applicants and licensees shall:

23 (1) provide a valid address and email address to the  
24 Department, which shall serve as the address of record and  
25 email address of record, respectively, at the time of

1       application for licensure or renewal of a license; and  
2       (2) inform the Department of any change of address of  
3       record or email address of record within 14 days after such  
4       change either through the Department's website or by  
5       contacting the Department's licensure maintenance unit.

6       (225 ILCS 60/22) (from Ch. 111, par. 4400-22)

7       (Section scheduled to be repealed on December 31, 2017)

8       Sec. 22. Disciplinary action.

9       (A) The Department may revoke, suspend, place on probation,  
10      reprimand, refuse to issue or renew, or take any other  
11      disciplinary or non-disciplinary action as the Department may  
12      deem proper with regard to the license or permit of any person  
13      issued under this Act, including imposing fines not to exceed  
14      \$10,000 for each violation, upon any of the following grounds:

15           (1) Performance of an elective abortion in any place,  
16      locale, facility, or institution other than:

17                   (a) a facility licensed pursuant to the Ambulatory  
18      Surgical Treatment Center Act;

19                   (b) an institution licensed under the Hospital  
20      Licensing Act;

21                   (c) an ambulatory surgical treatment center or  
22      hospitalization or care facility maintained by the  
23      State or any agency thereof, where such department or  
24      agency has authority under law to establish and enforce  
25      standards for the ambulatory surgical treatment

1 centers, hospitalization, or care facilities under its  
2 management and control;

3 (d) ambulatory surgical treatment centers,  
4 hospitalization or care facilities maintained by the  
5 Federal Government; or

6 (e) ambulatory surgical treatment centers,  
7 hospitalization or care facilities maintained by any  
8 university or college established under the laws of  
9 this State and supported principally by public funds  
10 raised by taxation.

11 (2) Performance of an abortion procedure in a willful  
12 ~~wilful~~ and wanton manner on a woman who was not pregnant at  
13 the time the abortion procedure was performed.

14 (3) A plea of guilty or nolo contendere, finding of  
15 guilt, jury verdict, or entry of judgment or sentencing,  
16 including, but not limited to, convictions, preceding  
17 sentences of supervision, conditional discharge, or first  
18 offender probation, under the laws of any jurisdiction of  
19 the United States of any crime that is a felony.

20 (4) Gross negligence in practice under this Act.

21 (5) Engaging in dishonorable, unethical or  
22 unprofessional conduct of a character likely to deceive,  
23 defraud or harm the public.

24 (6) Obtaining any fee by fraud, deceit, or  
25 misrepresentation.

26 (7) Habitual or excessive use or abuse of drugs defined

1 in law as controlled substances, of alcohol, or of any  
2 other substances which results in the inability to practice  
3 with reasonable judgment, skill or safety.

4 (8) Practicing under a false or, except as provided by  
5 law, an assumed name.

6 (9) Fraud or misrepresentation in applying for, or  
7 procuring, a license under this Act or in connection with  
8 applying for renewal of a license under this Act.

9 (10) Making a false or misleading statement regarding  
10 their skill or the efficacy or value of the medicine,  
11 treatment, or remedy prescribed by them at their direction  
12 in the treatment of any disease or other condition of the  
13 body or mind.

14 (11) Allowing another person or organization to use  
15 their license, procured under this Act, to practice.

16 (12) Adverse action taken by another state or  
17 jurisdiction against a license or other authorization to  
18 practice as a medical doctor, doctor of osteopathy, doctor  
19 of osteopathic medicine or doctor of chiropractic, a  
20 certified copy of the record of the action taken by the  
21 other state or jurisdiction being prima facie evidence  
22 thereof. This includes any adverse action taken by a State  
23 or federal agency that prohibits a medical doctor, doctor  
24 of osteopathy, doctor of osteopathic medicine, or doctor of  
25 chiropractic from providing services to the agency's  
26 participants.

1           (13) Violation of any provision of this Act or of the  
2 Medical Practice Act prior to the repeal of that Act, or  
3 violation of the rules, or a final administrative action of  
4 the Secretary, after consideration of the recommendation  
5 of the Disciplinary Board.

6           (14) Violation of the prohibition against fee  
7 splitting in Section 22.2 of this Act.

8           (15) A finding by the Disciplinary Board that the  
9 registrant after having his or her license placed on  
10 probationary status or subjected to conditions or  
11 restrictions violated the terms of the probation or failed  
12 to comply with such terms or conditions.

13           (16) Abandonment of a patient.

14           (17) Prescribing, selling, administering,  
15 distributing, giving or self-administering any drug  
16 classified as a controlled substance (designated product)  
17 or narcotic for other than medically accepted therapeutic  
18 purposes.

19           (18) Promotion of the sale of drugs, devices,  
20 appliances or goods provided for a patient in such manner  
21 as to exploit the patient for financial gain of the  
22 physician.

23           (19) Offering, undertaking or agreeing to cure or treat  
24 disease by a secret method, procedure, treatment or  
25 medicine, or the treating, operating or prescribing for any  
26 human condition by a method, means or procedure which the



1 licensee refuses to divulge upon demand of the Department.

2 (20) Immoral conduct in the commission of any act  
3 including, but not limited to, commission of an act of  
4 sexual misconduct related to the licensee's practice.

5 (21) Willfully ~~Wilfully~~ making or filing false records  
6 or reports in his or her practice as a physician,  
7 including, but not limited to, false records to support  
8 claims against the medical assistance program of the  
9 Department of Healthcare and Family Services (formerly  
10 Department of Public Aid) under the Illinois Public Aid  
11 Code.

12 (22) Willful ~~Wilful~~ omission to file or record, or  
13 willfully ~~wilfully~~ impeding the filing or recording, or  
14 inducing another person to omit to file or record, medical  
15 reports as required by law, or willfully ~~wilfully~~ failing  
16 to report an instance of suspected abuse or neglect as  
17 required by law.

18 (23) Being named as a perpetrator in an indicated  
19 report by the Department of Children and Family Services  
20 under the Abused and Neglected Child Reporting Act, and  
21 upon proof by clear and convincing evidence that the  
22 licensee has caused a child to be an abused child or  
23 neglected child as defined in the Abused and Neglected  
24 Child Reporting Act.

25 (24) Solicitation of professional patronage by any  
26 corporation, agents or persons, or profiting from those

1 representing themselves to be agents of the licensee.

2 (25) Gross and willful ~~wilful~~ and continued  
3 overcharging for professional services, including filing  
4 false statements for collection of fees for which services  
5 are not rendered, including, but not limited to, filing  
6 such false statements for collection of monies for services  
7 not rendered from the medical assistance program of the  
8 Department of Healthcare and Family Services (formerly  
9 Department of Public Aid) under the Illinois Public Aid  
10 Code.

11 (26) A pattern of practice or other behavior which  
12 demonstrates incapacity or incompetence to practice under  
13 this Act.

14 (27) Mental illness or disability which results in the  
15 inability to practice under this Act with reasonable  
16 judgment, skill or safety.

17 (28) Physical illness, including, but not limited to,  
18 deterioration through the aging process, or loss of motor  
19 skill which results in a physician's inability to practice  
20 under this Act with reasonable judgment, skill or safety.

21 (29) Cheating on or attempt to subvert the licensing  
22 examinations administered under this Act.

23 (30) Willfully ~~Wilfully~~ or negligently violating the  
24 confidentiality between physician and patient except as  
25 required by law.

26 (31) The use of any false, fraudulent, or deceptive

1 statement in any document connected with practice under  
2 this Act.

3 (32) Aiding and abetting an individual not licensed  
4 under this Act in the practice of a profession licensed  
5 under this Act.

6 (33) Violating state or federal laws or regulations  
7 relating to controlled substances, legend drugs, or  
8 ephedra as defined in the Ephedra Prohibition Act.

9 (34) Failure to report to the Department any adverse  
10 final action taken against them by another licensing  
11 jurisdiction (any other state or any territory of the  
12 United States or any foreign state or country), by any peer  
13 review body, by any health care institution, by any  
14 professional society or association related to practice  
15 under this Act, by any governmental agency, by any law  
16 enforcement agency, or by any court for acts or conduct  
17 similar to acts or conduct which would constitute grounds  
18 for action as defined in this Section.

19 (35) Failure to report to the Department surrender of a  
20 license or authorization to practice as a medical doctor, a  
21 doctor of osteopathy, a doctor of osteopathic medicine, or  
22 doctor of chiropractic in another state or jurisdiction, or  
23 surrender of membership on any medical staff or in any  
24 medical or professional association or society, while  
25 under disciplinary investigation by any of those  
26 authorities or bodies, for acts or conduct similar to acts

1 or conduct which would constitute grounds for action as  
2 defined in this Section.

3 (36) Failure to report to the Department any adverse  
4 judgment, settlement, or award arising from a liability  
5 claim related to acts or conduct similar to acts or conduct  
6 which would constitute grounds for action as defined in  
7 this Section.

8 (37) Failure to provide copies of medical records as  
9 required by law.

10 (38) Failure to furnish the Department, its  
11 investigators or representatives, relevant information,  
12 legally requested by the Department after consultation  
13 with the Chief Medical Coordinator or the Deputy Medical  
14 Coordinator.

15 (39) Violating the Health Care Worker Self-Referral  
16 Act.

17 (40) Willful failure to provide notice when notice is  
18 required under the Parental Notice of Abortion Act of 1995.

19 (41) Failure to establish and maintain records of  
20 patient care and treatment as required by this law.

21 (42) Entering into an excessive number of written  
22 collaborative agreements with licensed advanced practice  
23 nurses resulting in an inability to adequately  
24 collaborate.

25 (43) Repeated failure to adequately collaborate with a  
26 licensed advanced practice nurse.

1 (44) Violating the Compassionate Use of Medical  
2 Cannabis Pilot Program Act.

3 (45) Entering into an excessive number of written  
4 collaborative agreements with licensed prescribing  
5 psychologists resulting in an inability to adequately  
6 collaborate.

7 (46) Repeated failure to adequately collaborate with a  
8 licensed prescribing psychologist.

9 (47) Willfully failing to report an instance of  
10 suspected abuse, neglect, financial exploitation, or  
11 self-neglect of an eligible adult as defined in and  
12 required by the Adult Protective Services Act.

13 (48) Being named as an abuser in a verified report by  
14 the Department on Aging under the Adult Protective Services  
15 Act, and upon proof by clear and convincing evidence that  
16 the licensee abused, neglected, or financially exploited  
17 an eligible adult as defined in the Adult Protective  
18 Services Act.

19 Except for actions involving the ground numbered (26), all  
20 proceedings to suspend, revoke, place on probationary status,  
21 or take any other disciplinary action as the Department may  
22 deem proper, with regard to a license on any of the foregoing  
23 grounds, must be commenced within 5 years next after receipt by  
24 the Department of a complaint alleging the commission of or  
25 notice of the conviction order for any of the acts described  
26 herein. Except for the grounds numbered (8), (9), (26), and

1 (29), no action shall be commenced more than 10 years after the  
2 date of the incident or act alleged to have violated this  
3 Section. For actions involving the ground numbered (26), a  
4 pattern of practice or other behavior includes all incidents  
5 alleged to be part of the pattern of practice or other behavior  
6 that occurred, or a report pursuant to Section 23 of this Act  
7 received, within the 10-year period preceding the filing of the  
8 complaint. In the event of the settlement of any claim or cause  
9 of action in favor of the claimant or the reduction to final  
10 judgment of any civil action in favor of the plaintiff, such  
11 claim, cause of action or civil action being grounded on the  
12 allegation that a person licensed under this Act was negligent  
13 in providing care, the Department shall have an additional  
14 period of 2 years from the date of notification to the  
15 Department under Section 23 of this Act of such settlement or  
16 final judgment in which to investigate and commence formal  
17 disciplinary proceedings under Section 36 of this Act, except  
18 as otherwise provided by law. The time during which the holder  
19 of the license was outside the State of Illinois shall not be  
20 included within any period of time limiting the commencement of  
21 disciplinary action by the Department.

22 The entry of an order or judgment by any circuit court  
23 establishing that any person holding a license under this Act  
24 is a person in need of mental treatment operates as a  
25 suspension of that license. That person may resume their  
26 practice only upon the entry of a Departmental order based upon

1 a finding by the Disciplinary Board that they have been  
2 determined to be recovered from mental illness by the court and  
3 upon the Disciplinary Board's recommendation that they be  
4 permitted to resume their practice.

5 The Department may refuse to issue or take disciplinary  
6 action concerning the license of any person who fails to file a  
7 return, or to pay the tax, penalty or interest shown in a filed  
8 return, or to pay any final assessment of tax, penalty or  
9 interest, as required by any tax Act administered by the  
10 Illinois Department of Revenue, until such time as the  
11 requirements of any such tax Act are satisfied as determined by  
12 the Illinois Department of Revenue.

13 The Department, upon the recommendation of the  
14 Disciplinary Board, shall adopt rules which set forth standards  
15 to be used in determining:

16 (a) when a person will be deemed sufficiently  
17 rehabilitated to warrant the public trust;

18 (b) what constitutes dishonorable, unethical or  
19 unprofessional conduct of a character likely to deceive,  
20 defraud, or harm the public;

21 (c) what constitutes immoral conduct in the commission  
22 of any act, including, but not limited to, commission of an  
23 act of sexual misconduct related to the licensee's  
24 practice; and

25 (d) what constitutes gross negligence in the practice  
26 of medicine.

1           However, no such rule shall be admissible into evidence in  
2 any civil action except for review of a licensing or other  
3 disciplinary action under this Act.

4           In enforcing this Section, the Disciplinary Board or the  
5 Licensing Board, upon a showing of a possible violation, may  
6 compel, in the case of the Disciplinary Board, any individual  
7 who is licensed to practice under this Act or holds a permit to  
8 practice under this Act, or, in the case of the Licensing  
9 Board, any individual who has applied for licensure or a permit  
10 pursuant to this Act, to submit to a mental or physical  
11 examination and evaluation, or both, which may include a  
12 substance abuse or sexual offender evaluation, as required by  
13 the Licensing Board or Disciplinary Board and at the expense of  
14 the Department. The Disciplinary Board or Licensing Board shall  
15 specifically designate the examining physician licensed to  
16 practice medicine in all of its branches or, if applicable, the  
17 multidisciplinary team involved in providing the mental or  
18 physical examination and evaluation, or both. The  
19 multidisciplinary team shall be led by a physician licensed to  
20 practice medicine in all of its branches and may consist of one  
21 or more or a combination of physicians licensed to practice  
22 medicine in all of its branches, licensed chiropractic  
23 physicians, licensed clinical psychologists, licensed clinical  
24 social workers, licensed clinical professional counselors, and  
25 other professional and administrative staff. Any examining  
26 physician or member of the multidisciplinary team may require



1 any person ordered to submit to an examination and evaluation  
2 pursuant to this Section to submit to any additional  
3 supplemental testing deemed necessary to complete any  
4 examination or evaluation process, including, but not limited  
5 to, blood testing, urinalysis, psychological testing, or  
6 neuropsychological testing. The Disciplinary Board, the  
7 Licensing Board, or the Department may order the examining  
8 physician or any member of the multidisciplinary team to  
9 provide to the Department, the Disciplinary Board, or the  
10 Licensing Board any and all records, including business  
11 records, that relate to the examination and evaluation,  
12 including any supplemental testing performed. The Disciplinary  
13 Board, the Licensing Board, or the Department may order the  
14 examining physician or any member of the multidisciplinary team  
15 to present testimony concerning this examination and  
16 evaluation of the licensee, permit holder, or applicant,  
17 including testimony concerning any supplemental testing or  
18 documents relating to the examination and evaluation. No  
19 information, report, record, or other documents in any way  
20 related to the examination and evaluation shall be excluded by  
21 reason of any common law or statutory privilege relating to  
22 communication between the licensee, permit holder, or  
23 applicant and the examining physician or any member of the  
24 multidisciplinary team. No authorization is necessary from the  
25 licensee, permit holder, or applicant ordered to undergo an  
26 evaluation and examination for the examining physician or any

1 member of the multidisciplinary team to provide information,  
2 reports, records, or other documents or to provide any  
3 testimony regarding the examination and evaluation. The  
4 individual to be examined may have, at his or her own expense,  
5 another physician of his or her choice present during all  
6 aspects of the examination. Failure of any individual to submit  
7 to mental or physical examination and evaluation, or both, when  
8 directed, shall result in an automatic suspension, without  
9 hearing, until such time as the individual submits to the  
10 examination. If the Disciplinary Board or Licensing Board finds  
11 a physician unable to practice following an examination and  
12 evaluation because of the reasons set forth in this Section,  
13 the Disciplinary Board or Licensing Board shall require such  
14 physician to submit to care, counseling, or treatment by  
15 physicians, or other health care professionals, approved or  
16 designated by the Disciplinary Board, as a condition for  
17 issued, continued, reinstated, or renewed licensure to  
18 practice. Any physician, whose license was granted pursuant to  
19 Sections 9, 17, or 19 of this Act, or, continued, reinstated,  
20 renewed, disciplined or supervised, subject to such terms,  
21 conditions or restrictions who shall fail to comply with such  
22 terms, conditions or restrictions, or to complete a required  
23 program of care, counseling, or treatment, as determined by the  
24 Chief Medical Coordinator or Deputy Medical Coordinators,  
25 shall be referred to the Secretary for a determination as to  
26 whether the licensee shall have their license suspended

1 immediately, pending a hearing by the Disciplinary Board. In  
2 instances in which the Secretary immediately suspends a license  
3 under this Section, a hearing upon such person's license must  
4 be convened by the Disciplinary Board within 15 days after such  
5 suspension and completed without appreciable delay. The  
6 Disciplinary Board shall have the authority to review the  
7 subject physician's record of treatment and counseling  
8 regarding the impairment, to the extent permitted by applicable  
9 federal statutes and regulations safeguarding the  
10 confidentiality of medical records.

11 An individual licensed under this Act, affected under this  
12 Section, shall be afforded an opportunity to demonstrate to the  
13 Disciplinary Board that they can resume practice in compliance  
14 with acceptable and prevailing standards under the provisions  
15 of their license.

16 The Department may promulgate rules for the imposition of  
17 fines in disciplinary cases, not to exceed \$10,000 for each  
18 violation of this Act. Fines may be imposed in conjunction with  
19 other forms of disciplinary action, but shall not be the  
20 exclusive disposition of any disciplinary action arising out of  
21 conduct resulting in death or injury to a patient. Any funds  
22 collected from such fines shall be deposited in the Illinois  
23 State Medical Disciplinary Fund.

24 All fines imposed under this Section shall be paid within  
25 60 days after the effective date of the order imposing the fine  
26 or in accordance with the terms set forth in the order imposing

1 the fine.

2 (B) The Department shall revoke the license or permit  
3 issued under this Act to practice medicine or a chiropractic  
4 physician who has been convicted a second time of committing  
5 any felony under the Illinois Controlled Substances Act or the  
6 Methamphetamine Control and Community Protection Act, or who  
7 has been convicted a second time of committing a Class 1 felony  
8 under Sections 8A-3 and 8A-6 of the Illinois Public Aid Code. A  
9 person whose license or permit is revoked under this subsection  
10 B shall be prohibited from practicing medicine or treating  
11 human ailments without the use of drugs and without operative  
12 surgery.

13 (C) The Department shall not revoke, suspend, place on  
14 probation, reprimand, refuse to issue or renew, or take any  
15 other disciplinary or non-disciplinary action against the  
16 license or permit issued under this Act to practice medicine to  
17 a physician based solely upon the recommendation of the  
18 physician to an eligible patient regarding, or prescription  
19 for, or treatment with, an investigational drug, biological  
20 product, or device.

21 (D) The Disciplinary Board shall recommend to the  
22 Department civil penalties and any other appropriate  
23 discipline in disciplinary cases when the Board finds that a  
24 physician willfully performed an abortion with actual  
25 knowledge that the person upon whom the abortion has been  
26 performed is a minor or an incompetent person without notice as

1 required under the Parental Notice of Abortion Act of 1995.  
2 Upon the Board's recommendation, the Department shall impose,  
3 for the first violation, a civil penalty of \$1,000 and for a  
4 second or subsequent violation, a civil penalty of \$5,000.

5 (Source: P.A. 98-601, eff. 12-30-13; 98-668, eff. 6-25-14;  
6 98-1140, eff. 12-30-14; 99-270, eff. 1-1-16; 99-933, eff.  
7 1-27-17.)

8 (225 ILCS 60/35) (from Ch. 111, par. 4400-35)

9 (Section scheduled to be repealed on December 31, 2017)

10 Sec. 35. The Secretary shall have the authority to appoint  
11 an attorney duly licensed to practice law in the State of  
12 Illinois to serve as the hearing officer in any action to  
13 suspend, revoke, place on probationary status, or take any  
14 other disciplinary action with regard to a license. The hearing  
15 officer shall have full authority to conduct the hearing. The  
16 hearing officer shall report his findings and recommendations  
17 to the Disciplinary Board or Licensing Board within 30 days of  
18 the receipt of the record. The Disciplinary Board or Licensing  
19 Board shall have 60 days from receipt of the report to review  
20 the report of the hearing officer and present their findings of  
21 fact, conclusions of law and recommendations to the Secretary.

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

23 (225 ILCS 60/39) (from Ch. 111, par. 4400-39)

24 (Section scheduled to be repealed on December 31, 2017)

1           Sec.    39.    Certified shorthand reporter; record  
2    ~~Stenographer; transcript.~~ The Department, at its expense,  
3    shall provide a certified shorthand reporter ~~stenographer~~ to  
4    take down the testimony and preserve a record of all  
5    proceedings at the hearing of any case wherein a license may be  
6    revoked, suspended, placed on probationary status, or other  
7    disciplinary action taken with regard thereto. The notice of  
8    hearing, complaint and all other documents in the nature of  
9    pleadings and written motions filed in the proceedings, the  
10   transcript of testimony, the report of the Licensing Board and  
11   the orders of the Department constitute the record of the  
12   proceedings. The Department shall furnish a copy ~~transcript~~ of  
13   the record to any person interested in such hearing upon  
14   payment of the fee required under Section 2105-115 of the  
15   Department of Professional Regulation Law (20 ILCS  
16   2105/2105-115). The Department may contract for court  
17   reporting services, and, in the event it does so, the  
18   Department shall provide the name and contact information for  
19   the certified shorthand reporter who transcribed the testimony  
20   at a hearing to any person interested, who may obtain a copy of  
21   the record of any proceedings at a hearing upon payment of the  
22   fee specified by the certified shorthand reporter. This charge  
23   is in addition to any fee charged by the Department for  
24   certifying the record.

25    (Source: P.A. 91-239, eff. 1-1-00.)

26           Section 99. Effective date. This Act takes effect upon

1 becoming law.

1 INDEX

2 Statutes amended in order of appearance

3 5 ILCS 80/4.37a new

4 5 ILCS 80/4.27a rep.

5 225 ILCS 60/2 from Ch. 111, par. 4400-2

6 225 ILCS 60/2.5 new

7 225 ILCS 60/22 from Ch. 111, par. 4400-22

8 225 ILCS 60/35 from Ch. 111, par. 4400-35

9 225 ILCS 60/39 from Ch. 111, par. 4400-39