

1 AN ACT regarding the regulation of professions.

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

4 Section 5. The Department of Professional Regulation Law
5 of the Civil Administrative Code of Illinois is amended by
6 adding Section 2105-20 as follows:

7 (20 ILCS 2105/2105-20 new)

8 Sec. 2105-20. Prescription ethics and responsibility
9 confirmation statement. The Department of Professional
10 Regulation must create a uniform prescription ethics and
11 responsibility confirmation statement for the reporting of
12 gifts and honoraria under the Medical Practice Act of 1987,
13 the Illinois Dental Practice Act, the Nursing and Advanced
14 Practice Nursing Act, the Illinois Optometric Practice Act of
15 1987, the Pharmacy Practice Act of 1987, the Physician
16 Assistant Practice Act of 1987, and the Podiatric Medical
17 Practice Act of 1987.

18 Beginning twenty-four months after the effective date of
19 this Act, the Department of Professional Regulation must
20 compile and prepare for the public an annual summary of the
21 gifts and honoraria reported to it under the Medical Practice
22 Act of 1987, the Illinois Dental Practice Act, the Nursing
23 and Advanced Practice Nursing Act, the Illinois Optometric
24 Practice Act of 1987, the Pharmacy Practice Act of 1987, the
25 Physician Assistant Practice Act of 1987, and the Podiatric
26 Medical Practice Act of 1987 aggregated by profession, type
27 of gift, and donor. A copy of the summary must be filed with
28 the Clerk of the House of Representatives and the Secretary
29 of the Senate.

30 Section 10. The Illinois Dental Practice Act is amended

1 by changing Section 16 as follows:

2 (225 ILCS 25/16) (from Ch. 111, par. 2316)

3 Sec. 16. Expiration, renewal and restoration of
4 licenses.

5 (a) The expiration date and renewal period for each
6 license issued under this Act shall be set by rule. A
7 dentist or dental hygienist may renew a license during the
8 month preceding its expiration date by paying the required
9 fee. A dental hygienist shall provide proof of current
10 cardiopulmonary resuscitation certification at the time of
11 renewal.

12 (b)(1) For the purposes of this subsection (b):

13 "Close relative" means a person whose relationship to the
14 reporting person or the reporting person's spouse is that of
15 parent, grandparent, great-grandparent, child, grandchild,
16 great-grandchild, aunt, uncle, brother, sister, niece,
17 nephew, or first cousin.

18 "Gift" means a payment, entertainment, travel, lodging, a
19 meal, a subscription, an advance, a discount, a product, a
20 service, or anything of value, unless consideration of equal
21 or greater value is received for it. "Gift" does not include
22 (i) a commercially reasonable loan made in the ordinary
23 course of business, (ii) anything of value received by
24 inheritance, or (iii) a gift received from a close relative
25 if the gift is not intended to influence or control the use
26 and procurement of prescription drugs by the dentist.

27 "Honorarium" means a payment of money or anything of
28 value as consideration for an appearance, speech, product
29 endorsement, or article.

30 "Prescription drug" means any drug upon which the
31 manufacturer or distributor must, in compliance with federal
32 law, place the following or a comparable warning: "Caution:
33 Federal law prohibits dispensing without prescription".

1 (2) As a part of the application for renewal of his or
2 her license, a dentist must submit a completed prescription
3 ethics and responsibility confirmation statement to the
4 Department. The prescription ethics and responsibility
5 statement must identify all gifts and honoraria received by
6 the licensee during the last licensure period from donors who
7 manufacture, sell, market, or distribute prescription drugs,
8 including the licensee's estimate of the fair market value of
9 each gift or honorarium; except that the statement need not
10 identify gifts from a donor when the total value of the gifts
11 from that donor during the licensure period is less than \$50.

12 (3) The Department must make available for dissemination
13 to the public a summary of the contents of the prescription
14 ethics and responsibility confirmation statement, including
15 the donor's name and address and the amount of each reported
16 gift or honorarium made to the dentist.

17 (c) Any dentist or dental hygienist whose license has
18 expired or whose license is on inactive status may have his
19 license restored at any time within 5 years after the
20 expiration thereof, upon payment of the required fee.

21 Any person whose license has been expired for more than 5
22 years or who has had his license on inactive status for more
23 than 5 years may have his license restored by making
24 application to the Department and filing proof acceptable to
25 the Department of his fitness to have license restored,
26 including sworn evidence certifying to active practice in
27 another jurisdiction, and by paying the required restoration
28 fee. A person practicing on an expired license is deemed to
29 be practicing without a license.

30 If a person whose license has expired or who has had his
31 license on inactive status for more than 5 years has not
32 maintained an active practice satisfactory to the department,
33 the Department shall determine, by an evaluation process
34 established by rule, his or her fitness to resume active

1 status and may require the person to complete a period of
2 evaluated clinical experience and may require successful
3 completion of a practical examination.

4 However, any person whose license has expired while he
5 has been engaged (1) in federal or state service active duty,
6 or (2) in training or education under the supervision of the
7 United States preliminary to induction into the military
8 service, may have his license restored without paying any
9 lapsed renewal or restoration fee, if within 2 years after
10 termination of such service, training or education other than
11 by dishonorable discharge, he furnishes the Department with
12 satisfactory proof that he has been so engaged and that his
13 service, training or education has been so terminated.

14 (Source: P.A. 89-80, eff. 6-30-95; 89-116, eff. 7-7-95.)

15 Section 15. The Medical Practice Act of 1987 is amended
16 by changing Section 21 as follows:

17 (225 ILCS 60/21) (from Ch. 111, par. 4400-21)

18 Sec. 21. License renewal; restoration; inactive status;
19 disposition and collection of fees.

20 (A) Renewal. The expiration date and renewal period for
21 each license issued under this Act shall be set by rule. The
22 holder of a license may renew the license by paying the
23 required fee. The holder of a license may also renew the
24 license within 90 days after its expiration by complying with
25 the requirements for renewal and payment of an additional
26 fee. A license renewal within 90 days after expiration shall
27 be effective retroactively to the expiration date.

28 The Department shall mail to each licensee under this
29 Act, at his or her last known address, at least 60 days in
30 advance of the expiration date of his or her license, a
31 notice of that fact and an application for renewal form. No
32 such license shall be deemed to have lapsed until 90 days

1 after the expiration date and after such notice and
2 application have been mailed by the Department as herein
3 provided.

4 (A-5)(1) For the purposes of this subsection (A-5):

5 "Close relative" means a person whose relationship to the
6 reporting person or the reporting person's spouse is that of
7 parent, grandparent, great-grandparent, child, grandchild,
8 great-grandchild, aunt, uncle, brother, sister, niece,
9 nephew, or first cousin.

10 "Gift" means a payment, entertainment, travel, lodging, a
11 meal, a subscription, an advance, a discount, a product, a
12 service, or anything of value, unless consideration of equal
13 or greater value is received for it. "Gift" shall not
14 include (i) a commercially reasonable loan made in the
15 ordinary course of business, (ii) anything of value received
16 by inheritance, or (iii) a gift received from a close
17 relative of the reporting person if the close relative is not
18 acting either directly or indirectly as a donor and the gift
19 is not intended to influence or control the use and
20 procurement of prescription drugs by the physician licensed
21 to practice medicine in all its branches.

22 "Honorarium" means a payment of money or anything of
23 value as consideration for an appearance, speech, product
24 endorsement, or article.

25 "Person" means a business, individual, corporation,
26 union, association, firm, partnership, committee, or other
27 organization or group of individuals.

28 "Prescription drug" means any drug upon which the
29 manufacturer or distributor must, in compliance with federal
30 law, place the following or a comparable warning: "Caution
31 federal law prohibits dispensing without prescription".

32 (2) As a part of the application for renewal of his or
33 her license, a physician licensed to practice medicine in all
34 its branches must submit a completed prescription ethics and

1 responsibility confirmation statement to the Department. The
2 prescription ethics and responsibility statement must
3 identify all gifts and honoraria received by the licensee
4 during the last licensure period from donors who manufacture,
5 sell, market, or distribute prescription drugs, including the
6 licensee's estimate of the fair market value of each gift or
7 honorarium; except that the statement need not identify gifts
8 from a donor when the total value of the gifts from that
9 donor during the licensure period is less than \$50.

10 (3) The Department must make available for dissemination
11 to the public a summary of the contents of the prescription
12 ethics and responsibility confirmation statement, including
13 the donor's name and address and the amount of a reported
14 gift or honorarium made to the physician licensed to practice
15 medicine in all its branches.

16 (B) Restoration. Any licensee who has permitted his or
17 her license to lapse or who has had his or her license on
18 inactive status may have his or her license restored by
19 making application to the Department and filing proof
20 acceptable to the Department of his or her fitness to have
21 the license restored, including evidence certifying to active
22 practice in another jurisdiction satisfactory to the
23 Department, proof of meeting the continuing education
24 requirements for one renewal period, and by paying the
25 required restoration fee.

26 If the licensee has not maintained an active practice in
27 another jurisdiction satisfactory to the Department, the
28 Licensing Board shall determine, by an evaluation program
29 established by rule, the applicant's fitness to resume active
30 status and may require the licensee to complete a period of
31 evaluated clinical experience and may require successful
32 completion of the practical examination.

33 However, any registrant whose license has expired while
34 he or she has been engaged (a) in Federal Service on active

1 duty with the Army of the United States, the United States
2 Navy, the Marine Corps, the Air Force, the Coast Guard, the
3 Public Health Service or the State Militia called into the
4 service or training of the United States of America, or
5 (b) in training or education under the supervision of the
6 United States preliminary to induction into the military
7 service, may have his or her license reinstated or restored
8 without paying any lapsed renewal fees, if within 2 years
9 after honorable termination of such service, training, or
10 education, he or she furnishes to the Department with
11 satisfactory evidence to the effect that he or she has been
12 so engaged and that his or her service, training, or
13 education has been so terminated.

14 (C) Inactive licenses. Any licensee who notifies the
15 Department, in writing on forms prescribed by the Department,
16 may elect to place his or her license on an inactive status
17 and shall, subject to rules of the Department, be excused
18 from payment of renewal fees until he or she notifies the
19 Department in writing of his or her desire to resume active
20 status.

21 Any licensee requesting restoration from inactive status
22 shall be required to pay the current renewal fee, provide
23 proof of meeting the continuing education requirements for
24 the period of time the license is inactive not to exceed one
25 renewal period, and shall be required to restore his or her
26 license as provided in subsection (B).

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

29 (D) Disposition of monies collected. All monies
30 collected under this Act by the Department shall be deposited
31 in the Illinois State Medical Disciplinary Fund in the State
32 Treasury, and used only for the following purposes: (a) by
33 the Medical Disciplinary Board in the exercise of its powers
34 and performance of its duties, as such use is made by the

1 Department with full consideration of all recommendations of
2 the Medical Disciplinary Board, (b) for costs directly
3 related to persons licensed under this Act, and (c) for
4 direct and allocable indirect costs related to the public
5 purposes of the Department of Professional Regulation.

6 Moneys in the Fund may be transferred to the Professions
7 Indirect Cost Fund as authorized under Section 2105-300 of
8 the Department of Professional Regulation Law (20 ILCS
9 2105/2105-300).

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

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

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

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

27 (3) The fee for a license under Section 19 of this
28 Act is \$300.

29 (4) The fee for the renewal of a license for a
30 resident of Illinois shall be calculated at the rate of
31 \$100 per year, except for licensees who were issued a
32 license within 12 months of the expiration date of the
33 license, the fee for the renewal shall be \$100. The fee
34 for the renewal of a license for a nonresident shall be

1 calculated at the rate of \$200 per year, except for
2 licensees who were issued a license within 12 months of
3 the expiration date of the license, the fee for the
4 renewal shall be \$200.

5 (5) The fee for the restoration of a license other
6 than from inactive status, is \$100. In addition, payment
7 of all lapsed renewal fees not to exceed \$600 is
8 required.

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

11 (7) The fee for the issuance of a duplicate
12 license, for the issuance of a replacement license for a
13 license which has been lost or destroyed, or for the
14 issuance of a license with a change of name or address
15 other than during the renewal period is \$20. No fee is
16 required for name and address changes on Department
17 records when no duplicate license is issued.

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

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

24 (10) The fee to be paid by a licensee for a wall
25 certificate showing his or her license shall be the
26 actual cost of producing the certificate.

27 (11) The fee for a roster of persons licensed as
28 physicians in this State shall be the actual cost of
29 producing such a roster.

30 (F) Any person who delivers a check or other payment to
31 the Department that is returned to the Department unpaid by
32 the financial institution upon which it is drawn shall pay to
33 the Department, in addition to the amount already owed to the
34 Department, a fine of \$50. The fines imposed by this Section

1 are in addition to any other discipline provided under this
2 Act for unlicensed practice or practice on a nonrenewed
3 license. The Department shall notify the person that payment
4 of fees and fines shall be paid to the Department by
5 certified check or money order within 30 calendar days of the
6 notification. If, after the expiration of 30 days from the
7 date of the notification, the person has failed to submit the
8 necessary remittance, the Department shall automatically
9 terminate the license or certificate or deny the application,
10 without hearing. If, after termination or denial, the person
11 seeks a license or certificate, he or she shall apply to the
12 Department for restoration or issuance of the license or
13 certificate and pay all fees and fines due to the Department.
14 The Department may establish a fee for the processing of an
15 application for restoration of a license or certificate to
16 pay all expenses of processing this application. The Director
17 may waive the fines due under this Section in individual
18 cases where the Director finds that the fines would be
19 unreasonable or unnecessarily burdensome.
20 (Source: P.A. 91-239, eff. 1-1-00; 91-357, eff. 7-29-99;
21 92-16, eff. 6-28-01; 92-146, eff. 1-1-02.)

22 Section 20. The Nursing and Advanced Practice Nursing
23 Act is amended by changing Section 20-5 as follows:

24 (225 ILCS 65/20-5)

25 Sec. 20-5. Expiration of license; renewal.

26 (a) The expiration date and renewal period for each
27 license issued under this Act shall be set by rule. The
28 holder of a license may renew the license during the month
29 preceding the expiration date of the license by paying the
30 required fee. It is the responsibility of the licensee to
31 notify the Department in writing of a change of address.

32 (b) (1) For the purposes of this subsection (b):

1 Close relative" means a person whose relationship to the
2 reporting person or the reporting person's spouse is that of
3 parent, grandparent, great-grandparent, child, grandchild,
4 great-grandchild, aunt, uncle, brother, sister, niece,
5 nephew, or first cousin.

6 "Gift" means a payment, entertainment, travel, lodging, a
7 meal, a subscription, an advance, a discount, a product, a
8 service, or anything of value, unless consideration of equal
9 or greater value is received for it. "Gift" shall not
10 include (i) a commercially reasonable loan made in the
11 ordinary course of business, (ii) anything of value received
12 by inheritance, or (iii) a gift received from a close
13 relative of the reporting person if the close relative is not
14 acting either directly or indirectly as a donor and the gift
15 is not intended to influence or control the use and
16 procurement of prescription drugs of the advanced practice
17 nurse.

18 "Honorarium" means a payment of money or anything of
19 value as consideration for an appearance, speech, product
20 endorsement, or article.

21 "Person" means a business, individual, corporation,
22 union, association, firm, partnership, committee, or other
23 organization or group of individuals.

24 "Prescription drug" means any drug upon which the
25 manufacturer or distributor must, in compliance with federal
26 law, place the following or a comparable warning: "Caution
27 federal law prohibits dispensing without prescription".

28 (2) As a part of the application for renewal of his or
29 her license, an advanced practice nurse with prescriptive
30 authority under Section 303.05 of the Illinois Controlled
31 Substances Act and a written collaborative agreement under
32 Sections 15-15 and 15-20 of this Act must submit a completed
33 prescription ethics and responsibility confirmation statement
34 to the Department. The prescription ethics and responsibility

1 statement must identify all gifts and honoraria received by
2 the licensee during the last licensure period from donors who
3 manufacture, sell, market, or distribute prescription drugs,
4 including the licensee's estimate of the fair market value of
5 each gift or honorarium; except that the statement need not
6 identify gifts from a donor when the total value of the gifts
7 from that donor during the licensure period is less than \$50.

8 (3) The Department must make available for dissemination
9 to the public a summary of the contents of the prescription
10 ethics and responsibility confirmation statement, including
11 the donor's name and address and the amount of a reported
12 gift or honorarium made to the advanced practice nurse.

13 (Source: P.A. 90-61, eff. 12-30-97; 90-742, eff. 8-13-98.)

14 Section 25. The Illinois Optometric Practice Act of
15 1987 is amended by changing Section 16 as follows:

16 (225 ILCS 80/16) (from Ch. 111, par. 3916)

17 Sec. 16. Renewal, reinstatement or restoration of
18 licenses; military service.

19 (a) The expiration date and renewal period for each
20 license and certificate issued under this Act shall be set by
21 rule.

22 (b) All renewal applicants shall provide proof of having
23 met the requirements of continuing education set forth in the
24 rules of the Department. The Department shall, by rule,
25 provide for an orderly process for the reinstatement of
26 licenses which have not been renewed due to failure to meet
27 the continuing education requirements. The continuing
28 education requirement may be waived in cases of extreme
29 hardship as defined by rules of the Department.

30 The Department shall establish by rule a means for the
31 verification of completion of the continuing education
32 required by this Section. This verification may be

1 accomplished through audits of records maintained by
2 registrants; by requiring the filing of continuing education
3 certificates with the Department; or by other means
4 established by the Department.

5 (c) (1) For the purposes of this subsection (c):

6 "Close relative" means a person whose relationship to the
7 reporting person or the reporting person's spouse is that of
8 parent, grandparent, great-grandparent, child, grandchild,
9 great-grandchild, aunt, uncle, brother, sister, niece,
10 nephew, or first cousin.

11 "Gift" means a payment, entertainment, travel, lodging, a
12 meal, a subscription, an advance, a discount, a product, a
13 service, or anything of value, unless consideration of equal
14 or greater value is received for it. "Gift" shall not
15 include (i) a commercially reasonable loan made in the
16 ordinary course of business, (ii) anything of value received
17 by inheritance, or (iii) a gift received from a close
18 relative of the reporting person if the close relative is not
19 acting either directly or indirectly as a donor and the gift
20 is not intended to influence or control the use and
21 procurement of prescription drugs of the optometrist.

22 "Honorarium" means a payment of money or anything of
23 value as consideration for an appearance, speech, product
24 endorsement, or article.

25 "Person" means a business, individual, corporation,
26 union, association, firm, partnership, committee, or other
27 organization or group of individuals.

28 "Prescription drug" means any drug upon which the
29 manufacturer or distributor must, in compliance with federal
30 law, place the following or a comparable warning: "Caution
31 federal law prohibits dispensing without prescription".

32 (2) As a part of the application for renewal of his or
33 her license, an optometrist must submit a completed
34 prescription ethics and responsibility confirmation statement

1 to the Department. The prescription ethics and responsibility
2 statement must identify all gifts and honoraria received by
3 the licensee during the last licensure period from donors who
4 manufacture, sell, market, or distribute prescription drugs,
5 including the licensee's estimate of the fair market value of
6 each gift or honorarium; except that the statement need not
7 identify gifts from a donor when the total value of the gifts
8 from that donor during the licensure period is less than \$50.

9 (3) The Department must make available for dissemination
10 to the public a summary of the contents of the prescription
11 ethics and responsibility confirmation statement, including
12 donor's name and address and the amount of a reported gift or
13 honorarium made to the optometrist.

14 (d) Any optometrist who has permitted his or her license
15 to expire or who has had his or her license on inactive
16 status may have his or her license restored by making
17 application to the Department and filing proof acceptable to
18 the Department of his or her fitness to have his or her
19 license restored and by paying the required fees. Such proof
20 of fitness may include evidence certifying to active lawful
21 practice in another jurisdiction and must include proof of
22 the completion of the continuing education requirements
23 specified in the rules for the preceding license renewal
24 period for the applicant's level of certification that has
25 been completed during the 2 years prior to the application
26 for license restoration.

27 The Department shall determine, by an evaluation program
28 established by rule, his or her fitness for restoration of
29 his or her license and shall establish procedures and
30 requirements for such restoration.

31 However, any optometrist whose license expired while he
32 or she was (1) in Federal Service on active duty with the
33 Armed Forces of the United States, or the State Militia
34 called into service or training, or (2) in training or

1 education under the supervision of the United States
2 preliminary to induction into the military service, may have
3 his or her license restored without paying any lapsed renewal
4 fees if within 2 years after honorable termination of such
5 service, training, or education, he or she furnishes the
6 Department with satisfactory evidence to the effect that he
7 or she has been so engaged and that his or her service,
8 training, or education has been so terminated.

9 (Source: P.A. 92-451, eff. 8-21-01.)

10 Section 30. The Physician Assistant Practice Act of
11 1987 is amended by changing Section 16 as follows:

12 (225 ILCS 95/16) (from Ch. 111, par. 4616)

13 Sec. 16. Expiration; renewal.

14 (a) The expiration date and renewal period for each
15 license issued under this Act shall be set by rule. Renewal
16 shall be conditioned on paying the required fee and by
17 meeting such other requirements as may be established by
18 rule.

19 (b) (1) For the purposes of this subsection (b):

20 "Close relative" means a person whose relationship to the
21 reporting person or the reporting person's spouse is that of
22 parent, grandparent, great-grandparent, child, grandchild,
23 great-grandchild, aunt, uncle, brother, sister, niece,
24 nephew, or first cousin.

25 "Gift" means a payment, entertainment, travel, lodging, a
26 meal, a subscription, an advance, a discount, a product, a
27 service, or anything of value, unless consideration of equal
28 or greater value is received for it. "Gift" shall not
29 include (i) a commercially reasonable loan made in the
30 ordinary course of business, (ii) anything of value received
31 by inheritance, or (iii) a gift received from a close
32 relative of the reporting person if the close relative is not

1 acting either directly or indirectly as a donor and the gift
2 is not intended to influence or control the use and
3 procurement of prescription drugs of the physician assistant.

4 "Honorarium" means a payment of money or anything of
5 value as consideration for an appearance, speech, product
6 endorsement, or article.

7 "Person" means a business, individual, corporation,
8 union, association, firm, partnership, committee, or other
9 organization or group of individuals.

10 "Prescription drug" means any drug upon which the
11 manufacturer or distributor must, in compliance with federal
12 law, place the following or a comparable warning: "Caution
13 federal law prohibits dispensing without prescription".

14 (2) As a part of the application for renewal of his or
15 her license, a physician assistant with prescriptive
16 authority under Section 303.05 of the Illinois Controlled
17 Substances Act and the written guidelines required under
18 Section 7.5 of this Act must submit a completed prescription
19 ethics and responsibility confirmation statement to the
20 Department. The prescription ethics and responsibility
21 statement must identify all gifts and honoraria received by
22 the licensee during the last licensure period from donors who
23 manufacture, sell, market, or distribute prescription drugs,
24 including the licensee's estimate of the fair market value of
25 each gift or honorarium; except that the statement need not
26 identify gifts from a donor when the total value of the gifts
27 from that donor during the licensure period is less than \$50.

28 (3) The Department must make available for dissemination
29 to the public a summary of the contents of the prescription
30 ethics and responsibility confirmation statement, including
31 the donor's name and address and the amount of a reported
32 gift or honoraria made to the physicians assistant.

33 (c) Any physician assistant who has permitted his or her
34 license to expire or who has had his or her license on

1 inactive status may have the license restored by making
2 application to the Department and filing proof acceptable to
3 the Department of his or her fitness to have the license
4 restored, and by paying the required fees. Proof of fitness
5 may include sworn evidence certifying to active lawful
6 practice in another jurisdiction.

7 If the physician assistant has not maintained an active
8 practice in another jurisdiction satisfactory to the
9 Department, the Department shall determine, by an evaluation
10 program established by rule, his or her fitness for
11 restoration of the license and shall establish procedures and
12 requirements for such restoration.

13 However, any physician assistant whose license expired
14 while he or she was (1) in federal service on active duty
15 with the Armed Forces of the United States, or the State
16 Militia called into service or training, or (2) in training
17 or education under the supervision of the United States
18 preliminary to induction into the military service, may have
19 the license restored without paying any lapsed renewal fees
20 if within 2 years after honorable termination of such
21 service, training, or education he or she furnishes the
22 Department with satisfactory evidence to the effect that he
23 or she has been so engaged and that his or her service,
24 training, or education has been so terminated.

25 (Source: P.A. 90-61, eff. 12-30-97.)

26 Section 35. The Podiatric Medical Practice Act of 1987
27 is amended by changing 15 as follows:

28 (225 ILCS 100/15) (from Ch. 111, par. 4815)

29 Sec. 15. Licenses; renewal; restoration; military
30 service.

31 (A) The expiration date and renewal period for each
32 license issued under this Act shall be set by rule.

1 (A-5) (1) For the purposes of this subsection (A-5):

2 "Close relative" means a person whose relationship to the
3 reporting person or the reporting person's spouse is that of
4 parent, grandparent, great-grandparent, child, grandchild,
5 great-grandchild, aunt, uncle, brother, sister, niece,
6 nephew, or first cousin.

7 "Gift" means a payment, entertainment, travel, lodging, a
8 meal, a subscription, an advance, a discount, a product, a
9 service, or anything of value, unless consideration of equal
10 or greater value is received for it. "Gift" shall not
11 include (i) a commercially reasonable loan made in the
12 ordinary course of business, (ii) anything of value received
13 by inheritance, or (iii) a gift received from a close
14 relative of the reporting person if the close relative is not
15 acting either directly or indirectly as a donor and the gift
16 is not intended to influence or control the use and
17 procurement of prescription drugs of the podiatric physician.

18 "Honorarium" means a payment of money or anything of
19 value as consideration for an appearance, speech, product
20 endorsement, or article.

21 "Person" means a business, individual, corporation,
22 union, association, firm, partnership, committee, or other
23 organization or group of individuals.

24 "Prescription drug" means any drug upon which the
25 manufacturer or distributor must, in compliance with federal
26 law, place the following or a comparable warning: "Caution
27 federal law prohibits dispensing without prescription".

28 (2) As a part of the application for renewal of his or
29 her license, a podiatric physician must submit a completed
30 prescription ethics and responsibility confirmation statement
31 to the Department. The prescription ethics and responsibility
32 statement must identify all gifts and honoraria received by
33 the licensee during the last licensure period from donors who
34 manufacture, sell, market, or distribute prescription drugs,

1 including the licensee's estimate of the fair market value of
2 each gift or honorarium; except that the statement need not
3 identify gifts from a donor when the total value of the gifts
4 from that donor during the licensure period is less than \$50.

5 (3) The Department must make available for dissemination
6 to the public a summary of the contents of the prescription
7 ethics and responsibility confirmation statement, including
8 the donor's name and address and the amount of a reported
9 gift or honorarium made to the podiatric physician.

10 (B) Any podiatric physician who has permitted his or her
11 license to expire or who has had his license on inactive
12 status may have the license restored by making application to
13 the Department, providing proof of continuing education, and
14 filing proof acceptable to the Department of his or her
15 fitness to have the license restored, which may include
16 evidence of active lawful practice in another jurisdiction
17 satisfactory to the Department and by paying the required
18 restoration fee.

19 (C) If the podiatric physician has not maintained an
20 active practice in another jurisdiction satisfactory to the
21 Department, the Podiatric Medical Licensing Board shall
22 determine, by an evaluation program established by rule his
23 or her fitness to resume active status and may require the
24 podiatric physician to complete an established period of
25 evaluated clinical experience and may require successful
26 completion of the practical examination, as provided by rule.

27 (D) However, any podiatric physician whose license
28 expired while he or she was (1) in Federal Service on active
29 duty with the Armed Forces of the United States or the
30 Veterans Administration or the State Militia called into
31 service or training, or (2) in training or education under
32 the supervision of the United States preliminary to induction
33 into the military service, may have the license renewed or
34 restored without paying any lapsed renewal fees if within 2

1 years after honorable termination of such service, training
2 or education, except under conditions other than honorable,
3 he or she furnished the Department with satisfactory evidence
4 to the effect that he or she has been so engaged and that his
5 or her service, training or education has been so terminated.
6 (Source: P.A. 90-76, eff. 12-30-97.)

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Statutes amended in order of appearance

20 ILCS 2105/2105-20 new

225 ILCS 25/16 from Ch. 111, par. 2316

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

225 ILCS 65/20-5

225 ILCS 80/16 from Ch. 111, par. 3916

225 ILCS 95/16 from Ch. 111, par. 4616

225 ILCS 100/15 from Ch. 111, par. 4815