



Sen. Omar Aquino

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LRB101 04417 AMC 58056 a

1 AMENDMENT TO SENATE BILL 656

2 AMENDMENT NO. _____. Amend Senate Bill 656 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Regulatory Sunset Act is amended by
5 changing Section 4.30 and by adding Section 4.40 as follows:

6 (5 ILCS 80/4.30)

7 Sec. 4.30. Acts repealed on January 1, 2020. The following
8 Acts are repealed on January 1, 2020:

9 The Auction License Act.

10 The Community Association Manager Licensing and
11 Disciplinary Act.

12 The Illinois Architecture Practice Act of 1989.

13 The Illinois Landscape Architecture Act of 1989.

14 The Illinois Professional Land Surveyor Act of 1989.

15 The Orthotics, Prosthetics, and Pedorthics Practice Act.

16 ~~The Perfusionist Practice Act.~~

1 The Pharmacy Practice Act.

2 The Professional Engineering Practice Act of 1989.

3 The Real Estate License Act of 2000.

4 The Structural Engineering Practice Act of 1989.

5 (Source: P.A. 100-497, eff. 9-8-17; 100-534, eff. 9-22-17;
6 100-863, eff. 8-14-18.)

7 (5 ILCS 80/4.40 new)

8 Sec. 4.40. Act repealed on January 1, 2030. The following
9 Act is repealed on January 1, 2030:

10 The Perfusionist Practice Act.

11 Section 10. The Perfusionist Practice Act is amended by
12 changing Sections 10, 15, 25, 30, 60, 65, 70, 75, 80, 90, 105,
13 115, 120, 125, 140, 150, 170, 185, 200, 210, and 220 and by
14 adding Sections 11, 26, and 31 as follows:

15 (225 ILCS 125/10)

16 (Section scheduled to be repealed on January 1, 2020)

17 Sec. 10. Definitions. As used in this Act:

18 "Address of Record" means the designated address recorded
19 by the Department in the applicant's or licensee's application
20 file or license file maintained by the Department. ~~It is the~~
21 ~~duty of the applicant or licensee to inform the Department of~~
22 ~~any change of address, and such changes must be made either~~
23 ~~through the Department's website or by directly contacting the~~

1 ~~Department.~~

2 "Board" means the Board of Licensing for Perfusionists.

3 "Department" means the Department of Financial and
4 Professional Regulation.

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

9 "Extracorporeal circulation" means the diversion of a
10 patient's blood through a heart-lung machine or a similar
11 device that assumes the functions of the patient's heart,
12 lungs, kidney, liver, or other organs.

13 "New graduate perfusionist" means a perfusionist
14 practicing within a period of one year since the date of
15 graduation from a Commission on Accreditation of Allied Health
16 Education Programs accredited perfusion education program.

17 "Perfusion" means the functions necessary for the support,
18 treatment, measurement, or supplementation of the
19 cardiovascular systems or other organs, or a combination of
20 those functions, and to ensure the safe management of
21 physiologic functions by monitoring and analyzing the
22 parameters of the systems under an order and under the
23 supervision of a physician licensed to practice medicine in all
24 its branches.

25 "Perfusionist" means a person, qualified by academic and
26 clinical education, to operate the extracorporeal circulation

1 equipment during any medical situation where it is necessary to
2 support or replace a person's cardiopulmonary, circulatory, or
3 respiratory function. A perfusionist is responsible for the
4 selection of appropriate equipment and techniques necessary
5 for support, treatment, measurement, or supplementation of the
6 cardiopulmonary and circulatory system of a patient, including
7 the safe monitoring, analysis, and treatment of physiologic
8 conditions under an order and under the supervision of a
9 physician licensed to practice medicine in all its branches and
10 in coordination with a registered professional nurse.

11 "Perfusion protocols" means perfusion related policies and
12 protocols developed or approved by a licensed health facility
13 or a physician through collaboration with administrators,
14 licensed perfusionists, and other health care professionals.

15 "Physician" or "operating physician" means a person
16 licensed to practice medicine in all of its branches under the
17 Medical Practice Act of 1987.

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

20 (Source: P.A. 96-682, eff. 8-25-09.)

21 (225 ILCS 125/11 new)

22 Sec. 11. Address of record; email address of record. All
23 applicants and licensees shall:

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

1 email address of record, respectively, at the time of
2 application for licensure or renewal of a license; and

3 (2) inform the Department of any change of address of
4 record or email address of record within 14 days after such
5 change either through the Department's website or by
6 contacting the Department's licensure maintenance unit.

7 (225 ILCS 125/15)

8 (Section scheduled to be repealed on January 1, 2020)

9 Sec. 15. Functions, powers, ~~Powers~~ and duties of the
10 Department. The Department shall, subject ~~Subject~~ to the
11 provisions of this Act, exercise the following functions,
12 powers, and duties ~~the Department may:~~

13 (1) Authorize examinations to ascertain the fitness
14 and qualifications of applicants for licensure and pass ~~(a)~~
15 ~~Pass~~ upon the qualifications of applicants for licensure by
16 endorsement.

17 (2) Adopt rules required for the administration of this
18 Act ~~(b) Conduct hearings on proceedings to refuse to issue~~
19 ~~or renew a license, or to revoke or suspend a license, or~~
20 ~~to place on probation, reprimand, or take any other~~
21 ~~disciplinary or non-disciplinary action with regard to a~~
22 ~~person licensed under this Act.~~

23 (3) ~~(c)~~ Formulate rules required for the
24 administration of this Act.

25 (4) Conduct hearings on proceedings to refuse to issue

1 or renew licenses, or to revoke, suspend, place on
2 probation, or reprimand persons licensed under this Act ~~(d)~~
3 ~~Obtain written recommendations from the Board regarding~~
4 ~~(i) curriculum content, standards of professional conduct,~~
5 ~~formal disciplinary actions, and the formulation of rules,~~
6 ~~and (ii) when petitioned by the applicant, opinions~~
7 ~~regarding the qualifications of applicants for licensing.~~

8 (5) Issue licenses to those who meet the requirements
9 of this Act ~~(e) Maintain rosters of the names and address~~
10 ~~of all licensees, and all persons whose licenses have been~~
11 ~~suspended, revoked, or denied renewal for cause or~~
12 ~~otherwise disciplined within the previous calendar year.~~
13 ~~These rosters shall be available upon written request and~~
14 ~~payment of the required fee as established by rule.~~

15 (6) Conduct investigations related to possible
16 violations of this Act.

17 (Source: P.A. 96-682, eff. 8-25-09.)

18 (225 ILCS 125/25)

19 (Section scheduled to be repealed on January 1, 2020)

20 Sec. 25. Board of Licensing for Perfusionists.

21 (a) The Secretary shall appoint a Board of Licensing for
22 Perfusionists ~~which shall serve in an advisory capacity to the~~
23 ~~Secretary.~~ The Board shall consist ~~be comprised~~ of 5 members
24 who shall serve in an advisory capacity to the Secretary
25 ~~persons appointed by the Secretary, who shall give due~~

1 ~~consideration to recommendations by members of the profession~~
2 ~~of perfusion and perfusion organizations within the State. All~~
3 shall be residents of Illinois. ~~(b)~~ Two members must hold an
4 active license to engage in the practice of perfusion in this
5 State. One ~~, one~~ member shall ~~must~~ be a physician licensed
6 under the Medical Practice Act of 1987 who is board certified
7 in and actively engaged in the practice of cardiothoracic
8 surgery. One ~~, one~~ member shall ~~must~~ be a licensed registered
9 professional nurse certified by the Association of
10 periOperative Registered Operating Room Nurses. In addition to
11 the 4 licensed members, there shall be ~~, and~~ one public member.
12 The public member shall not hold a license ~~must be a member of~~
13 ~~the public who is not licensed~~ under this Act or a similar Act
14 of this State ~~another jurisdiction~~ and who shall have ~~has~~ no
15 connection with the profession of perfusion.

16 (b) ~~(e)~~ Members shall serve 4-year terms and until their
17 successors are appointed and qualified, ~~except that, of the~~
18 ~~initial appointments, 2 members shall be appointed to serve for~~
19 ~~2 years, 2 members shall be appointed to serve for 3 years, and~~
20 ~~1 member shall be appointed to serve for 4 years, and until~~
21 ~~their successors are appointed and qualified.~~

22 (c) In appointing members to the Board, the Secretary shall
23 give due consideration to recommendations made by members and
24 organizations of the perfusionist profession.

25 (d) The membership of the Board should reasonably reflect
26 representation from the geographic areas in this State.

1 (e) No member shall be reappointed to the Board for a term
2 that would cause his or her continuous service on the Board to
3 be longer than 8 consecutive years.

4 (f) ~~(d)~~ Appointments to fill vacancies shall be made in the
5 same manner as original appointments for the unexpired portion
6 of the vacated term.

7 ~~(e) The Board shall annually elect a chairperson and a~~
8 ~~vice chairperson who shall preside in the absence of the~~
9 ~~chairperson.~~

10 ~~(f) Insofar as possible, the licensed professionals~~
11 ~~appointed to serve on the Board shall be generally~~
12 ~~representative of the occupational and geographical~~
13 ~~distribution of licensed professionals within this State.~~

14 ~~(g) The Secretary may remove or suspend any member for~~
15 ~~cause at any time before the expiration of his or her term. The~~
16 ~~Secretary shall be the sole arbiter of cause.~~

17 ~~(h) The Secretary may give due consideration to all~~
18 ~~recommendations of the Board.~~

19 (g) ~~(i)~~ Three Board members shall constitute a quorum. A
20 quorum is required for all Board decisions.

21 (h) The Secretary may terminate the appointment of any
22 member for cause which in the opinion of the Secretary
23 reasonably justified such termination which may include, but is
24 not limited to, a Board member who does not attend 2
25 consecutive meetings.

26 (i) Notice of proposed rulemaking shall be transmitted to

1 the Board and the Department shall review the response of the
2 Board and any recommendations made therein.

3 (j) Members of the Board shall have no liability in any
4 action based upon disciplinary proceedings or other activity
5 performed in good faith as members of the Board.

6 (k) Members of the Board shall be reimbursed for all
7 legitimate, necessary, and authorized expenses.

8 ~~(j) Except for willful or wanton misconduct, members of the~~
9 ~~Board shall be immune from liability in any action based upon~~
10 ~~any disciplinary proceeding or other activity performed in good~~
11 ~~faith as a member of the Board.~~

12 (Source: P.A. 96-682, eff. 8-25-09.)

13 (225 ILCS 125/26 new)

14 Sec. 26. Powers and duties of the Board. Subject to the
15 provisions of this Act, the Board shall exercise the following
16 functions, powers, and duties:

17 (1) The Board shall hold at least 2 regular meetings
18 each year.

19 (2) The Board shall annually elect a Chairperson and a
20 Vice Chairperson, both of whom shall be Illinois licensed
21 perfusionists.

22 (3) The Board, upon request by the Department, may make
23 an evaluation to approve a perfusionist program,
24 examination, or certification.

25 (4) The Board shall assist the Department in conducting

1 oral interviews, disciplinary conferences, informal
2 conferences, and formal evidentiary hearings.

3 The Department may at any time seek the expert advice and
4 knowledge of the Board on any matter related to the enforcement
5 of this Act.

6 (225 ILCS 125/30)

7 (Section scheduled to be repealed on January 1, 2020)

8 Sec. 30. Application for licensure.

9 (a) An application for an original ~~initial~~ license shall be
10 made to the Department in writing on forms or electronically as
11 prescribed by the Department and shall be accompanied by the
12 required ~~nonrefundable~~ fee, which shall not be refundable. All
13 applications shall contain information that, in the judgment of
14 the Department, will enable the Department to pass on the
15 qualifications of the applicant for a license as a
16 perfusionist. ~~An application shall require information that,~~
17 ~~in the judgment of the Department, will enable the Department~~
18 ~~to evaluate the qualifications of an applicant for licensure.~~

19 (b) If an applicant fails to obtain a license under this
20 Act within 3 years after filing his or her application, the
21 application shall be denied, the fee shall be forfeited, and
22 the applicant must reapply and meet the requirements in effect
23 at the time of reapplication. ~~The applicant may make a new~~
24 application, which shall be accompanied by the required
25 nonrefundable fee. ~~The applicant shall be required to meet the~~

1 ~~qualifications required for licensure at the time of~~
2 ~~reapplication.~~

3 ~~A person shall be qualified for licensure as a perfusionist~~
4 ~~if that person:~~

5 ~~(1) has applied to the Department for licensure in~~
6 ~~accordance with this Section;~~

7 ~~(2) has not violated a provision of Section 110 of this~~
8 ~~Act; in addition the Department may take into consideration~~
9 ~~any felony conviction of the applicant, but a conviction~~
10 ~~shall not operate as an absolute bar to licensure; and~~

11 ~~(3) has successfully completed the examination~~
12 ~~provided by the American Board of Cardiovascular Perfusion~~
13 ~~(ABCP) or its successor agency or a substantially~~
14 ~~equivalent examination approved by the Department;~~

15 ~~(4) has met the requirements for certification set~~
16 ~~forth by the American Board of Cardiovascular Perfusion or~~
17 ~~its successor agency; and~~

18 ~~(5) has graduated from a school accredited by the~~
19 ~~Commission on the Accreditation of Allied Health Education~~
20 ~~Programs (CAAHEP) or a similar accrediting body approved by~~
21 ~~the Department.~~

22 (Source: P.A. 91-580, eff. 1-1-00.)

23 (225 ILCS 125/31 new)

24 Sec. 31. Qualification. A person shall be qualified for
25 licensure as a perfusionist if that person:

1 (1) has applied to the Department for licensure in
2 accordance with this Act;

3 (2) has not violated any provision of this Act; and

4 (3) has met the requirements for licensure as set forth
5 by this Act and rules.

6 (225 ILCS 125/60)

7 (Section scheduled to be repealed on January 1, 2020)

8 Sec. 60. ~~Display of license; change of address.~~ A licensee
9 shall maintain on file at all times during which the licensee
10 provides services in a health care facility a true and correct
11 copy of the license certificate in the appropriate records of
12 the facility.

13 (Source: P.A. 96-682, eff. 8-25-09.)

14 (225 ILCS 125/65)

15 (Section scheduled to be repealed on January 1, 2020)

16 Sec. 65. Endorsement ~~Licensure by endorsement.~~

17 (a) The Department may, upon application in writing on
18 forms or electronically accompanied by the required fee, issue
19 a license as a perfusionist to an applicant who is a
20 perfusionist licensed under the law of another state, the
21 District of Columbia, territory, or country, if the
22 requirements for licensure in that jurisdiction were, at the
23 date of original licensure, substantially equivalent to the
24 requirements in force in this State.

1 (b) An applicant who holds a current certificate as a
2 certified clinical perfusionist issued by the American Board of
3 Cardiovascular Perfusion, or its equivalent, as approved by the
4 Department, prior to January 1, 1999 may apply for endorsement
5 as stated in subsection (a) of this Section.

6 (c) If the accuracy of any submitted documentation or
7 relevance or sufficiency of the course work or experience is
8 questioned by the Department or the Board because of a lack of
9 information, discrepancies, or conflicts in information given,
10 or a need for clarification, the applicant seeking licensure
11 may be required to provide additional information.

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

17 ~~The Department may, in its discretion, license as a~~
18 ~~perfusionist, without examination and on payment of the~~
19 ~~required fee, an applicant who (1) is licensed as a~~
20 ~~perfusionist under the laws of another state, territory, or~~
21 ~~country, if the requirements for licensure in that state,~~
22 ~~territory, or country in which the applicant was licensed were,~~
23 ~~at the date of his or her licensure, substantially equal to the~~
24 ~~requirements in force in this State on that date or (2) holds a~~
25 ~~current certificate as a certified clinical perfusionist~~
26 ~~issued by the American Board of Cardiovascular Perfusion~~

1 ~~(ABCP), or its successor organization, prior to January 1,~~
2 ~~1999.~~

3 (Source: P.A. 91-580, eff. 1-1-00.)

4 (225 ILCS 125/70)

5 (Section scheduled to be repealed on January 1, 2020)

6 Sec. 70. Renewal, reinstatement, or restoration of
7 license; persons in military service.

8 (a) The expiration date and renewal period for each license
9 issued under this Act shall be set by the Department by rule.
10 The holder of a license ~~A licensee~~ may renew the ~~his or her~~
11 license during the month preceding the expiration date of the
12 license by paying the required fee. ~~It is the responsibility of~~
13 ~~the licensee to notify the Department in writing of a change of~~
14 ~~address.~~

15 (b) A licensee who has permitted his or her license to
16 expire or who has had his or her license placed on inactive
17 status may have his or her ~~the~~ license restored by making
18 application to the Department, and ~~by~~ filing proof acceptable
19 to the Department of his or her fitness to have the license
20 restored, including, but not limited to, sworn practice in
21 another jurisdiction satisfactory to the Department and by
22 paying the required fees as determined by rule. ~~Proof of~~
23 ~~fitness may include sworn evidence certifying to active lawful~~
24 ~~practice in another jurisdiction.~~

25 (c) A perfusionist ~~If the licensee has not maintained an~~

1 ~~active practice in another jurisdiction satisfactory to the~~
2 ~~Department, the Department shall determine, by an evaluation~~
3 ~~program established by rule, his or her fitness for restoration~~
4 ~~of the license and shall establish procedures and requirements~~
5 ~~for restoration. However, a licensee whose license has expired~~
6 ~~while engaged he or she was~~ (1) in federal service on active
7 duty with the Armed Forces of the United States or the State
8 Militia called into service or training, or (2) in training or
9 education under the supervision of the United States before
10 induction into the military service, may have the license
11 restored or reinstated without paying any lapsed
12 reinstatement, renewal, or restoration fees if within 2 years
13 after ~~honorable~~ termination other than by dishonorable
14 discharge of such ~~the~~ service, training, or education and ~~he or~~
15 ~~she furnishes~~ the Department is furnished with satisfactory
16 evidence ~~to the effect~~ that the licensee ~~he or she~~ has been so
17 engaged in the practice of perfusion and that such ~~and that his~~
18 ~~or her~~ service, training, or education has been so terminated.

19 (Source: P.A. 96-682, eff. 8-25-09.)

20 (225 ILCS 125/75)

21 (Section scheduled to be repealed on January 1, 2020)

22 Sec. 75. Continuing education. The Department may adopt
23 rules of continuing education for persons licensed under this
24 Act. The Department shall consider the recommendations of the
25 Board in establishing the guidelines for continuing education

1 requirements. The requirements of this Section shall apply to
2 any person seeking renewal or restoration under Sections 70 and
3 80 of this Act ~~licensees that require 30 hours of continuing~~
4 ~~education per 2 year license renewal cycle. The rules shall~~
5 ~~address variances in part or in whole for good cause, including~~
6 ~~without limitation temporary illness or hardship. The~~
7 ~~Department may approve continuing education programs offered,~~
8 ~~provided, and approved by the American Board of Cardiovascular~~
9 ~~Perfusion, or its successor agency. The Department may approve~~
10 ~~additional continuing education sponsors. Each licensee is~~
11 ~~responsible for maintaining records of his or her completion of~~
12 ~~the continuing education and shall be prepared to produce the~~
13 ~~records when requested by the Department.~~

14 (Source: P.A. 96-682, eff. 8-25-09.)

15 (225 ILCS 125/80)

16 (Section scheduled to be repealed on January 1, 2020)

17 Sec. 80. Inactive status. A person licensed under this Act
18 ~~licensee~~ who notifies the Department, l in writing on forms
19 prescribed by the Department, l may elect to place his or her
20 license on an inactive status and shall, subject to rules of
21 the Department, be excused from payment of renewal fees until
22 he or she notifies the Department in writing of his or her
23 intention to restore the license. ~~A licensee requesting~~
24 ~~restoration from inactive status shall pay the current renewal~~
25 ~~fee and shall restore his or her license in accordance with~~

1 ~~Section 70 of this Act.~~ A licensee whose license is on inactive
2 status shall not practice as a perfusionist in this State. ~~A~~
3 ~~licensee who engages in practice as a perfusionist while his or~~
4 ~~her license is lapsed or on inactive status shall be considered~~
5 ~~to be practicing without a license, which shall be grounds for~~
6 ~~discipline under Section 105 of this Act.~~

7 (Source: P.A. 91-580, eff. 1-1-00.)

8 (225 ILCS 125/90)

9 (Section scheduled to be repealed on January 1, 2020)

10 Sec. 90. Fees; deposit of fees and fines.

11 (a) The Department shall provide ~~set~~ by rule for a schedule
12 of fees to be paid for licenses by applicants for the
13 ~~administration of this Act, including, but not limited to, fees~~
14 ~~for initial and renewal licensure and restoration of a license.~~
15 All The fees are shall be nonrefundable.

16 (b) The fees for the administration and enforcement of the
17 Act, including but not limited to original licensure, renewal,
18 and restoration shall be set by rule by the Department.

19 (c) ~~(b)~~ All of the fees and fines collected as authorized
20 under this Act shall be deposited into the General Professions
21 Dedicated Fund. The monies deposited into the Fund shall be
22 appropriated to the Department for expenses of the Department
23 in the administration of this Act.

24 (Source: P.A. 96-682, eff. 8-25-09; 96-1000, eff. 7-2-10.)

1 (225 ILCS 125/105)

2 (Section scheduled to be repealed on January 1, 2020)

3 Sec. 105. Grounds for disciplinary action ~~Disciplinary~~
4 ~~actions.~~

5 (a) The Department may refuse to issue, renew, or restore a
6 license, or may revoke, ~~or~~ suspend a license, ~~or may~~ place on
7 probation, reprimand, or take any other disciplinary or
8 non-disciplinary action as the Department may deem proper with
9 ~~regard to a person licensed under this Act, including but not~~
10 ~~limited to the imposition of~~ fines not to exceed \$10,000 per
11 ~~for each~~ violation with regard to any license issued under this
12 Act, for any one or a any combination of the following reasons
13 causes:

14 (1) Making a material misstatement in furnishing
15 information to the Department.

16 (2) Negligence, incompetence, or misconduct in the
17 practice of perfusion ~~Violation of this Act or any rule~~
18 ~~promulgated under this Act.~~

19 (3) Failure to comply with any provisions of this Act
20 or any of its rules ~~Conviction of, or entry of a plea of~~
21 ~~guilty or nolo contendere to, any crime that is a felony~~
22 ~~under the laws of the United States or any state or~~
23 ~~territory thereof, or any crime that is a misdemeanor of~~
24 ~~which an essential element is dishonesty, or any crime that~~
25 ~~is directly related to the practice as a perfusionist.~~

26 (4) Fraud or any misrepresentation in applying for or

1 procuring a license under this Act or in connection with
2 applying for renewal or restoration of a license under this
3 Act ~~Making a misrepresentation for the purpose of~~
4 ~~obtaining, renewing, or restoring a license.~~

5 (5) Purposefully making false statements or signing
6 false statements, certificates, or affidavits to induce
7 payment ~~Aiding or assisting another person in violating a~~
8 ~~provision of this Act or its rules.~~

9 (6) Conviction of or entry of a plea of guilty or nolo
10 contendere, finding of guilt, jury verdict, or entry of
11 judgment or sentencing, including, but not limited to,
12 convictions, preceding sentences of supervision,
13 conditional discharge, or first offender probation under
14 the laws of any jurisdiction of the United States that is
15 (i) a felony or (ii) a misdemeanor, an essential element of
16 which is dishonesty, that is directly related to the
17 practice of the profession of perfusion ~~Failing to provide~~
18 ~~information within 60 days in response to a written request~~
19 ~~made by the Department.~~

20 (7) Aiding or assisting another in violating any
21 provision of this Act or its rules ~~Engaging in~~
22 ~~dishonorable, unethical, or unprofessional conduct of a~~
23 ~~character likely to deceive, defraud, or harm the public,~~
24 ~~as defined by rule of the Department.~~

25 (8) Failing to provide information in response to a
26 written request made by the Department within 60 days after

1 receipt of such written request ~~Discipline by another~~
2 ~~state, the District of Columbia, or territory, or a foreign~~
3 ~~nation, if at least one of the grounds for discipline is~~
4 ~~the same or substantially equivalent to those set forth in~~
5 ~~this Section.~~

6 (9) Engaging in dishonorable, unethical, or
7 unprofessional conduct of a character likely to deceive,
8 defraud, or harm the public as defined by rule ~~Directly or~~
9 ~~indirectly giving to or receiving from a person, firm,~~
10 ~~corporation, partnership, or association a fee,~~
11 ~~commission, rebate, or other form of compensation for~~
12 ~~professional services not actually or personally rendered.~~
13 ~~Nothing in this paragraph (9) affects any bona fide~~
14 ~~independent contractor or employment arrangements among~~
15 ~~health care professionals, health facilities, health care~~
16 ~~providers, or other entities, except as otherwise~~
17 ~~prohibited by law. Any employment arrangements may include~~
18 ~~provisions for compensation, health insurance, pension, or~~
19 ~~other employment benefits for the provision of services~~
20 ~~within the scope of the licensee's practice under this Act.~~
21 ~~Nothing in this paragraph (9) shall be construed to require~~
22 ~~an employment arrangement to receive professional fees for~~
23 ~~services rendered.~~

24 (10) Habitual or excessive use or abuse of drugs
25 defined in law as controlled substances, of alcohol,
26 narcotics, stimulants, or any other substances that

1 results in the inability to practice with reasonable
2 judgment, skill, or safety ~~A finding by the Board that the~~
3 ~~licensee, after having his or her license placed on~~
4 ~~probationary status, has violated the terms of probation.~~

5 (11) A finding by the Department that an applicant or
6 licensee has failed to pay a fine imposed by the Department
7 ~~Wilfully making or filing false records or reports in his~~
8 ~~or her practice, including but not limited to false records~~
9 ~~or reports filed with State agencies or departments.~~

10 (12) A finding by the Department that the licensee,
11 after having his or her license placed on probationary
12 status, has violated the terms of probation, or failed to
13 comply with such terms ~~Wilfully making or signing a false~~
14 ~~statement, certificate, or affidavit to induce payment.~~

15 (13) Inability to practice the profession with
16 reasonable judgment, skill, or safety as a result of
17 physical illness, including, but not limited to,
18 deterioration through the aging process, loss of motor
19 skill, mental illness, or disability ~~Wilfully failing to~~
20 ~~report an instance of suspected child abuse or neglect as~~
21 ~~required under the Abused and Neglected Child Reporting~~
22 ~~Act.~~

23 (14) Discipline by another state, territory, foreign
24 country, the District of Columbia, the United States
25 government, or any other government agency if at least one
26 of the grounds for discipline is the same or substantially

1 equivalent to those set forth in this Act ~~Being named as a~~
2 ~~perpetrator in an indicated report by the Department of~~
3 ~~Children and Family Services under the Abused and Neglected~~
4 ~~Child Reporting Act and upon proof by clear and convincing~~
5 ~~evidence that the licensee has caused a child to be an~~
6 ~~abused child or neglected child as defined in the Abused~~
7 ~~and Neglected Child Reporting Act.~~

8 (15) The making of any willfully false oath or
9 affirmation in any matter or proceeding where an oath or
10 affirmation is required by this Act ~~Employment of fraud,~~
11 ~~deception, or any unlawful means in applying for or~~
12 ~~securing a license as a perfusionist.~~

13 (16) Using or attempting to use an expired, inactive,
14 suspended, or revoked license, or the certificate or seal
15 of another, or impersonating another licensee ~~Allowing~~
16 ~~another person to use his or her license to practice.~~

17 (17) Directly or indirectly giving to or receiving from
18 any person or entity any fee, commission, rebate, or other
19 form of compensation for any professional service not
20 actually or personally rendered ~~Failure to report to the~~
21 ~~Department (A) any adverse final action taken against the~~
22 ~~licensee by another licensing jurisdiction, government~~
23 ~~agency, law enforcement agency, or any court or (B)~~
24 ~~liability for conduct that would constitute grounds for~~
25 ~~action as set forth in this Section.~~

26 (18) Willfully making or filing false records or

1 reports related to the licensee's practice, including, but
2 not limited to, false records filed with federal or State
3 agencies or departments ~~Inability to practice the~~
4 ~~profession with reasonable judgment, skill or safety as a~~
5 ~~result of a physical illness, including but not limited to~~
6 ~~deterioration through the aging process or loss of motor~~
7 ~~skill, or a mental illness or disability.~~

8 (19) Willfully failing to report an instance of
9 suspected child abuse or neglect as required under the
10 Abused and Neglected Child Reporting Act ~~Inability to~~
11 ~~practice the profession for which he or she is licensed~~
12 ~~with reasonable judgment, skill, or safety as a result of~~
13 ~~habitual or excessive use or addiction to alcohol,~~
14 ~~narcotics, stimulants, or any other chemical agent or drug.~~

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

22 (21) Immoral conduct in the commission of an act
23 related to the licensee's practice, including but not
24 limited to sexual abuse, sexual misconduct, or sexual
25 exploitation.

26 (22) Violation of the Health Care Worker Self-Referral

1 Act.

2 (23) Solicitation of business or professional
3 services, other than permitted advertising.

4 (24) Conviction of or cash compromise of a charge or
5 violation of the Illinois Controlled Substances Act.

6 (25) Gross, willful, or continued overcharging for
7 professional services, including filing false statements
8 for collection of fees for which services are not rendered.

9 (26) Practicing under a false name or, except as
10 allowed by law, an assumed name.

11 ~~(27) Violating any provision of this Act or the rules~~
12 ~~promulgated under this Act, including, but not limited to,~~
13 ~~advertising.~~

14 ~~(b) A licensee or applicant who, because of a physical or~~
15 ~~mental illness or disability, including, but not limited to,~~
16 ~~deterioration through the aging process or loss of motor skill,~~
17 ~~is unable to practice the profession with reasonable judgment,~~
18 ~~skill, or safety, may be required by the Department to submit~~
19 ~~to care, counseling or treatment by physicians approved or~~
20 ~~designated by the Department, as a condition, term, or~~
21 ~~restriction for continued, reinstated, or renewed licensure to~~
22 ~~practice. Submission to care, counseling or treatment as~~
23 ~~required by the Department shall not be considered discipline~~
24 ~~of the licensee. If the licensee refuses to enter into a care,~~
25 ~~counseling or treatment agreement or fails to abide by the~~
26 ~~terms of the agreement the Department may file a complaint to~~

1 ~~suspend or revoke the license or otherwise discipline the~~
2 ~~licensee. The Secretary may order the license suspended~~
3 ~~immediately, pending a hearing by the Department. Fines shall~~
4 ~~not be assessed in the disciplinary actions involving physical~~
5 ~~or mental illness or impairment.~~

6 ~~(b 5) The Department may refuse to issue or may suspend,~~
7 ~~without a hearing as provided for in the Civil Administrative~~
8 ~~Code of Illinois, the license of a person who fails to file a~~
9 ~~return, to pay the tax, penalty, or interest shown in a filed~~
10 ~~return, or to pay any final assessment of tax, penalty, or~~
11 ~~interest as required by any tax Act administered by the~~
12 ~~Department of Revenue, until such time as the requirements of~~
13 ~~the tax Act are satisfied in accordance with subsection (g) of~~
14 ~~Section 2105 15 of the Department of Professional Regulation~~
15 ~~Law of the Civil Administrative Code of Illinois (20 ILCS~~
16 ~~2105/2105 15).~~

17 ~~(c) The determination by a circuit court that a licensee is~~
18 ~~subject to involuntary admission or judicial admission as~~
19 ~~provided in the Mental Health and Developmental Disabilities~~
20 ~~Code, as amended, operates as an automatic suspension. The~~
21 ~~suspension will end only upon a finding by a court that the~~
22 ~~licensee is no longer subject to the involuntary admission or~~
23 ~~judicial admission and issues an order so finding and~~
24 ~~discharging the licensee; and upon the recommendation of the~~
25 ~~Board to the Secretary that the licensee be allowed to resume~~
26 ~~his or her practice.~~

1 (b) ~~(d)~~ In enforcing this Section, the Department or Board,
2 upon a showing of a possible violation, may order a licensee or
3 applicant to submit to a mental or physical examination, or
4 both, at the expense of the Department. The Department or Board
5 may order the examining physician to present testimony
6 concerning his or her examination of the licensee or applicant.
7 No information shall be excluded by reason of any common law or
8 statutory privilege relating to communications between the
9 licensee or applicant and the examining physician. The
10 examining physicians shall be specifically designated by the
11 Board or Department. The licensee or applicant may have, at his
12 or her own expense, another physician of his or her choice
13 present during all aspects of the examination. Failure of a
14 licensee or applicant to submit to any such examination when
15 directed, without reasonable cause as defined by rule, shall be
16 grounds for either the immediate suspension of his or her
17 license or immediate denial of his or her application.

18 (1) If the Secretary immediately suspends the license
19 of a licensee for his or her failure to submit to a mental
20 or physical examination when directed, a hearing must be
21 convened by the Department within 15 days after the
22 suspension and completed without appreciable delay.

23 (2) If the Secretary otherwise suspends a license
24 pursuant to the results of the licensee's mental or
25 physical examination, a hearing must be convened by the
26 Department within 15 days after the suspension and

1 completed without appreciable delay. The Department and
2 Board shall have the authority to review the licensee's
3 record of treatment and counseling regarding the relevant
4 impairment or impairments to the extent permitted by
5 applicable federal statutes and regulations safeguarding
6 the confidentiality of medical records.

7 (3) Any licensee suspended or otherwise affected under
8 this subsection (b) ~~(d)~~ shall be afforded an opportunity to
9 demonstrate to the Department or Board that he or she can
10 resume practice in compliance with the acceptable and
11 prevailing standards under the provisions of his or her
12 license.

13 (c) The determination by a circuit court that a licensee is
14 subject to involuntary admission or judicial admission as
15 provided in the Mental Health and Developmental Disabilities
16 Code operates as an automatic suspension. The suspension will
17 end only upon a finding by a court that the licensee is no
18 longer subject to the involuntary admission or judicial
19 admission and issues an order so finding and discharging the
20 licensee; and upon the recommendation of the Board to the
21 Secretary that the licensee be allowed to resume his or her
22 practice.

23 (d) In cases where the Department of Healthcare and Family
24 Services (formerly the Department of Public Aid) has previously
25 determined that a licensee or a potential licensee is more than
26 30 days delinquent in the payment of child support and has

1 subsequently certified the delinquency to the Department, the
2 Department shall refuse to issue or renew or shall revoke or
3 suspend that person's license or shall take other disciplinary
4 action against that person based solely upon the certification
5 of delinquency made by the Department of Healthcare and Family
6 Services in accordance with subdivision (a)(5) of Section
7 2105-15 of the Department of Professional Regulation Law of the
8 Civil Administrative Code of Illinois.

9 (e) The Department shall deny a license or renewal
10 authorized by this Act to a person who has failed to file a
11 return, to pay the tax, penalty, or interest shown in a filed
12 return, or to pay any final assessment of tax, penalty, or
13 interest as required by any tax Act administered by the
14 Department of Revenue, until the requirements of the tax Act
15 are satisfied in accordance with subsection (g) of Section
16 2105-15 of the Department of Professional Regulation Law of the
17 Civil Administrative Code of Illinois.

18 (Source: P.A. 98-756, eff. 7-16-14.)

19 (225 ILCS 125/115)

20 (Section scheduled to be repealed on January 1, 2020)

21 Sec. 115. Injunction ~~Injunctive action~~; cease and desist
22 order.

23 (a) If any person violates the provisions of this Act, the
24 Secretary, in the name of the People of the State of Illinois,
25 through the Attorney General or the State's Attorney of the

1 county in which the violation is alleged to have occurred, may
2 petition for an order enjoining the violation or for an order
3 enforcing compliance with this Act. Upon the filing of a
4 verified petition, the court with appropriate jurisdiction may
5 issue a temporary restraining order, without notice or bond,
6 and may preliminarily and permanently enjoin the violation. If
7 it is established that the person has violated or is violating
8 the injunction, the court may punish the offender for contempt
9 of court. Proceedings under this Section are in addition to,
10 and not in lieu of, all other remedies and penalties provided
11 by this Act.

12 (b) Whenever, in the opinion of the Department, a person
13 violates any provision of this Act, the Department may issue a
14 rule to show cause why an order to cease and desist should not
15 be entered against that person. The rule shall clearly set
16 forth the grounds relied upon the Department and shall allow at
17 least 7 days from the date of the rule to file an answer
18 satisfactory to the Department. Failure to answer to the
19 satisfaction of the Department shall cause an order to cease
20 and desist to be issued.

21 ~~(c) If a person practices as a perfusionist or holds~~
22 ~~himself or herself out as a perfusionist without being licensed~~
23 ~~under this Act, then any licensee under this Act, interested~~
24 ~~party, or person injured thereby, in addition to the Secretary~~
25 ~~or State's Attorney, may petition for relief as provided in~~
26 ~~subsection (a) of this Section.~~

1 (Source: P.A. 96-682, eff. 8-25-09.)

2 (225 ILCS 125/120)

3 (Section scheduled to be repealed on January 1, 2020)

4 Sec. 120. Investigation; notice; hearing.

5 (a) The Department may investigate the actions of any
6 applicant or of any person or entity holding or claiming to
7 hold a ~~perfusionist~~ license under this Act.

8 (b) The Department shall, before disciplining an applicant
9 or licensee, refusing to issue or renew, suspending, or
10 revoking a license or taking other discipline pursuant to
11 Section 105 of this Act, and at least 30 days prior to the date
12 set for the hearing, (i) notify in writing the applicant or
13 licensee of the any charges made and the time and ~~the~~ place for
14 the hearing on the charges, (ii) direct the applicant or
15 licensee ~~him or her~~ to file a written answer to the charges
16 ~~with the Board~~ under oath within 20 days after the service ~~on~~
17 ~~him or her~~ of the notice, ~~and shall direct the applicant or~~
18 ~~licensee to file a written answer to the Department under oath~~
19 ~~within 20 days after the service on him or her of the notice~~
20 and (iii) inform the applicant or licensee ~~accused~~ that failure
21 to file a written answer to the charges will result in a
22 default being entered against the applicant or licensee ~~, if he~~
23 ~~or she fails to answer, default will be taken against him or~~
24 ~~her or that his or her license may be suspended, revoked, or~~
25 ~~placed on probationary status, or other disciplinary action may~~

1 ~~be taken with regard to the licensee, including limiting the~~
2 ~~scope, nature, or extent of practice, as the Department may~~
3 ~~consider proper.~~

4 (c) Written or electronic notice, and any notice in the
5 subsequent proceeding, may be served by personal delivery, by
6 email, or by mail to the applicant or licensee at his or her
7 address of record or email address of record.

8 (d) At the time and place fixed in the notice, the Board or
9 hearing officer appointed by the Secretary shall proceed to
10 hear the charges, and the parties or their counsel shall be
11 accorded ample opportunity to present any statement pertinent
12 statements, testimony, evidence, and argument as may be
13 pertinent to the charges or to their defense arguments. The
14 Board or hearing officer may continue the hearing from time to
15 time.

16 (e) In case the licensee or applicant person, after
17 receiving the notice, fails to file an answer, his or her
18 license may, in the discretion of the Secretary Department,
19 having first received the recommendation of the Board, be
20 suspended, revoked, or placed on probationary status, or be
21 subject to ~~the Department may take~~ whatever disciplinary action
22 the Secretary ~~it~~ considers proper, including limiting the
23 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 this Act. ~~The written notice may be served by personal delivery~~

1 ~~or by certified mail to the address of record or the address~~
2 ~~specified by the accused in his or her last communication with~~
3 ~~the Department.~~

4 (Source: P.A. 96-682, eff. 8-25-09.)

5 (225 ILCS 125/125)

6 (Section scheduled to be repealed on January 1, 2020)

7 Sec. 125. Record of proceedings.

8 (a) The Department, at its expense, shall preserve a record
9 of all proceedings at the formal hearing of any case in which a
10 license under this Act may be revoked, suspended, placed on
11 probationary status, reprimanded, fined, or subjected to other
12 disciplinary action with reference to the license when a
13 disciplinary action is authorized under this Act and rules at a
14 ~~formal hearing conducted pursuant to Section 120 of this Act.~~
15 The notice of hearing, complaint, and all other documents in
16 the nature of pleadings and written motions filed in the
17 proceedings, the transcript of testimony, the report of the
18 Board or hearing officer, and orders of the Department shall be
19 the record of the proceeding. The record may be made available
20 to any ~~The Department shall supply a transcript of the record~~
21 ~~to a~~ person interested in the hearing on payment of the fee
22 required under Section 2105-115 of the Department of
23 Professional Regulation Law.

24 (b) The Department may contract for court reporting
25 services, and, if it does so, the Department shall provide the

1 name and contact information for the certified shorthand
2 reporter who transcribed the testimony at a hearing to any
3 person interested, who may obtain a copy of the transcript of
4 any proceedings at a hearing upon payment of the fee specified
5 by the certified shorthand reporter.

6 (Source: P.A. 99-642, eff. 7-28-16.)

7 (225 ILCS 125/140)

8 (Section scheduled to be repealed on January 1, 2020)

9 Sec. 140. Subpoena; depositions; oaths.

10 (a) The Department has the power to subpoena documents,
11 books, records or other materials and to bring before it any
12 person and to take testimony either orally or by deposition,
13 with the same fees and mileage and in the same manner as is
14 prescribed in civil cases in circuit courts of this State.

15 (b) The Secretary, the designated hearing officer, and any
16 Board member has the power to administer oaths to witnesses at
17 any hearing that the Department is authorized to conduct, and
18 any other oaths authorized in any Act administered by the
19 Department.

20 (Source: P.A. 96-682, eff. 8-25-09.)

21 (225 ILCS 125/150)

22 (Section scheduled to be repealed on January 1, 2020)

23 Sec. 150. Hearing; motion for Board, rehearing.

24 (a) The Board or hearing officer appointed by the Secretary

1 shall hear evidence in support of the formal charges and
2 evidence produced by the licensee. At the conclusion of the
3 hearing, the Board or hearing officer shall present to the
4 Secretary a written report of its findings of fact, conclusions
5 of law, and recommendations. If the Board fails to present its
6 report, the applicant or licensee may request in writing a
7 direct appeal to the Secretary, in which case the Secretary may
8 issue an order based upon the report of the hearing officer and
9 the record of the proceedings or issue an order remanding the
10 matter back to the hearing officer for additional proceedings
11 in accordance with the order.

12 (b) At the conclusion of the hearing, a copy of the Board's
13 report shall be served upon the applicant or licensee by the
14 Department, either personally or as provided in this Act for
15 the service of a notice of hearing. Within 20 days after such
16 ~~the~~ service, the applicant or licensee may present to the
17 Department a motion in writing for a rehearing, which shall
18 specify the particular grounds for a rehearing. The Department
19 may respond to the motion for rehearing within 20 days after
20 its service on the Department. If no motion for rehearing is
21 filed, then upon the expiration of the specified time for
22 filing such a motion, or upon denial of ~~if~~ a motion for
23 rehearing ~~is denied, then upon the denial~~ the Secretary may
24 enter an order in accordance with the recommendations of the
25 Board or hearing officer ~~, except as provided in Section 160 of~~
26 ~~this Act.~~ If the applicant or licensee orders ~~a transcript of~~

1 ~~the record~~ from the reporting service and pays for a the
2 transcript of the record within the time for filing a motion
3 for rehearing, the 20-day period within which such a motion may
4 be filed shall commence upon the delivery of the transcript to
5 the applicant or licensee.

6 (c) If the Secretary disagrees in any regard with the
7 report of the Board, the Secretary may issue an order contrary
8 to the report.

9 (d) Whenever the Secretary is not satisfied that
10 substantial justice has been done, the Secretary may order a
11 hearing by the same or another hearing officer.

12 (e) At any point in any investigation or disciplinary
13 proceeding provided for in this Act, both parties may agree to
14 a negotiated consent order. The consent order shall be final
15 upon signature of the Secretary.

16 (Source: P.A. 96-682, eff. 8-25-09.)

17 (225 ILCS 125/170)

18 (Section scheduled to be repealed on January 1, 2020)

19 Sec. 170. Hearing officer. Notwithstanding any provision
20 of this Act, the ~~The~~ Secretary shall have the authority to
21 appoint an attorney licensed to practice law in this State to
22 serve as the hearing officer in any action for refusal to
23 issue, restore, or renew a license or to discipline a licensee.
24 The Board may have at least one member present at any hearing
25 conducted by the hearing officer. The hearing officer shall

1 have full authority to conduct the hearing. ~~A Board member or~~
2 ~~members may attend the hearing.~~ The hearing officer shall
3 report his or her findings of fact, conclusions of law, and
4 recommendations to the Secretary and the Board. ~~The Board shall~~
5 ~~have 60 days from receipt of the report to review the report of~~
6 ~~the hearing officer and to present its findings of fact,~~
7 ~~conclusions of law, and recommendations to the Secretary and to~~
8 ~~all parties to the proceeding. If the Board fails to present~~
9 ~~its report within the 60 day period, the respondent may request~~
10 ~~in writing a direct appeal to the Secretary, in which case the~~
11 ~~Secretary shall, within 7 calendar days after such request,~~
12 ~~issue an order directing the Board to issue its findings of~~
13 ~~fact, conclusions of law, and recommendations to the Secretary~~
14 ~~within 30 calendar days of such order. If the Board fails to~~
15 ~~issue its findings of fact, conclusions of law, and~~
16 ~~recommendations within that time frame to the Secretary after~~
17 ~~the entry of such order, the Secretary shall, within 30~~
18 ~~calendar days thereafter, issue an order based upon the report~~
19 ~~of the hearing officer and the record of the proceedings in~~
20 ~~accordance with such order. If (i) a direct appeal is~~
21 ~~requested, (ii) the Board fails to issue its findings of fact,~~
22 ~~conclusions of law, and recommendations within its 30 day~~
23 ~~mandate from the Secretary or the Secretary fails to order the~~
24 ~~Board to do so, and (iii) the Secretary fails to issue an order~~
25 ~~within 30 calendar days thereafter, then the hearing officer's~~
26 ~~report is deemed accepted and a final decision of the~~

1 ~~Secretary. Notwithstanding the foregoing, should the~~
2 ~~Secretary, upon review, determine that substantial justice has~~
3 ~~not been done in the revocation, suspension, or refusal to~~
4 ~~issue or renew a license, or other disciplinary action taken~~
5 ~~per the result of the entry of such hearing officer's report,~~
6 ~~the Secretary may order a rehearing by the same or another~~
7 ~~examiner. If the Secretary disagrees with the recommendation of~~
8 ~~the Board or hearing officer, he or she may issue an order in~~
9 ~~contravention of the recommendation.~~

10 (Source: P.A. 96-682, eff. 8-25-09; 96-1000, eff. 7-2-10.)

11 (225 ILCS 125/185)

12 (Section scheduled to be repealed on January 1, 2020)

13 Sec. 185. Restoration from disciplinary status ~~of a~~
14 ~~suspended or revoked license.~~

15 (a) At any time after the successful completion of a term
16 of probation, suspension, or revocation of a license, the
17 Department may restore the license ~~it~~ to the licensee upon
18 written recommendation of the Board unless, after an
19 investigation and a hearing, the Department ~~Board~~ determines
20 that restoration is not in the public interest.

21 (b) Where circumstances of suspension or revocation so
22 indicate, or on the recommendation of the Board, the Department
23 may require an examination of the licensee before restoring his
24 or her license.

25 (c) No person whose license has been revoked as authorized

1 in this Act may apply for restoration of that license until
2 such time as provided for in the Civil Administrative Code of
3 Illinois.

4 (d) A license that has been suspended or revoked shall be
5 considered nonrenewed for purposes of restoration and a
6 licensee restoring his or her license from suspension or
7 revocation must comply with the requirements for restoration as
8 set forth in Section 70 of this Act and any related rules
9 adopted.

10 (Source: P.A. 96-682, eff. 8-25-09.)

11 (225 ILCS 125/200)

12 (Section scheduled to be repealed on January 1, 2020)

13 Sec. 200. Temporary ~~Summary~~ suspension of a license. The
14 Secretary may temporarily ~~summarily~~ suspend the license of a
15 perfusionist without a hearing, simultaneously with the
16 institution of proceedings for a hearing provided for in
17 Section 120 of this Act, if the Secretary finds that evidence
18 in the Secretary's possession indicates that continuation in
19 practice would constitute an imminent danger to the public. If
20 ~~In the event~~ the Secretary suspends a license of a licensed
21 perfusionist without a hearing, a hearing must be commenced
22 within 30 days after the suspension has occurred and shall be
23 concluded as expeditiously as may be practical.

24 (Source: P.A. 96-682, eff. 8-25-09.)

1 (225 ILCS 125/210)

2 (Section scheduled to be repealed on January 1, 2020)

3 Sec. 210. Administrative review ~~Review Law~~.

4 (a) All final administrative decisions of the Department
5 are subject to judicial review under the Administrative Review
6 Law and its rules. The term "administrative decision" is
7 defined as in Section 3-101 of the Code of Civil Procedure.

8 (b) Proceedings for judicial review shall be commenced in
9 the circuit court of the county in which the party seeking
10 review resides. If the party seeking review is not a resident
11 of this State, venue shall be in Sangamon County.

12 (c) The Department shall not be required to certify any
13 record to the court or file any answer in court, or to
14 otherwise appear in any court in a judicial review proceeding,
15 unless and until the Department has received from the plaintiff
16 payment of the costs of furnishing and certifying the record,
17 which costs shall be determined by the Department.

18 (d) Failure on part of the plaintiff to file a receipt in
19 court shall be grounds for dismissal of the action.

20 (e) During the pendency and hearing of any and all judicial
21 proceedings incident to a disciplinary action, the sanctions
22 imposed upon the applicant or licensee by the Department shall
23 remain in full force and effect.

24 (Source: P.A. 91-580, eff. 1-1-00.)

25 (225 ILCS 125/220)

1 (Section scheduled to be repealed on January 1, 2020)

2 Sec. 220. Unlicensed practice; violations; civil
3 penalties.

4 (a) Any ~~No~~ person who practices ~~shall practice, offers~~
5 ~~offer~~ to practice, attempts ~~attempt~~ to practice, or holds ~~hold~~
6 himself or herself out to practice as a perfusionist without
7 being licensed or exempt a license issued by the Department to
8 ~~that person~~ under this Act shall, in ~~-(b) In~~ addition to any
9 other penalty provided by law, ~~a person who violates subsection~~
10 ~~(a) of this Section shall~~ pay a civil penalty to the Department
11 in an amount not to exceed \$10,000 for each offense as
12 determined by the Department. The civil penalty shall be
13 assessed by the Department after a hearing is held in
14 accordance with the provisions set forth in this Act regarding
15 the provisions of a hearing for the discipline of a licensee of
16 ~~this Act.~~

17 (b) ~~(c)~~ The Department may ~~has the authority and power to~~
18 investigate any actual, alleged, or suspected ~~and all~~
19 unlicensed activity.

20 (c) ~~(d)~~ The civil penalty ~~assessed under this Act~~ shall be
21 paid within 60 days after the effective date of the order
22 imposing the civil penalty. The order shall constitute a final
23 judgment and may be filed and execution had thereon in the same
24 manner as a judgment from a court of record.

25 (d) A person or entity not licensed under this Act who has
26 violated any provision of this Act or its rules is guilty of a

1 Class A misdemeanor for the first offense and a Class 4 felony
2 for a second and subsequent offenses. ~~(c) All moneys collected~~
3 ~~under this Section shall be deposited into the General~~
4 ~~Professions Dedicated Fund.~~

5 (Source: P.A. 96-682, eff. 8-25-09.)

6 (225 ILCS 125/95 rep.)

7 (225 ILCS 125/100 rep.)

8 (225 ILCS 125/135 rep.)

9 (225 ILCS 125/145 rep.)

10 (225 ILCS 125/155 rep.)

11 (225 ILCS 125/212 rep.)

12 (225 ILCS 125/215 rep.)

13 (225 ILCS 125/225 rep.)

14 (225 ILCS 125/227 rep.)

15 Section 15. The Perfusionist Practice Act is amended by
16 repealing Sections 95, 100, 135, 145, 155, 212, 215, 225, and
17 227.

18 Section 99. Effective date. This Act takes effect upon
19 becoming law."