

SB3773



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

SB3773

Introduced 2/14/2020, by Sen. Bill Cunningham

SYNOPSIS AS INTRODUCED:

225 ILCS 15/7

from Ch. 111, par. 5357

225 ILCS 15/7.1 new

Amends the Clinical Psychologist Licensing Act. Creates the Prescribing Psychologist Licensing and Disciplinary Board to serve in an advisory capacity to the Secretary in matters relating to the licensure and discipline of prescribing psychologists. Removes provisions allowing the Clinical Psychologists Licensing and Disciplinary Board to make recommendations relating to the licensure and discipline of prescribing psychologists.

LRB101 17291 SPS 66696 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning regulation.

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

4 Section 5. The Clinical Psychologist Licensing Act is
5 amended by changing Section 7 and by adding Section 7.1 as
6 follows:

7 (225 ILCS 15/7) (from Ch. 111, par. 5357)

8 (Section scheduled to be repealed on January 1, 2027)

9 Sec. 7. Board. The Secretary shall appoint a Board that
10 shall serve in an advisory capacity to the Secretary.

11 The Board shall consist of 11 persons: 4 of whom are
12 licensed clinical psychologists and actively engaged in the
13 practice of clinical psychology; 2 of whom are licensed
14 prescribing psychologists; 2 of whom are physicians licensed to
15 practice medicine in all its branches in Illinois who generally
16 prescribe medications for the treatment of mental health
17 disease or illness in the normal course of clinical medical
18 practice, one of whom shall be a psychiatrist and the other a
19 primary care or family physician; 2 of whom are licensed
20 clinical psychologists and are full time faculty members of
21 accredited colleges or universities who are engaged in training
22 clinical psychologists; and one of whom is a public member who
23 is not a licensed health care provider. In appointing members

1 of the Board, the Secretary shall give due consideration to the
2 adequate representation of the various fields of health care
3 psychology such as clinical psychology, school psychology and
4 counseling psychology. In appointing members of the Board, the
5 Secretary shall give due consideration to recommendations by
6 members of the profession of clinical psychology and by the
7 State-wide organizations representing the interests of
8 clinical psychologists and organizations representing the
9 interests of academic programs as well as recommendations by
10 approved doctoral level psychology programs in the State of
11 Illinois, and, with respect to the 2 physician members of the
12 Board, the Secretary shall give due consideration to
13 recommendations by the Statewide professional associations or
14 societies representing physicians licensed to practice
15 medicine in all its branches in Illinois. The members shall be
16 appointed for a term of 4 years. No member shall be eligible to
17 serve for more than 2 full terms. Any appointment to fill a
18 vacancy shall be for the unexpired portion of the term. A
19 member appointed to fill a vacancy for an unexpired term for a
20 duration of 2 years or more may be reappointed for a maximum of
21 one term and a member appointed to fill a vacancy for an
22 unexpired term for a duration of less than 2 years may be
23 reappointed for a maximum of 2 terms. The Secretary may remove
24 any member for cause at any time prior to the expiration of his
25 or her term.

26 The 2 initial appointees to the Board who are licensed

1 prescribing psychologists may hold a medical or prescription
2 license issued by another state so long as the license is
3 deemed by the Secretary to be substantially equivalent to a
4 prescribing psychologist license under this Act and so long as
5 the appointees also maintain an Illinois clinical psychologist
6 license. Such initial appointees shall serve on the Board until
7 the Department adopts rules necessary to implement licensure
8 under Section 4.2 of this Act.

9 The Board shall annually elect a chairperson and vice
10 chairperson.

11 The members of the Board shall be reimbursed for all
12 authorized legitimate and necessary expenses incurred in
13 attending the meetings of the Board.

14 The Secretary shall give due consideration to all
15 recommendations of the Board.

16 The Board may make recommendations on all matters relating
17 to continuing education including the number of hours necessary
18 for license renewal, waivers for those unable to meet such
19 requirements and acceptable course content. Such
20 recommendations shall not impose an undue burden on the
21 Department or an unreasonable restriction on those seeking
22 license renewal.

23 ~~The 2 licensed prescribing psychologist members of the~~
24 ~~Board and the 2 physician members of the Board shall only~~
25 ~~deliberate and make recommendations related to the licensure~~
26 ~~and discipline of prescribing psychologists.~~ Four members

1 shall constitute a quorum, ~~except that all deliberations and~~
2 ~~recommendations related to the licensure and discipline of~~
3 ~~prescribing psychologists shall require a quorum of 6 members.~~
4 A quorum is required for all Board decisions.

5 Members of the Board shall have no liability in any action
6 based upon any disciplinary proceeding or other activity
7 performed in good faith as a member of the Board.

8 The Secretary may terminate the appointment of any member
9 for cause which in the opinion of the Secretary reasonably
10 justifies such termination.

11 (Source: P.A. 98-668, eff. 6-25-14; 99-572, eff. 7-15-16.)

12 (225 ILCS 15/7.1 new)

13 Sec. 7.1. Prescribing Psychologist Licensing and
14 Disciplinary Board.

15 (a) The Secretary shall appoint a Prescribing Psychologist
16 Licensing and Disciplinary Board that shall serve in an
17 advisory capacity to the Secretary in matters relating to the
18 licensure and discipline of prescribing psychologists.

19 (b) The Prescribing Psychologist Licensing and
20 Disciplinary Board shall consist of the following individuals
21 appointed by the Secretary:

22 (1) five individuals who are prescribing
23 psychologists, at least 3 of whom specialize in the
24 treatment of one of the following populations: (A) lesbian,
25 gay, bisexual, and transgender individuals, (B) African

1 American individuals, (C) Latino individuals, (D)
2 low-income communities, (E) rural communities, or (F)
3 physical or sexual assault victims;

4 (2) one individual who is a general practice physician;

5 (3) one individual who is a psychiatrist;

6 (4) one individual who is a public member working in
7 community mental health or mental health advocacy; and

8 (5) one individual who is a prescribing psychologist
9 training program professional.

10 The members shall be appointed for a term of 4 years. No
11 member shall be eligible to serve for more than 2 full terms.

12 Any appointment to fill a vacancy shall be for the unexpired
13 portion of the term. A member appointed to fill a vacancy for
14 an unexpired term for a duration of 2 years or more may be
15 reappointed for a maximum of one term and a member appointed to
16 fill a vacancy for an unexpired term for a duration of less
17 than 2 years may be reappointed for a maximum of 2 terms. The
18 Secretary may remove any member for cause at any time prior to
19 the expiration of his or her term.

20 The 5 initial appointees to the Prescribing Psychologist
21 Licensing and Disciplinary Board who are licensed prescribing
22 psychologists may be licensed clinical psychologists who have
23 completed their masters in clinical psychopharmacology.

24 (c) The Prescribing Psychologist Licensing and
25 Disciplinary Board shall annually elect a chairperson and vice
26 chairperson.

1 (d) The members of the Prescribing Psychologist Licensing
2 and Disciplinary Board shall be reimbursed for all authorized
3 legitimate and necessary expenses incurred in attending the
4 meetings of the Prescribing Psychologist Licensing and
5 Disciplinary Board.

6 (e) The Secretary shall give due consideration to all
7 recommendations of the Prescribing Psychologist Licensing and
8 Disciplinary Board.

9 (f) The Prescribing Psychologist Licensing and
10 Disciplinary Board may make recommendations on all matters
11 related to the licensure and discipline of prescribing
12 psychologists. Such recommendations shall not impose an undue
13 burden on the Department or an unreasonable restriction on
14 those seeking license renewal.

15 (g) Four members shall constitute a quorum. A quorum is
16 required for all Prescribing Psychologist Licensing and
17 Disciplinary Board decisions.

18 (h) Members of the Prescribing Psychologist Licensing and
19 Disciplinary Board shall have no liability in any action based
20 upon any disciplinary proceeding or other activity performed in
21 good faith as a member of the Prescribing Psychologist
22 Licensing and Disciplinary Board.

23 (i) The Secretary may terminate the appointment of any
24 member for cause which in the opinion of the Secretary
25 reasonably justifies such termination.