



Rep. Theresa Mah

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10200HB5027ham001

LRB102 22884 AMQ 36066 a

1 AMENDMENT TO HOUSE BILL 5027

2 AMENDMENT NO. _____. Amend House Bill 5027 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Regulatory Sunset Act is amended by
5 changing Sections 4.33 and 4.38 as follows:

6 (5 ILCS 80/4.33)

7 Sec. 4.33. Acts repealed on January 1, 2023. The following
8 Acts are repealed on January 1, 2023:

9 The Dietitian Nutritionist Practice Act.

10 The Elevator Safety and Regulation Act.

11 The Fire Equipment Distributor and Employee Regulation Act
12 of 2011.

13 The Funeral Directors and Embalmers Licensing Code.

14 ~~The Naprapathic Practice Act.~~

15 The Pharmacy Practice Act.

16 The Professional Counselor and Clinical Professional

1 Counselor Licensing and Practice Act.

2 The Wholesale Drug Distribution Licensing Act.

3 (Source: P.A. 101-621, eff. 12-20-19.)

4 (5 ILCS 80/4.38)

5 Sec. 4.38. Acts repealed on January 1, 2028. The following
6 Acts are repealed on January 1, 2028:

7 The Acupuncture Practice Act.

8 The Clinical Social Work and Social Work Practice Act.

9 The Home Medical Equipment and Services Provider License
10 Act.

11 The Illinois Petroleum Education and Marketing Act.

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

14 The Interpreter for the Deaf Licensure Act of 2007.

15 The Naprapathic Practice Act.

16 The Nurse Practice Act.

17 The Nursing Home Administrators Licensing and Disciplinary
18 Act.

19 The Physician Assistant Practice Act of 1987.

20 The Podiatric Medical Practice Act of 1987.

21 (Source: P.A. 100-220, eff. 8-18-17; 100-375, eff. 8-25-17;
22 100-398, eff. 8-25-17; 100-414, eff. 8-25-17; 100-453, eff.
23 8-25-17; 100-513, eff. 9-20-17; 100-525, eff. 9-22-17;
24 100-530, eff. 9-22-17; 100-560, eff. 12-8-17.)

1 Section 10. The Naprapathic Practice Act is amended by
2 changing Sections 10, 15, 17, 57, 110, 125, 145, 150, and 190
3 and by adding Section 11 as follows:

4 (225 ILCS 63/10)

5 (Section scheduled to be repealed on January 1, 2023)

6 Sec. 10. Definitions. In this Act:

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

14 "Email address of record" means the designated email
15 address recorded by the Department in the applicant's
16 application file or the licensee's license file, as maintained
17 by the Department's licensure maintenance unit.

18 "Naprapath" means a person who practices Naprapathy and
19 who has met all requirements as provided in the Act.

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

22 "Secretary" means the Secretary of ~~the Department of~~
23 Financial and Professional Regulation.

24 "Referral" means the following of guidance or direction to
25 the naprapath given by the licensed physician, dentist, or

1 podiatric physician who maintains supervision of the patient.

2 ~~"Documented current and relevant diagnosis" means a~~
3 ~~diagnosis, substantiated by signature or oral verification of~~
4 ~~a licensed physician, dentist, or podiatric physician, that a~~
5 ~~patient's condition is such that it may be treated by~~
6 ~~naprapathy as defined in this Act, which diagnosis shall~~
7 ~~remain in effect until changed by the licensed physician,~~
8 ~~dentist, or podiatric physician.~~

9 (Source: P.A. 97-778, eff. 7-13-12; 98-214, eff. 8-9-13.)

10 (225 ILCS 63/11 new)

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

13 (1) provide a valid address and email address to the
14 Department, which shall serve as the address of record and
15 email address of record, respectively, at the time of
16 application for licensure or renewal of a license; and

17 (2) inform the Department of any change of address of
18 record or email address of record within 14 days after
19 such change either through the Department's website or by
20 contacting the Department's licensure maintenance unit.

21 (225 ILCS 63/15)

22 (Section scheduled to be repealed on January 1, 2023)

23 Sec. 15. Practice of naprapathy defined; referrals.
24 Naprapathic practice means the identification, evaluation, and

1 treatment ~~evaluation~~ of persons with connective tissue
2 disorders through the use of naprapathic case history and
3 palpation or treatment of persons by the use of connective
4 tissue manipulation, therapeutic and rehabilitative exercise,
5 postural counseling, nutritional counseling, and the use of
6 the effective properties of physical measures of heat, cold,
7 light, water, radiant energy, electricity, sound and air, and
8 assistive devices for the purpose of preventing, correcting,
9 or alleviating a physical disability.

10 Naprapathic practice includes, but is not limited to, the
11 treatment of contractures, muscle spasms, inflammation, scar
12 tissue formation, adhesions, lesions, laxity, hypotonicity,
13 rigidity, structural imbalance, bruising, contusions, muscular
14 atrophy, and partial separation of connective tissue fibers.

15 Naprapathic practice also includes: (a) performance of
16 specialized tests and measurements, (b) administration of
17 specialized treatment procedures, (c) interpretation of
18 referrals from licensed physicians, dentists, and podiatric
19 physicians, (d) establishment and modification of naprapathic
20 treatment programs, and (e) supervision or teaching of
21 naprapathy.

22 Naprapathic practice does not include radiology, surgery,
23 pharmacology, or invasive diagnostic testing, ~~or determination~~
24 ~~of a differential diagnosis; provided, however, the limitation~~
25 ~~on determining a differential diagnosis shall not in any~~
26 ~~manner limit a naprapath licensed under this Act from~~

1 ~~performing an evaluation authorized under this Act.~~ A
2 naprapath licensed under this Act who is not also licensed as a
3 physical therapist under the Illinois Physical Therapy Act
4 shall not hold himself or herself out as qualified to provide
5 physical therapy or physiotherapy services. Nothing in this
6 Section shall limit a naprapath from employing appropriate
7 naprapathic techniques that he or she is educated and licensed
8 to perform. A naprapath shall refer to a licensed physician,
9 dentist, or podiatric physician any patient whose medical
10 condition should, at the time of evaluation or treatment, be
11 determined to be beyond the scope of practice of the
12 naprapath. A naprapath shall order additional screening if the
13 patient does not demonstrate measurable or functional
14 improvement after 6 visits and continued improvement
15 thereafter. A naprapath shall refer a patient to the patient's
16 treating health care professional of record or, in the case
17 where there is no health care professional of record, to a
18 health care professional of the patient's choice, if the
19 patient's condition, at the time of evaluation or services, is
20 determined to be beyond the scope of practice of the
21 naprapath.

22 (Source: P.A. 98-214, eff. 8-9-13.)

23 (225 ILCS 63/17)

24 (Section scheduled to be repealed on January 1, 2023)

25 Sec. 17. Educational and professional qualifications for

1 licensure. A person may be qualified to receive a license as a
2 naprapath if he or she:

3 (1) is at least 21 ~~18~~ years of age and of good moral
4 character;

5 (2) for licenses granted on or before December 31,
6 2027, has graduated from a 2-year ~~2-year~~ college level
7 program or its equivalent approved by the Department;

8 (2.5) for licenses granted on or after January 1,
9 2028, has graduated from a 4-year college level program or
10 its equivalent approved by the Department;

11 (3) has graduated from a curriculum in naprapathy
12 approved by the Department. In approving a curriculum in
13 naprapathy, the Department shall consider, but not be
14 bound by, a curriculum approved by the American
15 Naprapathic Association, the Illinois Naprapathic
16 Association, or a national or regional accrediting body
17 recognized by the United States Department of Education;

18 (4) has passed an examination approved by the
19 Department to determine a person's fitness to practice as
20 a naprapath; and

21 (5) has met all other requirements of the Act.

22 The Department has the right and may request a personal
23 interview with an applicant to further evaluate a person's
24 qualifications for a license.

25 (Source: P.A. 97-778, eff. 7-13-12.)

1 (225 ILCS 63/57)

2 (Section scheduled to be repealed on January 1, 2023)

3 Sec. 57. Social Security Number on license application. In
4 addition to any other information required to be contained in
5 the application, every application for an original, ~~renewal,~~
6 ~~reinstated, or restored~~ license under this Act shall include
7 the applicant's Social Security Number, which shall be
8 retained in the agency's records pertaining to the license. As
9 soon as practical, the Department shall assign a customer's
10 identification number to each applicant for a license.

11 Every application for a renewal or restored license shall
12 require the applicant's customer identification number.

13 (Source: P.A. 97-400, eff. 1-1-12; 97-778, eff. 7-13-12.)

14 (225 ILCS 63/110)

15 (Section scheduled to be repealed on January 1, 2023)

16 Sec. 110. Grounds for disciplinary action; refusal,
17 revocation, suspension.

18 (a) The Department may refuse to issue or to renew, or may
19 revoke, suspend, place on probation, reprimand or take other
20 disciplinary or non-disciplinary action as the Department may
21 deem appropriate, including imposing fines not to exceed
22 \$10,000 for each violation, with regard to any licensee or
23 license for any one or combination of the following causes:

24 (1) Violations of this Act or of rules adopted under
25 this Act.

1 (2) Making a material misstatement in furnishing
2 information to the Department or otherwise making
3 misleading, deceptive, untrue, or fraudulent
4 representations in violation of this Act or otherwise in
5 the practice of the profession ~~Material misstatement in~~
6 ~~furnishing information to the Department.~~

7 (3) Conviction by plea of guilty or nolo contendere,
8 finding of guilt, jury verdict, or entry of judgment, or
9 by sentencing of any crime, including, but not limited to,
10 convictions, preceding sentences of supervision,
11 conditional discharge, or first offender probation, under
12 the laws of any jurisdiction of the United States: (i)
13 that is a felony or (ii) that is a misdemeanor, an
14 essential element of which is dishonesty, or that is
15 directly related to the practice of the profession.

16 (4) Fraud or any misrepresentation in applying for or
17 procuring a license under this Act or in connection with
18 applying for renewal of a license under this Act.

19 (5) Professional incompetence or gross negligence.

20 (6) Malpractice.

21 (7) Aiding or assisting another person in violating
22 any provision of this Act or its rules.

23 (8) Failing to provide information within 60 days in
24 response to a written request made by the Department.

25 (9) Engaging in dishonorable, unethical, or
26 unprofessional conduct of a character likely to deceive,

1 defraud, or harm the public.

2 (10) Habitual or excessive use or abuse of drugs
3 defined in law as controlled substances, alcohol, or any
4 other substance which results in the inability to practice
5 with reasonable judgment, skill, or safety.

6 (11) Discipline by another U.S. jurisdiction or
7 foreign nation if at least one of the grounds for the
8 discipline is the same or substantially equivalent to
9 those set forth in this Act.

10 (12) Directly or indirectly giving to or receiving
11 from any person, firm, corporation, partnership, or
12 association any fee, commission, rebate, or other form of
13 compensation for any professional services not actually or
14 personally rendered. This shall not be deemed to include
15 rent or other remunerations paid to an individual,
16 partnership, or corporation by a naprapath for the lease,
17 rental, or use of space, owned or controlled by the
18 individual, partnership, corporation, or association.
19 Nothing in this paragraph (12) affects any bona fide
20 independent contractor or employment arrangements among
21 health care professionals, health facilities, health care
22 providers, or other entities, except as otherwise
23 prohibited by law. Any employment arrangements may include
24 provisions for compensation, health insurance, pension, or
25 other employment benefits for the provision of services
26 within the scope of the licensee's practice under this

1 Act. Nothing in this paragraph (12) shall be construed to
2 require an employment arrangement to receive professional
3 fees for services rendered.

4 (13) Using the title "Doctor" or its abbreviation
5 without further clarifying that title or abbreviation with
6 the word "naprapath" or "naprapathy" or the designation
7 "D.N.".

8 (14) A finding by the Department that the licensee,
9 after having his or her license placed on probationary
10 status, has violated the terms of probation.

11 (15) Abandonment of a patient without cause.

12 (16) Willfully making or filing false records or
13 reports relating to a licensee's practice, including but
14 not limited to, false records filed with State agencies or
15 departments.

16 (17) Willfully failing to report an instance of
17 suspected child abuse or neglect as required by the Abused
18 and Neglected Child Reporting Act.

19 (18) Physical or mental illness or disability,
20 including, but not limited to, deterioration through the
21 aging process or loss of motor skill that results in the
22 inability to practice the profession with reasonable
23 judgment, skill, or safety.

24 (19) Solicitation of professional services by means
25 other than permitted advertising.

26 (20) Failure to provide a patient with a copy of his or

1 her record upon the written request of the patient.

2 (21) Cheating on or attempting to subvert the
3 licensing examination administered under this Act.

4 (22) Allowing one's license under this Act to be used
5 by an unlicensed person in violation of this Act.

6 (23) (Blank).

7 (24) Being named as a perpetrator in an indicated
8 report by the Department of Children and Family Services
9 under the Abused and Neglected Child Reporting Act and
10 upon proof by clear and convincing evidence that the
11 licensee has caused a child to be an abused child or a
12 neglected child as defined in the Abused and Neglected
13 Child Reporting Act.

14 (25) Practicing under a false or, except as provided
15 by law, an assumed name.

16 (26) Immoral conduct in the commission of any act,
17 such as sexual abuse, sexual misconduct, or sexual
18 exploitation, related to the licensee's practice.

19 (27) Maintaining a professional relationship with any
20 person, firm, or corporation when the naprapath knows, or
21 should know, that the person, firm, or corporation is
22 violating this Act.

23 (28) Promotion of the sale of food supplements,
24 devices, appliances, or goods provided for a client or
25 patient in such manner as to exploit the patient or client
26 for financial gain of the licensee.

1 (29) Having treated ailments of human beings other
2 than by the practice of naprapathy as defined in this Act
3 unless authorized to do so by State law. ~~, or having~~
4 ~~treated ailments of human beings as a licensed naprapath~~
5 ~~independent of a documented referral or documented current~~
6 ~~and relevant diagnosis from a physician, dentist, or~~
7 ~~podiatric physician, or having failed to notify the~~
8 ~~physician, dentist, or podiatric physician who established~~
9 ~~a documented current and relevant diagnosis that the~~
10 ~~patient is receiving naprapathic treatment pursuant to~~
11 ~~that diagnosis.~~

12 (30) Use by a registered naprapath of the word
13 "infirmary", "hospital", "school", "university", in
14 English or any other language, in connection with the
15 place where naprapathy may be practiced or demonstrated.

16 (31) Continuance of a naprapath in the employ of any
17 person, firm, or corporation, or as an assistant to any
18 naprapath or naprapaths, directly or indirectly, after his
19 or her employer or superior has been found guilty of
20 violating or has been enjoined from violating the laws of
21 the State of Illinois relating to the practice of
22 naprapathy when the employer or superior persists in that
23 violation.

24 (32) The performance of naprapathic service in
25 conjunction with a scheme or plan with another person,
26 firm, or corporation known to be advertising in a manner

1 contrary to this Act or otherwise violating the laws of
2 the State of Illinois concerning the practice of
3 naprapathy.

4 (33) Failure to provide satisfactory proof of having
5 participated in approved continuing education programs as
6 determined by and approved by the Secretary. Exceptions
7 for extreme hardships are to be defined by the rules of the
8 Department.

9 (34) (Blank).

10 (35) Gross or willful overcharging for professional
11 services.

12 (36) (Blank).

13 All fines imposed under this Section shall be paid within
14 60 days after the effective date of the order imposing the
15 fine, unless an alternate payment schedule has been agreed
16 upon in writing.

17 (b) A person not licensed under this Act and engaged in the
18 business of offering naprapathy services through others, shall
19 not aid, abet, assist, procure, advise, employ, or contract
20 with any unlicensed person to practice naprapathy contrary to
21 any rules or provisions of this Act. A person violating this
22 subsection (b) shall be treated as a licensee for the purposes
23 of disciplinary action under this Section and shall be subject
24 to cease and desist orders as provided in Section 90 of this
25 Act. The Department may refuse to issue or may suspend without
26 hearing, as provided for in the Department of Professional

1 ~~Regulation Law of the Civil Administrative Code, the license~~
2 ~~of any person who fails to file a return, or pay the tax,~~
3 ~~penalty, or interest shown in a filed return, or pay any final~~
4 ~~assessment of the tax, penalty, or interest as required by any~~
5 ~~tax Act administered by the Illinois Department of Revenue,~~
6 ~~until such time as the requirements of any such tax Act are~~
7 ~~satisfied in accordance with subsection (g) of Section 2105-15~~
8 ~~of the Department of Professional Regulation Law of the Civil~~
9 ~~Administrative Code of Illinois.~~

10 (b-5) The Department may refuse to issue or may suspend
11 the license of any person who fails to file a tax return, to
12 pay the tax, penalty, or interest shown in a filed tax return,
13 or to pay any final assessment of tax, penalty, or interest, as
14 required by any tax Act administered by the Department of
15 Revenue, until the requirements of the tax Act are satisfied
16 in accordance with subsection (g) of Section 2105-15 of the
17 Civil Administrative Code of Illinois.

18 (c) (Blank).

19 (d) In cases where the Department of Healthcare and Family
20 Services has previously determined a licensee or a potential
21 licensee is more than 30 days delinquent in the payment of
22 child support and has subsequently certified the delinquency
23 to the Department, the Department may refuse to issue or renew
24 or may revoke or suspend that person's license or may take
25 other disciplinary action against that person based solely
26 upon the certification of delinquency made by the Department

1 of Healthcare and Family Services in accordance with item (5)
2 of subsection (a) of Section 2105-15 of the Department of
3 Professional Regulation Law of the Civil Administrative Code
4 of Illinois.

5 (e) The determination by a circuit court that a licensee
6 is subject to involuntary admission or judicial admission, as
7 provided in the Mental Health and Developmental Disabilities
8 Code, operates as an automatic suspension. The suspension
9 shall end only upon a finding by a court that the patient is no
10 longer subject to involuntary admission or judicial admission
11 and the issuance of an order so finding and discharging the
12 patient.

13 (f) In enforcing this Act, the Department, upon a showing
14 of a possible violation, may compel an individual licensed to
15 practice under this Act, or who has applied for licensure
16 under this Act, to submit to a mental or physical examination,
17 or both, as required by and at the expense of the Department.
18 The Department may order the examining physician to present
19 testimony concerning the mental or physical examination of the
20 licensee or applicant. No information shall be excluded by
21 reason of any common law or statutory privilege relating to
22 communications between the licensee or applicant and the
23 examining physician. The examining physicians shall be
24 specifically designated by the Department. The individual to
25 be examined may have, at his or her own expense, another
26 physician of his or her choice present during all aspects of

1 this examination. The examination shall be performed by a
2 physician under the Medical Practice Act of 1987. Failure of
3 an individual to submit to a mental or physical examination,
4 when directed, shall result in an automatic suspension without
5 hearing. ~~and evaluation, or both, which may include a~~
6 ~~substance abuse or sexual offender evaluation, as required by~~
7 ~~and at the expense of the Department. The Department shall~~
8 ~~specifically designate the examining physician licensed to~~
9 ~~practice medicine in all of its branches or, if applicable,~~
10 ~~the multidisciplinary team involved in providing the mental or~~
11 ~~physical examination and evaluation, or both. The~~
12 ~~multidisciplinary team shall be led by a physician licensed to~~
13 ~~practice medicine in all of its branches and may consist of one~~
14 ~~or more or a combination of physicians licensed to practice~~
15 ~~medicine in all of its branches, licensed chiropractic~~
16 ~~physicians, licensed clinical psychologists, licensed clinical~~
17 ~~social workers, licensed clinical professional counselors, and~~
18 ~~other professional and administrative staff. Any examining~~
19 ~~physician or member of the multidisciplinary team may require~~
20 ~~any person ordered to submit to an examination and evaluation~~
21 ~~pursuant to this Section to submit to any additional~~
22 ~~supplemental testing deemed necessary to complete any~~
23 ~~examination or evaluation process, including, but not limited~~
24 ~~to, blood testing, urinalysis, psychological testing, or~~
25 ~~neuropsychological testing.~~

26 ~~The Department may order the examining physician or any~~

1 ~~member of the multidisciplinary team to provide to the~~
2 ~~Department any and all records including business records that~~
3 ~~relate to the examination and evaluation, including any~~
4 ~~supplemental testing performed. The Department may order the~~
5 ~~examining physician or any member of the multidisciplinary~~
6 ~~team to present testimony concerning the examination and~~
7 ~~evaluation of the licensee or applicant, including testimony~~
8 ~~concerning any supplemental testing or documents in any way~~
9 ~~related to the examination and evaluation. No information,~~
10 ~~report, record, or other documents in any way related to the~~
11 ~~examination and evaluation shall be excluded by reason of any~~
12 ~~common law or statutory privilege relating to communications~~
13 ~~between the licensee or applicant and the examining physician~~
14 ~~or any member of the multidisciplinary team. No authorization~~
15 ~~is necessary from the licensee or applicant ordered to undergo~~
16 ~~an evaluation and examination for the examining physician or~~
17 ~~any member of the multidisciplinary team to provide~~
18 ~~information, reports, records, or other documents or to~~
19 ~~provide any testimony regarding the examination and~~
20 ~~evaluation. The individual to be examined may have, at his or~~
21 ~~her own expense, another physician of his or her choice~~
22 ~~present during all aspects of this examination. Failure of an~~
23 ~~individual to submit to a mental or physical examination and~~
24 ~~evaluation, or both, when directed, shall result in an~~
25 ~~automatic suspension without hearing, until such time as the~~
26 ~~individual submits to the examination.~~

1 A person holding a license under this Act or who has
2 applied for a license under this Act who, because of a physical
3 or mental illness or disability, including, but not limited
4 to, deterioration through the aging process or loss of motor
5 skill, is unable to practice the profession with reasonable
6 judgment, skill, or safety, may be required by the Department
7 to submit to care, counseling, or treatment by physicians
8 approved or designated by the Department as a condition, term,
9 or restriction for continued, reinstated, or renewed licensure
10 to practice. Submission to care, counseling, or treatment as
11 required by the Department shall not be considered discipline
12 of a license. If the licensee refuses to enter into a care,
13 counseling, or treatment agreement or fails to abide by the
14 terms of the agreement, the Department may file a complaint to
15 revoke, suspend, or otherwise discipline the license of the
16 individual. The Secretary may order the license suspended
17 immediately, pending a hearing by the Department. Fines shall
18 not be assessed in disciplinary actions involving physical or
19 mental illness or impairment.

20 In instances in which the Secretary immediately suspends a
21 person's license under this Section, a hearing on that
22 person's license must be convened by the Department within 15
23 days after the suspension and completed without appreciable
24 delay. The Department shall have the authority to review the
25 subject individual's record of treatment and counseling
26 regarding the impairment to the extent permitted by applicable

1 federal statutes and regulations safeguarding the
2 confidentiality of medical records.

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

8 (Source: P.A. 100-872, eff. 8-14-18.)

9 (225 ILCS 63/125)

10 (Section scheduled to be repealed on January 1, 2023)

11 Sec. 125. Investigation; notice; hearing. The Department
12 may investigate the actions of any applicant or of any person
13 or persons holding or claiming to hold a license. Before
14 refusing to issue, refusing to renew, or taking any
15 disciplinary action under Section 110 regarding a license, the
16 Department shall, at least 30 days prior to the date set for
17 the hearing, notify in writing the applicant for, or holder
18 of, a license of the nature of any charges and that a hearing
19 will be held on a date designated. The Department shall direct
20 the applicant or licensee to file a written answer with the
21 Department under oath within 20 days after the service of the
22 notice and inform the applicant or licensee that failure to
23 file an answer shall result in default being taken against the
24 applicant or licensee. At the time and place fixed in the
25 notice, the Department shall proceed to hear the charges and

1 the parties or their counsel shall be accorded ample
2 opportunity to present any pertinent statements, testimony,
3 evidence, and arguments. The Department may continue the
4 hearing from time to time. If the person, after receiving the
5 notice, fails to file an answer, his or her license may, in the
6 discretion of the Department, be revoked, suspended, or placed
7 on probationary status or the Department may take whatever
8 disciplinary action considered proper, including limiting the
9 scope, nature, or extent of the person's practice under the
10 Act. The written notice in the subsequent proceeding may be
11 served by U.S. registered or certified mail or email to the
12 licensee's address or email address of record.

13 (Source: P.A. 97-778, eff. 7-13-12.)

14 (225 ILCS 63/145)

15 (Section scheduled to be repealed on January 1, 2023)

16 Sec. 145. Findings of facts, conclusions of law, and
17 recommendations. At the conclusion of the hearing the hearing
18 officer shall present to the Secretary a written report of its
19 findings of fact, conclusions of law, and recommendations. The
20 report shall contain a finding whether or not the accused
21 person violated this Act or failed to comply with the
22 conditions required in this Act. The hearing officer shall
23 specify the nature of the violation or failure to comply and
24 shall make its recommendations to the Secretary.

25 The report of findings of fact, conclusions of law, and

1 recommendations of the hearing officer shall be the basis for
2 the Department's order refusing to issue, restore, or renew a
3 license, or otherwise disciplining a licensee. If the
4 Secretary disagrees in any regard with the report of the
5 hearing officer, the Secretary may issue an order in
6 contravention of the hearing officer's recommendations. The
7 finding is not admissible in evidence against the person in a
8 criminal prosecution brought for the violation of this Act,
9 but the hearing and findings are not a bar to a criminal
10 prosecution brought for the violation of this Act.

11 ~~If the Secretary fails to issue a final order within 30~~
12 ~~days after the receipt of the hearing officer's findings of~~
13 ~~fact, conclusions of law, and recommendations, then the~~
14 ~~hearing officer's findings of fact, conclusions of law, and~~
15 ~~recommendations shall become a final order of the Department~~
16 ~~without further review.~~

17 (Source: P.A. 97-778, eff. 7-13-12.)

18 (225 ILCS 63/150)

19 (Section scheduled to be repealed on January 1, 2023)

20 Sec. 150. Hearing officer. The Secretary shall have the
21 authority to appoint any attorney duly licensed to practice
22 law in the State of Illinois to serve as the hearing officer in
23 any action for Departmental refusal to issue, renew, or
24 license an applicant, or disciplinary action against a
25 licensee. The hearing officer shall have full authority to

1 conduct the hearing. The hearing officer shall report his or
2 her findings of fact, conclusions of law, and recommendations
3 to the Secretary. ~~If the Secretary disagrees with the~~
4 ~~recommendation of the hearing officer, he or she may issue an~~
5 ~~order in contravention of that recommendation.~~

6 (Source: P.A. 97-778, eff. 7-13-12.)

7 (225 ILCS 63/190)

8 (Section scheduled to be repealed on January 1, 2023)

9 Sec. 190. The Department shall not be required to certify
10 any record to the Court or file any answer in court or
11 otherwise appear in any court in a judicial review proceeding,
12 unless and until the Department receives from the plaintiff
13 payment of the costs of furnishing and certifying the record,
14 which costs shall be determined by the Department. ~~Exhibits~~
15 ~~shall be certified without cost.~~ Failure on the part of the
16 plaintiff to file a receipt in court is grounds for dismissal
17 of the action.

18 (Source: P.A. 97-778, eff. 7-13-12.)

19 (225 ILCS 63/95 rep.)

20 Section 15. The Naprapathic Practice Act is amended by
21 repealing Section 95.

22 Section 99. Effective date. This Section and Section 5
23 take effect upon becoming law."