



Rep. Michael Halpin

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LRB102 14814 AMQ 37957 a

1 AMENDMENT TO SENATE BILL 670

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 670 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Department of Professional Regulation Law  
5 of the Civil Administrative Code of Illinois is amended by  
6 changing Section 2105-15 as follows:

7 (20 ILCS 2105/2105-15)

8 Sec. 2105-15. General powers and duties.

9 (a) The Department has, subject to the provisions of the  
10 Civil Administrative Code of Illinois, the following powers  
11 and duties:

12 (1) To authorize examinations in English to ascertain  
13 the qualifications and fitness of applicants to exercise  
14 the profession, trade, or occupation for which the  
15 examination is held.

16 (2) To prescribe rules and regulations for a fair and

1 wholly impartial method of examination of candidates to  
2 exercise the respective professions, trades, or  
3 occupations.

4 (3) To pass upon the qualifications of applicants for  
5 licenses, registrations, certificates, and authorities,  
6 whether by examination, by reciprocity, or by endorsement.

7 (4) To prescribe rules and regulations defining, for  
8 the respective professions, trades, and occupations, what  
9 shall constitute a school, college, or university, or  
10 department of a university, or other institution,  
11 reputable and in good standing, and to determine the  
12 reputability and good standing of a school, college, or  
13 university, or department of a university, or other  
14 institution, reputable and in good standing, by reference  
15 to a compliance with those rules and regulations;  
16 provided, that no school, college, or university, or  
17 department of a university, or other institution that  
18 refuses admittance to applicants solely on account of  
19 race, color, creed, sex, sexual orientation, or national  
20 origin shall be considered reputable and in good standing.

21 (5) To conduct hearings on proceedings to revoke,  
22 suspend, refuse to renew, place on probationary status, or  
23 take other disciplinary action as authorized in any  
24 licensing Act administered by the Department with regard  
25 to licenses, registrations, certificates, or authorities  
26 of persons exercising the respective professions, trades,

1 or occupations and to revoke, suspend, refuse to renew,  
2 place on probationary status, or take other disciplinary  
3 action as authorized in any licensing Act administered by  
4 the Department with regard to those licenses,  
5 registrations, certificates, or authorities.

6 The Department shall issue a monthly disciplinary  
7 report.

8 The Department shall refuse to issue or renew a  
9 license or registration to, or shall suspend or revoke a  
10 license or registration of, any person who, after  
11 receiving notice, fails to comply with a subpoena or  
12 warrant relating to a paternity or child support  
13 proceeding. However, the Department may issue a license,  
14 registration, or renewal upon compliance with the subpoena  
15 or warrant.

16 The Department, without further process or hearings,  
17 shall revoke, suspend, or deny any license, registration,  
18 or renewal authorized by the Civil Administrative Code of  
19 Illinois to a person who is certified by the Department of  
20 Healthcare and Family Services (formerly Illinois  
21 Department of Public Aid) as being more than 30 days  
22 delinquent in complying with a child support order or who  
23 is certified by a court as being in violation of the  
24 Non-Support Punishment Act for more than 60 days. The  
25 Department may, however, issue a license, registration, or  
26 renewal if the person has established a satisfactory

1        repayment record as determined by the Department of  
2        Healthcare and Family Services (formerly Illinois  
3        Department of Public Aid) or if the person is determined  
4        by the court to be in compliance with the Non-Support  
5        Punishment Act. The Department may implement this  
6        paragraph as added by Public Act 89-6 through the use of  
7        emergency rules in accordance with Section 5-45 of the  
8        Illinois Administrative Procedure Act. For purposes of the  
9        Illinois Administrative Procedure Act, the adoption of  
10       rules to implement this paragraph shall be considered an  
11       emergency and necessary for the public interest, safety,  
12       and welfare.

13       (6) To transfer jurisdiction of any realty under the  
14       control of the Department to any other department of the  
15       State Government or to acquire or accept federal lands  
16       when the transfer, acquisition, or acceptance is  
17       advantageous to the State and is approved in writing by  
18       the Governor.

19       (7) To formulate rules and regulations necessary for  
20       the enforcement of any Act administered by the Department.

21       (8) To exchange with the Department of Healthcare and  
22       Family Services information that may be necessary for the  
23       enforcement of child support orders entered pursuant to  
24       the Illinois Public Aid Code, the Illinois Marriage and  
25       Dissolution of Marriage Act, the Non-Support of Spouse and  
26       Children Act, the Non-Support Punishment Act, the Revised

1 Uniform Reciprocal Enforcement of Support Act, the Uniform  
2 Interstate Family Support Act, the Illinois Parentage Act  
3 of 1984, or the Illinois Parentage Act of 2015.  
4 Notwithstanding any provisions in this Code to the  
5 contrary, the Department of Professional Regulation shall  
6 not be liable under any federal or State law to any person  
7 for any disclosure of information to the Department of  
8 Healthcare and Family Services (formerly Illinois  
9 Department of Public Aid) under this paragraph (8) or for  
10 any other action taken in good faith to comply with the  
11 requirements of this paragraph (8).

12 (8.3) To exchange information with the Department of  
13 Human Rights regarding recommendations received under  
14 paragraph (B) of Section 8-109 of the Illinois Human  
15 Rights Act regarding a licensee or candidate for licensure  
16 who has committed a civil rights violation that may lead  
17 to the refusal, suspension, or revocation of a license or  
18 registration from the Department.

19 (8.5) To accept continuing education credit for  
20 mandated reporter training on how to recognize and report  
21 child abuse offered by the Department of Children and  
22 Family Services and completed by any person who holds a  
23 professional license or registration issued by the  
24 Department and who is a mandated reporter under the Abused  
25 and Neglected Child Reporting Act. The Department shall  
26 adopt any rules necessary to implement this paragraph.

1 (9) To perform other duties prescribed by law.

2 (a-5) Except in cases involving delinquency in complying  
3 with a child support order or violation of the Non-Support  
4 Punishment Act and notwithstanding anything that may appear in  
5 any individual licensing Act or administrative rule, no person  
6 or entity whose license, registration, certificate, or  
7 authority has been revoked as authorized in any licensing Act  
8 administered by the Department may apply for restoration of  
9 that license, registration, certification, or authority until  
10 3 years after the effective date of the revocation.

11 (b) (Blank).

12 (c) For the purpose of securing and preparing evidence,  
13 and for the purchase of controlled substances, professional  
14 services, and equipment necessary for enforcement activities,  
15 recoupment of investigative costs, and other activities  
16 directed at suppressing the misuse and abuse of controlled  
17 substances, including those activities set forth in Sections  
18 504 and 508 of the Illinois Controlled Substances Act, the  
19 Director and agents appointed and authorized by the Director  
20 may expend sums from the Professional Regulation Evidence Fund  
21 that the Director deems necessary from the amounts  
22 appropriated for that purpose. Those sums may be advanced to  
23 the agent when the Director deems that procedure to be in the  
24 public interest. Sums for the purchase of controlled  
25 substances, professional services, and equipment necessary for  
26 enforcement activities and other activities as set forth in

1 this Section shall be advanced to the agent who is to make the  
2 purchase from the Professional Regulation Evidence Fund on  
3 vouchers signed by the Director. The Director and those agents  
4 are authorized to maintain one or more commercial checking  
5 accounts with any State banking corporation or corporations  
6 organized under or subject to the Illinois Banking Act for the  
7 deposit and withdrawal of moneys to be used for the purposes  
8 set forth in this Section; provided, that no check may be  
9 written nor any withdrawal made from any such account except  
10 upon the written signatures of 2 persons designated by the  
11 Director to write those checks and make those withdrawals.  
12 Vouchers for those expenditures must be signed by the  
13 Director. All such expenditures shall be audited by the  
14 Director, and the audit shall be submitted to the Department  
15 of Central Management Services for approval.

16 (d) Whenever the Department is authorized or required by  
17 law to consider some aspect of criminal history record  
18 information for the purpose of carrying out its statutory  
19 powers and responsibilities, then, upon request and payment of  
20 fees in conformance with the requirements of Section 2605-400  
21 of the Illinois State Police Law, the Illinois State Police is  
22 authorized to furnish, pursuant to positive identification,  
23 the information contained in State files that is necessary to  
24 fulfill the request.

25 (e) The provisions of this Section do not apply to private  
26 business and vocational schools as defined by Section 15 of

1 the Private Business and Vocational Schools Act of 2012.

2 (f) (Blank).

3 (f-5) Notwithstanding anything that may appear in any  
4 individual licensing statute or administrative rule, the  
5 Department shall allow an applicant to provide his or her  
6 individual taxpayer identification number as an alternative to  
7 providing a social security number when applying for a license  
8 or registration.

9 (g) Notwithstanding anything that may appear in any  
10 individual licensing statute or administrative rule, the  
11 Department shall deny any license or registration application  
12 or renewal authorized under any licensing Act administered by  
13 the Department to any person who has failed to file a return,  
14 or to pay the tax, penalty, or interest shown in a filed  
15 return, or to pay any final assessment of tax, penalty, or  
16 interest, as required by any tax Act administered by the  
17 Illinois Department of Revenue, until such time as the  
18 requirement of any such tax Act are satisfied; however, the  
19 Department may issue a license, registration, or renewal if  
20 the person has established a satisfactory repayment record as  
21 determined by the Illinois Department of Revenue. For the  
22 purpose of this Section, "satisfactory repayment record" shall  
23 be defined by rule.

24 In addition, a complaint filed with the Department by the  
25 Illinois Department of Revenue that includes a certification,  
26 signed by its Director or designee, attesting to the amount of



1 the unpaid tax liability or the years for which a return was  
2 not filed, or both, is prima facie evidence of the licensee's  
3 failure to comply with the tax laws administered by the  
4 Illinois Department of Revenue. Upon receipt of that  
5 certification, the Department shall, without a hearing,  
6 immediately suspend all licenses held by the licensee.  
7 Enforcement of the Department's order shall be stayed for 60  
8 days. The Department shall provide notice of the suspension to  
9 the licensee by mailing a copy of the Department's order to the  
10 licensee's address of record or emailing a copy of the order to  
11 the licensee's email address of record. The notice shall  
12 advise the licensee that the suspension shall be effective 60  
13 days after the issuance of the Department's order unless the  
14 Department receives, from the licensee, a request for a  
15 hearing before the Department to dispute the matters contained  
16 in the order.

17 Any suspension imposed under this subsection (g) shall be  
18 terminated by the Department upon notification from the  
19 Illinois Department of Revenue that the licensee is in  
20 compliance with all tax laws administered by the Illinois  
21 Department of Revenue.

22 The Department may promulgate rules for the administration  
23 of this subsection (g).

24 (h) The Department may grant the title "Retired", to be  
25 used immediately adjacent to the title of a profession  
26 regulated by the Department, to eligible retirees. For

1 individuals licensed under the Medical Practice Act of 1987,  
2 the title "Retired" may be used in the profile required by the  
3 Patients' Right to Know Act. The use of the title "Retired"  
4 shall not constitute representation of current licensure,  
5 registration, or certification. Any person without an active  
6 license, registration, or certificate in a profession that  
7 requires licensure, registration, or certification shall not  
8 be permitted to practice that profession.

9 (i) The Department shall make available on its website  
10 general information explaining how the Department utilizes  
11 criminal history information in making licensure application  
12 decisions, including a list of enumerated offenses that serve  
13 as a statutory bar to licensure.

14 (j) Review of an application for a license or registration  
15 issued by the Department shall occur within 30 days after the  
16 date on which the Department receives all complete and  
17 necessary documentation and approval by any board or  
18 commission required for licensure, including any required  
19 information from State and federal agencies.

20 This Section shall not apply to applications that are  
21 complete but are referred for further review of personal  
22 history or disciplinary issues.

23 This Section shall not apply to interruptions caused by  
24 acts of God or events otherwise outside the control of the  
25 Department.

26 For purposes of this Section, "board" or "commission"

1 includes, but is not limited to, any board created by rule,  
2 statute, or Executive Order either now in existence or that  
3 may be formed by any future rule, statute, or Executive Order  
4 after the effective date of this amendatory Act of the 102nd  
5 General Assembly.

6 Nothing in this Section shall interfere or conflict with  
7 Section 5-715 or hereinafter amended.

8 Nothing in this Section shall create a private right of  
9 action against the Department or any of its officers,  
10 directors, or employees.

11  
12 (Source: P.A. 101-81, eff. 7-12-19; 101-221, eff. 1-1-20;  
13 102-538, eff. 8-20-21.)".