

SB3025



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

SB3025

Introduced 1/5/2022, by Sen. Melinda Bush

SYNOPSIS AS INTRODUCED:

New Act
720 ILCS 570/102

from Ch. 56 1/2, par. 1102

Creates the Naturopathic Medical Practice Act. Provides for the licensure of naturopathic physicians. Creates the Naturopathic Physician Medical Board. Provides that the Board shall oversee the licensure of naturopathic physicians and matters relating to training and licensure of naturopathic physicians. Provides for membership of the Board and duties of the Board. Requires the Board to adopt rules concerning specified matters. Contains provisions concerning definitions; qualifications for licensure; approval of naturopathic medical educational programs; display of license; scope of practice; referral requirements; prohibited conduct by licensees; exemptions from the Act; title protection; license expiration, renewal, denial, revocation, and continuing education; and issuance of first licenses. Amends the Illinois Controlled Substances Act. Adds internal references to naturopathic physicians. Effective immediately.

LRB102 20970 SPS 29867 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 1. Short title. This Act may be cited as the
5 Naturopathic Medical Practice Act.

6 Section 5. Purpose and findings. The practice of
7 naturopathic medicine in the State of Illinois is declared to
8 affect the public health, safety, and welfare and to be
9 subject to regulation and control in the public interest. It
10 is further declared to be a matter of public interest that
11 naturopathic physicians and the practice of naturopathic
12 medicine, as defined in this Act, merit the confidence of the
13 public, that only qualified persons be authorized to practice
14 naturopathic medicine in the State of Illinois, and that no
15 person shall practice naturopathic medicine without a valid
16 existing license to do so.

17 Illinois is facing an unprecedented physician shortage in
18 urban counties and an even higher shortage in rural counties.
19 The COVID-19 pandemic is increasing that shortage
20 exponentially. Naturopathic physicians with a proper scope of
21 practice can help fill this void.

22 The General Assembly recognizes that naturopathic
23 physicians comprise a distinct health care profession that

1 affects the public health, safety, and welfare and that
2 licensure of naturopathic physicians will increase freedom of
3 choice in health care and help address the physician shortage
4 in Illinois. This Act shall be liberally construed to best
5 carry out these subjects and purposes.

6 Section 10. Definitions. In this Act:

7 "Approved naturopathic medical educational program" means
8 an educational program that the Board has approved as meeting
9 the requirements of Section 20 of this Act that prepares
10 naturopathic physicians for the practice of naturopathic
11 medicine.

12 "Association" means an entity that is approved by the
13 American Association of Naturopathic Physicians, which entity
14 represents the interests of naturopathic physicians in this
15 State.

16 "Board" means the Naturopathic Physician Medical Board
17 established pursuant to Section 55 of this Act.

18 "Clinical laboratory procedure" means the use of
19 venipuncture consistent with naturopathic medical practice,
20 commonly used diagnostic modalities consistent with
21 naturopathic practice, the recording of a patient's health
22 history, physical examination, ordering and interpretation of
23 radiographic diagnostics and other standard imaging and
24 examination of body orifices, excluding endoscopy and
25 colonoscopy. "Clinical laboratory procedure" includes the

1 practice of obtaining samples of human tissues, except
2 surgical excision beyond surgical excision that is authorized
3 as a minor office procedure.

4 "Drug" has the same meaning as set forth in Section 102 of
5 the Illinois Controlled Substances Act.

6 "Homeopathic medicine" means a system of medicine based on
7 the use of infinitesimal doses of substances capable of
8 producing symptoms similar to those of the disease treated, as
9 listed in the Homeopathic Pharmacopoeia of the United States.

10 "Hygiene" means the use of preventive techniques,
11 including personal hygiene for asepsis, public health, and
12 safety.

13 "Laboratory examination" means:

- 14 (1) phlebotomy;
- 15 (2) a clinical laboratory procedure;
- 16 (3) an orificial examination;
- 17 (4) a physiological function test; and
- 18 (5) a screening or test that is consistent with
19 naturopathic education and training.

20 "Legend drug" has the same meaning as set forth in Section
21 3.23 of the Illinois Food, Drug and Cosmetic Act.

22 "License" means a license issued by the Board to an
23 individual pursuant to this Act and rules authorizing that
24 individual to practice naturopathic medicine in this State.

25 "Licensee" means a naturopathic physician licensed by the
26 Board to practice naturopathic medicine in this State.

1 "Minor office procedure" means minor surgical care and
2 procedures, including:

3 (1) surgical care incidental to superficial
4 laceration, lesion, or abrasion, excluding surgical care
5 to treat a lesion suspected of malignancy;

6 (2) the removal of foreign bodies located in
7 superficial structures, excluding the globe of the eye;

8 (3) trigger point therapy;

9 (4) dermal stimulation;

10 (5) allergy testing and treatment; and

11 (6) the use of antiseptics and topical or local
12 anesthetics.

13 "Naturopathic medicine" means:

14 (1) a system of health care for the prevention,
15 diagnosis and treatment of human health conditions,
16 injury, and disease;

17 (2) the promotion or restoration of health; and

18 (3) the support and stimulation of a patient's
19 inherent self-healing processes through patient education
20 and the use of naturopathic therapies and therapeutic
21 substances.

22 "Naturopathic physical medicine" means the use of one or
23 more of the following physical agents in a manner consistent
24 with naturopathic medical practice on a part or the whole of
25 the body, by hand or by mechanical means, in the resolution of
26 a human ailment or conditions:

- 1 (1) air;
- 2 (2) water;
- 3 (3) heat;
- 4 (4) cold;
- 5 (5) sound;
- 6 (6) light;
- 7 (7) electromagnetism;
- 8 (8) colon hydrotherapy;
- 9 (9) soft tissue therapy;
- 10 (10) joint mobilization;
- 11 (11) therapeutic exercise; or
- 12 (12) naturopathic manipulation.

13 "Naturopathic physician" means an individual licensed
14 pursuant to this Act as a naturopathic physician to practice
15 naturopathic medicine in this State.

16 "Naturopathic therapy" means the use of:

- 17 (1) naturopathic physical medicine;
- 18 (2) suggestion;
- 19 (3) hygiene;
- 20 (4) a therapeutic substance;
- 21 (5) nutrition and food science;
- 22 (6) homeopathic medicine;
- 23 (7) a clinical laboratory procedure; or
- 24 (8) a minor office procedure.

25 "Nutrition and food science" means the prevention and
26 treatment of disease or other human conditions through the use

1 of food, water, herbs, roots, bark, or natural food elements.

2 "Prescription" has the same meaning as set forth in
3 Section 3 of the Pharmacy Practice Act.

4 "Professional examination" means a competency based
5 national naturopathic physician licensing examination
6 administered by the North American Board of Naturopathic
7 Examiners or its successor agency, which Board has been
8 nationally recognized to administer a naturopathic examination
9 that represents federal standards of education and training.

10 "Suggestion" means a technique using:

- 11 (1) biofeedback;
- 12 (2) hypnosis;
- 13 (3) health education; or
- 14 (4) health counseling.

15 "Therapeutic substance" means any of the following
16 exemplified in a standard naturopathic medical text, journal,
17 or pharmacopeia:

- 18 (1) a vitamin;
- 19 (2) a mineral;
- 20 (3) a nutraceutical;
- 21 (4) a botanical medicine;
- 22 (5) oxygen;
- 23 (6) a homeopathic medicine;
- 24 (7) a hormone;
- 25 (8) a hormonal or pharmaceutical contraceptive device;

26 or

1 (9) other physiologic substance.

2 Section 15. Qualifications for licensure. The Board shall
3 license an applicant who:

4 (1) submits, in accordance with rules of the Board,
5 the following items to the Board:

6 (A) an application for licensure designed and
7 approved by the Board and submitted in accordance with
8 rules of the Board;

9 (B) an application fee submitted in an amount and
10 manner established by rules of the Board;

11 (C) evidence that the applicant has graduated from
12 an approved naturopathic medical educational program;

13 (D) evidence that the applicant has passed a
14 professional examination;

15 (E) evidence that the applicant has passed a
16 pharmacy examination authorized by rules of the Board
17 and administered by the North American Board of
18 Naturopathic Examiners or its successor;

19 (F) evidence that the applicant has passed a minor
20 surgery examination authorized by rules of the Board
21 and administered by the North American Board of
22 Naturopathic Examiners or its successor; and

23 (G) evidence of professional liability insurance
24 with policy limits not less than prescribed by the
25 Board;

1 (2) is determined by the Board to be physically and
2 mentally capable of safely practicing naturopathic
3 medicine with or without reasonable accommodation; and

4 (3) has not had a license to practice naturopathic
5 medicine or other health care license, registration, or
6 certificate refused, revoked, or suspended by any other
7 jurisdiction for reasons that relate to the applicant's
8 ability to skillfully and safely practice naturopathic
9 medicine unless that license, registration, or
10 certification has been restored to good standing by that
11 jurisdiction.

12 Section 20. Approved naturopathic medical educational
13 program. The Board shall establish, by rule, guidelines for an
14 approved naturopathic medical educational program, which
15 guidelines shall meet the following requirements and the
16 Board's specifications for the education of naturopathic
17 physicians. The approved naturopathic medical educational
18 program shall:

19 (1) offer graduate-level, full-time didactic and
20 supervised clinical training;

21 (2) be accredited, or have achieved candidacy status
22 for accreditation, by the Council on Naturopathic Medical
23 Education or an equivalent federally recognized
24 accrediting body for naturopathic medical programs that is
25 also recognized by the Board; and

1 (3) be conducted by an institution of higher
2 education, or a division of an institution of higher
3 education, that:

4 (A) is accredited or is a candidate for
5 accreditation by a regional or national institutional
6 accrediting agency recognized by the United States
7 Secretary of Education or a diploma-granting,
8 degree-equivalent college or university; or

9 (B) meets equivalent standards for recognition of
10 accreditation established by rules of the Board for
11 medical education programs offered in Canada.

12 Section 25. Display of license. A licensee shall display
13 the licensee's license in the licensee's place of business in
14 a location clearly visible to the licensee's patients and
15 shall also display evidence of the licensee having completed
16 an approved naturopathic medical educational program.

17 Section 30. Scope of practice. A licensee may practice
18 naturopathic medicine to provide primary care in alignment
19 with naturopathic medical education to:

20 (1) perform physical examinations;

21 (2) order laboratory examinations;

22 (3) order diagnostic imaging studies;

23 (4) interpret the results of laboratory examinations
24 for diagnostic purposes;

1 (5) order and, based on a radiologist's report, take
2 action on diagnostic imaging studies in a manner
3 consistent with naturopathic training;

4 (6) prescribe, administer, dispense, and order food,
5 extracts of food, nutraceuticals, vitamins, amino acids,
6 minerals, enzymes, botanicals and their extracts,
7 botanical medicines, homeopathic medicines, dietary
8 supplements, and nonprescription drugs as defined by the
9 Federal Food, Drug, and Cosmetic Act;

10 (7) prescribe, administer, dispense, and order all
11 legend drugs and all drugs within Schedules II-V of the
12 Controlled Substances Act;

13 (8) administer intramuscular, intravenous,
14 subcutaneous, intra-articular and intradermal injections
15 of substances appropriate to naturopathic medicine;

16 (9) use routes of administration that include oral,
17 nasal, auricular, ocular, rectal, vaginal, transdermal,
18 intradermal, subcutaneous, intravenous, intra-articular,
19 and intramuscular consistent with the education and
20 training of a naturopathic physician;

21 (10) perform naturopathic physical medicine;

22 (11) employ the use of naturopathic therapy;

23 (12) use therapeutic devices, barrier contraception,
24 intrauterine devices, hormonal and pharmaceutical
25 contraception, and durable medical equipment; or

26 (13) perform minor office procedures.

1 Section 35. Referral requirement. A licensee shall refer
2 to a physician licensed to practice medicine in all of its
3 branches under the Medical Practice Act of 1987 any patient
4 whose medical condition is determined, at the time of
5 evaluation or treatment, to be beyond the scope of practice of
6 the licensee.

7 Section 40. Prohibitions. A licensee shall not:

8 (1) perform surgery outside of the scope of minor
9 office procedures permitted in the employment of
10 naturopathic therapy;

11 (2) use general or spinal anesthetics;

12 (3) administer ionizing radioactive substances for
13 therapeutic purposes;

14 (4) perform a surgical procedure using a laser device;

15 (5) perform a surgical procedure involving any of the
16 following areas of the body that extend beyond superficial
17 tissue:

18 (A) eyes;

19 (B) ears;

20 (C) tendons;

21 (D) nerves;

22 (E) veins; or

23 (F) arteries;

24 (6) perform a surgical abortion;

1 (7) treat any lesion suspected of malignancy or
2 requiring surgical removal; or

3 (8) perform acupuncture.

4 Section 45. Exemptions. Nothing in this Act shall be
5 construed to prohibit or to restrict:

6 (1) the practice of a health care profession by an
7 individual who is licensed, certified, or registered under
8 other laws of this State and who is performing services
9 within the individual's authorized scope of practice;

10 (2) the practice of naturopathic medicine by a student
11 enrolled in an approved naturopathic medical educational
12 program if the practice of naturopathic medicine by a
13 student is performed pursuant to a course of instruction
14 or an assignment from an instructor at an accredited
15 university or college by an instructor duly licensed as a
16 health care provider in Illinois;

17 (3) any person that sells a vitamin or herb from
18 providing information about the vitamin or herb;

19 (4) the practice of naturopathic medicine by persons
20 who are licensed to practice in any other state or
21 district in the United States and who enter this State to
22 consult with a naturopathic physician of this State if the
23 consultation is limited to examination, recommendation, or
24 testimony in litigation; or

25 (5) any person or practitioner who is not licensed as

1 a naturopathic physician from recommending ayurvedic
2 medicine, herbal remedies, nutritional advice, homeopathy,
3 or other therapy that is within the scope of practice of
4 naturopathic medicine; however, the person or practitioner
5 shall not:

6 (A) use a title protected pursuant to Section 50
7 of this Act;

8 (B) represent or assume the character or
9 appearance of a licensee; or

10 (C) otherwise use a name, title, or other
11 designation that indicates or implies that the person
12 is a licensee.

13 Section 50. Protected titles.

14 (a) A licensee shall use the title "naturopathic
15 physician", "naturopathic doctor", or "naturopathic medical
16 doctor" and the recognized abbreviations "N.D." and "N.M.D.".

17 (b) A licensee has the exclusive right to use the
18 following terms in reference to the licensee's self:

19 (1) "naturopathic physician";

20 (2) "naturopathic doctor";

21 (3) "naturopathic medical doctor";

22 (4) "doctor of naturopathic medicine";

23 (5) "doctor of naturopathy";

24 (6) "naturopath";

25 (7) "N.D.";

- 1 (8) "ND";
- 2 (9) "NMD"; and
- 3 (10) "N.M.D."

4 (c) An individual represents the individual's self to be a
5 naturopathic physician or a naturopathic doctor when the
6 individual uses or adopts any of the following terms in
7 reference to the individual's self:

- 8 (1) "naturopathic physician";
- 9 (2) "naturopathic doctor";
- 10 (3) "naturopathic medical doctor";
- 11 (4) "doctor of naturopathic medicine";
- 12 (5) "doctor of naturopathy";
- 13 (6) "naturopath";
- 14 (7) "N.D.";
- 15 (8) "ND";
- 16 (9) "NMD"; and
- 17 (10) "N.M.D."

18 (d) An individual shall not represent the individual's
19 self to the public as a naturopathic physician, naturopathic
20 doctor, naturopathic medical doctor, a doctor of naturopathic
21 medicine, a doctor of naturopathy, or as being otherwise
22 authorized to practice naturopathic medicine in this State,
23 unless the individual is a licensee.

24 Section 55. Naturopathic Physician Medical Board.

25 (a) The Naturopathic Physician Medical Board shall

1 oversee:

2 (1) licensure of naturopathic physicians; and

3 (2) matters relating to training and licensure of
4 naturopathic physicians.

5 (b) Within 90 days after the effective date of this Act,
6 the Governor shall appoint an initial Board consisting of 2
7 members for terms of 4 years each, 3 members for terms of 3
8 years each, and 4 members for terms of 2 years each. The
9 initial Board shall consist of 9 voting members as follows:

10 (1) five licensed naturopathic physicians who are
11 residents of Illinois and are members of the Illinois
12 Association of Naturopathic Physicians;

13 (2) two practicing physicians licensed to practice
14 medicine in all of its branches with experience working
15 with naturopathic physicians; and

16 (3) two public members that are residents of this
17 State who are not, and never have been, a licensed health
18 care practitioner and who do not have an interest in
19 naturopathic education, naturopathic medicine, or
20 naturopathic business or practice.

21 (c) As the terms of the initial Board members expire, the
22 Governor shall appoint successors for terms of 4 years each as
23 follows:

24 (1) five naturopathic physicians licensed pursuant to
25 this Act;

26 (2) two practicing physicians licensed to practice

1 medicine in all of its branches with experience working
2 with naturopathic physicians; and

3 (3) two public members that are residents of this
4 State who are not, and never have been, a licensed health
5 care practitioner and who do not have an interest in
6 naturopathic education, naturopathic medicine or
7 naturopathic business or practice.

8 (d) Within 30 days after the Board is established, the
9 Board shall call the first meeting, at which meeting members
10 shall elect a chair. At least once during each calendar
11 quarter thereafter, the Board shall hold a meeting at the call
12 of the chair. The Board may hold additional meetings at the
13 call of the chair or at the written request of any 2 members of
14 the Board.

15 (e) Vacancies on the Board shall be filled from a list of
16 not fewer than 3 candidates provided by the Illinois
17 Association of Naturopathic Physicians.

18 (f) A majority of the Board membership shall constitute a
19 quorum.

20 (g) Members of the Board shall serve without compensation
21 but may, at the discretion of the Board, be reimbursed for
22 their expenses incurred in performing their duties.

23 (h) The Department of Financial and Professional
24 Regulation shall provide administrative and other support to
25 the Board.

1 Section 60. Board duties. The Board shall adopt rules:

2 (1) regulating the licensure of naturopathic
3 physicians and determining the hours of continuing
4 education units required for maintaining licensure as a
5 naturopathic physician;

6 (2) prescribing the manner in which records of
7 examinations and treatments shall be kept and maintained;

8 (3) establishing standards for professional
9 responsibility and conduct;

10 (4) identifying disciplinary actions and circumstances
11 that require disciplinary action;

12 (5) developing a means to provide information to all
13 licensees in this State;

14 (6) providing for the investigation of complaints
15 against licensees or persons holding themselves out as
16 naturopathic physicians in this State;

17 (7) providing for the publication of information for
18 the public about licensees and the practice of
19 naturopathic medicine in this State;

20 (8) providing for an orderly process for reinstatement
21 of a license;

22 (9) establishing criteria for advertising or
23 promotional materials;

24 (10) establishing continuing education hours and
25 content;

26 (11) establishing procedures and standards for

- 1 reviewing licensing examination scores; and
- 2 (12) establishing procedures for reviewing transcripts
- 3 demonstrating completion of the approved naturopathic
- 4 medical educational program;
- 5 (13) establishing and maintaining a list of
- 6 naturopathic medical education programs that meet the
- 7 requirements of Section 20;
- 8 (14) establishing the requirements for issuance and
- 9 renewal of licenses; and
- 10 (15) any other matter necessary to implement this Act.

11 Section 65. License expiration, renewal, denial,

12 revocation, and continuing education.

13 (a) A license issued or renewed pursuant to this Act shall

14 expire in a time frame determined by the Board.

15 (b) The Board may renew the license of any licensee who,

16 upon the expiration of the licensee's license:

17 (1) has submitted an application for renewal;

18 (2) has paid the renewal fee established by rules of

19 the Board;

20 (3) meets the qualifications for licensure set forth

21 in this Act and rules of the Board; and

22 (4) meets the continuing education requirements

23 established by the Board.

24 (c) If the Board intends to refuse to issue or renew,

25 revoke, or suspend a license, the Board shall grant the

1 applicant or licensee an opportunity for a hearing.

2 Section 70. Issuance of first licenses. On a schedule
3 determined by the Board, the Board shall issue licenses to
4 those applicants who have met the requirements of this Act and
5 Board rules adopted in accordance with this Act.

6 Section 100. The Illinois Controlled Substances Act is
7 amended by changing Section 102 as follows:

8 (720 ILCS 570/102) (from Ch. 56 1/2, par. 1102)

9 (Text of Section before amendment by P.A. 101-666)

10 Sec. 102. Definitions. As used in this Act, unless the
11 context otherwise requires:

12 (a) "Addict" means any person who habitually uses any
13 drug, chemical, substance or dangerous drug other than alcohol
14 so as to endanger the public morals, health, safety or welfare
15 or who is so far addicted to the use of a dangerous drug or
16 controlled substance other than alcohol as to have lost the
17 power of self control with reference to his or her addiction.

18 (b) "Administer" means the direct application of a
19 controlled substance, whether by injection, inhalation,
20 ingestion, or any other means, to the body of a patient,
21 research subject, or animal (as defined by the Humane
22 Euthanasia in Animal Shelters Act) by:

23 (1) a practitioner (or, in his or her presence, by his

1 or her authorized agent),

2 (2) the patient or research subject pursuant to an
3 order, or

4 (3) a euthanasia technician as defined by the Humane
5 Euthanasia in Animal Shelters Act.

6 (c) "Agent" means an authorized person who acts on behalf
7 of or at the direction of a manufacturer, distributor,
8 dispenser, prescriber, or practitioner. It does not include a
9 common or contract carrier, public warehouseman or employee of
10 the carrier or warehouseman.

11 (c-1) "Anabolic Steroids" means any drug or hormonal
12 substance, chemically and pharmacologically related to
13 testosterone (other than estrogens, progestins,
14 corticosteroids, and dehydroepiandrosterone), and includes:

15 (i) 3[beta],17-dihydroxy-5a-androstane,

16 (ii) 3[alpha],17[beta]-dihydroxy-5a-androstane,

17 (iii) 5[alpha]-androstane-3,17-dione,

18 (iv) 1-androstenediol (3[beta],

19 17[beta]-dihydroxy-5[alpha]-androst-1-ene),

20 (v) 1-androstenediol (3[alpha],

21 17[beta]-dihydroxy-5[alpha]-androst-1-ene),

22 (vi) 4-androstenediol

23 (3[beta],17[beta]-dihydroxy-androst-4-ene),

24 (vii) 5-androstenediol

25 (3[beta],17[beta]-dihydroxy-androst-5-ene),

26 (viii) 1-androstenedione

1 ([5alpha]-androst-1-en-3,17-dione),
2 (ix) 4-androstenedione
3 (androst-4-en-3,17-dione),
4 (x) 5-androstenedione
5 (androst-5-en-3,17-dione),
6 (xi) bolasterone (7[alpha],17a-dimethyl-17[beta]-
7 hydroxyandrost-4-en-3-one),
8 (xii) boldenone (17[beta]-hydroxyandrost-
9 1,4,-diene-3-one),
10 (xiii) boldione (androsta-1,4-
11 diene-3,17-dione),
12 (xiv) calusterone (7[beta],17[alpha]-dimethyl-17
13 [beta]-hydroxyandrost-4-en-3-one),
14 (xv) clostebol (4-chloro-17[beta]-
15 hydroxyandrost-4-en-3-one),
16 (xvi) dehydrochloromethyltestosterone (4-chloro-
17 17[beta]-hydroxy-17[alpha]-methyl-
18 androst-1,4-dien-3-one),
19 (xvii) desoxymethyltestosterone
20 (17[alpha]-methyl-5[alpha]
21 -androst-2-en-17[beta]-ol) (a.k.a., madol),
22 (xviii) [delta]1-dihydrotestosterone (a.k.a.
23 '1-testosterone') (17[beta]-hydroxy-
24 5[alpha]-androst-1-en-3-one),
25 (xix) 4-dihydrotestosterone (17[beta]-hydroxy-
26 androstan-3-one),

- 1 (xx) drostanolone (17[beta]-hydroxy-2[alpha]-methyl-
2 5[alpha]-androst-3-one),
3 (xxi) ethylestrenol (17[alpha]-ethyl-17[beta]-
4 hydroxyestr-4-ene),
5 (xxii) fluoxymesterone (9-fluoro-17[alpha]-methyl-
6 1[beta],17[beta]-dihydroxyandrost-4-en-3-one),
7 (xxiii) formebolone (2-formyl-17[alpha]-methyl-11[alpha],
8 17[beta]-dihydroxyandrost-1,4-dien-3-one),
9 (xxiv) furazabol (17[alpha]-methyl-17[beta]-
10 hydroxyandrostano[2,3-c]-furan),
11 (xxv) 13[beta]-ethyl-17[beta]-hydroxygon-4-en-3-one,
12 (xxvi) 4-hydroxytestosterone (4,17[beta]-dihydroxy-
13 androst-4-en-3-one),
14 (xxvii) 4-hydroxy-19-nortestosterone (4,17[beta]-
15 dihydroxy-estr-4-en-3-one),
16 (xxviii) mestanolone (17[alpha]-methyl-17[beta]-
17 hydroxy-5-androst-3-one),
18 (xxix) mesterolone (1-methyl-17[beta]-hydroxy-
19 [5a]-androst-3-one),
20 (xxx) methandienone (17[alpha]-methyl-17[beta]-
21 hydroxyandrost-1,4-dien-3-one),
22 (xxxii) methandriol (17[alpha]-methyl-3[beta],17[beta]-
23 dihydroxyandrost-5-ene),
24 (xxxiii) methenolone (1-methyl-17[beta]-hydroxy-
25 5[alpha]-androst-1-en-3-one),
26 (xxxiiii) 17[alpha]-methyl-3[beta], 17[beta]-

1 dihydroxy-5a-androstane,
2 (xxxiv) 17[alpha]-methyl-3[alpha],17[beta]-dihydroxy
3 -5a-androstane,
4 (xxxv) 17[alpha]-methyl-3[beta],17[beta]-
5 dihydroxyandrost-4-ene),
6 (xxxvi) 17[alpha]-methyl-4-hydroxynandrolone (17[alpha]-
7 methyl-4-hydroxy-17[beta]-hydroxyestr-4-en-3-one),
8 (xxxvii) methyldienolone (17[alpha]-methyl-17[beta]-
9 hydroxyestra-4,9(10)-dien-3-one),
10 (xxxviii) methyltrienolone (17[alpha]-methyl-17[beta]-
11 hydroxyestra-4,9-11-trien-3-one),
12 (xxxix) methyltestosterone (17[alpha]-methyl-17[beta]-
13 hydroxyandrost-4-en-3-one),
14 (xl) mibolerone (7[alpha],17a-dimethyl-17[beta]-
15 hydroxyestr-4-en-3-one),
16 (xli) 17[alpha]-methyl-[delta]1-dihydrotestosterone
17 (17b[beta]-hydroxy-17[alpha]-methyl-5[alpha]-
18 androst-1-en-3-one) (a.k.a. '17-[alpha]-methyl-
19 1-testosterone'),
20 (xlii) nandrolone (17[beta]-hydroxyestr-4-en-3-one),
21 (xliii) 19-nor-4-androstenediol (3[beta], 17[beta]-
22 dihydroxyestr-4-ene),
23 (xliv) 19-nor-4-androstenediol (3[alpha], 17[beta]-
24 dihydroxyestr-4-ene),
25 (xlv) 19-nor-5-androstenediol (3[beta], 17[beta]-
26 dihydroxyestr-5-ene),

- 1 (xlvi) 19-nor-5-androstenediol (3[alpha], 17[beta]-
2 dihydroxyestr-5-ene),
3 (xlvii) 19-nor-4,9(10)-androstadienedione
4 (estra-4,9(10)-diene-3,17-dione),
5 (xlviii) 19-nor-4-androstenedione (estr-4-
6 en-3,17-dione),
7 (xlix) 19-nor-5-androstenedione (estr-5-
8 en-3,17-dione),
9 (l) norbolethone (13[beta], 17a-diethyl-17[beta]-
10 hydroxygon-4-en-3-one),
11 (li) norclostebol (4-chloro-17[beta]-
12 hydroxyestr-4-en-3-one),
13 (lii) norethandrolone (17[alpha]-ethyl-17[beta]-
14 hydroxyestr-4-en-3-one),
15 (liii) normethandrolone (17[alpha]-methyl-17[beta]-
16 hydroxyestr-4-en-3-one),
17 (liv) oxandrolone (17[alpha]-methyl-17[beta]-hydroxy-
18 2-oxa-5[alpha]-androstan-3-one),
19 (lv) oxymesterone (17[alpha]-methyl-4,17[beta]-
20 dihydroxyandrost-4-en-3-one),
21 (lvi) oxymetholone (17[alpha]-methyl-2-hydroxymethylene-
22 17[beta]-hydroxy-(5[alpha]-androstan-3-one),
23 (lvii) stanozolol (17[alpha]-methyl-17[beta]-hydroxy-
24 (5[alpha]-androst-2-eno[3,2-c]-pyrazole),
25 (lviii) stenbolone (17[beta]-hydroxy-2-methyl-
26 (5[alpha]-androst-1-en-3-one),

- 1 (lix) testolactone (13-hydroxy-3-oxo-13,17-
2 secoandrosta-1,4-dien-17-oic
3 acid lactone),
4 (lx) testosterone (17[beta]-hydroxyandrost-
5 4-en-3-one),
6 (lxi) tetrahydrogestrinone (13[beta], 17[alpha]-
7 diethyl-17[beta]-hydroxygon-
8 4,9,11-trien-3-one),
9 (lxii) trenbolone (17[beta]-hydroxyestr-4,9,
10 11-trien-3-one).

11 Any person who is otherwise lawfully in possession of an
12 anabolic steroid, or who otherwise lawfully manufactures,
13 distributes, dispenses, delivers, or possesses with intent to
14 deliver an anabolic steroid, which anabolic steroid is
15 expressly intended for and lawfully allowed to be administered
16 through implants to livestock or other nonhuman species, and
17 which is approved by the Secretary of Health and Human
18 Services for such administration, and which the person intends
19 to administer or have administered through such implants,
20 shall not be considered to be in unauthorized possession or to
21 unlawfully manufacture, distribute, dispense, deliver, or
22 possess with intent to deliver such anabolic steroid for
23 purposes of this Act.

24 (d) "Administration" means the Drug Enforcement
25 Administration, United States Department of Justice, or its
26 successor agency.

1 (d-5) "Clinical Director, Prescription Monitoring Program"
2 means a Department of Human Services administrative employee
3 licensed to either prescribe or dispense controlled substances
4 who shall run the clinical aspects of the Department of Human
5 Services Prescription Monitoring Program and its Prescription
6 Information Library.

7 (d-10) "Compounding" means the preparation and mixing of
8 components, excluding flavorings, (1) as the result of a
9 prescriber's prescription drug order or initiative based on
10 the prescriber-patient-pharmacist relationship in the course
11 of professional practice or (2) for the purpose of, or
12 incident to, research, teaching, or chemical analysis and not
13 for sale or dispensing. "Compounding" includes the preparation
14 of drugs or devices in anticipation of receiving prescription
15 drug orders based on routine, regularly observed dispensing
16 patterns. Commercially available products may be compounded
17 for dispensing to individual patients only if both of the
18 following conditions are met: (i) the commercial product is
19 not reasonably available from normal distribution channels in
20 a timely manner to meet the patient's needs and (ii) the
21 prescribing practitioner has requested that the drug be
22 compounded.

23 (e) "Control" means to add a drug or other substance, or
24 immediate precursor, to a Schedule whether by transfer from
25 another Schedule or otherwise.

26 (f) "Controlled Substance" means (i) a drug, substance,

1 immediate precursor, or synthetic drug in the Schedules of
2 Article II of this Act or (ii) a drug or other substance, or
3 immediate precursor, designated as a controlled substance by
4 the Department through administrative rule. The term does not
5 include distilled spirits, wine, malt beverages, or tobacco,
6 as those terms are defined or used in the Liquor Control Act of
7 1934 and the Tobacco Products Tax Act of 1995.

8 (f-5) "Controlled substance analog" means a substance:

9 (1) the chemical structure of which is substantially
10 similar to the chemical structure of a controlled
11 substance in Schedule I or II;

12 (2) which has a stimulant, depressant, or
13 hallucinogenic effect on the central nervous system that
14 is substantially similar to or greater than the stimulant,
15 depressant, or hallucinogenic effect on the central
16 nervous system of a controlled substance in Schedule I or
17 II; or

18 (3) with respect to a particular person, which such
19 person represents or intends to have a stimulant,
20 depressant, or hallucinogenic effect on the central
21 nervous system that is substantially similar to or greater
22 than the stimulant, depressant, or hallucinogenic effect
23 on the central nervous system of a controlled substance in
24 Schedule I or II.

25 (g) "Counterfeit substance" means a controlled substance,
26 which, or the container or labeling of which, without

1 authorization bears the trademark, trade name, or other
2 identifying mark, imprint, number or device, or any likeness
3 thereof, of a manufacturer, distributor, or dispenser other
4 than the person who in fact manufactured, distributed, or
5 dispensed the substance.

6 (h) "Deliver" or "delivery" means the actual, constructive
7 or attempted transfer of possession of a controlled substance,
8 with or without consideration, whether or not there is an
9 agency relationship.

10 (i) "Department" means the Illinois Department of Human
11 Services (as successor to the Department of Alcoholism and
12 Substance Abuse) or its successor agency.

13 (j) (Blank).

14 (k) "Department of Corrections" means the Department of
15 Corrections of the State of Illinois or its successor agency.

16 (l) "Department of Financial and Professional Regulation"
17 means the Department of Financial and Professional Regulation
18 of the State of Illinois or its successor agency.

19 (m) "Depressant" means any drug that (i) causes an overall
20 depression of central nervous system functions, (ii) causes
21 impaired consciousness and awareness, and (iii) can be
22 habit-forming or lead to a substance abuse problem, including
23 but not limited to alcohol, cannabis and its active principles
24 and their analogs, benzodiazepines and their analogs,
25 barbiturates and their analogs, opioids (natural and
26 synthetic) and their analogs, and chloral hydrate and similar

1 sedative hypnotics.

2 (n) (Blank).

3 (o) "Director" means the Director of the Illinois State
4 Police or his or her designated agents.

5 (p) "Dispense" means to deliver a controlled substance to
6 an ultimate user or research subject by or pursuant to the
7 lawful order of a prescriber, including the prescribing,
8 administering, packaging, labeling, or compounding necessary
9 to prepare the substance for that delivery.

10 (q) "Dispenser" means a practitioner who dispenses.

11 (r) "Distribute" means to deliver, other than by
12 administering or dispensing, a controlled substance.

13 (s) "Distributor" means a person who distributes.

14 (t) "Drug" means (1) substances recognized as drugs in the
15 official United States Pharmacopoeia, Official Homeopathic
16 Pharmacopoeia of the United States, or official National
17 Formulary, or any supplement to any of them; (2) substances
18 intended for use in diagnosis, cure, mitigation, treatment, or
19 prevention of disease in man or animals; (3) substances (other
20 than food) intended to affect the structure of any function of
21 the body of man or animals and (4) substances intended for use
22 as a component of any article specified in clause (1), (2), or
23 (3) of this subsection. It does not include devices or their
24 components, parts, or accessories.

25 (t-3) "Electronic health record" or "EHR" means an
26 electronic record of health-related information on an

1 individual that is created, gathered, managed, and consulted
2 by authorized health care clinicians and staff.

3 (t-4) "Emergency medical services personnel" has the
4 meaning ascribed to it in the Emergency Medical Services (EMS)
5 Systems Act.

6 (t-5) "Euthanasia agency" means an entity certified by the
7 Department of Financial and Professional Regulation for the
8 purpose of animal euthanasia that holds an animal control
9 facility license or animal shelter license under the Animal
10 Welfare Act. A euthanasia agency is authorized to purchase,
11 store, possess, and utilize Schedule II nonnarcotic and
12 Schedule III nonnarcotic drugs for the sole purpose of animal
13 euthanasia.

14 (t-10) "Euthanasia drugs" means Schedule II or Schedule
15 III substances (nonnarcotic controlled substances) that are
16 used by a euthanasia agency for the purpose of animal
17 euthanasia.

18 (u) "Good faith" means the prescribing or dispensing of a
19 controlled substance by a practitioner in the regular course
20 of professional treatment to or for any person who is under his
21 or her treatment for a pathology or condition other than that
22 individual's physical or psychological dependence upon or
23 addiction to a controlled substance, except as provided
24 herein: and application of the term to a pharmacist shall mean
25 the dispensing of a controlled substance pursuant to the
26 prescriber's order which in the professional judgment of the

1 pharmacist is lawful. The pharmacist shall be guided by
2 accepted professional standards including, but not limited to
3 the following, in making the judgment:

4 (1) lack of consistency of prescriber-patient
5 relationship,

6 (2) frequency of prescriptions for same drug by one
7 prescriber for large numbers of patients,

8 (3) quantities beyond those normally prescribed,

9 (4) unusual dosages (recognizing that there may be
10 clinical circumstances where more or less than the usual
11 dose may be used legitimately),

12 (5) unusual geographic distances between patient,
13 pharmacist and prescriber,

14 (6) consistent prescribing of habit-forming drugs.

15 (u-0.5) "Hallucinogen" means a drug that causes markedly
16 altered sensory perception leading to hallucinations of any
17 type.

18 (u-1) "Home infusion services" means services provided by
19 a pharmacy in compounding solutions for direct administration
20 to a patient in a private residence, long-term care facility,
21 or hospice setting by means of parenteral, intravenous,
22 intramuscular, subcutaneous, or intraspinal infusion.

23 (u-5) "Illinois State Police" means the State Police of
24 the State of Illinois, or its successor agency.

25 (v) "Immediate precursor" means a substance:

26 (1) which the Department has found to be and by rule

1 designated as being a principal compound used, or produced
2 primarily for use, in the manufacture of a controlled
3 substance;

4 (2) which is an immediate chemical intermediary used
5 or likely to be used in the manufacture of such controlled
6 substance; and

7 (3) the control of which is necessary to prevent,
8 curtail or limit the manufacture of such controlled
9 substance.

10 (w) "Instructional activities" means the acts of teaching,
11 educating or instructing by practitioners using controlled
12 substances within educational facilities approved by the State
13 Board of Education or its successor agency.

14 (x) "Local authorities" means a duly organized State,
15 County or Municipal peace unit or police force.

16 (y) "Look-alike substance" means a substance, other than a
17 controlled substance which (1) by overall dosage unit
18 appearance, including shape, color, size, markings or lack
19 thereof, taste, consistency, or any other identifying physical
20 characteristic of the substance, would lead a reasonable
21 person to believe that the substance is a controlled
22 substance, or (2) is expressly or impliedly represented to be
23 a controlled substance or is distributed under circumstances
24 which would lead a reasonable person to believe that the
25 substance is a controlled substance. For the purpose of
26 determining whether the representations made or the

1 circumstances of the distribution would lead a reasonable
2 person to believe the substance to be a controlled substance
3 under this clause (2) of subsection (y), the court or other
4 authority may consider the following factors in addition to
5 any other factor that may be relevant:

6 (a) statements made by the owner or person in control
7 of the substance concerning its nature, use or effect;

8 (b) statements made to the buyer or recipient that the
9 substance may be resold for profit;

10 (c) whether the substance is packaged in a manner
11 normally used for the illegal distribution of controlled
12 substances;

13 (d) whether the distribution or attempted distribution
14 included an exchange of or demand for money or other
15 property as consideration, and whether the amount of the
16 consideration was substantially greater than the
17 reasonable retail market value of the substance.

18 Clause (1) of this subsection (y) shall not apply to a
19 noncontrolled substance in its finished dosage form that was
20 initially introduced into commerce prior to the initial
21 introduction into commerce of a controlled substance in its
22 finished dosage form which it may substantially resemble.

23 Nothing in this subsection (y) prohibits the dispensing or
24 distributing of noncontrolled substances by persons authorized
25 to dispense and distribute controlled substances under this
26 Act, provided that such action would be deemed to be carried

1 out in good faith under subsection (u) if the substances
2 involved were controlled substances.

3 Nothing in this subsection (y) or in this Act prohibits
4 the manufacture, preparation, propagation, compounding,
5 processing, packaging, advertising or distribution of a drug
6 or drugs by any person registered pursuant to Section 510 of
7 the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360).

8 (y-1) "Mail-order pharmacy" means a pharmacy that is
9 located in a state of the United States that delivers,
10 dispenses or distributes, through the United States Postal
11 Service or other common carrier, to Illinois residents, any
12 substance which requires a prescription.

13 (z) "Manufacture" means the production, preparation,
14 propagation, compounding, conversion or processing of a
15 controlled substance other than methamphetamine, either
16 directly or indirectly, by extraction from substances of
17 natural origin, or independently by means of chemical
18 synthesis, or by a combination of extraction and chemical
19 synthesis, and includes any packaging or repackaging of the
20 substance or labeling of its container, except that this term
21 does not include:

22 (1) by an ultimate user, the preparation or
23 compounding of a controlled substance for his or her own
24 use; or

25 (2) by a practitioner, or his or her authorized agent
26 under his or her supervision, the preparation,

1 compounding, packaging, or labeling of a controlled
2 substance:

3 (a) as an incident to his or her administering or
4 dispensing of a controlled substance in the course of
5 his or her professional practice; or

6 (b) as an incident to lawful research, teaching or
7 chemical analysis and not for sale.

8 (z-1) (Blank).

9 (z-5) "Medication shopping" means the conduct prohibited
10 under subsection (a) of Section 314.5 of this Act.

11 (z-10) "Mid-level practitioner" means (i) a physician
12 assistant who has been delegated authority to prescribe
13 through a written delegation of authority by a physician
14 licensed to practice medicine in all of its branches, in
15 accordance with Section 7.5 of the Physician Assistant
16 Practice Act of 1987, (ii) an advanced practice registered
17 nurse who has been delegated authority to prescribe through a
18 written delegation of authority by a physician licensed to
19 practice medicine in all of its branches or by a podiatric
20 physician, in accordance with Section 65-40 of the Nurse
21 Practice Act, (iii) an advanced practice registered nurse
22 certified as a nurse practitioner, nurse midwife, or clinical
23 nurse specialist who has been granted authority to prescribe
24 by a hospital affiliate in accordance with Section 65-45 of
25 the Nurse Practice Act, (iv) an animal euthanasia agency, or
26 (v) a prescribing psychologist.

1 (aa) "Narcotic drug" means any of the following, whether
2 produced directly or indirectly by extraction from substances
3 of vegetable origin, or independently by means of chemical
4 synthesis, or by a combination of extraction and chemical
5 synthesis:

6 (1) opium, opiates, derivatives of opium and opiates,
7 including their isomers, esters, ethers, salts, and salts
8 of isomers, esters, and ethers, whenever the existence of
9 such isomers, esters, ethers, and salts is possible within
10 the specific chemical designation; however the term
11 "narcotic drug" does not include the isoquinoline
12 alkaloids of opium;

13 (2) (blank);

14 (3) opium poppy and poppy straw;

15 (4) coca leaves, except coca leaves and extracts of
16 coca leaves from which substantially all of the cocaine
17 and ecgonine, and their isomers, derivatives and salts,
18 have been removed;

19 (5) cocaine, its salts, optical and geometric isomers,
20 and salts of isomers;

21 (6) ecgonine, its derivatives, their salts, isomers,
22 and salts of isomers;

23 (7) any compound, mixture, or preparation which
24 contains any quantity of any of the substances referred to
25 in subparagraphs (1) through (6).

26 (bb) "Nurse" means a registered nurse licensed under the

1 Nurse Practice Act.

2 (cc) (Blank).

3 (dd) "Opiate" means any substance having an addiction
4 forming or addiction sustaining liability similar to morphine
5 or being capable of conversion into a drug having addiction
6 forming or addiction sustaining liability.

7 (ee) "Opium poppy" means the plant of the species *Papaver*
8 *somniferum* L., except its seeds.

9 (ee-5) "Oral dosage" means a tablet, capsule, elixir, or
10 solution or other liquid form of medication intended for
11 administration by mouth, but the term does not include a form
12 of medication intended for buccal, sublingual, or transmucosal
13 administration.

14 (ff) "Parole and Pardon Board" means the Parole and Pardon
15 Board of the State of Illinois or its successor agency.

16 (gg) "Person" means any individual, corporation,
17 mail-order pharmacy, government or governmental subdivision or
18 agency, business trust, estate, trust, partnership or
19 association, or any other entity.

20 (hh) "Pharmacist" means any person who holds a license or
21 certificate of registration as a registered pharmacist, a
22 local registered pharmacist or a registered assistant
23 pharmacist under the Pharmacy Practice Act.

24 (ii) "Pharmacy" means any store, ship or other place in
25 which pharmacy is authorized to be practiced under the
26 Pharmacy Practice Act.

1 (ii-5) "Pharmacy shopping" means the conduct prohibited
2 under subsection (b) of Section 314.5 of this Act.

3 (ii-10) "Physician" (except when the context otherwise
4 requires) means a person licensed to practice medicine in all
5 of its branches.

6 (jj) "Poppy straw" means all parts, except the seeds, of
7 the opium poppy, after mowing.

8 (kk) "Practitioner" means a physician licensed to practice
9 medicine in all its branches, dentist, optometrist, podiatric
10 physician, naturopathic physician, veterinarian, scientific
11 investigator, pharmacist, physician assistant, advanced
12 practice registered nurse, licensed practical nurse,
13 registered nurse, emergency medical services personnel,
14 hospital, laboratory, or pharmacy, or other person licensed,
15 registered, or otherwise lawfully permitted by the United
16 States or this State to distribute, dispense, conduct research
17 with respect to, administer or use in teaching or chemical
18 analysis, a controlled substance in the course of professional
19 practice or research.

20 (ll) "Pre-printed prescription" means a written
21 prescription upon which the designated drug has been indicated
22 prior to the time of issuance; the term does not mean a written
23 prescription that is individually generated by machine or
24 computer in the prescriber's office.

25 (mm) "Prescriber" means a physician licensed to practice
26 medicine in all its branches, dentist, optometrist,

1 prescribing psychologist licensed under Section 4.2 of the
2 Clinical Psychologist Licensing Act with prescriptive
3 authority delegated under Section 4.3 of the Clinical
4 Psychologist Licensing Act, podiatric physician, naturopathic
5 physician, or veterinarian who issues a prescription, a
6 physician assistant who issues a prescription for a controlled
7 substance in accordance with Section 303.05, a written
8 delegation, and a written collaborative agreement required
9 under Section 7.5 of the Physician Assistant Practice Act of
10 1987, an advanced practice registered nurse with prescriptive
11 authority delegated under Section 65-40 of the Nurse Practice
12 Act and in accordance with Section 303.05, a written
13 delegation, and a written collaborative agreement under
14 Section 65-35 of the Nurse Practice Act, an advanced practice
15 registered nurse certified as a nurse practitioner, nurse
16 midwife, or clinical nurse specialist who has been granted
17 authority to prescribe by a hospital affiliate in accordance
18 with Section 65-45 of the Nurse Practice Act and in accordance
19 with Section 303.05, or an advanced practice registered nurse
20 certified as a nurse practitioner, nurse midwife, or clinical
21 nurse specialist who has full practice authority pursuant to
22 Section 65-43 of the Nurse Practice Act.

23 (nn) "Prescription" means a written, facsimile, or oral
24 order, or an electronic order that complies with applicable
25 federal requirements, of a physician licensed to practice
26 medicine in all its branches, dentist, podiatric physician,

1 naturopathic physician, or veterinarian for any controlled
2 substance, of an optometrist in accordance with Section 15.1
3 of the Illinois Optometric Practice Act of 1987, of a
4 prescribing psychologist licensed under Section 4.2 of the
5 Clinical Psychologist Licensing Act with prescriptive
6 authority delegated under Section 4.3 of the Clinical
7 Psychologist Licensing Act, of a physician assistant for a
8 controlled substance in accordance with Section 303.05, a
9 written delegation, and a written collaborative agreement
10 required under Section 7.5 of the Physician Assistant Practice
11 Act of 1987, of an advanced practice registered nurse with
12 prescriptive authority delegated under Section 65-40 of the
13 Nurse Practice Act who issues a prescription for a controlled
14 substance in accordance with Section 303.05, a written
15 delegation, and a written collaborative agreement under
16 Section 65-35 of the Nurse Practice Act, of an advanced
17 practice registered nurse certified as a nurse practitioner,
18 nurse midwife, or clinical nurse specialist who has been
19 granted authority to prescribe by a hospital affiliate in
20 accordance with Section 65-45 of the Nurse Practice Act and in
21 accordance with Section 303.05 when required by law, or of an
22 advanced practice registered nurse certified as a nurse
23 practitioner, nurse midwife, or clinical nurse specialist who
24 has full practice authority pursuant to Section 65-43 of the
25 Nurse Practice Act.

26 (nn-5) "Prescription Information Library" (PIL) means an

1 electronic library that contains reported controlled substance
2 data.

3 (nn-10) "Prescription Monitoring Program" (PMP) means the
4 entity that collects, tracks, and stores reported data on
5 controlled substances and select drugs pursuant to Section
6 316.

7 (oo) "Production" or "produce" means manufacture,
8 planting, cultivating, growing, or harvesting of a controlled
9 substance other than methamphetamine.

10 (pp) "Registrant" means every person who is required to
11 register under Section 302 of this Act.

12 (qq) "Registry number" means the number assigned to each
13 person authorized to handle controlled substances under the
14 laws of the United States and of this State.

15 (qq-5) "Secretary" means, as the context requires, either
16 the Secretary of the Department or the Secretary of the
17 Department of Financial and Professional Regulation, and the
18 Secretary's designated agents.

19 (rr) "State" includes the State of Illinois and any state,
20 district, commonwealth, territory, insular possession thereof,
21 and any area subject to the legal authority of the United
22 States of America.

23 (rr-5) "Stimulant" means any drug that (i) causes an
24 overall excitation of central nervous system functions, (ii)
25 causes impaired consciousness and awareness, and (iii) can be
26 habit-forming or lead to a substance abuse problem, including

1 but not limited to amphetamines and their analogs,
2 methylphenidate and its analogs, cocaine, and phencyclidine
3 and its analogs.

4 (rr-10) "Synthetic drug" includes, but is not limited to,
5 any synthetic cannabinoids or piperazines or any synthetic
6 cathinones as provided for in Schedule I.

7 (ss) "Ultimate user" means a person who lawfully possesses
8 a controlled substance for his or her own use or for the use of
9 a member of his or her household or for administering to an
10 animal owned by him or her or by a member of his or her
11 household.

12 (Source: P.A. 99-78, eff. 7-20-15; 99-173, eff. 7-29-15;
13 99-371, eff. 1-1-16; 99-480, eff. 9-9-15; 99-642, eff.
14 7-28-16; 100-280, eff. 1-1-18; 100-453, eff. 8-25-17; 100-513,
15 eff. 1-1-18; 100-789, eff. 1-1-19; 100-863, eff. 8-14-18.)

16 (Text of Section after amendment by P.A. 101-666)

17 Sec. 102. Definitions. As used in this Act, unless the
18 context otherwise requires:

19 (a) "Addict" means any person who habitually uses any
20 drug, chemical, substance or dangerous drug other than alcohol
21 so as to endanger the public morals, health, safety or welfare
22 or who is so far addicted to the use of a dangerous drug or
23 controlled substance other than alcohol as to have lost the
24 power of self control with reference to his or her addiction.

25 (b) "Administer" means the direct application of a

1 controlled substance, whether by injection, inhalation,
2 ingestion, or any other means, to the body of a patient,
3 research subject, or animal (as defined by the Humane
4 Euthanasia in Animal Shelters Act) by:

5 (1) a practitioner (or, in his or her presence, by his
6 or her authorized agent),

7 (2) the patient or research subject pursuant to an
8 order, or

9 (3) a euthanasia technician as defined by the Humane
10 Euthanasia in Animal Shelters Act.

11 (c) "Agent" means an authorized person who acts on behalf
12 of or at the direction of a manufacturer, distributor,
13 dispenser, prescriber, or practitioner. It does not include a
14 common or contract carrier, public warehouseman or employee of
15 the carrier or warehouseman.

16 (c-1) "Anabolic Steroids" means any drug or hormonal
17 substance, chemically and pharmacologically related to
18 testosterone (other than estrogens, progestins,
19 corticosteroids, and dehydroepiandrosterone), and includes:

20 (i) 3[beta],17-dihydroxy-5a-androstane,

21 (ii) 3[alpha],17[beta]-dihydroxy-5a-androstane,

22 (iii) 5[alpha]-androstane-3,17-dione,

23 (iv) 1-androstenediol (3[beta],

24 17[beta]-dihydroxy-5[alpha]-androst-1-ene),

25 (v) 1-androstenediol (3[alpha],

26 17[beta]-dihydroxy-5[alpha]-androst-1-ene),

- 1 (vi) 4-androstenediol
2 (3[beta],17[beta]-dihydroxy-androst-4-ene),
3 (vii) 5-androstenediol
4 (3[beta],17[beta]-dihydroxy-androst-5-ene),
5 (viii) 1-androstenedione
6 ([5alpha]-androst-1-en-3,17-dione),
7 (ix) 4-androstenedione
8 (androst-4-en-3,17-dione),
9 (x) 5-androstenedione
10 (androst-5-en-3,17-dione),
11 (xi) bolasterone (7[alpha],17a-dimethyl-17[beta]-
12 hydroxyandrost-4-en-3-one),
13 (xii) boldenone (17[beta]-hydroxyandrost-
14 1,4,-diene-3-one),
15 (xiii) boldione (androsta-1,4-
16 diene-3,17-dione),
17 (xiv) calusterone (7[beta],17[alpha]-dimethyl-17
18 [beta]-hydroxyandrost-4-en-3-one),
19 (xv) clostebol (4-chloro-17[beta]-
20 hydroxyandrost-4-en-3-one),
21 (xvi) dehydrochloromethyltestosterone (4-chloro-
22 17[beta]-hydroxy-17[alpha]-methyl-
23 androst-1,4-dien-3-one),
24 (xvii) desoxymethyltestosterone
25 (17[alpha]-methyl-5[alpha]
26 -androst-2-en-17[beta]-ol) (a.k.a., madol),

1 (xviii) [δ]1-dihydrotestosterone (a.k.a.
2 '1-testosterone') (17[β]-hydroxy-
3 5[α]-androst-1-en-3-one),
4 (xix) 4-dihydrotestosterone (17[β]-hydroxy-
5 androstan-3-one),
6 (xx) drostanolone (17[β]-hydroxy-2[α]-methyl-
7 5[α]-androstan-3-one),
8 (xxi) ethylestrenol (17[α]-ethyl-17[β]-
9 hydroxyestr-4-ene),
10 (xxii) fluoxymesterone (9-fluoro-17[α]-methyl-
11 1[β],17[β]-dihydroxyandrost-4-en-3-one),
12 (xxiii) formebolone (2-formyl-17[α]-methyl-11[α],
13 17[β]-dihydroxyandrost-1,4-dien-3-one),
14 (xxiv) furazabol (17[α]-methyl-17[β]-
15 hydroxyandrostan[2,3-c]-furazan),
16 (xxv) 13[β]-ethyl-17[β]-hydroxygon-4-en-3-one,
17 (xxvi) 4-hydroxytestosterone (4,17[β]-dihydroxy-
18 androst-4-en-3-one),
19 (xxvii) 4-hydroxy-19-nortestosterone (4,17[β]-
20 dihydroxy-estr-4-en-3-one),
21 (xxviii) mestanolone (17[α]-methyl-17[β]-
22 hydroxy-5-androstan-3-one),
23 (xxix) mesterolone (1-methyl-17[β]-hydroxy-
24 [5 α]-androstan-3-one),
25 (xxx) methandienone (17[α]-methyl-17[β]-
26 hydroxyandrost-1,4-dien-3-one),

- 1 (xxxix) methandriol (17[alpha]-methyl-3[beta],17[beta]-
2 dihydroxyandrost-5-ene),
3 (xxxix) methenolone (1-methyl-17[beta]-hydroxy-
4 5[alpha]-androst-1-en-3-one),
5 (xxxiii) 17[alpha]-methyl-3[beta], 17[beta]-
6 dihydroxy-5a-androstane,
7 (xxxiv) 17[alpha]-methyl-3[alpha],17[beta]-dihydroxy
8 -5a-androstane,
9 (xxxv) 17[alpha]-methyl-3[beta],17[beta]-
10 dihydroxyandrost-4-ene),
11 (xxxvi) 17[alpha]-methyl-4-hydroxynandrolone (17[alpha]-
12 methyl-4-hydroxy-17[beta]-hydroxyestr-4-en-3-one),
13 (xxxvii) methyldienolone (17[alpha]-methyl-17[beta]-
14 hydroxyestra-4,9(10)-dien-3-one),
15 (xxxviii) methyltrienolone (17[alpha]-methyl-17[beta]-
16 hydroxyestra-4,9-11-trien-3-one),
17 (xxxix) methyltestosterone (17[alpha]-methyl-17[beta]-
18 hydroxyandrost-4-en-3-one),
19 (xli) mibolerone (7[alpha],17a-dimethyl-17[beta]-
20 hydroxyestr-4-en-3-one),
21 (xli) 17[alpha]-methyl-[delta]1-dihydrotestosterone
22 (17b[beta]-hydroxy-17[alpha]-methyl-5[alpha]-
23 androst-1-en-3-one) (a.k.a. '17-[alpha]-methyl-
24 1-testosterone'),
25 (xlii) nandrolone (17[beta]-hydroxyestr-4-en-3-one),
26 (xliii) 19-nor-4-androstenediol (3[beta], 17[beta]-

1 dihydroxyestr-4-ene),
2 (xliv) 19-nor-4-androstenediol (3[alpha], 17[beta]-
3 dihydroxyestr-4-ene),
4 (xlv) 19-nor-5-androstenediol (3[beta], 17[beta]-
5 dihydroxyestr-5-ene),
6 (xlvi) 19-nor-5-androstenediol (3[alpha], 17[beta]-
7 dihydroxyestr-5-ene),
8 (xlvii) 19-nor-4,9(10)-androstadienedione
9 (estra-4,9(10)-diene-3,17-dione),
10 (xlviii) 19-nor-4-androstenedione (estr-4-
11 en-3,17-dione),
12 (xlix) 19-nor-5-androstenedione (estr-5-
13 en-3,17-dione),
14 (l) norbolethone (13[beta], 17a-diethyl-17[beta]-
15 hydroxygon-4-en-3-one),
16 (li) norclostebol (4-chloro-17[beta]-
17 hydroxyestr-4-en-3-one),
18 (lii) norethandrolone (17[alpha]-ethyl-17[beta]-
19 hydroxyestr-4-en-3-one),
20 (liii) normethandrolone (17[alpha]-methyl-17[beta]-
21 hydroxyestr-4-en-3-one),
22 (liv) oxandrolone (17[alpha]-methyl-17[beta]-hydroxy-
23 2-oxa-5[alpha]-androstan-3-one),
24 (lv) oxymesterone (17[alpha]-methyl-4,17[beta]-
25 dihydroxyandrost-4-en-3-one),
26 (lvi) oxymetholone (17[alpha]-methyl-2-hydroxymethylene-

- 1 17[beta]-hydroxy-(5[alpha]-androstan-3-one),
2 (lvii) stanozolol (17[alpha]-methyl-17[beta]-hydroxy-
3 (5[alpha]-androst-2-eno[3,2-c]-pyrazole),
4 (lviii) stenbolone (17[beta]-hydroxy-2-methyl-
5 (5[alpha]-androst-1-en-3-one),
6 (lix) testolactone (13-hydroxy-3-oxo-13,17-
7 secoandrosta-1,4-dien-17-oic
8 acid lactone),
9 (lx) testosterone (17[beta]-hydroxyandrost-
10 4-en-3-one),
11 (lxi) tetrahydrogestrinone (13[beta], 17[alpha]-
12 diethyl-17[beta]-hydroxygon-
13 4,9,11-trien-3-one),
14 (lxii) trenbolone (17[beta]-hydroxyestr-4,9,
15 11-trien-3-one).

16 Any person who is otherwise lawfully in possession of an
17 anabolic steroid, or who otherwise lawfully manufactures,
18 distributes, dispenses, delivers, or possesses with intent to
19 deliver an anabolic steroid, which anabolic steroid is
20 expressly intended for and lawfully allowed to be administered
21 through implants to livestock or other nonhuman species, and
22 which is approved by the Secretary of Health and Human
23 Services for such administration, and which the person intends
24 to administer or have administered through such implants,
25 shall not be considered to be in unauthorized possession or to
26 unlawfully manufacture, distribute, dispense, deliver, or

1 possess with intent to deliver such anabolic steroid for
2 purposes of this Act.

3 (d) "Administration" means the Drug Enforcement
4 Administration, United States Department of Justice, or its
5 successor agency.

6 (d-5) "Clinical Director, Prescription Monitoring Program"
7 means a Department of Human Services administrative employee
8 licensed to either prescribe or dispense controlled substances
9 who shall run the clinical aspects of the Department of Human
10 Services Prescription Monitoring Program and its Prescription
11 Information Library.

12 (d-10) "Compounding" means the preparation and mixing of
13 components, excluding flavorings, (1) as the result of a
14 prescriber's prescription drug order or initiative based on
15 the prescriber-patient-pharmacist relationship in the course
16 of professional practice or (2) for the purpose of, or
17 incident to, research, teaching, or chemical analysis and not
18 for sale or dispensing. "Compounding" includes the preparation
19 of drugs or devices in anticipation of receiving prescription
20 drug orders based on routine, regularly observed dispensing
21 patterns. Commercially available products may be compounded
22 for dispensing to individual patients only if both of the
23 following conditions are met: (i) the commercial product is
24 not reasonably available from normal distribution channels in
25 a timely manner to meet the patient's needs and (ii) the
26 prescribing practitioner has requested that the drug be

1 compounded.

2 (e) "Control" means to add a drug or other substance, or
3 immediate precursor, to a Schedule whether by transfer from
4 another Schedule or otherwise.

5 (f) "Controlled Substance" means (i) a drug, substance,
6 immediate precursor, or synthetic drug in the Schedules of
7 Article II of this Act or (ii) a drug or other substance, or
8 immediate precursor, designated as a controlled substance by
9 the Department through administrative rule. The term does not
10 include distilled spirits, wine, malt beverages, or tobacco,
11 as those terms are defined or used in the Liquor Control Act of
12 1934 and the Tobacco Products Tax Act of 1995.

13 (f-5) "Controlled substance analog" means a substance:

14 (1) the chemical structure of which is substantially
15 similar to the chemical structure of a controlled
16 substance in Schedule I or II;

17 (2) which has a stimulant, depressant, or
18 hallucinogenic effect on the central nervous system that
19 is substantially similar to or greater than the stimulant,
20 depressant, or hallucinogenic effect on the central
21 nervous system of a controlled substance in Schedule I or
22 II; or

23 (3) with respect to a particular person, which such
24 person represents or intends to have a stimulant,
25 depressant, or hallucinogenic effect on the central
26 nervous system that is substantially similar to or greater

1 than the stimulant, depressant, or hallucinogenic effect
2 on the central nervous system of a controlled substance in
3 Schedule I or II.

4 (g) "Counterfeit substance" means a controlled substance,
5 which, or the container or labeling of which, without
6 authorization bears the trademark, trade name, or other
7 identifying mark, imprint, number or device, or any likeness
8 thereof, of a manufacturer, distributor, or dispenser other
9 than the person who in fact manufactured, distributed, or
10 dispensed the substance.

11 (h) "Deliver" or "delivery" means the actual, constructive
12 or attempted transfer of possession of a controlled substance,
13 with or without consideration, whether or not there is an
14 agency relationship.

15 (i) "Department" means the Illinois Department of Human
16 Services (as successor to the Department of Alcoholism and
17 Substance Abuse) or its successor agency.

18 (j) (Blank).

19 (k) "Department of Corrections" means the Department of
20 Corrections of the State of Illinois or its successor agency.

21 (l) "Department of Financial and Professional Regulation"
22 means the Department of Financial and Professional Regulation
23 of the State of Illinois or its successor agency.

24 (m) "Depressant" means any drug that (i) causes an overall
25 depression of central nervous system functions, (ii) causes
26 impaired consciousness and awareness, and (iii) can be

1 habit-forming or lead to a substance abuse problem, including
2 but not limited to alcohol, cannabis and its active principles
3 and their analogs, benzodiazepines and their analogs,
4 barbiturates and their analogs, opioids (natural and
5 synthetic) and their analogs, and chloral hydrate and similar
6 sedative hypnotics.

7 (n) (Blank).

8 (o) "Director" means the Director of the Illinois State
9 Police or his or her designated agents.

10 (p) "Dispense" means to deliver a controlled substance to
11 an ultimate user or research subject by or pursuant to the
12 lawful order of a prescriber, including the prescribing,
13 administering, packaging, labeling, or compounding necessary
14 to prepare the substance for that delivery.

15 (q) "Dispenser" means a practitioner who dispenses.

16 (r) "Distribute" means to deliver, other than by
17 administering or dispensing, a controlled substance.

18 (s) "Distributor" means a person who distributes.

19 (t) "Drug" means (1) substances recognized as drugs in the
20 official United States Pharmacopoeia, Official Homeopathic
21 Pharmacopoeia of the United States, or official National
22 Formulary, or any supplement to any of them; (2) substances
23 intended for use in diagnosis, cure, mitigation, treatment, or
24 prevention of disease in man or animals; (3) substances (other
25 than food) intended to affect the structure of any function of
26 the body of man or animals and (4) substances intended for use

1 as a component of any article specified in clause (1), (2), or
2 (3) of this subsection. It does not include devices or their
3 components, parts, or accessories.

4 (t-3) "Electronic health record" or "EHR" means an
5 electronic record of health-related information on an
6 individual that is created, gathered, managed, and consulted
7 by authorized health care clinicians and staff.

8 (t-3.5) "Electronic health record system" or "EHR system"
9 means any computer-based system or combination of federally
10 certified Health IT Modules (defined at 42 CFR 170.102 or its
11 successor) used as a repository for electronic health records
12 and accessed or updated by a prescriber or authorized
13 surrogate in the ordinary course of his or her medical
14 practice. For purposes of connecting to the Prescription
15 Information Library maintained by the Bureau of Pharmacy and
16 Clinical Support Systems or its successor, an EHR system may
17 connect to the Prescription Information Library directly or
18 through all or part of a computer program or system that is a
19 federally certified Health IT Module maintained by a third
20 party and used by the EHR system to secure access to the
21 database.

22 (t-4) "Emergency medical services personnel" has the
23 meaning ascribed to it in the Emergency Medical Services (EMS)
24 Systems Act.

25 (t-5) "Euthanasia agency" means an entity certified by the
26 Department of Financial and Professional Regulation for the

1 purpose of animal euthanasia that holds an animal control
2 facility license or animal shelter license under the Animal
3 Welfare Act. A euthanasia agency is authorized to purchase,
4 store, possess, and utilize Schedule II nonnarcotic and
5 Schedule III nonnarcotic drugs for the sole purpose of animal
6 euthanasia.

7 (t-10) "Euthanasia drugs" means Schedule II or Schedule
8 III substances (nonnarcotic controlled substances) that are
9 used by a euthanasia agency for the purpose of animal
10 euthanasia.

11 (u) "Good faith" means the prescribing or dispensing of a
12 controlled substance by a practitioner in the regular course
13 of professional treatment to or for any person who is under his
14 or her treatment for a pathology or condition other than that
15 individual's physical or psychological dependence upon or
16 addiction to a controlled substance, except as provided
17 herein: and application of the term to a pharmacist shall mean
18 the dispensing of a controlled substance pursuant to the
19 prescriber's order which in the professional judgment of the
20 pharmacist is lawful. The pharmacist shall be guided by
21 accepted professional standards including, but not limited to
22 the following, in making the judgment:

23 (1) lack of consistency of prescriber-patient
24 relationship,

25 (2) frequency of prescriptions for same drug by one
26 prescriber for large numbers of patients,

- 1 (3) quantities beyond those normally prescribed,
2 (4) unusual dosages (recognizing that there may be
3 clinical circumstances where more or less than the usual
4 dose may be used legitimately),
5 (5) unusual geographic distances between patient,
6 pharmacist and prescriber,
7 (6) consistent prescribing of habit-forming drugs.

8 (u-0.5) "Hallucinogen" means a drug that causes markedly
9 altered sensory perception leading to hallucinations of any
10 type.

11 (u-1) "Home infusion services" means services provided by
12 a pharmacy in compounding solutions for direct administration
13 to a patient in a private residence, long-term care facility,
14 or hospice setting by means of parenteral, intravenous,
15 intramuscular, subcutaneous, or intraspinal infusion.

16 (u-5) "Illinois State Police" means the State Police of
17 the State of Illinois, or its successor agency.

18 (v) "Immediate precursor" means a substance:

19 (1) which the Department has found to be and by rule
20 designated as being a principal compound used, or produced
21 primarily for use, in the manufacture of a controlled
22 substance;

23 (2) which is an immediate chemical intermediary used
24 or likely to be used in the manufacture of such controlled
25 substance; and

26 (3) the control of which is necessary to prevent,

1 curtail or limit the manufacture of such controlled
2 substance.

3 (w) "Instructional activities" means the acts of teaching,
4 educating or instructing by practitioners using controlled
5 substances within educational facilities approved by the State
6 Board of Education or its successor agency.

7 (x) "Local authorities" means a duly organized State,
8 County or Municipal peace unit or police force.

9 (y) "Look-alike substance" means a substance, other than a
10 controlled substance which (1) by overall dosage unit
11 appearance, including shape, color, size, markings or lack
12 thereof, taste, consistency, or any other identifying physical
13 characteristic of the substance, would lead a reasonable
14 person to believe that the substance is a controlled
15 substance, or (2) is expressly or impliedly represented to be
16 a controlled substance or is distributed under circumstances
17 which would lead a reasonable person to believe that the
18 substance is a controlled substance. For the purpose of
19 determining whether the representations made or the
20 circumstances of the distribution would lead a reasonable
21 person to believe the substance to be a controlled substance
22 under this clause (2) of subsection (y), the court or other
23 authority may consider the following factors in addition to
24 any other factor that may be relevant:

25 (a) statements made by the owner or person in control
26 of the substance concerning its nature, use or effect;

1 (b) statements made to the buyer or recipient that the
2 substance may be resold for profit;

3 (c) whether the substance is packaged in a manner
4 normally used for the illegal distribution of controlled
5 substances;

6 (d) whether the distribution or attempted distribution
7 included an exchange of or demand for money or other
8 property as consideration, and whether the amount of the
9 consideration was substantially greater than the
10 reasonable retail market value of the substance.

11 Clause (1) of this subsection (y) shall not apply to a
12 noncontrolled substance in its finished dosage form that was
13 initially introduced into commerce prior to the initial
14 introduction into commerce of a controlled substance in its
15 finished dosage form which it may substantially resemble.

16 Nothing in this subsection (y) prohibits the dispensing or
17 distributing of noncontrolled substances by persons authorized
18 to dispense and distribute controlled substances under this
19 Act, provided that such action would be deemed to be carried
20 out in good faith under subsection (u) if the substances
21 involved were controlled substances.

22 Nothing in this subsection (y) or in this Act prohibits
23 the manufacture, preparation, propagation, compounding,
24 processing, packaging, advertising or distribution of a drug
25 or drugs by any person registered pursuant to Section 510 of
26 the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360).

1 (y-1) "Mail-order pharmacy" means a pharmacy that is
2 located in a state of the United States that delivers,
3 dispenses or distributes, through the United States Postal
4 Service or other common carrier, to Illinois residents, any
5 substance which requires a prescription.

6 (z) "Manufacture" means the production, preparation,
7 propagation, compounding, conversion or processing of a
8 controlled substance other than methamphetamine, either
9 directly or indirectly, by extraction from substances of
10 natural origin, or independently by means of chemical
11 synthesis, or by a combination of extraction and chemical
12 synthesis, and includes any packaging or repackaging of the
13 substance or labeling of its container, except that this term
14 does not include:

15 (1) by an ultimate user, the preparation or
16 compounding of a controlled substance for his or her own
17 use; or

18 (2) by a practitioner, or his or her authorized agent
19 under his or her supervision, the preparation,
20 compounding, packaging, or labeling of a controlled
21 substance:

22 (a) as an incident to his or her administering or
23 dispensing of a controlled substance in the course of
24 his or her professional practice; or

25 (b) as an incident to lawful research, teaching or
26 chemical analysis and not for sale.

1 (z-1) (Blank).

2 (z-5) "Medication shopping" means the conduct prohibited
3 under subsection (a) of Section 314.5 of this Act.

4 (z-10) "Mid-level practitioner" means (i) a physician
5 assistant who has been delegated authority to prescribe
6 through a written delegation of authority by a physician
7 licensed to practice medicine in all of its branches, in
8 accordance with Section 7.5 of the Physician Assistant
9 Practice Act of 1987, (ii) an advanced practice registered
10 nurse who has been delegated authority to prescribe through a
11 written delegation of authority by a physician licensed to
12 practice medicine in all of its branches or by a podiatric
13 physician, in accordance with Section 65-40 of the Nurse
14 Practice Act, (iii) an advanced practice registered nurse
15 certified as a nurse practitioner, nurse midwife, or clinical
16 nurse specialist who has been granted authority to prescribe
17 by a hospital affiliate in accordance with Section 65-45 of
18 the Nurse Practice Act, (iv) an animal euthanasia agency, or
19 (v) a prescribing psychologist.

20 (aa) "Narcotic drug" means any of the following, whether
21 produced directly or indirectly by extraction from substances
22 of vegetable origin, or independently by means of chemical
23 synthesis, or by a combination of extraction and chemical
24 synthesis:

25 (1) opium, opiates, derivatives of opium and opiates,
26 including their isomers, esters, ethers, salts, and salts

1 of isomers, esters, and ethers, whenever the existence of
2 such isomers, esters, ethers, and salts is possible within
3 the specific chemical designation; however the term
4 "narcotic drug" does not include the isoquinoline
5 alkaloids of opium;

6 (2) (blank);

7 (3) opium poppy and poppy straw;

8 (4) coca leaves, except coca leaves and extracts of
9 coca leaves from which substantially all of the cocaine
10 and ecgonine, and their isomers, derivatives and salts,
11 have been removed;

12 (5) cocaine, its salts, optical and geometric isomers,
13 and salts of isomers;

14 (6) ecgonine, its derivatives, their salts, isomers,
15 and salts of isomers;

16 (7) any compound, mixture, or preparation which
17 contains any quantity of any of the substances referred to
18 in subparagraphs (1) through (6).

19 (bb) "Nurse" means a registered nurse licensed under the
20 Nurse Practice Act.

21 (cc) (Blank).

22 (dd) "Opiate" means any substance having an addiction
23 forming or addiction sustaining liability similar to morphine
24 or being capable of conversion into a drug having addiction
25 forming or addiction sustaining liability.

26 (ee) "Opium poppy" means the plant of the species *Papaver*

1 somniferum L., except its seeds.

2 (ee-5) "Oral dosage" means a tablet, capsule, elixir, or
3 solution or other liquid form of medication intended for
4 administration by mouth, but the term does not include a form
5 of medication intended for buccal, sublingual, or transmucosal
6 administration.

7 (ff) "Parole and Pardon Board" means the Parole and Pardon
8 Board of the State of Illinois or its successor agency.

9 (gg) "Person" means any individual, corporation,
10 mail-order pharmacy, government or governmental subdivision or
11 agency, business trust, estate, trust, partnership or
12 association, or any other entity.

13 (hh) "Pharmacist" means any person who holds a license or
14 certificate of registration as a registered pharmacist, a
15 local registered pharmacist or a registered assistant
16 pharmacist under the Pharmacy Practice Act.

17 (ii) "Pharmacy" means any store, ship or other place in
18 which pharmacy is authorized to be practiced under the
19 Pharmacy Practice Act.

20 (ii-5) "Pharmacy shopping" means the conduct prohibited
21 under subsection (b) of Section 314.5 of this Act.

22 (ii-10) "Physician" (except when the context otherwise
23 requires) means a person licensed to practice medicine in all
24 of its branches.

25 (jj) "Poppy straw" means all parts, except the seeds, of
26 the opium poppy, after mowing.

1 (kk) "Practitioner" means a physician licensed to practice
2 medicine in all its branches, dentist, optometrist, podiatric
3 physician, naturopathic physician, veterinarian, scientific
4 investigator, pharmacist, physician assistant, advanced
5 practice registered nurse, licensed practical nurse,
6 registered nurse, emergency medical services personnel,
7 hospital, laboratory, or pharmacy, or other person licensed,
8 registered, or otherwise lawfully permitted by the United
9 States or this State to distribute, dispense, conduct research
10 with respect to, administer or use in teaching or chemical
11 analysis, a controlled substance in the course of professional
12 practice or research.

13 (ll) "Pre-printed prescription" means a written
14 prescription upon which the designated drug has been indicated
15 prior to the time of issuance; the term does not mean a written
16 prescription that is individually generated by machine or
17 computer in the prescriber's office.

18 (mm) "Prescriber" means a physician licensed to practice
19 medicine in all its branches, dentist, optometrist,
20 naturopathic physician, prescribing psychologist licensed
21 under Section 4.2 of the Clinical Psychologist Licensing Act
22 with prescriptive authority delegated under Section 4.3 of the
23 Clinical Psychologist Licensing Act, podiatric physician, or
24 veterinarian who issues a prescription, a physician assistant
25 who issues a prescription for a controlled substance in
26 accordance with Section 303.05, a written delegation, and a

1 written collaborative agreement required under Section 7.5 of
2 the Physician Assistant Practice Act of 1987, an advanced
3 practice registered nurse with prescriptive authority
4 delegated under Section 65-40 of the Nurse Practice Act and in
5 accordance with Section 303.05, a written delegation, and a
6 written collaborative agreement under Section 65-35 of the
7 Nurse Practice Act, an advanced practice registered nurse
8 certified as a nurse practitioner, nurse midwife, or clinical
9 nurse specialist who has been granted authority to prescribe
10 by a hospital affiliate in accordance with Section 65-45 of
11 the Nurse Practice Act and in accordance with Section 303.05,
12 or an advanced practice registered nurse certified as a nurse
13 practitioner, nurse midwife, or clinical nurse specialist who
14 has full practice authority pursuant to Section 65-43 of the
15 Nurse Practice Act.

16 (nn) "Prescription" means a written, facsimile, or oral
17 order, or an electronic order that complies with applicable
18 federal requirements, of a physician licensed to practice
19 medicine in all its branches, dentist, podiatric physician,
20 naturopathic physician, or veterinarian for any controlled
21 substance, of an optometrist in accordance with Section 15.1
22 of the Illinois Optometric Practice Act of 1987, of a
23 prescribing psychologist licensed under Section 4.2 of the
24 Clinical Psychologist Licensing Act with prescriptive
25 authority delegated under Section 4.3 of the Clinical
26 Psychologist Licensing Act, of a physician assistant for a

1 controlled substance in accordance with Section 303.05, a
2 written delegation, and a written collaborative agreement
3 required under Section 7.5 of the Physician Assistant Practice
4 Act of 1987, of an advanced practice registered nurse with
5 prescriptive authority delegated under Section 65-40 of the
6 Nurse Practice Act who issues a prescription for a controlled
7 substance in accordance with Section 303.05, a written
8 delegation, and a written collaborative agreement under
9 Section 65-35 of the Nurse Practice Act, of an advanced
10 practice registered nurse certified as a nurse practitioner,
11 nurse midwife, or clinical nurse specialist who has been
12 granted authority to prescribe by a hospital affiliate in
13 accordance with Section 65-45 of the Nurse Practice Act and in
14 accordance with Section 303.05 when required by law, or of an
15 advanced practice registered nurse certified as a nurse
16 practitioner, nurse midwife, or clinical nurse specialist who
17 has full practice authority pursuant to Section 65-43 of the
18 Nurse Practice Act.

19 (nn-5) "Prescription Information Library" (PIL) means an
20 electronic library that contains reported controlled substance
21 data.

22 (nn-10) "Prescription Monitoring Program" (PMP) means the
23 entity that collects, tracks, and stores reported data on
24 controlled substances and select drugs pursuant to Section
25 316.

26 (oo) "Production" or "produce" means manufacture,

1 planting, cultivating, growing, or harvesting of a controlled
2 substance other than methamphetamine.

3 (pp) "Registrant" means every person who is required to
4 register under Section 302 of this Act.

5 (qq) "Registry number" means the number assigned to each
6 person authorized to handle controlled substances under the
7 laws of the United States and of this State.

8 (qq-5) "Secretary" means, as the context requires, either
9 the Secretary of the Department or the Secretary of the
10 Department of Financial and Professional Regulation, and the
11 Secretary's designated agents.

12 (rr) "State" includes the State of Illinois and any state,
13 district, commonwealth, territory, insular possession thereof,
14 and any area subject to the legal authority of the United
15 States of America.

16 (rr-5) "Stimulant" means any drug that (i) causes an
17 overall excitation of central nervous system functions, (ii)
18 causes impaired consciousness and awareness, and (iii) can be
19 habit-forming or lead to a substance abuse problem, including
20 but not limited to amphetamines and their analogs,
21 methylphenidate and its analogs, cocaine, and phencyclidine
22 and its analogs.

23 (rr-10) "Synthetic drug" includes, but is not limited to,
24 any synthetic cannabinoids or piperazines or any synthetic
25 cathinones as provided for in Schedule I.

26 (ss) "Ultimate user" means a person who lawfully possesses

1 a controlled substance for his or her own use or for the use of
2 a member of his or her household or for administering to an
3 animal owned by him or her or by a member of his or her
4 household.

5 (Source: P.A. 100-280, eff. 1-1-18; 100-453, eff. 8-25-17;
6 100-513, eff. 1-1-18; 100-789, eff. 1-1-19; 100-863, eff.
7 8-14-18; 101-666, eff. 1-1-22.)

8 Section 995. No acceleration or delay. Where this Act
9 makes changes in a statute that is represented in this Act by
10 text that is not yet or no longer in effect (for example, a
11 Section represented by multiple versions), the use of that
12 text does not accelerate or delay the taking effect of (i) the
13 changes made by this Act or (ii) provisions derived from any
14 other Public Act.

15 Section 999. Effective date. This Act takes effect upon
16 becoming law.