



Sen. Emil Jones, III

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10200SB4015sam001

LRB102 23903 AMQ 36625 a

1 AMENDMENT TO SENATE BILL 4015

2 AMENDMENT NO. _____. Amend Senate Bill 4015 by replacing
3 everything after the enacting clause with the following:

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

6 (5 ILCS 80/4.33)

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 Acts repealed on January 1, 2023.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8 Acts are repealed on January 1, 2023:

9 ~~The Dietitian Nutritionist Practice Act.~~

10 The Elevator Safety and Regulation Act.

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

13 The Funeral Directors and Embalmers Licensing Code.

14 The Naprapathic Practice Act.

15 The Pharmacy Practice Act.

16 The Professional Counselor and Clinical Professional

1 Counselor Licensing and Practice Act.

2 The Wholesale Drug Distribution Licensing Act.

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

4 (5 ILCS 80/4.38)

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 Acts repealed on January 1, 2028.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6 Acts are repealed on January 1, 2028:

7 The Acupuncture Practice Act.

8 The Clinical Social Work and Social Work Practice Act.

9 The Dietitian Nutritionist Practice Act.

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

12 The Illinois Petroleum Education and Marketing Act.

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

15 The Interpreter for the Deaf Licensure Act of 2007.

16 The Nurse Practice Act.

17 The Nursing Home Administrators Licensing and Disciplinary
18 Act.

19 The Physician Assistant Practice Act of 1987.

20 The Podiatric Medical Practice Act of 1987.

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

1 Section 10. The Dietitian Nutritionist Practice Act is
2 amended by changing Sections 5, 10, 15, 15.5, 17, 20, 30, 35,
3 40, 45, 70, 75, 76, 80, 100, 105, 110, 125, 140, 165, and 175
4 and by adding Section 12 as follows:

5 (225 ILCS 30/5) (from Ch. 111, par. 8401-5)

6 (Section scheduled to be repealed on January 1, 2023)

7 Sec. 5. Purpose. The practice of dietetics and nutrition and
8 including the provision of medical nutrition therapy, services
9 in the State of Illinois is hereby declared to affect the
10 public health, safety, and welfare and to be subject to
11 regulation and control in the public interest. It is further
12 declared that the practice of dietetics and nutrition services
13 plays an important part in the attainment and maintenance of
14 health and that it is in the public's best interest that
15 persons who present themselves as providers of nutrition care
16 services ~~in these areas~~ meet specific requirements and
17 qualifications. This Act shall be liberally construed to best
18 carry out these objectives and purposes.

19 (Source: P.A. 87-784.)

20 (225 ILCS 30/10) (from Ch. 111, par. 8401-10)

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

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

23 "Accreditation Council for Education in Nutrition and
24 Dietetics" means the autonomous accrediting agency for

1 education programs that prepares students to begin careers as
2 registered dietitian nutritionists or registered nutrition and
3 dietetics technicians.

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

11 "Board" means the Dietitian Nutritionist Practice Board
12 appointed by the Secretary.

13 "Board for Certification of Nutrition Specialists" means
14 the certifying board that credentials certified nutrition
15 specialists.

16 "Certified clinical nutritionist" means an individual
17 certified by the Clinical Nutrition Certification Board.

18 "Certified nutrition specialist" means an individual
19 credentialed ~~certified~~ by the ~~Certification~~ Board for
20 Certification of Nutrition Specialists that authorizes the
21 individual to use the title "certified nutrition specialist"
22 and the abbreviation "C.N.S.".

23 "Commission on Dietetic Registration" means the
24 credentialing agency for the Academy of Nutrition and
25 Dietetics.

26 "Department" means the Department of Financial and

1 Professional Regulation.

2 "Dietetics ~~and nutrition services~~" means the integration,
3 ~~and~~ application, and communication of practice principles
4 derived from the sciences of food, ~~and~~ nutrition, social,
5 business, and basic sciences to achieve and maintain the
6 optimal ~~provide for all aspects of nutrition status of care~~
7 ~~for~~ individuals and groups, ~~including, but not limited to:~~

8 ~~(1) nutrition counseling; "nutrition counseling" means~~
9 ~~advising and assisting individuals or groups on~~
10 ~~appropriate nutrition intake by integrating information~~
11 ~~from the nutrition assessment;~~

12 ~~(2) nutrition assessment; "nutrition assessment" means~~
13 ~~the evaluation of the nutrition needs of individuals or~~
14 ~~groups using appropriate data to determine nutrient needs~~
15 ~~or status and make appropriate nutrition recommendations;~~

16 ~~(3) medically prescribed diet; "medically prescribed~~
17 ~~diet" is one form of medical nutrition therapy and means a~~
18 ~~diet prescribed when specific food or nutrient levels need~~
19 ~~to be monitored, altered, or both as a component of a~~
20 ~~treatment program for an individual whose health status is~~
21 ~~impaired or at risk due to disease, injury, or surgery and~~
22 ~~may only be performed as initiated by or in consultation~~
23 ~~with a physician licensed under the Medical Practice Act~~
24 ~~of 1987 acting within the scope of his or her practice,~~
25 ~~except that a medically prescribed diet for a resident of~~
26 ~~a nursing home shall only be performed as initiated by or~~

1 ~~in consultation with a physician licensed to practice~~
2 ~~medicine in all of its branches;~~

3 ~~(4) medical nutrition therapy; "medical nutrition~~
4 ~~therapy" means the component of nutrition care that deals~~
5 ~~with the systematic use of food and oral supplementation,~~
6 ~~based on the nutrition assessment and individual health~~
7 ~~status and need to manage health conditions;~~

8 ~~(5) nutrition services for individuals and groups;~~
9 ~~"nutrition services for individuals and groups" includes,~~
10 ~~but is not limited to, all of the following:~~

11 ~~(A) providing nutrition assessments relative to~~
12 ~~preventive maintenance or restorative care;~~

13 ~~(B) providing nutrition education and nutrition~~
14 ~~counseling as components of preventive maintenance or~~
15 ~~restorative care; and~~

16 ~~(C) developing and managing systems whose chief~~
17 ~~function is nutrition care; nutrition services for~~
18 ~~individuals and groups does not include medical~~
19 ~~nutrition therapy as defined in this Act; and~~

20 ~~(6) restorative; "restorative" means the component of~~
21 ~~nutrition care that deals with oral dietary needs for~~
22 ~~individuals and groups; activities shall relate to the~~
23 ~~metabolism of food and the requirements for nutrients,~~
24 ~~including dietary supplements for growth, development,~~
25 ~~maintenance, or attainment of optimal health.~~

26 "Diplomate of the American Clinical Board of Nutrition"

1 means an individual credentialed ~~certified~~ by the American
2 Clinical Board of Nutrition who is authorized to use the title
3 "Diplomate of the American Clinical Board of Nutrition" and
4 the abbreviation "DACBN".

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

9 "General nonmedical nutrition information" includes, but
10 is not limited to, information on any of the following:

11 (1) principles of good nutrition and food preparation;

12 (2) essential nutrients needed by the human body;

13 (3) actions of nutrients in the human body;

14 (4) nonindividualized effects of deficiencies or
15 excesses of nutrients in the human body;

16 (5) foods, herbs, and dietary supplements that are
17 good sources of essential nutrients in the human body or
18 otherwise useful to maintain good health; or

19 (6) principles of self-care and healthy relationships
20 with food.

21 "Health care professional" means a physician licensed
22 under the Medical Practice Act of 1987 to practice medicine,
23 an advanced practice registered nurse licensed under the Nurse
24 Practice Act, or a physician assistant licensed under the
25 Physician Assistant Practice Act of 1987.

26 "Independent private practice of medical nutrition

1 therapy" means the application of dietetics and nutrition
2 knowledge and skills by an individual licensed as a dietitian
3 nutritionist or nutritionist who regulates and is responsible
4 for the nutritionist's own practice or treatment procedures.

5 "Licensed dietitian nutritionist" means a person licensed
6 under this Act to practice dietetics and nutrition, including
7 the provision of medical nutrition therapy services, as
8 defined in this Section. Activities of a licensed dietitian
9 nutritionist do not include performing ~~the~~ medical
10 ~~differential~~ diagnosis of human ailments or conditions ~~the~~
11 ~~health status~~ of an individual.

12 "Medical nutrition therapy" means nutrition care services
13 provided for the treatment or management of a disease or
14 medical condition. "Medical nutrition therapy" includes the
15 provision of any part or all of the following services, with
16 notification to the patient's physician and appropriate record
17 retention, or pursuant to the protocols, policies, or
18 procedures of a health care facility, as defined in the
19 Illinois Health Facilities Planning Act:

20 (1) interpreting anthropometric, biochemical,
21 clinical, and dietary data in acute and chronic disease
22 states and recommending and ordering nutrient needs based
23 on the dietary data, including, but not limited to,
24 enteral and parenteral nutrition;

25 (2) food and nutrition counseling, including
26 counseling regarding prescription drug interactions;

1 (3) developing and managing food service operations
2 with functions in nutrition care, including operations
3 connected with healthcare facilities, implicated in the
4 ordering, preparation, or serving of therapeutic diets, or
5 otherwise utilized in the management or treatment of
6 disease or medical conditions; and

7 (4) medical weight control.

8 "Medical weight control" means medical nutrition therapy
9 for the purpose of reducing, maintaining, or gaining weight.

10 "Nonmedical weight control" means nutrition care services
11 for the purpose of reducing, maintaining, or gaining weight
12 that do not constitute the treatment of a disease or medical
13 condition. "Nonmedical weight control" includes weight control
14 services for healthy population groups to achieve or maintain
15 a healthy weight.

16 "Nutrition assessment" means the systematic process of
17 obtaining, verifying, and interpreting biochemical,
18 anthropometric, physical, nutrigenomic, and dietary data in
19 order to make decisions about the nature and cause of
20 nutrition-related problems, including an ongoing, dynamic
21 process that: (i) involves an initial data collection and a
22 reassessment and analysis of client or community needs; and
23 (ii) provides the foundation for identifying and labeling
24 problems and making nutritional recommendations and ordering
25 nutritional interventions, including enteral and parenteral
26 nutrition.

1 "Nutrition care services" means any part of the following
2 services provided within a systematic process:

3 (1) assessing and evaluating the nutritional needs of
4 individuals and groups and determining resources and
5 constraints in the practice setting;

6 (2) ordering nutrition-related laboratory tests in
7 accordance with State law to check and track nutrition
8 status and monitor effectiveness of nutrition
9 interventions, dietary plans, and orders;

10 (3) establishing priorities, goals, and objectives
11 that meet an individual's nutritional needs and are
12 consistent with available resources and constraints;

13 (4) providing nutrition counseling in health and
14 disease;

15 (5) developing, implementing, and managing nutrition
16 care systems and food service operations;

17 (6) evaluating, making changes in, and maintaining
18 appropriate standards of quality in food and nutrition
19 services; and

20 (7) recommending, ordering, and providing therapeutic
21 diets.

22 "Nutrition counseling" means a supportive process,
23 characterized by a collaborative counselor-patient or
24 counselor-client relationship with individuals or groups, to
25 establish food and nutrition priorities, goals, and
26 individualized action plans and general physical activity

1 guidance that acknowledge and foster responsibility for
2 self-care to treat an existing condition or to promote health.

3 "Nutrition intervention" means the purposefully planned
4 actions and counseling intended to positively change a
5 nutrition-related behavior, risk factor, environmental
6 condition, or aspect of the health status for an individual,
7 target groups, or the community at large.

8 "Nutrition monitoring and evaluation" means identifying
9 patient or client outcomes relevant to the patient's or
10 client's identified and labeled nutritional problems and
11 comparing the outcomes with the patient's or client's previous
12 health status, intervention goals, or reference standards to
13 determine the progress made in achieving desired outcomes of
14 nutrition care and whether planned nutrition interventions
15 should be continued or revised.

16 "Patient" means an individual recipient of medical
17 nutrition therapy, whether in the outpatient, inpatient, or
18 nonclinical setting.

19 "Practice experience" means a preprofessional, documented,
20 supervised experience obtained by a supervisee in the practice
21 of ~~in~~ dietetics and ~~or~~ nutrition and the provision of medical
22 nutrition therapy ~~services~~ that is acceptable to the
23 Department as ~~in~~ compliance with requirements for licensure,
24 as specified in Section 45. It includes a planned, continuous,
25 and ~~may be or may include~~ a documented, supervised practice
26 experience obtained under the supervision of a qualified

1 supervisor, as defined in this Section, which is a component
2 of the educational requirements for licensure, as specified in
3 Section 45.

4 "Qualified supervisor" means:

5 (1) When supervising the provision of medical
6 nutrition therapy by a supervisee, an individual who is:

7 (A) a registered dietitian nutritionist or a
8 certified nutrition specialist;

9 (B) a licensed dietitian nutritionist licensed
10 pursuant to this Act; or

11 (C) a health care professional licensed under the
12 laws of the State, including a licensed or certified
13 dietitian nutritionist, who acts under the licensed
14 scope of practice.

15 (2) When supervising the provision of nutrition care
16 services not constituting medical nutrition therapy by a
17 supervisee, an individual who either meets the
18 requirements of paragraph (1) or all of the following
19 requirements:

20 (A) has been regularly employed or self-employed
21 in the field of clinical nutrition for at least 3 of
22 the last 5 years immediately preceding commencement of
23 the applicant's supervised practice experience; and

24 (B) holds a doctoral degree with a major course of
25 study in dietetics, human nutrition, foods and
26 nutrition, community nutrition, public health

1 nutrition, nutrition education, nutrition, nutrition
2 science, clinical nutrition, applied clinical
3 nutrition, nutrition counseling, nutrition and
4 functional medicine, nutritional biochemistry,
5 nutrition and integrative health, or an equivalent
6 course of study as recommended by the Board and
7 approved by the Department conferred by either:

8 (i) a United States regionally accredited
9 college or university accredited at the time of
10 graduation from the appropriate regional
11 accrediting agency recognized by the Council on
12 Higher Education Accreditation and the United
13 States Department of Education; or

14 (ii) an institution outside the United States
15 and its territories with the supervisor's doctoral
16 degree validated as equivalent to the doctoral
17 degree conferred by a United States regionally
18 accredited college or university as recommended by
19 the Board and approved by the Department.

20 A "qualified supervisor" under paragraph (1) shall be
21 licensed in the State if supervising a supervisee providing
22 medical nutrition therapy to an individual in the State.

23 "Registered dietitian" or "registered dietitian
24 nutritionist" means an individual who is credentialed as a
25 registered dietitian or registered dietitian nutritionist by
26 ~~registered with~~ the Commission on Dietetic Registration, the

1 accrediting body of the Academy of Nutrition and Dietetics, or
2 its successor organization, and is authorized to use the
3 titles "registered dietitian nutritionist" and "registered
4 dietitian" and the corresponding abbreviations "RDN" and "RD"
5 , formerly known as the American Dietetic Association.

6 "Secretary" means the Secretary of Financial and
7 Professional Regulation or a person authorized by the
8 Secretary to act in the Secretary's stead.

9 "Supervision" means the qualified supervisor: is
10 available, either in person or by means of electronic
11 communications, to the supervisee providing the nutrition care
12 services; maintains continual involvement in the appropriate
13 aspects of patient care, including periodic personal
14 supervision and instruction to ensure the safety and welfare
15 of the patient; and is responsible for all nutrition care
16 services rendered by the supervisee.

17 "Telehealth" or "telepractice" "Telepractice" means the
18 delivery of services under this Act by using electronic
19 communication, information technologies, or other means
20 between an individual licensed under this Act in one location
21 and a patient or client in another location, with or without an
22 intervening healthcare provider. "Telehealth" or
23 "telepractice" includes direct, interactive patient
24 encounters, asynchronous store-and-forward technologies, and
25 remote monitoring by means other than in person, including,
26 but not limited to, telephone, email, Internet, or other

1 ~~methods of electronic communication.~~ Telehealth or
2 telepractice ~~Telepractice~~ is not prohibited under this Act
3 provided that the provision of telehealth or telepractice
4 services is appropriate for the client and the level of care
5 provided meets the required level of care for that client.
6 Individuals providing services regulated by this Act via
7 telepractice shall comply with and are subject to all
8 licensing and disciplinary provisions of this Act.

9 "Therapeutic diet" means a nutrition intervention
10 prescribed by a health care professional or other authorized
11 practitioner that provides food or nutrients via oral,
12 enteral, and parenteral routes as part of treatment of disease
13 or clinical conditions to modify, eliminate, decrease, or
14 increase identified micronutrients and macronutrients in the
15 diet, or to provide mechanically altered food when indicated.

16 (Source: P.A. 97-1141, eff. 12-28-12; 98-148, eff. 8-2-13.)

17 (225 ILCS 30/12 new)

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

20 (1) provide a valid address and email address to the
21 Department, which shall serve as the address of record and
22 email address of record, respectively, at the time of
23 application for licensure or renewal of a license; and

24 (2) inform the Department of any change of address of
25 record or email address of record within 14 days after the

1 change either through the Department's website or by
2 contacting the Department's licensure maintenance unit.

3 (225 ILCS 30/15) (from Ch. 111, par. 8401-15)

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

5 Sec. 15. License required.

6 (a) No person may provide, offer to provide, or attempt to
7 provide medical nutrition therapy, whether engage for
8 remuneration, ~~in the practice of dietetics and nutrition~~
9 ~~services~~ or hold himself or herself out as a licensed
10 dietitian nutritionist or as a qualified provider of nutrition
11 care services, including medical nutrition therapy, unless the
12 person is licensed in accordance with this Act.

13 (b) This Section does not prohibit the provision of
14 medical nutrition therapy by ~~practice of dietetics and~~
15 ~~nutrition services by the following: a (1) A person who that~~ is
16 licensed to practice dietetics and nutrition under the law of
17 another state, territory of the United States, or country and
18 has applied in writing to the Department in form and substance
19 satisfactory to the Department for a license as a dietitian
20 nutritionist until (i) the expiration of 6 months after filing
21 the written application, (ii) the withdrawal of the
22 application, or (iii) the denial of the application by the
23 Department.

24 ~~(2) A person that is licensed to practice dietetics~~
25 ~~under the law of another state, territory of the United~~

1 ~~States, or country, or is a certified nutrition~~
2 ~~specialist, a certified clinical nutritionist, a diplomate~~
3 ~~of the American Clinical Board of Nutrition, or a~~
4 ~~registered dietitian, who has applied in writing to the~~
5 ~~Department in form and substance satisfactory to the~~
6 ~~Department for a license as a dietitian nutritionist until~~
7 ~~(i) the expiration of 6 months after the filing the~~
8 ~~written application, (ii) the withdrawal of the~~
9 ~~application, or (iii) the denial of the application by the~~
10 ~~Department.~~

11 (c) For the purposes of this Section, the "practice of
12 dietetics and nutrition" means the integration and application
13 of scientific principles derived from the study of food,
14 nutrition, biochemistry, metabolism, nutrigenomics,
15 physiology, food management, and behavioral and social
16 sciences in achieving and maintaining patients' and clients'
17 health throughout their life spans and in providing nutrition
18 care services in person and via telehealth in both clinical
19 and community settings. The primary functions of the "practice
20 of dietetics and nutrition" are medical nutrition therapy
21 provided for the purpose of disease management or to treat or
22 rehabilitate an illness, injury, or condition and other
23 nutrition care services provided for health and wellness and
24 as primary prevention of chronic disease.

25 (Source: P.A. 97-1141, eff. 12-28-12.)

1 (225 ILCS 30/15.5)

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

3 Sec. 15.5. Unlicensed practice; violation; civil penalty.

4 (a) Any person who provides practices, offers to provide
5 practice, attempts to provide practice, or holds oneself out
6 as being qualified, licensed, or able to provide medical
7 nutrition therapy or holds oneself out as licensed or
8 qualified to practice dietetics and nutrition ~~services~~ without
9 being licensed under this Act shall, in addition to any other
10 penalty provided by law, pay a civil penalty to the Department
11 in an amount not to exceed \$10,000 for each offense as
12 determined by the Department. The civil penalty shall be
13 assessed by the Department after a hearing is held in
14 accordance with the provisions set forth in this Act regarding
15 the provision of a hearing for the discipline of a licensee.

16 (b) The Department has the authority and power to
17 investigate any and all unlicensed activity.

18 (c) The civil penalty shall be paid within 60 days after
19 the effective date of the order imposing the civil penalty.
20 The order shall constitute a judgment and may be filed and
21 execution had thereon in the same manner as any judgment from
22 any court of record.

23 (Source: P.A. 97-1141, eff. 12-28-12.)

24 (225 ILCS 30/17)

25 Sec. 17. Other activities subject to licensure under this

1 Act.

2 (a) A licensed dietitian nutritionist may order patient or
3 resident diets, including therapeutic diets, in accordance
4 with the following:

5 (1) Enteral and parenteral nutrition therapy shall
6 consist of enteral feedings or specialized intravenous
7 solutions and shall only be performed by an individual
8 licensed under this Act who:

9 (a) is a registered dietitian or registered
10 dietitian nutritionist currently registered with the
11 Commission on Dietetic Registration, ~~the accrediting~~
12 ~~body of the Academy of Nutrition and Dietetics,~~
13 ~~formerly known as the American Dietetic Association;~~

14 (b) is a certified nutrition support clinician as
15 currently credentialed ~~certified~~ by the National Board
16 of Nutrition Support Certification; or

17 (c) meets the requirements set forth in ~~the~~ rules
18 that of the Department may establish as necessary to
19 implement this Section to be consistent with
20 competencies necessary for evaluating, ordering, and
21 administrating enteral and parenteral nutrition
22 therapies.

23 (2) Notification to the patient's physician and
24 appropriate record retention, or pursuant to the
25 protocols, policies, or procedures of a health care
26 facility, as defined in the Illinois Health Facilities

1 Planning Act, in which the services are provided.

2 (b) ~~(2)~~ Developing and managing food service operations
3 whose chief function is nutrition care or that are otherwise
4 utilized in the management or treatment of diseases or medical
5 conditions shall only be performed by an individual licensed
6 under this Act with competencies in the management of health
7 care food service.

8 (c) A licensed dietitian nutritionist may order oral
9 therapeutic diets.

10 (d) A licensed dietitian nutritionist shall provide
11 nutrition care services using systematic, evidence-based
12 problem solving methods of the nutrition care process to
13 critically think and make decisions to address
14 nutrition-related problems and provide safe, effective, and
15 quality nutrition services, including medical nutrition
16 therapy, for individuals in clinical and community settings.

17 (Source: P.A. 98-148, eff. 8-2-13.)

18 (225 ILCS 30/20) (from Ch. 111, par. 8401-20)

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

20 Sec. 20. Exemptions. This Act does not prohibit or
21 restrict:

22 (a) Any person licensed in this State under any other Act
23 from engaging in the practice for which he or she is licensed
24 as long as the person does not hold oneself out as qualified,
25 able, or licensed to provide medical nutrition therapy or use

1 a title in connection with the person's name whose use is
2 restricted to individuals licensed under this Act, as
3 specified in Section 80.

4 (b) Any person from providing medical nutrition therapy if
5 that ~~The practice of dietetics and nutrition services by a~~
6 person ~~who~~ is employed by the United States or State
7 government or any of its bureaus, divisions, departments, or
8 agencies while in the discharge of the employee's official
9 duties.

10 (c) The distribution of general nonmedical nutrition
11 information ~~practice of dietetics and nutrition services~~ by a
12 person employed as a cooperative extension home economist, to
13 the extent the activities are part of his or her employment.

14 (d) The provision of medical nutrition therapy ~~practice of~~
15 ~~dietetics and nutrition services~~ by a person pursuing a course
16 of study leading to a degree in dietetics, nutrition, or an
17 equivalent major from a United States regionally accredited
18 school or program, but only if all of the following apply if:
19 (i) if the activities and services constitute a part of a
20 supervised course of study; (ii) the person does not engage in
21 the independent private practice of medical nutrition therapy;
22 (iii) the person is appropriately supervised by a qualified
23 supervisor who agrees to assume full professional
24 responsibility for the work of the individual by verifying,
25 directing, and authorizing the work; and (iv) and if the
26 person is designated by a title that clearly indicates the

1 person's status as a student, ~~or~~ trainee, or supervisee.

2 (e) (Blank). ~~The practice of dietetics and nutrition~~
3 ~~services by a person fulfilling the supervised practice~~
4 ~~experience component of Section 45, if the activities and~~
5 ~~services constitute a part of the experience necessary to meet~~
6 ~~the requirements of Section 45.~~

7 (e-5) The activities and services of an individual seeking
8 to fulfill post-degree supervised practice experience
9 requirements in order to qualify for licensing as a licensed
10 dietitian nutritionist under this Act, so long as the
11 individual is not engaged in the independent private practice
12 of medical nutrition therapy and is in compliance with all
13 applicable regulations regarding supervision, including, but
14 not limited to, the requirement that the supervised practice
15 experience must be under the order, control, and full
16 professional responsibility of the individual's supervisor and
17 the individual is designated by a title that clearly indicates
18 the person's status as a student, trainee, or supervisee. The
19 Department may, by rule, adopt further limitations on
20 individuals practicing under this subsection.

21 (f) A person, including a licensed acupuncturist, from:

22 (1) providing verbal ~~oral~~ nutrition information as an
23 operator or employee of a health food store or business
24 that sells health products, including dietary supplements,
25 food, herbs, or food materials; or

26 (2) disseminating written general nonmedical nutrition

1 information in connection with the marketing and
2 distribution of those products, or discussing the use of
3 those products, both individually and as components of
4 nutritional programs, including explanations of their
5 federally regulated label claims, any known drug-nutrient
6 interactions, their role in various nonindividualized
7 diets, or suggestions as how to best use and combine them.

8 (g) The practice of dietetics and nutrition services by an
9 educator who is in the employ of a nonprofit organization; a
10 federal, state, county, or municipal agency, or other
11 political subdivision; an elementary or secondary school; or a
12 regionally accredited institution of higher education, as long
13 as the activities and services of the educator are part of his
14 or her employment.

15 (h) (Blank). ~~The practice of dietetics and nutrition~~
16 ~~services by any person who provides weight control services,~~
17 ~~provided the nutrition program has been reviewed by,~~
18 ~~consultation is available from, and no program change can be~~
19 ~~initiated without prior approval by an individual licensed~~
20 ~~under this Act, an individual licensed to practice dietetics~~
21 ~~or nutrition services in another state that has licensure~~
22 ~~requirements considered by the Department to be at least as~~
23 ~~stringent as the requirements for licensure under this Act, or~~
24 ~~a registered dietitian.~~

25 (h-5) An individual providing medical weight control
26 services for individuals with prediabetes or obesity if:

1 (1) under a program of instruction approved in writing
2 by, consultation is available from, and no program change
3 can be initiated without prior approval by one of the
4 following: a dietitian nutritionist or nutritionist
5 licensed in this State; or a State-licensed health care
6 professional lawfully practicing within the scope of a
7 license granted by the State to provide the scope of the
8 individual's licensed profession and consistent with
9 accepted professional standards for providing nutrition
10 care services to treat or manage the disease or medical
11 condition for which medical weight control is being
12 provided; or

13 (2) as part of a plan of care overseen and delegated by
14 a State-licensed health care professional lawfully
15 practicing within the scope of a license granted by the
16 State to provide acting within the scope of the
17 individual's licensed profession and consistent with
18 accepted professional standards for providing nutrition
19 care services to treat or manage the disease or medical
20 condition for which medical weight control is being
21 provided.

22 (i) The practice of dietetics and nutrition services for
23 the limited purpose of education and research by any person
24 with a masters or doctorate degree with a major in nutrition or
25 equivalent from a regionally accredited school recognized by
26 the Department ~~for the purpose of education and research.~~

1 (j) A person from providing general nonmedical nutrition
2 information, nutrition recommendations for prevention and
3 wellness, health coaching, holistic and wellness education,
4 guidance, motivation, behavior change management, nonmedical
5 weight control, or other nutrition care services provided that
6 any such services do not constitute medical nutrition therapy
7 and as long as the person does not hold oneself out as
8 qualified, able, or licensed to provide medical nutrition
9 therapy or use a title in connection with the individual's
10 name whose use is restricted to individuals licensed under
11 this Act, as specified in Section 80 ~~or encouragement of~~
12 ~~general healthy eating choices that does not include the~~
13 ~~development of a customized nutrition regimen for a particular~~
14 ~~client or individual, or from providing encouragement for~~
15 ~~compliance with a customized nutrition plan prepared by a~~
16 ~~licensed dietitian nutritionist or any other licensed~~
17 ~~professional whose scope of practice includes nutrition~~
18 ~~assessment and counseling.~~

19 (k) The provision of nutrition care services by a
20 nutrition and dietetic technician or ~~practice of dietetics and~~
21 ~~nutrition services by~~ a graduate of a 2 year associate program
22 or a 4 year baccalaureate program from a school or program
23 accredited at the time of graduation by the appropriate
24 accrediting agency recognized by the Council for ~~on~~ Higher
25 Education Accreditation and the United States Department of
26 Education with a major course of study in human nutrition,

1 food and nutrition or its equivalent, as authorized by the
2 Department, who is directly supervised by an individual
3 licensed under this Act.

4 (l) Providing nutrition information as an employee of a
5 nursing facility operated exclusively by and for those relying
6 upon spiritual means through prayer alone for healing in
7 accordance with the tenets and practices of a recognized
8 church or religious denomination.

9 (m) A dietary technical support person working in a
10 hospital setting or a regulated Department of Public Health,
11 Department of Human Services, or Department on Aging facility
12 or program who has been trained and is supervised while
13 engaged in the practice of dietetics and nutrition by a
14 licensed dietitian nutritionist in accordance with this Act
15 and whose services are retained by that facility or program on
16 a full-time or regular, ongoing consultant basis.

17 (n) The provision of nutrition care services without
18 remuneration to family members.

19 (o) The practice of dietetics and nutrition for a period
20 not exceeding 6 months by a person who is in the State on a
21 temporary basis to assist in a case of public health emergency
22 and who meets the qualifications for a licensed dietitian
23 nutritionist as set forth in Section 45 and is licensed in
24 another state as a provider of medical nutrition therapy.

25 The provisions of this Act shall not be construed to
26 prohibit or limit any person from the free dissemination of

1 information, from conducting a class or seminar, or from
2 giving a speech related to nutrition if that person does not
3 hold himself or herself out as a licensed dietitian
4 nutritionist in a manner prohibited by Section 15.

5 Nothing in this Section shall be construed to permit a
6 student, trainee, or supervisee to offer the student's,
7 trainee's, or supervisee's services as a dietitian or
8 nutritionist to any other person, other than as specifically
9 excepted in this Section, unless the student, trainee, or
10 supervisee is licensed under this Act.

11 The provisions of this Act shall not be construed to
12 prohibit or limit any physician licensed under the Medical
13 Practice Act of 1987 to practice medicine in all its branches
14 or from delegating nutrition-related therapies and procedures
15 by consultation, by organization policy, or by contract to an
16 appropriately trained, qualified, and supervised individual
17 licensed under this Act.

18 Nothing in this Act shall be construed to limit the
19 ability of any other licensed health care professional in this
20 State to order therapeutic diets if the ordering of
21 therapeutic diets falls within the scope of the licensee's
22 license.

23 (Source: P.A. 97-1141, eff. 12-28-12.)

24 (225 ILCS 30/30) (from Ch. 111, par. 8401-30)

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

1 Sec. 30. Dietitian Nutritionist Practice Board. The
2 Secretary shall appoint a Dietitian Nutritionist Practice
3 Board as follows: 7 individuals who shall be appointed by and
4 shall serve in an advisory capacity to the Secretary. Of these
5 7 individuals, 6 members must be licensed under this Act, 4 ~~2~~
6 of which must be a registered dietitian and 2 of which must be
7 either a certified clinical nutritionist licensed by the
8 Department prior to the effective date of this amendatory Act
9 of the 102nd General Assembly, a certified nutrition
10 specialist, or a diplomate of the American Clinical Board of
11 Nutrition, and one member must be a public member not licensed
12 under this Act.

13 Members shall serve 3-year terms and until their
14 successors are appointed and qualified. No member shall be
15 reappointed to the Board for a term that would cause his or her
16 continuous service on the Board to be longer than 8 years.
17 Appointments to fill vacancies shall be made in the same
18 manner as original appointments, for the unexpired portion of
19 the vacated term.

20 Insofar as possible, the licensed professionals appointed
21 to serve on the Board shall be generally representative of the
22 geographical distribution of licensed professionals within
23 this State. Any time there is a vacancy on the Board, any
24 professional association composed of persons licensed under
25 this Act may recommend licensees to fill the vacancy to the
26 Board for the appointment of licensees.

1 A vacancy in the membership of the Board shall not impair
2 the right of a quorum to exercise all the rights and perform
3 all the duties of the Board.

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

7 The Secretary shall have the authority to remove or
8 suspend any member of the Board for cause at any time before
9 the expiration of his or her term. The Secretary shall be the
10 sole arbiter of cause.

11 The Secretary shall consider the recommendation of the
12 Board on questions of standards of professional conduct,
13 discipline, and qualifications of candidates or licensees
14 under this Act.

15 (Source: P.A. 97-1141, eff. 12-28-12.)

16 (225 ILCS 30/35) (from Ch. 111, par. 8401-35)

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

18 Sec. 35. Applications. Applications for original licensure
19 shall be made to the Department in writing on forms or
20 electronically as prescribed by the Department and shall be
21 accompanied by the appropriate documentation and the required
22 fee, which shall not be returnable. Every application shall
23 require the information that in the judgment of the Department
24 will enable the Department to pass on the qualifications of
25 the applicant for a license. An applicant has 3 years after the

1 date of application to complete the application process. If
2 the process has not been completed in 3 years, then the
3 application shall be denied, the fee shall be forfeited, and
4 the applicant must reapply and meet the requirements in effect
5 at the time of reapplication. All applications shall contain
6 information that, in the judgment of the Department, will
7 enable the Department to assess the qualifications of the
8 applicant for a license under this Act.

9 (Source: P.A. 87-784.)

10 (225 ILCS 30/40) (from Ch. 111, par. 8401-40)

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

12 Sec. 40. Examinations. The Department shall authorize
13 examinations of applicants for a license under this Act at the
14 times and places that it may determine. The examination of
15 applicants shall be of a character to give a fair test of the
16 qualifications of the applicant to practice dietetics and
17 nutrition services. The Department or its designated testing
18 service shall provide initial screening to determine
19 eligibility of applicants for examination.

20 Applicants for examination shall be required to pay,
21 either to the Department or the designated testing service, a
22 fee covering the cost of providing the examination. Failure to
23 appear for the examination on the scheduled date, at the time
24 and place specified, after the applicant's application for
25 examination has been received and acknowledged by the

1 Department or the designated testing service, shall result in
2 the forfeiture of the examination fee.

3 Whenever the Secretary is not satisfied that substantial
4 justice has been done in an examination, the Secretary may
5 order a reexamination.

6 If an applicant neglects, fails, or refuses to take an
7 examination or fails to pass an examination for a license
8 under this Act within 3 years after filing an application, the
9 application shall be denied. However, the applicant may
10 thereafter make a new application accompanied by the required
11 fee and shall meet the requirements for licensure in force at
12 the time of making the new application.

13 The Department may employ consultants for the purpose of
14 preparing and conducting examinations.

15 (Source: P.A. 92-642, eff. 10-31-03.)

16 (225 ILCS 30/45) (from Ch. 111, par. 8401-45)

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

18 Sec. 45. Dietitian nutritionist; qualifications. A person
19 who meets all of the following requirements is ~~shall be~~
20 qualified to receive a license ~~for licensure~~ as a dietitian
21 nutritionist ~~if that person meets all of the following~~
22 ~~requirements:~~

23 (a) has ~~Has~~ applied in writing in form and substance
24 acceptable to the Department and submits proof of completion
25 of all of the following educational, supervised practice

1 experience, and examination requirements;

2 (a-5) possesses a baccalaureate degree or post
3 baccalaureate degree with a major course of study in human
4 nutrition, foods and nutrition, dietetics, food systems
5 management, nutrition education, nutrition, nutrition science,
6 clinical nutrition, applied clinical nutrition, nutrition
7 counseling, nutrition and functional medicine, nutritional
8 biochemistry, nutrition and integrative health, or an
9 equivalent major course of study as recommended by the Board
10 and approved by the Department from a school or program
11 accredited at the time of graduation from the appropriate
12 regional accrediting agency recognized by the Council for ~~on~~
13 Higher Education Accreditation and the United States
14 Department of Education or a college or university in a
15 foreign country that is substantially equivalent to the
16 educational requirements in this Section, as recommended by
17 the Board and approved by the Department;

18 (b) has ~~has~~ successfully completed an examination
19 authorized by the Department which may be or may include
20 examinations given by each of the American Clinical Board of
21 Nutrition, the Certification Board of Nutrition Specialists,
22 ~~the Clinical Nutrition Certification Board,~~ and the Commission
23 on Dietetic Registration, or another examination approved by
24 the Department. Before the effective date of this amendatory
25 Act of the 102nd General Assembly, the Department may include
26 examinations given by the Clinical Nutrition Certification

1 Board.

2 The Department shall establish by rule a waiver of the
3 examination requirement to applicants who, at the time of
4 application, are acknowledged to be ~~certified clinical~~
5 ~~nutritionists by the Clinical Nutrition Certification Board,~~
6 certified nutrition specialists by the Certification Board of
7 Nutrition Specialists, diplomates of the American Clinical
8 Board of Nutrition, or registered dietitians by the Commission
9 on Dietetic Registration and who are in compliance with other
10 qualifications as included in the Act.Prior to the effective
11 date of this amendatory Act of the 102nd General Assembly, the
12 Department may waive of the examination requirement to
13 applicants who, at the time of application, are acknowledged
14 to be certified clinical nutritionists by the Clinical
15 Nutrition Certification Board; and

16 (c) has ~~Has~~ completed a dietetic internship or documented,
17 supervised practice experience in dietetics and nutrition
18 services of not less than 900 hours under the supervision of a
19 ~~certified clinical nutritionist,~~ certified nutrition
20 specialist, diplomate of the American Clinical Board of
21 Nutrition, registered dietitian or a licensed dietitian
22 nutritionist, a State licensed healthcare practitioner, or an
23 individual with a doctoral degree conferred by a U.S.
24 regionally accredited college or university with a major
25 course of study in human nutrition, nutrition education, food
26 and nutrition, dietetics, food systems management, nutrition,

1 nutrition science, clinical nutrition, applied clinical
2 nutrition, nutrition counseling, nutrition and functional
3 medicine, or nutrition and integrative health. Supervised
4 practice experience must be completed in the United States or
5 its territories. Supervisors who obtained their doctoral
6 degree outside the United States and its territories must have
7 their degrees validated as equivalent to the doctoral degree
8 conferred by a U.S. regionally accredited college or
9 university. Prior to the effective date of this amendatory Act
10 of the 102nd General Assembly, supervised practice experience
11 in dietetics and nutrition services of not less than 900 hours
12 under the supervision of a certified clinical nutritionist may
13 also be accepted.

14 (Source: P.A. 97-1141, eff. 12-28-12.)

15 (225 ILCS 30/70) (from Ch. 111, par. 8401-70)

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

17 Sec. 70. Inactive status; restoration; military service.

18 (a) Any person who notifies the Department in writing on
19 forms or electronically as prescribed by the Department may
20 elect to place his or her license on an inactive status and
21 shall, subject to rules of the Department, be excused from
22 payment of renewal fees until he or she notifies the
23 Department in writing of the desires to resume active status.

24 (b) A licensee who has permitted his or her license to
25 expire or who has had his or her license on inactive status may

1 have the license restored by making application to the
2 Department by filing proof acceptable to the Department of his
3 or her fitness to have the license restored and by paying the
4 required fees. Proof of fitness may include sworn evidence
5 certifying to active lawful practice in another jurisdiction.
6 If the licensee has not maintained an active practice in
7 another jurisdiction satisfactory to the Department, then the
8 Department shall determine, by an evaluation program
9 established by rule, his or her fitness for restoration of the
10 license and shall establish procedures and requirements for
11 restoration.

12 (c) A licensee whose license expired while he or she was
13 (1) in federal service on active duty with the Armed Forces of
14 the United States or the State Militia called into service or
15 training or (2) in training or education under the supervision
16 of the United States before induction into the military
17 service, may have the license restored without paying any
18 lapsed renewal fees if within 2 years after honorable
19 termination of the service, training, or education he or she
20 furnishes the Department with satisfactory evidence to the
21 effect that he or she has been so engaged and that his or her
22 service, training, or education has been so terminated.

23 (d) Any person requesting restoration from inactive status
24 shall be required to pay the current renewal fee, shall meet
25 continuing education requirements, and shall be required to
26 restore his or her license as provided in Section 65 of this

1 Act.

2 (e) A person licensed under this Act whose license is on
3 inactive status or in a non-renewed status shall not provide
4 medical nutrition therapy ~~engage in the practice of dietetics~~
5 ~~or nutrition services~~ in the State of Illinois or use the title
6 or advertise that he or she performs the services of a licensed
7 dietitian nutritionist.

8 (f) Any person violating this Section shall be considered
9 to be practicing without a license and will be subject to the
10 disciplinary provisions of this Act.

11 (Source: P.A. 97-1141, eff. 12-28-12.)

12 (225 ILCS 30/75) (from Ch. 111, par. 8401-75)

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

14 Sec. 75. Endorsement. The Department may, in its
15 discretion, license as a dietitian nutritionist, without
16 examination, on payment of required fee, an applicant who is a
17 dietitian, dietitian nutritionist, or nutritionist, ~~or~~
18 ~~nutrition counselor~~ licensed or certified under the laws of
19 another state, territory, or country, if the Department
20 determines that the requirements for licensure in the state,
21 territory, or country in which the applicant was licensed
22 were, at the date of his or her licensure, substantially equal
23 to the requirements of this Act.

24 An applicant has 3 years from the date of application to
25 complete the application process. If the process has not been

1 completed within the 3 years, the application shall be denied,
2 the fee forfeited, and the applicant must reapply and meet the
3 requirements in effect at the time of reapplication.

4 (Source: P.A. 92-642, eff. 10-31-03.)

5 (225 ILCS 30/76 new)

6 Sec. 76. Grandfathering. An individual licensed as a
7 licensed dietitian in the State on the effective date of this
8 amendatory Act of the 102nd General Assembly shall be eligible
9 to maintain and renew a license as a licensed dietitian
10 nutritionist or nutritionist in the State consistent with this
11 Act if that individual meets the renewal requirements set
12 forth in this Act. An individual licensed as a dietitian
13 nutritionist on the effective date of this amendatory Act of
14 the 102nd General Assembly shall not be required to complete
15 any education, experience, or exam requirements specified in
16 Section 45 beyond those which were required when the
17 individual was originally licensed.

18 (225 ILCS 30/80) (from Ch. 111, par. 8401-80)

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

20 Sec. 80. Use of title; advertising.

21 (a) Only a person who is issued a license as a dietitian
22 nutritionist under this Act may use the words "licensed
23 dietitian nutritionist", "dietitian nutritionist", or
24 "dietitian", ~~"licensed nutritionist", or "nutrition counselor"~~

1 or the letters "L.D.N." in connection with his or her name.

2 (b) A licensee shall include in every advertisement for
3 services regulated under this Act his or her title as it
4 appears on the license or the initials authorized under this
5 Act. Advertisements shall not include false, fraudulent,
6 deceptive, or misleading material or guarantees of success.

7 (c) Use of an earned, federally trademarked nutrition
8 credential is not prohibited, but such use does not give an
9 individual the right to practice dietetics or nutrition or
10 provide medical nutrition therapy unless the individual is
11 licensed under this Act.

12 (Source: P.A. 97-1141, eff. 12-28-12.)

13 (225 ILCS 30/100) (from Ch. 111, par. 8401-100)

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

15 Sec. 100. Injunctions; cease and desist orders.

16 (a) If any person violates a provision of this Act, the
17 Secretary may, in the name of the People of the State of
18 Illinois through the Attorney General of the State of Illinois
19 or the State's Attorney of the county in which the violation is
20 alleged to have occurred, petition for an order enjoining the
21 violation or for an order enforcing compliance with this Act.
22 Upon the filing of a verified petition, the court may issue a
23 temporary restraining order, without notice or bond, and may
24 preliminarily and permanently enjoin the violation. If it is
25 established that the person has violated or is violating the

1 injunction, the Court may punish the offender for contempt of
2 court. Proceedings under this Section shall be in addition to,
3 and not in lieu of, all other remedies and penalties provided
4 by this Act.

5 (b) If any person provides, offers to provide, attempts to
6 provide ~~practices as a dietitian nutritionist~~ or holds himself
7 or herself out as qualified, licensed, or able to provide
8 medical nutrition therapy or holds oneself out as licensed or
9 qualified to practice dietetics and nutrition or holds oneself
10 out as a licensed dietitian nutritionist or uses words or
11 letters in connection with the person's name in violation of
12 Section 80 ~~such~~ without having a valid license under this Act,
13 then any licensee, any interested party, or any person injured
14 thereby may, in addition to the Secretary, petition for relief
15 as provided in subsection (a) of this Section.

16 (c) Whenever in the opinion of the Department any person
17 violates any provision of this Act, the Department may issue a
18 rule to show cause why an order to cease and desist should be
19 entered against him or her. The rule shall clearly set forth
20 the grounds relied upon the Department and shall provide a
21 period of 7 days from the date of the rule to file an answer to
22 the satisfaction of the Department. Failure to answer to the
23 satisfaction of the Department shall cause in order to cease
24 and desist to be issued immediately.

25 (Source: P.A. 97-1141, eff. 12-28-12.)

1 (225 ILCS 30/105) (from Ch. 111, par. 8401-105)

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

3 Sec. 105. Investigation; notice and hearing. The
4 Department may investigate the actions or qualifications of
5 any applicant or of any person or persons holding or claiming
6 to hold a license or certificate of registration. The
7 Department shall, before refusing to issue or renew a license
8 or to discipline a licensee under Section 95, at least 30 days
9 before the date set for the hearing, (i) notify the accused in
10 writing of any charges made and the time and place for a
11 hearing of the charges ~~before the Board~~, (ii) direct him or her
12 to file his or her written answer to the charges ~~with the Board~~
13 under oath within 20 days after the service of the notice, and
14 (iii) inform the applicant or licensee that failure to file an
15 answer shall result in a default judgment being entered ~~taken~~
16 against the applicant or licensee. At the time and place fixed
17 in the notice, the Department shall proceed to hear the
18 charges and the parties or their counsel shall be accorded
19 ample opportunity to present any pertinent statements,
20 testimony, evidence, and arguments. The Department may
21 continue the hearing from time to time. In case the person,
22 after receiving the notice, fails to file an answer, his or her
23 license, may, in the discretion of the Department, be revoked,
24 suspended, or placed on probationary status or the Department
25 may take whatever disciplinary action considered proper,
26 including limiting the scope, nature, or extent of the

1 person's practice or the imposition of a fine, without a
2 hearing, if the act or acts charged constitute sufficient
3 grounds for that action under the Act. The written notice and
4 any notice in the subsequent proceeding may be served by
5 ~~registered or certified~~ mail to the licensee's address of
6 record or by email to the licensee's email address of record.

7 (Source: P.A. 97-1141, eff. 12-28-12.)

8 (225 ILCS 30/110) (from Ch. 111, par. 8401-110)

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

10 Sec. 110. Record of hearing. The Department, at its
11 expense, shall provide a certified shorthand reporter to take
12 down the testimony and preserve a record of all proceedings at
13 the hearing of any case in which a licensee may be revoked,
14 suspended, placed on probationary status, reprimanded, fined,
15 or subjected to other disciplinary action with reference to
16 the license when a disciplinary action is authorized under
17 this Act and its rules. The notice of hearing, complaint, and
18 all other documents in the nature of pleadings and written
19 portions filed in the proceedings, the transcript of the
20 testimony, the report of the hearing officer, and the orders
21 of the Department shall be the records of the proceedings. The
22 record may be made available to any person interested in the
23 hearing upon payment of the fee required by Section 2105-115
24 of the Department of Professional Regulation Law of the Civil
25 Administrative Code of Illinois ~~preserve a record of all~~

1 ~~proceedings at the formal hearing of any case. The notice of~~
2 ~~hearing, complaint, and other documents in the nature of~~
3 ~~pleadings and written motions filed in the proceedings, the~~
4 ~~transcript of testimony, the report of the Board, and orders~~
5 ~~of the Department shall be in the record of the proceedings.~~

6 (Source: P.A. 97-1141, eff. 12-28-12.)

7 (225 ILCS 30/125) (from Ch. 111, par. 8401-125)

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

9 Sec. 125. Motion for rehearing. In any case hearing
10 involving the refusal to issue or renew or the discipline of a
11 licensee, a copy of the Board's report shall be served upon the
12 respondent by the Department, either personally or as provided
13 in this Act for the service of the notice of hearing. Within 20
14 calendar days after the service, the respondent may present to
15 the Department a motion in writing for a rehearing which shall
16 specify the particular grounds for rehearing. If no motion for
17 rehearing is filed, then upon the expiration of the time
18 specified for filing a motion, or if motion for rehearing is
19 denied, then upon denial, the Secretary may enter an order in
20 accordance with recommendations of the Board, except as
21 provided for in Section 120. If the respondent orders a
22 transcript of the record from the reporting service and pays
23 for it within the time for filing a motion for rehearing, the
24 20 calendar day period within which a motion for rehearing may
25 be filed shall commence upon the delivery of the transcript to

1 the respondent.

2 (Source: P.A. 97-1141, eff. 12-28-12.)

3 (225 ILCS 30/140) (from Ch. 111, par. 8401-140)

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

5 Sec. 140. Order; certified copy. An order or a certified
6 copy of an order, over the seal of the Department and
7 purporting to be signed by the Secretary, shall be prima facie
8 proof:

9 (a) that the signature is the genuine signature of the
10 Secretary; ~~and~~

11 (b) that the Secretary is duly appointed and
12 qualified; ~~and-~~

13 (c) that the Board and the members of the Board are
14 qualified to act.

15 (Source: P.A. 97-1141, eff. 12-28-12.)

16 (225 ILCS 30/165) (from Ch. 111, par. 8401-165)

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

18 Sec. 165. Certification of record; receipt. The Department
19 shall not be required to certify any record to the Court or
20 file any answer in court or otherwise appear in any court in a
21 judicial review proceeding, unless and until the Department
22 has received from the plaintiff payment of the costs of
23 furnishing and certifying the record, which costs shall be
24 determined by the Department. ~~Exhibits shall be certified~~

1 ~~without cost.~~ Failure on the part of the plaintiff to file a
2 receipt in Court is grounds for dismissal of the action.

3 (Source: P.A. 97-1141, eff. 12-28-12.)

4 (225 ILCS 30/175) (from Ch. 111, par. 8401-175)

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

6 Sec. 175. Illinois Administrative Procedure Act. The
7 Illinois Administrative Procedure Act is expressly adopted and
8 incorporated as if all of the provisions of that Act were
9 included in this Act, except that the provision of paragraph
10 (d) of Section 10-65 of the Illinois Administrative Procedure
11 Act, which provides that at hearings the licensee or person
12 holding a license has the right to show compliance with all
13 lawful requirements for retention or continuation of the
14 license, is specifically excluded. For the purpose of this
15 Act, the notice required under Section 10-25 of the Illinois
16 Administrative Procedure Act is deemed sufficient when mailed
17 to the last known address of record of a party or when emailed
18 to the last known email address of record of a party.

19 (Source: P.A. 97-1141, eff. 12-28-12.)

20 (225 ILCS 30/37 rep.)

21 (225 ILCS 30/90 rep.)

22 (225 ILCS 30/150 rep.)

23 Section 15. The Dietitian Nutritionist Practice Act is
24 amended by repealing Sections 37, 90, and 150.

1 Section 99. Effective date. This Act takes effect January
2 1, 2023, except that this Section and Section 5 take effect
3 upon becoming law.".