



## 93RD GENERAL ASSEMBLY

### State of Illinois

### 2003 and 2004

Introduced 2/6/2004, by Tom Cross

#### SYNOPSIS AS INTRODUCED:

225 ILCS 51/20

Amends the Home Medical Equipment and Services Provider License Act. Makes technical changes to a Section concerning the powers and duties of the Department.

LRB093 15136 AMC 40731 b

1 AN ACT concerning professional regulation.

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

4 Section 5. The Home Medical Equipment and Services Provider  
5 License Act is amended by changing Section 20 as follows:

6 (225 ILCS 51/20)

7 (Section scheduled to be repealed on January 1, 2008)

8 Sec. 20. Powers and duties of the Department.

9 (a) The Department must ~~shall~~ exercise the powers and  
10 duties prescribed by the Civil Administrative Code of Illinois  
11 for the administration of licensure Acts and must ~~shall~~  
12 exercise other powers and duties necessary for effectuating the  
13 purposes of this Act.

14 (b) The Department may adopt rules to administer and  
15 enforce this Act, including but not limited to fees for  
16 original licensure and renewal and restoration of licenses, and  
17 may prescribe forms to be issued to implement this Act. At a  
18 minimum, the rules adopted by the Department must ~~shall~~ include  
19 standards and criteria for licensure and for professional  
20 conduct and discipline. The Department must ~~shall~~ consult with  
21 the Board in adopting rules. Notice of proposed rulemaking must  
22 ~~shall~~ be transmitted to the Board, and the Department must  
23 ~~shall~~ review the Board's response and any recommendations made  
24 in the response. The Department must ~~shall~~ notify the Board in  
25 writing with proper explanation of deviations from the Board's  
26 recommendations and response.

27 (c) The Department may at any time seek the advice and  
28 expert knowledge of the Board on any matter relating to the  
29 administration of this Act.

30 (d) The Department must ~~shall~~ issue a quarterly report to  
31 the Board of the status of all complaints related to the  
32 profession and filed with the Department.

1 (Source: P.A. 90-532, eff. 11-14-97.)