

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 Medical Practice Act of 1987 is amended by
5 adding Section 7.5 as follows:

6 (225 ILCS 60/7.5 new)

7 (Section scheduled to be repealed on January 1, 2007)

8 Sec. 7.5. Complaint Committee.

9 (a) There shall be a Complaint Committee of the
10 Disciplinary Board composed of at least one of the medical
11 coordinators established by subsection (g) of Section 7 of
12 this Act, the Chief of Medical Investigations (person
13 employed by the Department who is in charge of investigating
14 complaints against physicians and physician assistants), and
15 at least 3 voting members of the Disciplinary Board (at least
16 2 of whom shall be physicians) designated by the Chairman of
17 the Medical Disciplinary Board with the approval of the
18 Disciplinary Board. The Disciplinary Board members so
19 appointed shall serve one-year terms and may be eligible for
20 reappointment for subsequent terms.

21 (b) The Complaint Committee shall meet at least twice a
22 month to exercise its functions and duties set forth in
23 subsection (c) below. At least 2 members of the Disciplinary
24 Board shall be in attendance in order for any business to be
25 transacted by the Complaint Committee. The Complaint
26 Committee shall make every effort to consider expeditiously
27 and take prompt action on each item on its agenda.

28 (c) The Complaint Committee shall have the following
29 duties and functions:

30 (1) To recommend to the Disciplinary Board that a
31 complaint file be closed.

1 (2) To refer a complaint file to the office of the
2 Chief of Medical Prosecutions (person employed by the
3 Department who is in charge of prosecuting formal
4 complaints against licensees) for review.

5 (3) To make a decision in conjunction with the
6 Chief of Medical Prosecutions regarding action to be
7 taken on a complaint file, including whether to proceed
8 with an informal conference or a formal hearing.

9 (d) In determining what action to take or whether to
10 proceed with prosecution of a complaint, the Complaint
11 Committee shall consider, but not be limited to, the
12 following factors: sufficiency of the evidence presented,
13 prosecutorial merit under Section 22 of this Act, and
14 insufficient cooperation from complaining parties.