

**SB0230**



**95TH GENERAL ASSEMBLY**

**State of Illinois**

**2007 and 2008**

**SB0230**

Introduced 2/7/2007, by Sen. Jacqueline Y. Collins

**SYNOPSIS AS INTRODUCED:**

See Index

Amends the Regulatory Sunset Act to extend the repeal date of the Illinois Speech-Language Pathology, Auditory-Verbal Therapy, and Audiology Practice Act (now, the Illinois Speech-Language Pathology and Audiology Practice Act) from January 1, 2008 to January 1, 2018. Amends the Illinois Speech-Language Pathology and Audiology Practice Act. Changes the name of the Act to the Illinois Speech-Language Pathology, Auditory-Verbal Therapy, and Audiology Practice Act. Provides for the licensure of auditory-verbal therapists by the Department of Financial and Professional Regulation and incorporates references to auditory-verbal therapy throughout the Act. Amends various other Acts to make corresponding changes. Effective immediately.

LRB095 10470 RAS 30685 b

CORRECTIONAL  
BUDGET AND  
IMPACT NOTE ACT  
MAY APPLY

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 5. The Regulatory Sunset Act is amended by changing  
5 Section 4.18 and by adding Section 4.28 as follows:

6 (5 ILCS 80/4.18)

7 Sec. 4.18. Acts repealed January 1, 2008 and December 31,  
8 2008.

9 (a) The following Acts are repealed on January 1, 2008:

10 The Acupuncture Practice Act.

11 The Clinical Social Work and Social Work Practice Act.

12 The Home Medical Equipment and Services Provider  
13 License Act.

14 The Nursing and Advanced Practice Nursing Act.

15 ~~The Illinois Speech Language Pathology and Audiology  
16 Practice Act.~~

17 The Marriage and Family Therapy Licensing Act.

18 The Nursing Home Administrators Licensing and  
19 Disciplinary Act.

20 The Pharmacy Practice Act of 1987.

21 The Physician Assistant Practice Act of 1987.

22 The Podiatric Medical Practice Act of 1987.

23 The Structural Pest Control Act.

1 (b) The following Acts are repealed on December 31, 2008:

2 The Medical Practice Act of 1987.

3 The Environmental Health Practitioner Licensing Act.

4 (Source: P.A. 94-754, eff. 5-10-06; 94-1075, eff. 12-29-06;  
5 94-1085, eff. 1-19-07; revised 1-22-07.)

6 (5 ILCS 80/4.28 new)

7 Sec. 4.28. Act repealed on January 1, 2018. The following  
8 Act is repealed on January 1, 2018:

9 The Illinois Speech Language Pathology, Auditory-Verbal  
10 Therapy, and Audiology Practice Act.

11 Section 10. The Department of Public Health Powers and  
12 Duties Law of the Civil Administrative Code of Illinois is  
13 amended by changing Section 2310-210 as follows:

14 (20 ILCS 2310/2310-210) (was 20 ILCS 2310/55.62a)

15 Sec. 2310-210. Advisory Panel on Minority Health.

16 (a) In this Section:

17 "Health profession" means any health profession regulated  
18 under the laws of this State, including, without limitation,  
19 professions regulated under the Illinois Athletic Trainers  
20 Practice Act, the Clinical Psychologist Licensing Act, the  
21 Clinical Social Work and Social Work Practice Act, the Illinois  
22 Dental Practice Act, the Dietetic and Nutrition Services  
23 Practice Act, the Marriage and Family Therapy Licensing Act,

1 the Medical Practice Act of 1987, the Naprapathic Practice Act,  
2 the Nursing and Advanced Practice Nursing Act, the Illinois  
3 Occupational Therapy Practice Act, the Illinois Optometric  
4 Practice Act of 1987, the Illinois Physical Therapy Act, the  
5 Physician Assistant Practice Act of 1987, the Podiatric Medical  
6 Practice Act of 1987, the Professional Counselor and Clinical  
7 Professional Counselor Licensing Act, and the Illinois  
8 Speech-Language Pathology, Auditory-Verbal Therapy, and  
9 Audiology Practice Act.

10 "Minority" has the same meaning as in Section 2310-215.

11 (b) The General Assembly finds as follows:

12 (1) The health status of individuals from ethnic and  
13 racial minorities in this State is significantly lower than  
14 the health status of the general population of the State.

15 (2) Minorities suffer disproportionately high rates of  
16 cancer, stroke, heart disease, diabetes, sickle-cell  
17 anemia, lupus, substance abuse, acquired immune deficiency  
18 syndrome, other diseases and disorders, unintentional  
19 injuries, and suicide.

20 (3) The incidence of infant mortality among minorities  
21 is almost double that for the general population.

22 (4) Minorities suffer disproportionately from lack of  
23 access to health care and poor living conditions.

24 (5) Minorities are under-represented in the health  
25 care professions.

26 (6) Minority participation in the procurement policies

1 of the health care industry is lacking.

2 (7) Minority health professionals historically have  
3 tended to practice in low-income areas and to serve  
4 minorities.

5 (8) National experts on minority health report that  
6 access to health care among minorities can be substantially  
7 improved by increasing the number of minority health  
8 professionals.

9 (9) Increasing the number of minorities serving on the  
10 facilities of health professional schools is an important  
11 factor in attracting minorities to pursue a career in  
12 health professions.

13 (10) Retaining minority health professionals currently  
14 practicing in this State and those receiving training and  
15 education in this State is an important factor in  
16 maintaining and increasing the number of minority health  
17 professionals in Illinois.

18 (11) An Advisory Panel on Minority Health is necessary  
19 to address the health issues affecting minorities in this  
20 State.

21 (c) The General Assembly's intent is as follows:

22 (1) That all Illinoisans have access to health care.

23 (2) That the gap between the health status of  
24 minorities and other Illinoisans be closed.

25 (3) That the health issues that disproportionately  
26 affect minorities be addressed to improve the health status

1 of minorities.

2 (4) That the number of minorities in the health  
3 professions be increased.

4 (d) The Advisory Panel on Minority Health is created. The  
5 Advisory Panel shall consist of 25 members appointed by the  
6 Director of Public Health. The members shall represent health  
7 professions and the General Assembly.

8 (e) The Advisory Panel shall assist the Department in the  
9 following manner:

10 (1) Examination of the following areas as they relate  
11 to minority health:

12 (A) Access to health care.

13 (B) Demographic factors.

14 (C) Environmental factors.

15 (D) Financing of health care.

16 (E) Health behavior.

17 (F) Health knowledge.

18 (G) Utilization of quality care.

19 (H) Minorities in health care professions.

20 (2) Development of monitoring, tracking, and reporting  
21 mechanisms for programs and services with minority health  
22 goals and objectives.

23 (3) Communication with local health departments,  
24 community-based organizations, voluntary health  
25 organizations, and other public and private organizations  
26 statewide, on an ongoing basis, to learn more about their

1 services to minority communities, the health problems of  
2 minority communities, and their ideas for improving  
3 minority health.

4 (4) Promotion of communication among all State  
5 agencies that provide services to minority populations.

6 (5) Building coalitions between the State and  
7 leadership in minority communities.

8 (6) Encouragement of recruitment and retention of  
9 minority health professionals.

10 (7) Improvement in methods for collecting and  
11 reporting data on minority health.

12 (8) Improvement in accessibility to health and medical  
13 care for minority populations in under-served rural and  
14 urban areas.

15 (9) Reduction of communication barriers for  
16 non-English speaking residents.

17 (10) Coordination of the development and dissemination  
18 of culturally appropriate and sensitive education  
19 material, public awareness messages, and health promotion  
20 programs for minorities.

21 (f) On or before January 1, 1997 the Advisory Panel shall  
22 submit an interim report to the Governor and the General  
23 Assembly. The interim report shall include an update on the  
24 Advisory Panel's progress in performing its functions under  
25 this Section and shall include recommendations, including  
26 recommendations for any necessary legislative changes.

1 On or before January 1, 1998 the Advisory Panel shall  
2 submit a final report to the Governor and the General Assembly.

3 The final report shall include the following:

4 (1) An evaluation of the health status of minorities in  
5 this State.

6 (2) An evaluation of minority access to health care in  
7 this State.

8 (3) Recommendations for improving the health status of  
9 minorities in this State.

10 (4) Recommendations for increasing minority access to  
11 health care in this State.

12 (5) Recommendations for increasing minority  
13 participation in the procurement policies of the health  
14 care industry.

15 (6) Recommendations for increasing the number of  
16 minority health professionals in this State.

17 (7) Recommendations that will ensure that the health  
18 status of minorities in this State continues to be  
19 addressed beyond the expiration of the Advisory Panel.

20 (Source: P.A. 90-742, eff. 8-13-98; 91-239, eff. 1-1-00.)

21 Section 15. The School Code is amended by changing Sections  
22 14-1.09b, 14-1.09c, 14-6.03, 14-6.04, 14-9.01, and 21-14 as  
23 follows:

24 (105 ILCS 5/14-1.09b)



1           Sec. 14-1.09b. Speech-language pathologist.

2           (a) For purposes of supervision of a speech-language  
3 pathology assistant, "speech-language pathologist" means a  
4 person who has received a license pursuant to the Illinois  
5 Speech-Language Pathology, Auditory-Verbal Therapy, and  
6 Audiology Practice Act to engage in the practice of  
7 speech-language pathology.

8           (b) The School Service Personnel Certificate with a  
9 speech-language endorsement shall be issued under Section  
10 21-25 of this Code to a speech-language pathologist who meets  
11 all of the following requirements:

12           (1) (A) Holds a regular license as a speech-language  
13 pathologist pursuant to the Illinois Speech-Language  
14 Pathology, Auditory-Verbal Therapy, and Audiology Practice  
15 Act, (B) holds a current Certificate of Clinical Competence  
16 in speech-language pathology from the American  
17 Speech-Language-Hearing Association and a regular license  
18 in speech-language pathology from another state or  
19 territory or the District of Columbia and has applied for a  
20 regular license as a speech-language pathologist pursuant  
21 to the Illinois Speech-Language Pathology, Auditory-Verbal  
22 Therapy, and Audiology Practice Act, or (C) holds or has  
23 applied for a temporary license pursuant to Section 8.1 of  
24 the Illinois Speech-Language Pathology, Auditory-Verbal  
25 Therapy, and Audiology Practice Act.

26           (2) Holds a master's or doctoral degree with a major

1 emphasis in speech-language pathology from an institution  
2 whose course of study was approved or program was  
3 accredited by the Council on Academic Accreditation in  
4 Audiology and Speech-Language Pathology of the American  
5 Speech-Language-Hearing Association or its predecessor.

6 (3) Either (i) has completed a program of study that  
7 meets the content area standards for speech-language  
8 pathologists approved by the State Board of Education, in  
9 consultation with the State Teachers Certification Board,  
10 (ii) has completed a program in another state, territory,  
11 or possession of the United States that is comparable to an  
12 approved program of study described in item (i), or (iii)  
13 holds a certificate issued by another state, territory, or  
14 possession of the United States that is comparable to the  
15 school service personnel certificate with a  
16 speech-language endorsement. If the requirements described  
17 in items (i), (ii), or (iii) of this paragraph (3) have not  
18 been met, a person must provide evidence that he or she has  
19 completed at least 150 clock hours of supervised experience  
20 in speech-language pathology with students with  
21 disabilities in a school setting, including experience  
22 required by federal law or federal court order; however, a  
23 person who lacks such experience may obtain interim  
24 certification as established by the Illinois State Board of  
25 Education, in consultation with the State Teacher  
26 Certification Board, and shall participate in school-based

1 professional experience of at least 150 clock hours to meet  
2 this requirement.

3 (4) Has successfully completed the required Illinois  
4 certification tests.

5 (5) Has paid the application fee required for  
6 certification.

7 The provisions of this subsection (b) do not preclude the  
8 issuance of a teaching certificate to a speech-language  
9 pathologist who qualifies for such a certificate.

10 (Source: P.A. 92-510, eff. 6-1-02; 93-112, eff. 1-1-04;  
11 93-1060, eff. 12-23-04.)

12 (105 ILCS 5/14-1.09c)

13 Sec. 14-1.09c. Speech-language pathology assistant.  
14 "Speech-language pathology assistant" means a person who has  
15 received a license to assist a speech-language pathologist  
16 pursuant to the Illinois Speech-Language Pathology,  
17 Auditory-Verbal Therapy, and Audiology Practice Act.

18 (Source: P.A. 92-510, eff. 6-1-02.)

19 (105 ILCS 5/14-6.03)

20 Sec. 14-6.03. Speech-language pathology assistants.

21 (a) Except as otherwise provided in this subsection, on or  
22 after January 1, 2002, no person shall perform the duties of a  
23 speech-language pathology assistant without first applying for  
24 and receiving a license for that purpose from the Department of

1 Professional Regulation. A person employed as a  
2 speech-language pathology assistant in any class, service, or  
3 program authorized by this Article may perform only those  
4 duties authorized by this Section under the supervision of a  
5 speech-language pathologist as provided in this Section. This  
6 Section does not apply to speech-language pathology  
7 paraprofessionals approved by the State Board of Education.

8 (b) A speech-language pathology assistant may not be  
9 assigned his or her own student caseload. The student caseload  
10 limit of a speech-language pathologist who supervises any  
11 speech-language pathology assistants shall be determined by  
12 the severity of the needs of the students served by the  
13 speech-language pathologist. A full-time speech-language  
14 pathologist's caseload limit may not exceed 80 students (60  
15 students on or after September 1, 2003) at any time. The  
16 caseload limit of a part-time speech-language pathologist  
17 shall be determined by multiplying the caseload limit of a  
18 full-time speech-language pathologist by a percentage that  
19 equals the number of hours worked by the part-time  
20 speech-language pathologist divided by the number of hours  
21 worked by a full-time speech-language pathologist in that  
22 school district. Employment of a speech-language pathology  
23 assistant may not increase or decrease the caseload of the  
24 supervising speech-language pathologist.

25 (c) A school district that intends to utilize the services  
26 of a speech-language pathology assistant must provide written

1 notification to the parent or guardian of each student who will  
2 be served by a speech-language pathology assistant.

3 (d) The scope of responsibility of a speech-language  
4 pathology assistant shall be limited to supplementing the role  
5 of the speech-language pathologist in implementing the  
6 treatment program established by a speech-language  
7 pathologist. The functions and duties of a speech-language  
8 pathology assistant shall be limited to the following:

9 (1) Conducting speech-language screening, without  
10 interpretation, and using screening protocols selected by  
11 the supervising speech-language pathologist.

12 (2) Providing direct treatment assistance to students  
13 under the supervision of a speech-language pathologist.

14 (3) Following and implementing documented treatment  
15 plans or protocols developed by a supervising  
16 speech-language pathologist.

17 (4) Documenting student progress toward meeting  
18 established objectives, and reporting the information to a  
19 supervising speech-language pathologist.

20 (5) Assisting a speech-language pathologist during  
21 assessments, including, but not limited to, assisting with  
22 formal documentation, preparing materials, and performing  
23 clerical duties for a supervising speech-language  
24 pathologist.

25 (6) Acting as an interpreter for non-English speaking  
26 students and their family members when competent to do so.

1           (7) Scheduling activities and preparing charts,  
2 records, graphs, and data.

3           (8) Performing checks and maintenance of equipment,  
4 including, but not limited to, augmentative communication  
5 devices.

6           (9) Assisting with speech-language pathology research  
7 projects, in-service training, and family or community  
8 education.

9           (e) A speech-language pathology assistant may not:

10           (1) perform standardized or nonstandardized diagnostic  
11 tests or formal or informal evaluations or interpret test  
12 results;

13           (2) screen or diagnose students for feeding or  
14 swallowing disorders;

15           (3) participate in parent conferences, case  
16 conferences, or any interdisciplinary team without the  
17 presence of the supervising speech-language pathologist;

18           (4) provide student or family counseling;

19           (5) write, develop, or modify a student's  
20 individualized treatment plan;

21           (6) assist with students without following the  
22 individualized treatment plan prepared by the supervising  
23 speech-language pathologist;

24           (7) sign any formal documents, such as treatment plans,  
25 reimbursement forms, or reports;

26           (8) select students for services;

- 1 (9) discharge a student from services;
- 2 (10) disclose clinical or confidential information,  
3 either orally or in writing, to anyone other than the  
4 supervising speech-language pathologist;
- 5 (11) make referrals for additional services;
- 6 (12) counsel or consult with the student, family, or  
7 others regarding the student's status or service;
- 8 (13) represent himself or herself to be a  
9 speech-language pathologist or a speech therapist;
- 10 (14) use a checklist or tabulate results of feeding or  
11 swallowing evaluations; or
- 12 (15) demonstrate swallowing strategies or precautions  
13 to students, family, or staff.
- 14 (f) A speech-language pathology assistant shall practice  
15 only under the supervision of a speech-language pathologist who  
16 has at least 2 years experience in addition to the supervised  
17 professional experience required under subsection (f) of  
18 Section 8 of the Illinois Speech-Language Pathology,  
19 Auditory-Verbal Therapy, and Audiology Practice Act. A  
20 speech-language pathologist who supervises a speech-language  
21 pathology assistant must have completed at least 10 clock hours  
22 of training in the supervision of speech-language pathology  
23 assistants. The State Board of Education shall promulgate rules  
24 describing the supervision training requirements. The rules  
25 may allow a speech-language pathologist to apply to the State  
26 Board of Education for an exemption from this training

1 requirement based upon prior supervisory experience.

2 (g) A speech-language pathology assistant must be under the  
3 direct supervision of a speech-language pathologist at least  
4 30% of the speech-language pathology assistant's actual  
5 student contact time per student for the first 90 days of  
6 initial employment as a speech-language pathology assistant.  
7 Thereafter, the speech-language pathology assistant must be  
8 under the direct supervision of a speech-language pathologist  
9 at least 20% of the speech-language pathology assistant's  
10 actual student contact time per student. Supervision of a  
11 speech-language pathology assistant beyond the minimum  
12 requirements of this subsection may be imposed at the  
13 discretion of the supervising speech-language pathologist. A  
14 supervising speech-language pathologist must be available to  
15 communicate with a speech-language pathology assistant  
16 whenever the assistant is in contact with a student.

17 (h) A speech-language pathologist that supervises a  
18 speech-language pathology assistant must document direct  
19 supervision activities. At a minimum, supervision  
20 documentation must provide (i) information regarding the  
21 quality of the speech-language pathology assistant's  
22 performance of assigned duties and (ii) verification that  
23 clinical activity is limited to duties specified in this  
24 Section.

25 (i) A full-time speech-language pathologist may supervise  
26 no more than 2 speech-language pathology assistants. A



1 speech-language pathologist that does not work full-time may  
2 supervise no more than one speech-language pathology  
3 assistant.

4 (Source: P.A. 92-510, eff. 6-1-02.)

5 (105 ILCS 5/14-6.04)

6 Sec. 14-6.04. Contracting for speech-language pathology  
7 services.

8 (a) For purposes of this Section:

9 "Reasonable efforts" means performing all of the  
10 following:

11 (1) placing at least 3 employment advertisements for a  
12 speech-language pathologist published in the newspaper of  
13 widest distribution within the school district or  
14 cooperative;

15 (2) placing one employment listing in the placement  
16 bulletin of a college or university that has a  
17 speech-language pathology curriculum that is located in  
18 the geographic area of the school district or cooperative,  
19 if any; and

20 (3) posting the position for speech-language  
21 pathologist on the Illinois Association of School  
22 Administrators' job placement service for at least 30 days.

23 "Speech-language pathologist" means a person who:

24 (1) holds a master's or doctoral degree with a major  
25 emphasis in speech-language pathology from an institution

1       whose course of study was approved or program was  
2       accredited by the Council on Academic Accreditation in  
3       Audiology and Speech-Language Pathology of the American  
4       Speech-Language-Hearing Association or its predecessor;  
5       and

6               (2) either (i) has completed a program of study that  
7       meets the content-area standards for speech-language  
8       pathologists approved by the State Board of Education, in  
9       consultation with the State Teacher Certification Board,  
10      (ii) has completed a program in another state, territory,  
11      or possession of the United States that is comparable to an  
12      approved program of study described in item (i), or (iii)  
13      holds a certificate issued by another state, territory, or  
14      possession of the United States that is comparable to the  
15      school service personnel certificate with a  
16      speech-language endorsement. If the requirements described  
17      in items (i), (ii), or (iii) of this paragraph (2) have not  
18      been met, a person must provide evidence that he or she has  
19      completed at least 150 clock hours of supervised experience  
20      in speech-language pathology with students with  
21      disabilities in a school setting, including experience  
22      required by federal law or federal court order; however, a  
23      person who lacks such experience may obtain interim  
24      certification as established by the Illinois State Board of  
25      Education, in consultation with the State Teacher  
26      Certification Board, and shall participate in school-based

1 professional experience of at least 150 clock hours to meet  
2 this requirement.

3 "Speech-language pathology services" means the application  
4 of methods and procedures for identifying, measuring, testing,  
5 appraising, predicting, and modifying communication  
6 development and disorders or disabilities of speech, language,  
7 voice, swallowing, and other speech, language, and  
8 voice-related disorders for the purpose of counseling,  
9 consulting, and rendering services or participating in the  
10 planning, directing, or conducting of programs that are  
11 designed to modify communicative disorders and conditions in  
12 individuals or groups of individuals involving speech,  
13 language, voice, and swallowing functions.

14 (b) A school district or a cooperative must make reasonable  
15 efforts to employ a speech-language pathologist. While making  
16 those reasonable efforts or after unsuccessful reasonable  
17 efforts have been made, or both, a school district or  
18 cooperative may contract for speech-language pathology  
19 services with a speech-language pathologist or an entity that  
20 employs speech-language pathologists. A speech-language  
21 pathologist who provides speech-language pathology services  
22 pursuant to a contract must:

23 (1) hold a speech-language pathology license under the  
24 Illinois Speech-Language Pathology, Auditory-Verbal  
25 Therapy, and Audiology Practice Act or hold or have applied  
26 for a temporary license issued under Section 8.1 of that

1 Act; and

2 (2) hold a certificate under this Code with an  
3 endorsement in speech-language pathology.

4 (Source: P.A. 93-110, eff. 7-8-03; 93-1060, eff. 12-23-04.)

5 (105 ILCS 5/14-9.01) (from Ch. 122, par. 14-9.01)

6 Sec. 14-9.01. Qualifications of teachers, other  
7 professional personnel and necessary workers. No person shall  
8 be employed to teach any class or program authorized by this  
9 Article who does not hold a valid teacher's certificate as  
10 provided by law and unless he has had such special training as  
11 the State Board of Education may require. No special  
12 certificate or endorsement to a special certificate issued  
13 under Section 21-4 on or after July 1, 1994, shall be valid for  
14 teaching students with visual disabilities unless the person to  
15 whom the certificate or endorsement is issued has attained  
16 satisfactory performance on an examination that is designed to  
17 assess competency in Braille reading and writing skills  
18 according to standards that the State Board of Education may  
19 adopt. Evidence of successfully completing the examination of  
20 Braille reading and writing skills must be submitted to the  
21 State Board of Education prior to an applicant's examination of  
22 the subject matter knowledge test required under Section 21-1a.  
23 Beginning July 1, 1995, in addition to other requirements, a  
24 candidate for a teaching certification in the area of the deaf  
25 and hard of hearing granted by the Illinois State Board of

1 Education for teaching deaf and hard of hearing students in  
2 grades pre-school through grade 12 must demonstrate a minimum  
3 proficiency in sign language as determined by the Illinois  
4 State Board of Education. All other professional personnel  
5 employed in any class, service, or program authorized by this  
6 Article shall hold such certificates and shall have had such  
7 special training as the State Board of Education may require;  
8 provided that in a school district organized under Article 34,  
9 the school district may employ speech and language pathologists  
10 who are licensed under the Illinois Speech-Language Pathology,  
11 Auditory-Verbal Therapy, and Audiology Practice Act but who do  
12 not hold a certificate issued under the School Code if the  
13 district certifies that a chronic shortage of certified  
14 personnel exists. Nothing contained in this Act prohibits the  
15 school board from employing necessary workers to assist the  
16 teacher with the special educational facilities, except that  
17 all such necessary workers must have had such training as the  
18 State Board of Education may require.

19 No later than January 1, 1993, the State Board of Education  
20 shall develop, in consultation with the Advisory Council on the  
21 Education of Children with Disabilities and the Advisory  
22 Council on Bilingual Education, rules governing the  
23 qualifications for certification of teachers and school  
24 service personnel providing services to limited English  
25 proficient students receiving special education and related  
26 services.

1           The employment of any teacher in a special education  
2 program provided for in Sections 14-1.01 to 14-14.01,  
3 inclusive, shall be subject to the provisions of Sections 24-11  
4 to 24-16, inclusive. Any teacher employed in a special  
5 education program, prior to the effective date of this  
6 amendatory Act of 1987, in which 2 or more districts  
7 participate shall enter upon contractual continued service in  
8 each of the participating districts subject to the provisions  
9 of Sections 24-11 to 24-16, inclusive.

10       (Source: P.A. 92-651, eff. 7-11-02.)

11           (105 ILCS 5/21-14) (from Ch. 122, par. 21-14)

12           Sec. 21-14. Registration and renewal of certificates.

13           (a) A limited four-year certificate or a certificate issued  
14 after July 1, 1955, shall be renewable at its expiration or  
15 within 60 days thereafter by the county superintendent of  
16 schools having supervision and control over the school where  
17 the teacher is teaching upon certified evidence of meeting the  
18 requirements for renewal as required by this Act and prescribed  
19 by the State Board of Education in consultation with the State  
20 Teacher Certification Board. An elementary supervisory  
21 certificate shall not be renewed at the end of the first  
22 four-year period covered by the certificate unless the holder  
23 thereof has filed certified evidence with the State Teacher  
24 Certification Board that he has a master's degree or that he  
25 has earned 8 semester hours of credit in the field of

1 educational administration and supervision in a recognized  
2 institution of higher learning. The holder shall continue to  
3 earn 8 semester hours of credit each four-year period until  
4 such time as he has earned a master's degree.

5 All certificates not renewed or registered as herein  
6 provided shall lapse after a period of 5 years from the  
7 expiration of the last year of registration. Such certificates  
8 may be reinstated for a one year period upon payment of all  
9 accumulated registration fees. Such reinstated certificates  
10 shall only be renewed: (1) by earning 5 semester hours of  
11 credit in a recognized institution of higher learning in the  
12 field of professional education or in courses related to the  
13 holder's contractual teaching duties; or (2) by presenting  
14 evidence of holding a valid regular certificate of some other  
15 type. Any certificate may be voluntarily surrendered by the  
16 certificate holder. A voluntarily surrendered certificate  
17 shall be treated as a revoked certificate.

18 (b) When those teaching certificates issued before  
19 February 15, 2000 are renewed for the first time after February  
20 15, 2000, all such teaching certificates shall be exchanged for  
21 Standard Teaching Certificates as provided in subsection (c) of  
22 Section 21-2. All Initial and Standard Teaching Certificates,  
23 including those issued to persons who previously held teaching  
24 certificates issued before February 15, 2000, shall be  
25 renewable under the conditions set forth in this subsection  
26 (b).

1 Initial Teaching Certificates are valid for 4 years of  
2 teaching, as provided in subsection (b) of Section 21-2 of this  
3 Code, and are renewable every 4 years until the person  
4 completes 4 years of teaching. If the holder of an Initial  
5 Certificate has completed 4 years of teaching but has not  
6 completed the requirements set forth in paragraph (2) of  
7 subsection (c) of Section 21-2 of this Code, then the Initial  
8 Certificate may be reinstated for one year, during which the  
9 requirements must be met. A holder of an Initial Certificate  
10 who has not completed 4 years of teaching may continuously  
11 register the certificate for additional 4-year periods without  
12 penalty. Initial Certificates that are not registered shall  
13 lapse consistent with subsection (a) of this Section and may be  
14 reinstated only in accordance with subsection (a). Standard  
15 Teaching Certificates are renewable every 5 years as provided  
16 in subsection (c) of Section 21-2 and subsection (c) of this  
17 Section. For purposes of this Section, "teaching" is defined as  
18 employment and performance of services in an Illinois public or  
19 State-operated elementary school, secondary school, or  
20 cooperative or joint agreement with a governing body or board  
21 of control, in a certificated teaching position, or a charter  
22 school operating in compliance with the Charter Schools Law.

23 (c) In compliance with subsection (c) of Section 21-2 of  
24 this Code, which provides that a Standard Teaching Certificate  
25 may be renewed by the State Teacher Certification Board based  
26 upon proof of continuing professional development, the State



1 Board of Education and the State Teacher Certification Board  
2 shall jointly:

3 (1) establish a procedure for renewing Standard  
4 Teaching Certificates, which shall include but not be  
5 limited to annual timelines for the renewal process and the  
6 components set forth in subsections (d) through (k) of this  
7 Section;

8 (2) establish the standards for certificate renewal;

9 (3) approve or disapprove the providers of continuing  
10 professional development activities;

11 (4) determine the maximum credit for each category of  
12 continuing professional development activities, based upon  
13 recommendations submitted by a continuing professional  
14 development activity task force, which shall consist of 6  
15 staff members from the State Board of Education, appointed  
16 by the State Superintendent of Education, and 6 teacher  
17 representatives, 3 of whom are selected by the Illinois  
18 Education Association and 3 of whom are selected by the  
19 Illinois Federation of Teachers;

20 (5) designate the type and amount of documentation  
21 required to show that continuing professional development  
22 activities have been completed; and

23 (6) provide, on a timely basis to all Illinois  
24 teachers, certificate holders, regional superintendents of  
25 schools, school districts, and others with an interest in  
26 continuing professional development, information about the

1 standards and requirements established pursuant to this  
2 subsection (c).

3 (d) Any Standard Teaching Certificate held by an individual  
4 employed and performing services in an Illinois public or  
5 State-operated elementary school, secondary school, or  
6 cooperative or joint agreement with a governing body or board  
7 of control in a certificated teaching position or a charter  
8 school in compliance with the Charter Schools Law must be  
9 maintained Valid and Active through certificate renewal  
10 activities specified in the certificate renewal procedure  
11 established pursuant to subsection (c) of this Section,  
12 provided that a holder of a Valid and Active certificate who is  
13 only employed on either a part-time basis or day-to-day basis  
14 as a substitute teacher shall pay only the required  
15 registration fee to renew his or her certificate and maintain  
16 it as Valid and Active. All other Standard Teaching  
17 Certificates held may be maintained as Valid and Exempt through  
18 the registration process provided for in the certificate  
19 renewal procedure established pursuant to subsection (c) of  
20 this Section. A Valid and Exempt certificate must be  
21 immediately activated, through procedures developed jointly by  
22 the State Board of Education and the State Teacher  
23 Certification Board, upon the certificate holder becoming  
24 employed and performing services in an Illinois public or  
25 State-operated elementary school, secondary school, or  
26 cooperative or joint agreement with a governing body or board

1 of control in a certificated teaching position or a charter  
2 school operating in compliance with the Charter Schools Law. A  
3 holder of a Valid and Exempt certificate may activate his or  
4 her certificate through procedures provided for in the  
5 certificate renewal procedure established pursuant to  
6 subsection (c) of this Section.

7 (e) (1) A Standard Teaching Certificate that has been  
8 maintained as Valid and Active for the 5 years of the  
9 certificate's validity shall be renewed as Valid and Active  
10 upon the certificate holder: (i) completing an advanced degree  
11 from an approved institution in an education-related field;  
12 (ii) completing at least 8 semester hours of coursework as  
13 described in subdivision (B) of paragraph (3) of this  
14 subsection (e); (iii) earning at least 24 continuing education  
15 units as described in subdivision (C) of paragraph (3) of this  
16 subsection (e); (iv) completing the National Board for  
17 Professional Teaching Standards process as described in  
18 subdivision (D) of paragraph (3) of this subsection (e); or (v)  
19 earning 120 continuing professional development units ("CPDU")  
20 as described in subdivision (E) of paragraph (3) of this  
21 subsection (e). The maximum continuing professional  
22 development units for each continuing professional development  
23 activity identified in subdivisions (F) through (J) of  
24 paragraph (3) of this subsection (e) shall be jointly  
25 determined by the State Board of Education and the State  
26 Teacher Certification Board. If, however, the certificate

1 holder has maintained the certificate as Valid and Exempt for a  
2 portion of the 5-year period of validity, the number of  
3 continuing professional development units needed to renew the  
4 certificate as Valid and Active shall be proportionately  
5 reduced by the amount of time the certificate was Valid and  
6 Exempt. Furthermore, if a certificate holder is employed and  
7 performs teaching services on a part-time basis for all or a  
8 portion of the certificate's 5-year period of validity, the  
9 number of continuing professional development units needed to  
10 renew the certificate as Valid and Active shall be reduced by  
11 50% for the amount of time the certificate holder has been  
12 employed and performed teaching services on a part-time basis.  
13 Part-time shall be defined as less than 50% of the school day  
14 or school term.

15 Notwithstanding any other requirements to the contrary, if  
16 a Standard Teaching Certificate has been maintained as Valid  
17 and Active for the 5 years of the certificate's validity and  
18 the certificate holder has completed his or her certificate  
19 renewal plan before July 1, 2002, the certificate shall be  
20 renewed as Valid and Active.

21 (2) Beginning July 1, 2004, in order to satisfy the  
22 requirements for continuing professional development provided  
23 for in subsection (c) of Section 21-2 of this Code, each Valid  
24 and Active Standard Teaching Certificate holder shall complete  
25 professional development activities that address the  
26 certificate or those certificates that are required of his or

1 her certificated teaching position, if the certificate holder  
2 is employed and performing services in an Illinois public or  
3 State-operated elementary school, secondary school, or  
4 cooperative or joint agreement with a governing body or board  
5 of control, or that certificate or those certificates most  
6 closely related to his or her teaching position, if the  
7 certificate holder is employed in a charter school. Except as  
8 otherwise provided in this subsection (e), the certificate  
9 holder's activities must address purposes (A), (B), (C), or (D)  
10 and must reflect purpose (E) of the following continuing  
11 professional development purposes:

12 (A) Advance both the certificate holder's knowledge  
13 and skills as a teacher consistent with the Illinois  
14 Professional Teaching Standards and the Illinois Content  
15 Area Standards in the certificate holder's areas of  
16 certification, endorsement, or teaching assignment in  
17 order to keep the certificate holder current in those  
18 areas.

19 (B) Develop the certificate holder's knowledge and  
20 skills in areas determined to be critical for all Illinois  
21 teachers, as defined by the State Board of Education, known  
22 as "State priorities".

23 (C) Address the knowledge, skills, and goals of the  
24 certificate holder's local school improvement plan, if the  
25 teacher is employed in an Illinois public or State-operated  
26 elementary school, secondary school, or cooperative or

1 joint agreement with a governing body or board of control.

2 (D) Expand the certificate holder's knowledge and  
3 skills in an additional teaching field or toward the  
4 acquisition of another teaching certificate, endorsement,  
5 or relevant education degree.

6 (E) Address the needs of serving students with  
7 disabilities, including adapting and modifying the general  
8 curriculum related to the Illinois Learning Standards to  
9 meet the needs of students with disabilities and serving  
10 such students in the least restrictive environment.  
11 Teachers who hold certificates endorsed for special  
12 education must devote at least 50% of their continuing  
13 professional development activities to this purpose.  
14 Teachers holding other certificates must devote at least  
15 20% of their activities to this purpose.

16 A speech-language pathologist or audiologist who is  
17 licensed under the Illinois Speech-Language Pathology,  
18 Auditory-Verbal Therapy, and Audiology Practice Act and who has  
19 met the continuing education requirements of that Act and the  
20 rules promulgated under that Act shall be deemed to have  
21 satisfied the continuing professional development requirements  
22 established by the State Board of Education and the Teacher  
23 Certification Board to renew a Standard Certificate.

24 (3) Continuing professional development activities may  
25 include, but are not limited to, the following activities:

26 (A) completion of an advanced degree from an approved

1 institution in an education-related field;

2 (B) at least 8 semester hours of coursework in an  
3 approved education-related program, of which at least 2  
4 semester hours relate to the continuing professional  
5 development purpose set forth in purpose (A) of paragraph  
6 (2) of this subsection (e), completion of which means no  
7 other continuing professional development activities are  
8 required;

9 (C) continuing education units that satisfy the  
10 continuing professional development purposes set forth in  
11 paragraph (2) of this subsection (e), with each continuing  
12 education unit equal to 5 clock hours, provided that a plan  
13 that includes at least 24 continuing education units (or  
14 120 clock/contact hours) need not include any other  
15 continuing professional development activities;

16 (D) completion of the National Board for Professional  
17 Teaching Standards ("NBPTS") process for certification or  
18 recertification, completion of which means no other  
19 continuing professional development activities are  
20 required;

21 (E) completion of 120 continuing professional  
22 development units that satisfy the continuing professional  
23 development purposes set forth in paragraph (2) of this  
24 subsection (e) and may include without limitation the  
25 activities identified in subdivisions (F) through (J) of  
26 this paragraph (3);

1 (F) collaboration and partnership activities related  
2 to improving the teacher's knowledge and skills as a  
3 teacher, including the following:

4 (i) participating on collaborative planning and  
5 professional improvement teams and committees;

6 (ii) peer review and coaching;

7 (iii) mentoring in a formal mentoring program,  
8 including service as a consulting teacher  
9 participating in a remediation process formulated  
10 under Section 24A-5 of this Code;

11 (iv) participating in site-based management or  
12 decision making teams, relevant committees, boards, or  
13 task forces directly related to school improvement  
14 plans;

15 (v) coordinating community resources in schools,  
16 if the project is a specific goal of the school  
17 improvement plan;

18 (vi) facilitating parent education programs for a  
19 school, school district, or regional office of  
20 education directly related to student achievement or  
21 school improvement plans;

22 (vii) participating in business, school, or  
23 community partnerships directly related to student  
24 achievement or school improvement plans; or

25 (viii) supervising a student teacher or teacher  
26 education candidate in clinical supervision, provided



1           that the supervision may only be counted once during  
2           the course of 5 years;

3           (G) college or university coursework related to  
4           improving the teacher's knowledge and skills as a teacher  
5           as follows:

6                   (i) completing undergraduate or graduate credit  
7                   earned from a regionally accredited institution in  
8                   coursework relevant to the certificate area being  
9                   renewed, including coursework that incorporates  
10                  induction activities and development of a portfolio of  
11                  both student and teacher work that provides experience  
12                  in reflective practices, provided the coursework meets  
13                  Illinois Professional Teaching Standards or Illinois  
14                  Content Area Standards and supports the essential  
15                  characteristics of quality professional development;  
16                  or

17                   (ii) teaching college or university courses in  
18                  areas relevant to the certificate area being renewed,  
19                  provided that the teaching may only be counted once  
20                  during the course of 5 years;

21           (H) conferences, workshops, institutes, seminars, and  
22           symposiums related to improving the teacher's knowledge  
23           and skills as a teacher, subject to disapproval of the  
24           activity or event by the State Teacher Certification Board  
25           acting jointly with the State Board of Education, including  
26           the following:

1 (i) completing non-university credit directly  
2 related to student achievement, school improvement  
3 plans, or State priorities;

4 (ii) participating in or presenting at workshops,  
5 seminars, conferences, institutes, and symposiums;

6 (iii) training as external reviewers for Quality  
7 Assurance; or

8 (iv) training as reviewers of university teacher  
9 preparation programs.

10 A teacher, however, may not receive credit for conferences,  
11 workshops, institutes, seminars, or symposiums that are  
12 designed for entertainment, promotional, or commercial  
13 purposes or that are solely inspirational or motivational.

14 The State Superintendent of Education and regional  
15 superintendents of schools are authorized to review the  
16 activities and events provided or to be provided under this  
17 subdivision (H) and to investigate complaints regarding  
18 those activities and events, and either the State  
19 Superintendent of Education or a regional superintendent  
20 of schools may recommend that the State Teacher  
21 Certification Board and the State Board of Education  
22 jointly disapprove those activities and events considered  
23 to be inconsistent with this subdivision (H);

24 (I) other educational experiences related to improving  
25 the teacher's knowledge and skills as a teacher, including  
26 the following:

1 (i) participating in action research and inquiry  
2 projects;

3 (ii) observing programs or teaching in schools,  
4 related businesses, or industry that is systematic,  
5 purposeful, and relevant to certificate renewal;

6 (iii) traveling related to one's teaching  
7 assignment, directly related to student achievement or  
8 school improvement plans and approved by the regional  
9 superintendent of schools or his or her designee at  
10 least 30 days prior to the travel experience, provided  
11 that the traveling shall not include time spent  
12 commuting to destinations where the learning  
13 experience will occur;

14 (iv) participating in study groups related to  
15 student achievement or school improvement plans;

16 (v) serving on a statewide education-related  
17 committee, including but not limited to the State  
18 Teacher Certification Board, State Board of Education  
19 strategic agenda teams, or the State Advisory Council  
20 on Education of Children with Disabilities;

21 (vi) participating in work/learn programs or  
22 internships; or

23 (vii) developing a portfolio of student and  
24 teacher work;

25 (J) professional leadership experiences related to  
26 improving the teacher's knowledge and skills as a teacher,

1 including the following:

2 (i) participating in curriculum development or  
3 assessment activities at the school, school district,  
4 regional office of education, State, or national  
5 level;

6 (ii) participating in team or department  
7 leadership in a school or school district;

8 (iii) participating on external or internal school  
9 or school district review teams;

10 (iv) publishing educational articles, columns, or  
11 books relevant to the certificate area being renewed;  
12 or

13 (v) participating in non-strike related  
14 professional association or labor organization service  
15 or activities related to professional development;

16 (K) receipt of a subsequent Illinois certificate or  
17 endorsement pursuant to this Article; ~~or~~

18 (L) completion of requirements for meeting the  
19 Illinois criteria for becoming "highly qualified" (for  
20 purposes of the No Child Left Behind Act of 2001, Public  
21 Law 107-110) in an additional teaching area; ~~or~~

22 (M) successful completion of 4 semester hours of  
23 graduate-level coursework on the assessment of one's own  
24 performance in relation to the Illinois Teaching  
25 Standards, as described in clause (B) of paragraph (2) of  
26 subsection (c) of Section 21-2 of this Code; or ~~or~~

1           (N) successful completion of a minimum of 4 semester  
2           hours of graduate-level coursework addressing preparation  
3           to meet the requirements for certification by the National  
4           Board for Professional Teaching Standards, as described in  
5           clause (C) of paragraph (2) of subsection (c) of Section  
6           21-2 of this Code.

7           (4) A person must complete the requirements of this  
8           subsection (e) before the expiration of his or her Standard  
9           Teaching Certificate and must submit assurance to the regional  
10          superintendent of schools or, if applicable, a local  
11          professional development committee authorized by the regional  
12          superintendent to submit recommendations to him or her for this  
13          purpose. The statement of assurance shall contain a list of the  
14          activities completed, the provider offering each activity, the  
15          number of credits earned for each activity, and the purposes to  
16          which each activity is attributed. The certificate holder shall  
17          maintain the evidence of completion of each activity for at  
18          least one certificate renewal cycle. The certificate holder  
19          shall affirm under penalty of perjury that he or she has  
20          completed the activities listed and will maintain the required  
21          evidence of completion. The State Board of Education or the  
22          regional superintendent of schools for each region shall  
23          conduct random audits of assurance statements and supporting  
24          documentation.

25          (5) (Blank).

26          (6) (Blank).

1           (f) Notwithstanding any other provisions of this Code, a  
2 school district is authorized to enter into an agreement with  
3 the exclusive bargaining representative, if any, to form a  
4 local professional development committee (LPDC). The  
5 membership and terms of members of the LPDC may be determined  
6 by the agreement. Provisions regarding LPDCs contained in a  
7 collective bargaining agreement in existence on the effective  
8 date of this amendatory Act of the 93rd General Assembly  
9 between a school district and the exclusive bargaining  
10 representative shall remain in full force and effect for the  
11 term of the agreement, unless terminated by mutual agreement.  
12 The LPDC shall make recommendations to the regional  
13 superintendent of schools on renewal of teaching certificates.  
14 The regional superintendent of schools for each region shall  
15 perform the following functions:

16           (1) review recommendations for certificate renewal, if  
17 any, received from LPDCs;

18           (2) (blank);

19           (3) (blank);

20           (4) (blank);

21           (5) determine whether certificate holders have met the  
22 requirements for certificate renewal and notify  
23 certificate holders if the decision is not to renew the  
24 certificate;

25           (6) provide a certificate holder with the opportunity  
26 to appeal a recommendation made by a LPDC, if any, not to

1 renew the certificate to the regional professional  
2 development review committee;

3 (7) issue and forward recommendations for renewal or  
4 nonrenewal of certificate holders' Standard Teaching  
5 Certificates to the State Teacher Certification Board; and

6 (8) (blank).

7 (g)(1) Each regional superintendent of schools shall  
8 review and concur or nonconcur with each recommendation for  
9 renewal or nonrenewal of a Standard Teaching Certificate he or  
10 she receives from a local professional development committee,  
11 if any, or, if a certificate holder appeals the recommendation  
12 to the regional professional development review committee, the  
13 recommendation for renewal or nonrenewal he or she receives  
14 from a regional professional development review committee and,  
15 within 14 days of receipt of the recommendation, shall provide  
16 the State Teacher Certification Board with verification of the  
17 following, if applicable:

18 (A) the certificate holder has satisfactorily  
19 completed professional development and continuing  
20 education activities set forth in paragraph (3) of  
21 subsection (e) of this Section;

22 (B) the certificate holder has submitted the statement  
23 of assurance required under paragraph (4) of subsection (e)  
24 of this Section, and this statement has been attached to  
25 the application for renewal;

26 (C) the local professional development committee, if

1           any, has recommended the renewal of the certificate  
2           holder's Standard Teaching Certificate and forwarded the  
3           recommendation to the regional superintendent of schools;

4           (D) the certificate holder has appealed his or her  
5           local professional development committee's recommendation  
6           of nonrenewal, if any, to the regional professional  
7           development review committee and the result of that appeal;

8           (E) the regional superintendent of schools has  
9           concurred or nonconcurred with the local professional  
10          development committee's or regional professional  
11          development review committee's recommendation, if any, to  
12          renew or nonrenew the certificate holder's Standard  
13          Teaching Certificate and made a recommendation to that  
14          effect; and

15          (F) the established registration fee for the Standard  
16          Teaching Certificate has been paid.

17          If the notice required by this subsection (g) includes a  
18          recommendation of certificate nonrenewal, then, at the same  
19          time the regional superintendent of schools provides the State  
20          Teacher Certification Board with the notice, he or she shall  
21          also notify the certificate holder in writing, by certified  
22          mail, return receipt requested, that this notice has been  
23          provided to the State Teacher Certification Board.

24          (2) Each certificate holder shall have the right to appeal  
25          his or her local professional development committee's  
26          recommendation of nonrenewal, if any, to the regional



1 professional development review committee, within 14 days of  
2 receipt of notice that the recommendation has been sent to the  
3 regional superintendent of schools. Each regional  
4 superintendent of schools shall establish a regional  
5 professional development review committee or committees for  
6 the purpose of advising the regional superintendent of schools,  
7 upon request, and handling certificate holder appeals. This  
8 committee shall consist of at least 4 classroom teachers, one  
9 non-administrative certificated educational employee, 2  
10 administrators, and one at-large member who shall be either (i)  
11 a parent, (ii) a member of the business community, (iii) a  
12 community member, or (iv) an administrator, with preference  
13 given to an individual chosen from among those persons listed  
14 in items (i), (ii), and (iii) in order to secure representation  
15 of an interest not already represented on the committee. The  
16 teacher and non-administrative certificated educational  
17 employee members of the review committee shall be selected by  
18 their exclusive representative, if any, and the administrators  
19 and at-large member shall be selected by the regional  
20 superintendent of schools. A regional superintendent of  
21 schools may add additional members to the committee, provided  
22 that the same proportion of teachers to administrators and  
23 at-large members on the committee is maintained. Any additional  
24 teacher and non-administrative certificated educational  
25 employee members shall be selected by their exclusive  
26 representative, if any. Vacancies in positions on a regional

1 professional development review committee shall be filled in  
2 the same manner as the original selections. Committee members  
3 shall serve staggered 3-year terms. All individuals selected to  
4 serve on regional professional development review committees  
5 must be known to demonstrate the best practices in teaching or  
6 their respective field of practice.

7 (h) (1) The State Teacher Certification Board shall review  
8 the regional superintendent of schools' recommendations to  
9 renew or nonrenew Standard Teaching Certificates and notify  
10 certificate holders in writing whether their certificates have  
11 been renewed or nonrenewed within 90 days of receipt of the  
12 recommendations, unless a certificate holder has appealed a  
13 regional superintendent of schools' recommendation of  
14 nonrenewal, as provided in paragraph (2) of this subsection  
15 (h). The State Teacher Certification Board shall verify that  
16 the certificate holder has met the renewal criteria set forth  
17 in paragraph (1) of subsection (g) of this Section.

18 (2) Each certificate holder shall have the right to appeal  
19 a regional superintendent of school's recommendation to  
20 nonrenew his or her Standard Teaching Certificate to the State  
21 Teacher Certification Board, within 14 days of receipt of  
22 notice that the decision has been sent to the State Teacher  
23 Certification Board, which shall hold an appeal hearing within  
24 60 days of receipt of the appeal. When such an appeal is taken,  
25 the certificate holder's Standard Teaching Certificate shall  
26 continue to be valid until the appeal is finally determined.

1 The State Teacher Certification Board shall review the regional  
2 superintendent of school's recommendation, the regional  
3 professional development review committee's recommendation, if  
4 any, and the local professional development committee's  
5 recommendation, if any, and all relevant documentation to  
6 verify whether the certificate holder has met the renewal  
7 criteria set forth in paragraph (1) of subsection (g) of this  
8 Section. The State Teacher Certification Board may request that  
9 the certificate holder appear before it. All actions taken by  
10 the State Teacher Certification Board shall require a quorum  
11 and be by a simple majority of those present and voting. A  
12 record of all votes shall be maintained. The State Teacher  
13 Certification Board shall notify the certificate holder in  
14 writing, within 7 days of completing the review, whether his or  
15 her Standard Teaching Certificate has been renewed or  
16 nonrenewed, provided that if the State Teacher Certification  
17 Board determines to nonrenew a certificate, the written notice  
18 provided to the certificate holder shall be by certified mail,  
19 return receipt requested. All certificate renewal or  
20 nonrenewal decisions of the State Teacher Certification Board  
21 are final and subject to administrative review, as set forth in  
22 Section 21-24 of this Code.

23 (i) Holders of Master Teaching Certificates shall meet the  
24 same requirements and follow the same procedures as holders of  
25 Standard Teaching Certificates, except that their renewal  
26 cycle shall be as set forth in subsection (d) of Section 21-2

1 of this Code and their renewal requirements shall be subject to  
2 paragraph (8) of subsection (c) of Section 21-2 of this Code.

3 A holder of a teaching certificate endorsed as a  
4 speech-language pathologist who has been granted the  
5 Certificate of Clinical Competence by the American  
6 Speech-Language Hearing Association may renew his or her  
7 Standard Teaching Certificate pursuant to the 10-year renewal  
8 cycle set forth in subsection (d) of Section 21-2 of this Code.

9 (j) Holders of Valid and Exempt Standard and Master  
10 Teaching Certificates who are not employed and performing  
11 services in an Illinois public or State-operated elementary  
12 school, secondary school, or cooperative or joint agreement  
13 with a governing body or board of control, in a certificated  
14 teaching position, may voluntarily activate their certificates  
15 through the regional superintendent of schools of the regional  
16 office of education for the geographic area where their  
17 teaching is done. These certificate holders shall follow the  
18 same renewal criteria and procedures as all other Standard and  
19 Master Teaching Certificate holders, except that their  
20 continuing professional development activities need not  
21 reflect or address the knowledge, skills, and goals of a local  
22 school improvement plan.

23 (k) (Blank).

24 (l) (Blank).

25 (m) The changes made to this Section by this amendatory Act  
26 of the 93rd General Assembly that affect renewal of Standard

1 and Master Certificates shall apply to those persons who hold  
2 Standard or Master Certificates on or after the effective date  
3 of this amendatory Act of the 93rd General Assembly and shall  
4 be given effect upon renewal of those certificates.

5 (Source: P.A. 92-510, eff. 6-1-02; 92-796, eff. 8-10-02; 93-81,  
6 eff. 7-2-03; 93-679, eff. 6-30-04; revised 9-20-06.)

7 Section 20. The Health Care Worker Self-Referral Act is  
8 amended by changing Section 15 as follows:

9 (225 ILCS 47/15)

10 Sec. 15. Definitions. In this Act:

11 (a) "Board" means the Health Facilities Planning Board.

12 (b) "Entity" means any individual, partnership, firm,  
13 corporation, or other business that provides health services  
14 but does not include an individual who is a health care worker  
15 who provides professional services to an individual.

16 (c) "Group practice" means a group of 2 or more health care  
17 workers legally organized as a partnership, professional  
18 corporation, not-for-profit corporation, faculty practice plan  
19 or a similar association in which:

20 (1) each health care worker who is a member or employee  
21 or an independent contractor of the group provides  
22 substantially the full range of services that the health  
23 care worker routinely provides, including consultation,  
24 diagnosis, or treatment, through the use of office space,

1 facilities, equipment, or personnel of the group;

2 (2) the services of the health care workers are  
3 provided through the group, and payments received for  
4 health services are treated as receipts of the group; and

5 (3) the overhead expenses and the income from the  
6 practice are distributed by methods previously determined  
7 by the group.

8 (d) "Health care worker" means any individual licensed  
9 under the laws of this State to provide health services,  
10 including but not limited to: dentists licensed under the  
11 Illinois Dental Practice Act; dental hygienists licensed under  
12 the Illinois Dental Practice Act; nurses and advanced practice  
13 nurses licensed under the Nursing and Advanced Practice Nursing  
14 Act; occupational therapists licensed under the Illinois  
15 Occupational Therapy Practice Act; optometrists licensed under  
16 the Illinois Optometric Practice Act of 1987; pharmacists  
17 licensed under the Pharmacy Practice Act of 1987; physical  
18 therapists licensed under the Illinois Physical Therapy Act;  
19 physicians licensed under the Medical Practice Act of 1987;  
20 physician assistants licensed under the Physician Assistant  
21 Practice Act of 1987; podiatrists licensed under the Podiatric  
22 Medical Practice Act of 1987; clinical psychologists licensed  
23 under the Clinical Psychologist Licensing Act; clinical social  
24 workers licensed under the Clinical Social Work and Social Work  
25 Practice Act; speech-language pathologists and audiologists  
26 licensed under the Illinois Speech-Language Pathology, L

1 Auditory-Verbal Therapy, and Audiology Practice Act; or  
2 hearing instrument dispensers licensed under the Hearing  
3 Instrument Consumer Protection Act, or any of their successor  
4 Acts.

5 (e) "Health services" means health care procedures and  
6 services provided by or through a health care worker.

7 (f) "Immediate family member" means a health care worker's  
8 spouse, child, child's spouse, or a parent.

9 (g) "Investment interest" means an equity or debt security  
10 issued by an entity, including, without limitation, shares of  
11 stock in a corporation, units or other interests in a  
12 partnership, bonds, debentures, notes, or other equity  
13 interests or debt instruments except that investment interest  
14 for purposes of Section 20 does not include interest in a  
15 hospital licensed under the laws of the State of Illinois.

16 (h) "Investor" means an individual or entity directly or  
17 indirectly owning a legal or beneficial ownership or investment  
18 interest, (such as through an immediate family member, trust,  
19 or another entity related to the investor).

20 (i) "Office practice" includes the facility or facilities  
21 at which a health care worker, on an ongoing basis, provides or  
22 supervises the provision of professional health services to  
23 individuals.

24 (j) "Referral" means any referral of a patient for health  
25 services, including, without limitation:

26 (1) The forwarding of a patient by one health care

1 worker to another health care worker or to an entity  
2 outside the health care worker's office practice or group  
3 practice that provides health services.

4 (2) The request or establishment by a health care  
5 worker of a plan of care outside the health care worker's  
6 office practice or group practice that includes the  
7 provision of any health services.

8 (Source: P.A. 89-72, eff. 12-31-95; 90-742, eff. 8-13-98.)

9 Section 25. The Hearing Instrument Consumer Protection Act  
10 is amended by changing Sections 3, 7, and 15 as follows:

11 (225 ILCS 50/3) (from Ch. 111, par. 7403)

12 (Section scheduled to be repealed on January 1, 2016)

13 Sec. 3. Definitions. As used in this Act, except as the  
14 context requires otherwise:

15 "Department" means the Department of Public Health.

16 "Director" means the Director of the Department of Public  
17 Health.

18 "License" means a license issued by the State under this  
19 Act to a hearing instrument dispenser.

20 "Licensed Audiologist" means a person licensed as an  
21 audiologist under the Illinois Speech-Language Pathology,  
22 Auditory-Verbal Therapy, and Audiology Practice Act.

23 "National Board Certified Hearing Instrument Specialist"  
24 means a person who has had at least 2 years in practice as a



1 licensed hearing instrument dispenser and has been certified  
2 after qualification by examination by the National Board for  
3 Certification in Hearing Instruments Sciences.

4 "Licensed physician" or "physician" means a physician  
5 licensed in Illinois to practice medicine in all of its  
6 branches.

7 "Board" means the Hearing Instrument Consumer Protection  
8 Board.

9 "Hearing instrument" or "hearing aid" means any instrument  
10 or device designed, intended, or offered for the purpose of  
11 improving a person's hearing and any parts, attachments, or  
12 accessories, including earmold. Batteries, cords, and  
13 individual or group auditory training devices and any  
14 instrument or device used by a public utility in providing  
15 telephone or other communication services are excluded.

16 "Practice of fitting, dispensing, or servicing of hearing  
17 instruments" means the measurement of human hearing with an  
18 audiometer, calibrated to the current American National  
19 Standard Institute standards, for the purpose of making  
20 selections, recommendations, adaptations, services, or sales of  
21 hearing instruments including the making of earmolds as a part  
22 of the hearing instrument.

23 "Sell" or "sale" means any transfer of title or of the  
24 right to use by lease, bailment, or any other contract,  
25 excluding wholesale transactions with distributors or dealers.

26 "Hearing instrument dispenser" means a person who is a

1 hearing care professional that engages in the selling, practice  
2 of fitting, selecting, recommending, dispensing, or servicing  
3 of hearing instruments or the testing for means of hearing  
4 instrument selection or who advertises or displays a sign or  
5 represents himself or herself as a person who practices the  
6 testing, fitting, selecting, servicing, dispensing, or selling  
7 of hearing instruments.

8 "Fund" means the Hearing Instrument Dispenser Examining  
9 and Disciplinary Fund.

10 "Hearing Care Professional" means a person who is a  
11 licensed audiologist, a licensed hearing instrument dispenser,  
12 or a licensed physician.

13 (Source: P.A. 89-72, eff. 12-31-95.)

14 (225 ILCS 50/7) (from Ch. 111, par. 7407)

15 (Section scheduled to be repealed on January 1, 2016)

16 Sec. 7. Exemptions.

17 (a) The following are exempt from this Act:

18 (1) Licensed physicians. This exemption, however, does  
19 not apply to a physician's employee or subcontractor who is  
20 not a physician.

21 (2) Persons who only repair or manufacture hearing  
22 instruments and their accessories for wholesale.

23 (b) Audiometers used by persons exempt from this Act to  
24 dispense hearing instruments must meet the annual calibration  
25 requirements and current standards set by the American National

1 Standards Institute.

2 (c) Audiologists licensed under the Illinois  
3 Speech-Language Pathology, Auditory-Verbal Therapy, and  
4 Audiology Practice Act are exempt from licensure under this  
5 Act, but are otherwise subject to the practices and provisions  
6 of this Act.

7 (Source: P.A. 91-932, eff. 1-1-01.)

8 (225 ILCS 50/15) (from Ch. 111, par. 7415)

9 (Section scheduled to be repealed on January 1, 2016)

10 Sec. 15. Fees.

11 (a) The following are fees to be charged and are not  
12 refundable:

13 (1) The fee for application for a license is \$40.

14 (2) In addition to the application fee, applicants for  
15 any examination shall be required to pay, either to the  
16 Department or to the designated testing service, a fee  
17 covering the actual cost of the examination. Failure to  
18 appear for the examination on the scheduled date, at the  
19 time and place specified, after the applicant's  
20 application and fee for the examination has been received  
21 and acknowledged by the Department or the designated  
22 testing service, shall result in the forfeiture of the fee.

23 (3) The fee for a license shall be \$115 per 2 year  
24 licensure period, except that the fee for a license for a  
25 person obtaining his or her supervised professional

1 experience as required by subsection (f) of Section 8 of  
2 the Illinois Speech-Language Pathology, Auditory-Verbal  
3 Therapy, and Audiology Practice Act shall be \$60 per one  
4 year licensure period.

5 (4) The fee for the reinstatement of a license which  
6 has been expired for more than 90 days but less than 2  
7 years is \$50 plus payment of all lapsed renewal and late  
8 fees.

9 (5) The fee for the restoration of a license which has  
10 been expired for more than 2 years is \$100 plus payment of  
11 all lapsed renewal and late fees.

12 (6) The fee for the issuance of a duplicate license,  
13 for the issuance of a replacement license which has been  
14 lost or destroyed or for the issuance of a license with a  
15 change of name or address is \$10. No fee is required for  
16 name and address changes on Department records when no  
17 duplicate license is issued.

18 (7) The fee for a licensee's record for any purpose is  
19 \$10.

20 (8) The fee to have the scoring of an examination  
21 administered by the Department reviewed and verified is  
22 \$10, plus any fee charged by the testing service.

23 (9) The fee for a wall license shall be the actual cost  
24 of such license.

25 (10) The fee for a roster of persons licensed as  
26 hearing instrument dispensers shall be the actual cost of

1 such roster.

2 (11) The annual fee for any organization registered  
3 pursuant to Section 6 is \$100. Such fee is in addition to  
4 all other fees imposed under this Act.

5 (12) A late fee, which shall be in the same amount as  
6 the license renewal fee, shall be charged to a dispenser  
7 whose license renewal fee is received by the Department  
8 after the expiration date of the license.

9 (13) Sponsors of continuing education courses shall  
10 provide such information as may be required by rule and  
11 shall pay a fee of \$150 per course. However, courses  
12 certified or approved for continuing education by the  
13 International Hearing Aid Society, the American Academy of  
14 Audiology, the Academy of Dispensing Audiologists, the  
15 American Speech-Language-Hearing Association, or any other  
16 national organization approved by the Board shall be exempt  
17 from such fee and compliance with such course filing  
18 requirements as specified by rule.

19 (b) The moneys received as fees and fines by the Department  
20 under this Act shall be deposited in the Hearing Instrument  
21 Dispenser Examining and Disciplinary Fund, which is hereby  
22 created as a special fund in the State Treasury, and shall be  
23 used only for the administration and enforcement of this Act,  
24 including: (1) costs directly related to licensing of persons  
25 under this Act; and (2) by the Board in the exercise of its  
26 powers and performance of its duties, and such use shall be

1 made by the Department with full consideration of all  
2 recommendations of the Board.

3 All moneys deposited in the Fund shall be appropriated to  
4 the Department for expenses of the Department and the Board in  
5 the administration and enforcement of this Act.

6 Moneys in the Fund may be invested and reinvested, with all  
7 earnings deposited in the Fund and used for the purposes set  
8 forth in this Act.

9 Upon the completion of any audit of the Department as  
10 prescribed by the Illinois State Auditing Act, which audit  
11 shall include an audit of the Fund, the Department shall make a  
12 copy of the audit open to inspection by any interested person,  
13 which copy shall be submitted to the Department by the Auditor  
14 General, in addition to the copies of audit reports required to  
15 be submitted to other State officers and agencies by Section  
16 3-14 of the Illinois State Auditing Act.

17 (Source: P.A. 91-932, eff. 1-1-01.)

18 Section 30. The Illinois Speech-Language Pathology and  
19 Audiology Practice Act is amended by changing the title of the  
20 Act and Sections 1, 2, 3, 3.5, 4, 5, 7, 8, 9.5, 10, 11, 13, 16,  
21 16.5, 18, 21, 26, 27, 28, 29, 29.5, 31a, 33, and 34 as follows:

22 (225 ILCS 110/Act title)

23 An Act in relation to the practice of speech-language  
24 pathology, auditory-verbal therapy, and audiology.

1 (225 ILCS 110/1) (from Ch. 111, par. 7901)

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

3 Sec. 1. Short title. This Act may be cited as the Illinois  
4 Speech-Language Pathology, Auditory-Verbal Therapy, and  
5 Audiology Practice Act.

6 (Source: P.A. 85-1391; 86-1475.)

7 (225 ILCS 110/2) (from Ch. 111, par. 7902)

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

9 Sec. 2. Legislative Declaration of Public Policy. The  
10 practice of Speech-Language Pathology, Auditory-Verbal  
11 Therapy, and Audiology in the State of Illinois is hereby  
12 declared to affect the public health, safety and welfare and to  
13 be subject to regulation and control in the public interest. It  
14 is further declared to be a matter of public interest and  
15 concern that the speech-language pathology, auditory-verbal  
16 therapy, and audiology professions merit and receive the  
17 confidence of the public and that only qualified persons be  
18 permitted to practice this profession in the State of Illinois.  
19 This Act shall be liberally construed to carry out these  
20 objectives and purposes.

21 It is further declared to be the public policy of this  
22 State, pursuant to subsections (h) and (i) of Section 6 of  
23 Article VII of the Illinois Constitution of 1970, that any  
24 power or function set forth in this Act to be exercised by the

1 State is an exclusive State power or function. Such power or  
2 function shall not be exercised concurrently, either directly  
3 or indirectly, by any unit of local government, including home  
4 rule units, except as otherwise provided in this Act.

5 (Source: P.A. 85-1391.)

6 (225 ILCS 110/3) (from Ch. 111, par. 7903)

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

8 Sec. 3. Definitions. The following words and phrases shall  
9 have the meaning ascribed to them in this Section unless the  
10 context clearly indicates otherwise:

11 (a) "Department" means the Department of Professional  
12 Regulation.

13 (b) "Director" means the Director of Professional  
14 Regulation.

15 (c) "Board" means the Board of Speech-Language Pathology,  
16 Auditory-Verbal Therapy, and Audiology established under  
17 Section 5 of this Act.

18 (d) "Speech-Language Pathologist" means a person who has  
19 received a license pursuant to this Act and who engages in the  
20 practice of speech-language pathology.

21 (e) "Audiologist" means a person who has received a license  
22 pursuant to this Act and who engages in the practice of  
23 audiology.

24 (f) "Public member" means a person who is not a health  
25 professional. For purposes of board membership, any person with



1 a significant financial interest in a health service or  
2 profession is not a public member.

3 (g) "The practice of audiology" is the application of  
4 nonmedical methods and procedures for the identification,  
5 measurement, testing, appraisal, prediction, habilitation,  
6 rehabilitation, or instruction related to hearing and  
7 disorders of hearing. These procedures are for the purpose of  
8 counseling, consulting and rendering or offering to render  
9 services or for participating in the planning, directing or  
10 conducting of programs that are designed to modify  
11 communicative disorders involving speech, language or auditory  
12 function related to hearing loss. The practice of audiology may  
13 include, but shall not be limited to, the following:

14 (1) any task, procedure, act, or practice that is  
15 necessary for the evaluation of hearing or vestibular  
16 function;

17 (2) training in the use of amplification devices;

18 (3) the fitting, dispensing, or servicing of hearing  
19 instruments; and

20 (4) performing basic speech and language screening  
21 tests and procedures consistent with audiology training.

22 (h) "The practice of speech-language pathology" is the  
23 application of nonmedical methods and procedures for the  
24 identification, measurement, testing, appraisal, prediction,  
25 habilitation, rehabilitation, and modification related to  
26 communication development, and disorders or disabilities of

1 speech, language, voice, swallowing, and other speech,  
2 language and voice related disorders. These procedures are for  
3 the purpose of counseling, consulting and rendering or offering  
4 to render services, or for participating in the planning,  
5 directing or conducting of programs that are designed to modify  
6 communicative disorders and conditions in individuals or  
7 groups of individuals involving speech, language, voice and  
8 swallowing function.

9 "The practice of speech-language pathology" shall include,  
10 but shall not be limited to, the following:

11 (1) hearing screening tests and aural rehabilitation  
12 procedures consistent with speech-language pathology  
13 training;

14 (2) tasks, procedures, acts or practices that are  
15 necessary for the evaluation of, and training in the use  
16 of, augmentative communication systems, communication  
17 variation, cognitive rehabilitation, non-spoken language  
18 production and comprehension.

19 (i) "Speech-language pathology assistant" means a person  
20 who has received a license pursuant to this Act to assist a  
21 speech-language pathologist in the manner provided in this Act.

22 (j) "Auditory-verbal therapist" means a person who has been  
23 licensed pursuant to this Act and who engages in the practice  
24 of auditory-verbal therapy.

25 (k) "The practice of auditory-verbal therapy" is the  
26 application of non-medical methods and procedures for the

1 identification, measurement, testing, appraisal, prediction,  
2 habilitation, and rehabilitation or instruction related to  
3 hearing development and communication development (spoken  
4 language).

5 "The practice of auditory-verbal therapy" includes, but is  
6 not limited to, the following:

7 (1) the support of programs for the early detection and  
8 identification of hearing loss and the auditory management  
9 of infant, toddlers, and children so identified;

10 (2) the support of the earliest and most appropriate  
11 use of hearing aids and cochlear implants to achieve the  
12 maximum benefits available;

13 (3) the integration of listening into the child's total  
14 personality in response to the environment;

15 (4) the use of parents as primary models for spoken  
16 language development and the implementation of one-to-one  
17 teaching;

18 (5) the making of on-going evaluations and prognoses of  
19 the development of listening skills an integral part of the  
20 rehabilitative process; and

21 (6) the support of the concepts of mainstreaming and  
22 integration of children with hearing loss into regular  
23 education classes with appropriate support services and to  
24 the fullest extent possible.

25 (Source: P.A. 94-528, eff. 8-10-05.)

1 (225 ILCS 110/3.5)

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

3 Sec. 3.5. Exemptions. This Act does not prohibit:

4 (a) The practice of speech-language pathology, auditory-verbal therapy,  
5 or audiology by students in their  
6 course of study in programs approved by the Department when  
7 acting under the direction and supervision of licensed  
8 speech-language pathologists, auditory-verbal therapists,  
9 or audiologists.

10 (b) The performance of any speech-language pathology  
11 service by a speech-language pathology assistant or a  
12 speech-language pathology paraprofessional if such service  
13 is performed under the supervision and full responsibility  
14 of a licensed speech-language pathologist. A speech  
15 language pathology assistant may perform only those duties  
16 authorized by Section 8.7 under the supervision of a  
17 speech-language pathologist as provided in Section 8.8.

18 (b-5) The performance of an audiology service by an  
19 appropriately trained person if that service is performed  
20 under the supervision and full responsibility of a licensed  
21 audiologist.

22 (c) The performance of audiometric testing for the  
23 purpose of industrial hearing conservation by an  
24 audiometric technician certified by the Council of  
25 Accreditation for Occupational Hearing Conservation  
26 (CAOHC).

1           (d) The performance of an audiometric screening by an  
2           audiometric screenings technician certified by the  
3           Department of Public Health.

4           (e) The selling or practice of fitting, dispensing, or  
5           servicing hearing instruments by a hearing instrument  
6           dispenser licensed under the Hearing Instrument Consumer  
7           Protection Act.

8           (f) A person licensed in this State under any other Act  
9           from engaging in the practice for which he or she is  
10          licensed.

11          (g) The performance of vestibular function testing by  
12          an appropriately trained person under the supervision of a  
13          physician licensed to practice medicine in all its  
14          branches.

15          (Source: P.A. 92-510, eff. 6-1-02.)

16           (225 ILCS 110/4) (from Ch. 111, par. 7904)

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

18          Sec. 4. Powers and duties of the Department. Subject to the  
19          provisions of this Act, the Department shall exercise the  
20          following functions, powers and duties:

21           (a) Conduct or authorize examinations to ascertain the  
22           fitness and qualifications of applicants for license and issue  
23           licenses to those who are found to be fit and qualified.

24           (b) Prescribe rules and regulations for a method of  
25           examination of candidates.

1 (c) Prescribe rules and regulations defining what shall  
2 constitute an approved school, college or department of a  
3 university, except that no school, college or department of a  
4 university that refuses admittance to applicants solely on  
5 account of race, color, creed, sex or national origin shall be  
6 approved.

7 (d) Conduct hearings on proceedings to revoke, suspend, or  
8 refusal to issue such licenses.

9 (e) Promulgate rules and regulations required for the  
10 administration of this Act.

11 (f) Discipline the supervisor of a graduate audiology,   
12 auditory-verbal therapy, or speech-language pathology student  
13 as provided in this Act for a violation by the graduate  
14 audiology, auditory-verbal therapy, or speech-language  
15 pathology student.

16 (Source: P.A. 94-528, eff. 8-10-05.)

17 (225 ILCS 110/5) (from Ch. 111, par. 7905)

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

19 Sec. 5. Board of Speech-Language Pathology,   
20 Auditory-Verbal Therapy, and Audiology. There is created a  
21 Board of Speech-Language Pathology, Auditory-Verbal Therapy,  
22 and Audiology to be composed of persons designated from time to  
23 time by the Director, as follows:

24 (a) Seven ~~Five~~ persons, 2 of whom have been licensed  
25 speech-language pathologists for a period of 5 years or

1 more, 2 of whom have been licensed audiologists for a  
2 period of 5 years or more, 2 of whom are licensed  
3 auditory-verbal therapists, and one public member. The  
4 board shall annually elect a chairperson and a  
5 vice-chairperson.

6 (b) Terms for all members shall be for 3 years. Partial  
7 terms over 2 years in length shall be considered as full  
8 terms. A member may be reappointed for a successive term,  
9 but no member shall serve more than 2 full terms.

10 (c) The membership of the Board should reasonably  
11 reflect representation from the various geographic areas  
12 of the State.

13 (d) In making appointments to the Board, the Director  
14 shall give due consideration to recommendations by  
15 organizations of the speech-language pathology and  
16 audiology professions in Illinois, including the Illinois  
17 Speech-Language-Hearing Association, the Alexander Graham  
18 Bell Academy of Listening and Spoken Language, and the  
19 Illinois Academy of Audiology, and shall promptly give due  
20 notice to such organizations of any vacancy in the  
21 membership of the Board. The Director may terminate the  
22 appointment of any member for any cause, which in the  
23 opinion of the Director, reasonably justifies such  
24 termination.

25 (e) A majority of the Board members currently appointed  
26 shall constitute a quorum. A vacancy in the membership of

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

4 (f) The members of the Board shall each receive as  
5 compensation a reasonable sum as determined by the Director  
6 for each day actually engaged in the duties of the office,  
7 and all legitimate and necessary expenses incurred in  
8 attending the meetings of the Board.

9 (g) Members of the Board shall be immune from suit in  
10 any action based upon any disciplinary proceedings or other  
11 activities performed in good faith as members of the Board.

12 (h) The Director may consider the recommendations of  
13 the Board in establishing guidelines for professional  
14 conduct, the conduct of formal disciplinary proceedings  
15 brought under this Act, and qualifications of applicants.  
16 Notice of proposed rulemaking shall be transmitted to the  
17 Board and the Department shall review the response of the  
18 Board and any recommendations made in the response. The  
19 Department, at any time, may seek the expert advice and  
20 knowledge of the Board on any matter relating to the  
21 administration or enforcement of this Act.

22 (i) Whenever the Director is satisfied that  
23 substantial justice has not been done either in an  
24 examination or in the revocation, suspension, or refusal of  
25 a license, or other disciplinary action relating to a  
26 license, the Director may order a reexamination or



1 rehearing.

2 (Source: P.A. 94-528, eff. 8-10-05.)

3 (225 ILCS 110/7) (from Ch. 111, par. 7907)

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

5 Sec. 7. Licensure requirement.

6 (a) Except as provided in subsection (b), on or after June  
7 1, 1989, no person shall practice speech-language pathology or  
8 audiology without first applying for and obtaining a license  
9 for such purpose from the Department. Except as provided in  
10 this Section, on or after January 1, 2002, no person shall  
11 perform the functions and duties of a speech-language pathology  
12 assistant without first applying for and obtaining a license  
13 for that purpose from the Department. Except as provided in  
14 this Section, beginning 12 months after the effective date of  
15 this amendatory Act of the 95th General Assembly, no person  
16 shall perform the functions and duties of an auditory-verbal  
17 therapist without first being licensed for that purpose by the  
18 Department.

19 (b) A person holding a regular license to practice  
20 speech-language pathology or audiology under the laws of  
21 another state, a territory of the United States, or the  
22 District of Columbia who has made application to the Department  
23 for a license to practice speech-language pathology or  
24 audiology may practice speech-language pathology or audiology  
25 without a license for 90 days from the date of application or

1 until disposition of the license application by the Department,  
2 whichever is sooner, if the person (i) holds a Certificate of  
3 Clinical Competence from the American Speech-Language-Hearing  
4 Association in speech-language pathology or audiology or, in  
5 the case of an audiologist, a certificate from the American  
6 Board of Audiology and (ii) has not been disciplined and has no  
7 disciplinary matters pending in a state, a territory, or the  
8 District of Columbia.

9 (c) A person holding a valid certification from the  
10 Alexander Graham Bell Academy of Listening and Spoken Language  
11 who has made application to the Department for licensure to  
12 practice auditory-verbal therapy may practice auditory-verbal  
13 therapy without a license for 90 days from the date of  
14 application or until disposition of the application for  
15 licensure by the Department, whichever is sooner, if the person  
16 has not been disciplined by and has no disciplinary matters  
17 pending before the Alexander Graham Bell Academy of Listening  
18 and Spoken Language.

19 (Source: P.A. 92-510, eff. 6-1-02; 93-112, eff. 1-1-04.)

20 (225 ILCS 110/8) (from Ch. 111, par. 7908)

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

22 Sec. 8. Qualifications for licenses to practice  
23 speech-language pathology or audiology.

24 (a) The Department shall require that each applicant for a  
25 license to practice speech-language pathology or audiology

1 shall:

2 (1) ~~(a)~~ (Blank);

3 (2) ~~(b)~~ be at least 21 years of age;

4 (3) ~~(c)~~ not have violated any provisions of Section 16  
5 of this Act;

6 (4) ~~(d)~~ present satisfactory evidence of receiving a  
7 master's or doctoral degree in speech-language pathology  
8 or audiology from a program approved by the Department.  
9 Nothing in this Act shall be construed to prevent any  
10 program from establishing higher standards than specified  
11 in this Act;

12 (5) ~~(e)~~ pass a national examination recognized by the  
13 Department in the theory and practice of the profession;

14 (6) ~~(f)~~ for a license as a speech-language pathologist,  
15 have completed the equivalent of 9 months of supervised  
16 experience; and

17 (7) ~~(g)~~ for a license as an audiologist, have completed  
18 a minimum of 1,500 clock hours of supervised experience.

19 (b) The Department shall require that each applicant for  
20 licensure to practice auditory-verbal therapy shall meet each  
21 of the following qualifications:

22 (1) Be at least 21 years of age.

23 (2) Not have violated any provisions of Section 16 of  
24 this Act.

25 (3) Present satisfactory evidence of receiving a  
26 master's or doctoral degree in speech-language pathology,

1 auditory-verbal therapy, audiology, or education of the  
2 hearing-impaired from a program approved by the  
3 Department.

4 (4) Present satisfactory evidence of having completed  
5 a minimum of 1,200 clock hours of professional experience  
6 in the practice of auditory-verbal therapy within the 3  
7 years immediately preceding application for licensure.

8 (5) Present satisfactory evidence of having completed  
9 a minimum of 12 hours of supervised experience and 12 hours  
10 of additional monitored activity.

11 (6) Have an auditory-verbal therapist checklist  
12 completed by a person who is licensed under this Act and  
13 acting as a supervisor or monitor of experience gained  
14 under item (5) of this Section.

15 (7) Have completed a candidate auditory-verbal  
16 therapist checklist.

17 (8) Present 4 letters written by a parent detailing the  
18 auditory-verbal therapy conducted with regards to his or  
19 her child by the applicant within the most recent 6 years.

20 (8) Submit an unedited, 45 to 60 minute video recording  
21 of an auditory-verbal therapy session conducted by the  
22 applicant.

23 (9) Have successfully completed a written exam  
24 developed or approved by the Department.

25 Applicants have 3 years from the date of application to  
26 complete the application process. If the process has not been

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

4 Applicants have 3 years from the date of application to  
5 complete the application process. If the process has not been  
6 completed within 3 years, the application shall be denied, the  
7 fee shall be forfeited, and the applicant must reapply and meet  
8 the requirements in effect at the time of reapplication.

9 (Source: P.A. 94-528, eff. 8-10-05.)

10 (225 ILCS 110/9.5)

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

12 Sec. 9.5. Practice by corporations. No license shall be  
13 issued by the Department to any corporation, the stated purpose  
14 of which includes or that practices or holds itself out as  
15 available to practice speech-language pathology,  
16 auditory-verbal therapy, or audiology, unless it is organized  
17 under the provisions of the Professional Service Corporation  
18 Act.

19 (Source: P.A. 90-69, eff. 7-8-97.)

20 (225 ILCS 110/10) (from Ch. 111, par. 7910)

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

22 Sec. 10. List of speech-language pathologists,  
23 auditory-verbal therapists, and audiologists. The Department  
24 shall maintain a list of the names and addresses of the

1 speech-language pathologists, speech-language pathology  
2 assistants, auditory-verbal therapists, and audiologists. Such  
3 lists shall also be mailed by the Department to any person upon  
4 request and payment of the required fee.

5 (Source: P.A. 92-510, eff. 6-1-02.)

6 (225 ILCS 110/11) (from Ch. 111, par. 7911)

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

8 Sec. 11. Expiration, renewal, and restoration of licenses.

9 (a) The expiration date and renewal period for each license  
10 issued under this Act shall be set by rule. A speech-language  
11 pathologist, speech-language pathology assistant,  
12 auditory-verbal therapist, or audiologist may renew such  
13 license during the month preceding the expiration date thereof  
14 by paying the required fee.

15 (a-5) All speech-language pathologist and audiologist  
16 license renewal applicants shall provide proof of having met  
17 the continuing education requirements set forth in the rules of  
18 the Department. At a minimum, the rules shall require a renewal  
19 applicant for licensure as a speech-language pathologist or  
20 audiologist to provide proof of completing at least 20 clock  
21 hours of continuing education during the 2-year licensing cycle  
22 for which he or she is currently licensed. An audiologist who  
23 has met the continuing education requirements of the Hearing  
24 Instrument Consumer Protection Act during an equivalent  
25 licensing cycle under this Act shall be deemed to have met the

1 continuing education requirements of this Act. At a minimum,  
2 the rules shall require a renewal applicant for licensure as a  
3 speech-language pathology assistant to provide proof of  
4 completing at least 10 clock hours of continuing education  
5 during the 2-year period for which he or she currently holds a  
6 license. The Department shall provide by rule for an orderly  
7 process for the reinstatement of licenses that have not been  
8 renewed for failure to meet the continuing education  
9 requirements. The continuing education requirements may be  
10 waived in cases of extreme hardship as defined by rule of the  
11 Department.

12 The Department shall establish by rule a means for the  
13 verification of completion of the continuing education  
14 required by this Section. This verification may be accomplished  
15 through audits of records maintained by licensees, by requiring  
16 the filing of continuing education certificates with the  
17 Department, or by other means established by the Department.

18 (a-10) All auditory-verbal therapist license renewal  
19 applicants shall provide proof of having met the continuing  
20 education requirements set forth in the rules of the  
21 Department. At a minimum, the rules shall require a renewal  
22 applicant for licensure as a auditory-verbal therapist to  
23 provide proof of completing at least 12 clock hours of  
24 continuing education annually, at least 6 of which must concern  
25 auditory-verbal techniques. The Department shall provide by  
26 rule for an orderly process for the reinstatement of licenses

1 that have not been renewed for failure to meet the continuing  
2 education requirements. The continuing education requirements  
3 may be waived in cases of extreme hardship as defined by rule  
4 of the Department.

5 (b) Inactive status.

6 (1) Any licensee who notifies the Department in writing  
7 on forms prescribed by the Department may elect to place  
8 his or her license on an inactive status and shall, subject  
9 to rules of the Department, be excused from payment of  
10 renewal fees until he or she notifies the Department in  
11 writing of his or her desire to resume active status.

12 (2) Any licensee requesting restoration from inactive  
13 status shall be required to (i) pay the current renewal  
14 fee; and (ii) in the case of speech-language pathologists,  
15 speech-language pathology assistants, and audiologists,  
16 demonstrate that he or she has obtained the equivalent of  
17 20 hours of continuing education if the licensee has been  
18 inactive for 5 years or more.

19 (3) Any licensee whose license is in an inactive status  
20 shall not practice in the State of Illinois without first  
21 restoring his or her license.

22 (4) Any licensee who shall engage in the practice while  
23 the license is lapsed or inactive shall be considered to be  
24 practicing without a license which shall be grounds for  
25 discipline under Section 16 of this Act.

26 (c) Any speech-language pathologist, speech-language



1 pathology assistant, auditory-verbal therapist, or  
2 audiologist whose license has expired may have his or her  
3 license restored at any time within 5 years after the  
4 expiration thereof, upon payment of the required fee.

5 (d) Any person whose license has been expired for 5 years  
6 or more may have his or her license restored by making  
7 application to the Department and filing proof acceptable to  
8 the Department of his or her fitness to have his or her license  
9 restored, including sworn evidence certifying to active lawful  
10 practice in another jurisdiction, and by paying the required  
11 restoration fee. A person practicing on an expired license is  
12 deemed to be practicing without a license.

13 (e) If a person whose license has expired has not  
14 maintained active practice in another jurisdiction, the  
15 Department shall determine, by an evaluation process  
16 established by rule, his or her fitness to resume active status  
17 and may require the person to complete a period of evaluated  
18 clinical experience, and may require successful completion of  
19 an examination.

20 (f) Any person whose license has expired while he or she  
21 has been engaged (1) in federal or State service on active  
22 duty, or (2) in training or education under the supervision of  
23 the United States preliminary to induction into the military  
24 service, may have his or her license restored without paying  
25 any lapsed renewal or restoration fee, if within 2 years after  
26 termination of such service, training or education he or she

1 furnishes the Department with satisfactory proof that he or she  
2 has been so engaged and that his or her service, training or  
3 education has been so terminated.

4 (Source: P.A. 92-510, eff. 6-1-02.)

5 (225 ILCS 110/13) (from Ch. 111, par. 7913)

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

7 Sec. 13. Licensing applicants from other states.

8 Upon payment of the required fee, an applicant who is a  
9 speech-language pathologist, speech-language pathology  
10 assistant, auditory-verbal therapist, or audiologist licensed  
11 under the laws of another state or territory of the United  
12 States, shall without examination be granted a license as a  
13 speech-language pathologist, speech-language pathology  
14 assistant, auditory-verbal therapist, or audiologist by the  
15 Department:

16 (a) whenever the requirements of such state or territory of  
17 the United States were at the date of licensure substantially  
18 equal to the requirements then in force in this State; or

19 (b) whenever such requirements of another state or  
20 territory of the United States together with educational and  
21 professional qualifications, as distinguished from practical  
22 experience, of the applicant since obtaining a license as  
23 speech-language pathologist, speech-language pathology  
24 assistant, auditory-verbal therapist, or audiologist in such  
25 state or territory of the United States are substantially equal

1 to the requirements in force in Illinois at the time of  
2 application for licensure as a speech-language pathologist,  
3 speech-language pathology assistant, auditory-verbal  
4 therapist, or audiologist.

5 Applicants have 3 years from the date of application to  
6 complete the application process. If the process has not been  
7 completed within 3 years, the application shall be denied, the  
8 fee shall be forfeited, and the applicant must reapply and meet  
9 the requirements in effect at the time of reapplication.

10 (Source: P.A. 92-510, eff. 6-1-02.)

11 (225 ILCS 110/16) (from Ch. 111, par. 7916)

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

13 Sec. 16. Refusal, revocation or suspension of licenses.

14 (1) The Department may refuse to issue or renew, or may  
15 revoke, suspend, place on probation, censure, reprimand or take  
16 other disciplinary action as the Department may deem proper,  
17 including fines not to exceed \$5,000 for each violation, with  
18 regard to any license for any one or combination of the  
19 following causes:

20 (a) Fraud in procuring the license.

21 (b) Habitual intoxication or addiction to the use of  
22 drugs.

23 (c) Willful or repeated violations of the rules of the  
24 Department of Public Health.

25 (d) Division of fees or agreeing to split or divide the

1 fees received for speech-language pathology,  
2 auditory-verbal therapy, or audiology services with any  
3 person for referring an individual, or assisting in the  
4 care or treatment of an individual, without the knowledge  
5 of the individual or his or her legal representative.

6 (e) Employing, procuring, inducing, aiding or abetting  
7 a person not licensed as a speech-language pathologist,  
8 auditory-verbal therapist, or audiologist to engage in the  
9 unauthorized practice of speech-language pathology,  
10 auditory-verbal therapy, or audiology.

11 (e-5) Employing, procuring, inducing, aiding, or  
12 abetting a person not licensed as a speech-language  
13 pathology assistant to perform the functions and duties of  
14 a speech-language pathology assistant.

15 (f) Making any misrepresentations or false promises,  
16 directly or indirectly, to influence, persuade or induce  
17 patronage.

18 (g) Professional connection or association with, or  
19 lending his or her name to another for the illegal practice  
20 of speech-language pathology, auditory-verbal therapy, or  
21 audiology by another, or professional connection or  
22 association with any person, firm or corporation holding  
23 itself out in any manner contrary to this Act.

24 (h) Obtaining or seeking to obtain checks, money, or  
25 any other things of value by false or fraudulent  
26 representations, including but not limited to, engaging in

1 such fraudulent practice to defraud the medical assistance  
2 program of the Department of Healthcare and Family Services  
3 (formerly Department of Public Aid).

4 (i) Practicing under a name other than his or her own.

5 (j) Improper, unprofessional or dishonorable conduct  
6 of a character likely to deceive, defraud or harm the  
7 public.

8 (k) Conviction in this or another state of any crime  
9 which is a felony under the laws of this State or  
10 conviction of a felony in a federal court, if the  
11 Department determines, after investigation, that such  
12 person has not been sufficiently rehabilitated to warrant  
13 the public trust.

14 (l) Permitting a person under his or her supervision to  
15 perform any function not authorized by this Act.

16 (m) A violation of any provision of this Act or rules  
17 promulgated thereunder.

18 (n) Revocation by another state, the District of  
19 Columbia, territory, or foreign nation of a license to  
20 practice speech-language pathology or audiology, ~~or~~ a  
21 license to practice as a speech-language pathology  
22 assistant, or a license to practice as an auditory-verbal  
23 therapist in its jurisdiction if at least one of the  
24 grounds for that revocation is the same as or the  
25 equivalent of one of the grounds for revocation set forth  
26 herein.

1 (o) Willfully failing to report an instance of  
2 suspected child abuse or neglect as required by the Abused  
3 and Neglected Child Reporting Act.

4 (p) Gross or repeated malpractice resulting in injury  
5 or death of an individual.

6 (q) Willfully making or filing false records or reports  
7 in his or her practice as a speech-language pathologist,  
8 speech-language pathology assistant, auditory-verbal  
9 therapist, or audiologist, including, but not limited to,  
10 false records to support claims against the public  
11 assistance program of the Department of Healthcare and  
12 Family Services (formerly Illinois Department of Public  
13 Aid).

14 (r) Professional incompetence as manifested by poor  
15 standards of care or mental incompetence as declared by a  
16 court of competent jurisdiction.

17 (s) Repeated irregularities in billing a third party  
18 for services rendered to an individual. For purposes of  
19 this Section, "irregularities in billing" shall include:

20 (i) reporting excessive charges for the purpose of  
21 obtaining a total payment in excess of that usually  
22 received by the speech-language pathologist,  
23 speech-language pathology assistant, auditory-verbal  
24 therapist, or audiologist for the services rendered;

25 (ii) reporting charges for services not rendered;

26 or

1 (iii) incorrectly reporting services rendered for  
2 the purpose of obtaining payment not earned.

3 (t) (Blank).

4 (u) Violation of the Health Care Worker Self-Referral  
5 Act.

6 (v) Physical illness, including but not limited to  
7 deterioration through the aging process or loss of motor  
8 skill, mental illness, or disability that results in the  
9 inability to practice the profession with reasonable  
10 judgment, skill, or safety.

11 (w) Violation of the Hearing Instrument Consumer  
12 Protection Act.

13 (x) Failure by a speech-language pathology assistant  
14 and supervising speech-language pathologist to comply with  
15 the supervision requirements set forth in Section 8.8.

16 (y) Wilfully exceeding the scope of duties customarily  
17 undertaken by speech-language pathology assistants set  
18 forth in Section 8.7 that results in, or may result in,  
19 harm to the public.

20 (2) The Department shall deny a license or renewal  
21 authorized by this Act to any person who has defaulted on an  
22 educational loan guaranteed by the Illinois State Scholarship  
23 Commission; however, the Department may issue a license or  
24 renewal if the aforementioned persons have established a  
25 satisfactory repayment record as determined by the Illinois  
26 State Scholarship Commission.

1           (3) The entry of an order by a circuit court establishing  
2 that any person holding a license under this Act is subject to  
3 involuntary admission or judicial admission as provided for in  
4 the Mental Health and Developmental Disabilities Code,  
5 operates as an automatic suspension of that license. That  
6 person may have his or her license restored only upon the  
7 determination by a circuit court that the patient is no longer  
8 subject to involuntary admission or judicial admission and the  
9 issuance of an order so finding and discharging the patient,  
10 and upon the Board's recommendation to the Department that the  
11 license be restored. Where the circumstances so indicate, the  
12 Board may recommend to the Department that it require an  
13 examination prior to restoring any license automatically  
14 suspended under this subsection.

15           (4) The Department may refuse to issue or may suspend the  
16 license of any person who fails to file a return, or to pay the  
17 tax, penalty, or interest shown in a filed return, or to pay  
18 any final assessment of the tax penalty or interest, as  
19 required by any tax Act administered by the Department of  
20 Revenue, until such time as the requirements of any such tax  
21 Act are satisfied.

22           (5) In enforcing this Section, the Board upon a showing of  
23 a possible violation may compel an individual licensed to  
24 practice under this Act, or who has applied for licensure  
25 pursuant to this Act, to submit to a mental or physical  
26 examination, or both, as required by and at the expense of the



1 Department. The examining physicians or clinical psychologists  
2 shall be those specifically designated by the Board. The  
3 individual to be examined may have, at his or her own expense,  
4 another physician or clinical psychologist of his or her choice  
5 present during all aspects of this examination. Failure of any  
6 individual to submit to a mental or physical examination, when  
7 directed, shall be grounds for suspension of his or her license  
8 until the individual submits to the examination if the Board  
9 finds, after notice and hearing, that the refusal to submit to  
10 the examination was without reasonable cause.

11 If the Board finds an individual unable to practice because  
12 of the reasons set forth in this Section, the Board may require  
13 that individual to submit to care, counseling, or treatment by  
14 physicians or clinical psychologists approved or designated by  
15 the Board, as a condition, term, or restriction for continued,  
16 reinstated, or renewed licensure to practice; or, in lieu of  
17 care, counseling, or treatment, the Board may recommend to the  
18 Department to file a complaint to immediately suspend, revoke,  
19 or otherwise discipline the license of the individual. Any  
20 individual whose license was granted, continued, reinstated,  
21 renewed, disciplined or supervised subject to such terms,  
22 conditions, or restrictions, and who fails to comply with such  
23 terms, conditions, or restrictions, shall be referred to the  
24 Director for a determination as to whether the individual shall  
25 have his or her license suspended immediately, pending a  
26 hearing by the Board.

1           In instances in which the Director immediately suspends a  
2 person's license under this Section, a hearing on that person's  
3 license must be convened by the Board within 15 days after the  
4 suspension and completed without appreciable delay. The Board  
5 shall have the authority to review the subject individual's  
6 record of treatment and counseling regarding the impairment to  
7 the extent permitted by applicable federal statutes and  
8 regulations safeguarding the confidentiality of medical  
9 records.

10           An individual licensed under this Act and affected under  
11 this Section shall be afforded an opportunity to demonstrate to  
12 the Board that he or she can resume practice in compliance with  
13 acceptable and prevailing standards under the provisions of his  
14 or her license.

15           (Source: P.A. 91-949, eff. 2-9-01; 92-510, eff. 6-1-02; revised  
16 12-15-05.)

17           (225 ILCS 110/16.5)

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

19           Sec. 16.5. Advertising. A person licensed under this Act as  
20 a speech-language pathologist, auditory-verbal therapist, or  
21 audiologist may advertise the availability of professional  
22 services in the public media or on the premises where such  
23 professional services are rendered as permitted by law,  
24 provided the advertising is truthful and not misleading or  
25 deceptive. The Department may adopt rules consistent with this

1 Section.

2 (Source: P.A. 92-510, eff. 6-1-02.)

3 (225 ILCS 110/18) (from Ch. 111, par. 7918)

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

5 Sec. 18. Disciplinary actions.

6 (a) In case the licensee, after receiving notice, fails to  
7 file an answer, his or her license may, in the discretion of  
8 the Director, having first received the recommendation of the  
9 Board, be suspended, revoked, placed on probationary status or  
10 the Director may take whatever disciplinary action he or she  
11 may deem proper, including limiting the scope, nature, or  
12 extent of the person's practice or the imposition of a fine,  
13 without a hearing, if the act or acts charged constitute  
14 sufficient grounds for such action under this Act.

15 (b) The Director may temporarily suspend the license of a  
16 speech-language pathologist, speech-language pathology  
17 assistant, auditory-verbal therapist, or audiologist without a  
18 hearing, simultaneous to the institution of proceedings for a  
19 hearing under this Act, if the Director finds that evidence in  
20 his or her possession indicates that a speech-language  
21 pathologist's, speech-language pathology assistant's,  
22 auditory-verbal therapist's, or an audiologist's continuation  
23 in practice would constitute an immediate danger to the public.  
24 In the event that the Director temporarily suspends the license  
25 of a speech-language pathologist, speech-language pathology

1 assistant, auditory-verbal therapist, or audiologist without a  
2 hearing, a hearing by the Board must be held within 15 days  
3 after such suspension has occurred and concluded without  
4 appreciable delay.

5 (Source: P.A. 92-510, eff. 6-1-02.)

6 (225 ILCS 110/21) (from Ch. 111, par. 7921)

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

8 Sec. 21. Recommendations for disciplinary action. The  
9 Board may advise the Director that probation be granted or that  
10 other disciplinary action, including the limitation of the  
11 scope, nature or extent of a person's practice, be taken, as it  
12 deems proper. If disciplinary action other than suspension or  
13 revocation is taken, the Board may advise the Director to  
14 impose reasonable limitations and requirements upon the  
15 licensee to insure compliance with the terms of the probation  
16 or other disciplinary action, including, but not limited to,  
17 regular reporting by the licensee to the Director of his or her  
18 actions, or the licensee placing himself or herself under the  
19 care of a qualified physician for treatment or limiting his or  
20 her practice in such manner as the Director may require.

21 The Board shall present to the Director a written report of  
22 its findings and recommendations. A copy of such report shall  
23 be served upon the licensee, either personally or by registered  
24 or certified mail. Within 20 days after such service, the  
25 licensee may present to the Department his or her motion in

1 writing for a rehearing, specifying the particular grounds  
2 therefor. If the licensee orders and pays for a transcript of  
3 the record, the time elapsing thereafter and before such  
4 transcript is ready for delivery to him or her shall not be  
5 counted as part of such 20 days.

6 At the expiration of the time allowed for filing a motion  
7 for rehearing, the Director may take the action recommended by  
8 the Board. Upon suspension, revocation, placement on  
9 probationary status, or the taking of any other disciplinary  
10 action, including the limiting of the scope, nature, or extent  
11 of one's practice, deemed proper by the Director, with regard  
12 to the license, the licensee shall surrender his or her license  
13 to the Department if ordered to do so by the Department and  
14 upon his or her failure or refusal to do so, the Department may  
15 seize such license.

16 In all instances under this Act in which the Board has  
17 rendered a recommendation to the Director with respect to a  
18 particular person, the Director shall notify the Board if he or  
19 she disagrees with or takes action contrary to the  
20 recommendation of the Board.

21 Each order of revocation, suspension or other disciplinary  
22 action shall contain a brief and concise statement of the  
23 ground or grounds upon which the Department's action is based,  
24 as well as the specific terms and conditions of such action.

25 (Source: P.A. 90-69, eff. 7-8-97)

1 (225 ILCS 110/26) (from Ch. 111, par. 7926)

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

3 Sec. 26. Confidential information - disclosure. In all  
4 hearings conducted under this Act, information received,  
5 pursuant to law, relating to any information acquired by a  
6 speech-language pathologist, speech-language pathology  
7 assistant, auditory-verbal therapist, or audiologist in  
8 serving any individual in a professional capacity, and  
9 necessary to professionally serve such individual, shall be  
10 deemed strictly confidential and shall only be made available,  
11 either as part of the record of a hearing hereunder or  
12 otherwise;

13 (a) when such record is required, in its entirety, for  
14 purposes of judicial review pursuant to this Act; or

15 (b) upon the express, written consent of the individual  
16 served, or in the case of his or her death or disability,  
17 the consent of his or her personal representative.

18 (Source: P.A. 92-510, eff. 6-1-02.)

19 (225 ILCS 110/27) (from Ch. 111, par. 7927)

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

21 Sec. 27. Reports of violations. Any person licensed under  
22 this Act, or any other person, may report to the Department any  
23 information such person may have which appears to show that a  
24 speech-language pathologist, speech-language pathology  
25 assistant, auditory-verbal therapist, or audiologist is or may

1 be in violation of any of the provisions of this Act.

2 (Source: P.A. 92-510, eff. 6-1-02.)

3 (225 ILCS 110/28) (from Ch. 111, par. 7928)

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

5 Sec. 28. Injunction. The practice of speech-language  
6 pathology, auditory-verbal therapy, or audiology by any person  
7 not holding a valid and current license under this Act or a  
8 person performing the functions and duties of a speech-language  
9 pathology assistant without a valid and current license under  
10 this Act, is declared to be inimical to the public welfare, to  
11 constitute a public nuisance, and to cause irreparable harm to  
12 the public welfare. The Director, the Attorney General, the  
13 State's attorney of any county in the State or any person may  
14 maintain an action in the name of the People of the State of  
15 Illinois, and may apply for an injunction in any circuit court  
16 to enjoin any such person from engaging in such practice. Upon  
17 the filing of a verified petition in such court, the court or  
18 any judge thereof, if satisfied by affidavit, or otherwise,  
19 that such person has been engaged in such practice without a  
20 valid and current license, may issue a temporary injunction  
21 without notice or bond, enjoining the defendant from any such  
22 further practice. Only the showing of nonlicensure, by  
23 affidavit or otherwise, is necessary in order for a temporary  
24 injunction to issue. A copy of the verified complaint shall be  
25 served upon the defendant and the proceedings shall thereafter

1 be conducted as in other civil cases except as modified by this  
2 Section. If it is established that the defendant has been, or  
3 is engaged in any such unlawful practice, the court, or any  
4 judge thereof, may enter an order or judgment perpetually  
5 enjoining the defendant from further such practice. In all  
6 proceedings hereunder, the court, in its discretion, may  
7 apportion the costs among the parties interested in the suit,  
8 including cost of filing the complaint, service of process,  
9 witness fees and expenses, court reporter charges and  
10 reasonable attorneys' fees. In case of violation of any  
11 injunction issued under the provisions of this Section, the  
12 court or any judge thereof may summarily try and punish the  
13 offender for contempt of court. Such injunction proceedings  
14 shall be in addition to, and not in lieu of, all penalties and  
15 other remedies provided in this Act.

16 (Source: P.A. 92-510, eff. 6-1-02.)

17 (225 ILCS 110/29) (from Ch. 111, par. 7929)

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

19 Sec. 29. Penalty of unlawful practice - second and  
20 subsequent offenses. Any person who practices or offers to  
21 practice speech-language pathology, auditory-verbal therapy,  
22 or audiology or performs the functions and duties of a  
23 speech-language pathology assistant in this State without  
24 being licensed for that purpose, or whose license has been  
25 suspended or revoked, or who violates any of the provisions of



1 this Act, for which no specific penalty has been provided  
2 herein, is guilty of a Class A misdemeanor.

3 Any person who has been previously convicted under any of  
4 the provisions of this Act and who subsequently violates any of  
5 the provisions of this Act is guilty of a Class 4 felony. In  
6 addition, whenever any person is punished as a subsequent  
7 offender under this Section, the Director shall proceed to  
8 obtain a permanent injunction against such person under Section  
9 29 of this Act.

10 (Source: P.A. 92-510, eff. 6-1-02.)

11 (225 ILCS 110/29.5)

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

13 Sec. 29.5. Unlicensed practice; civil penalty.

14 (a) Any person who practices, offers to practice, attempts  
15 to practice, or holds oneself out to practice speech-language  
16 pathology, auditory-verbal therapy, or audiology or performs  
17 the functions and duties of a speech-language pathology  
18 assistant without being licensed under this Act shall, in  
19 addition to any other penalty provided by law, pay a civil  
20 penalty to the Department in an amount not to exceed \$5,000 for  
21 each offense as determined by the Department. The civil penalty  
22 shall be assessed by the Department after a hearing is held in  
23 accordance with the provisions set forth in this Act regarding  
24 the provision of a hearing for the discipline of a licensee.

25 (b) The Department has the authority and power to

1 investigate any and all unlicensed activity.

2 (c) The civil penalty shall be paid within 60 days after  
3 the effective date of the order imposing the civil penalty. The  
4 order shall constitute a judgment and may be filed and  
5 execution had thereon in the same manner as any judgment from  
6 any court of record.

7 (Source: P.A. 92-510, eff. 6-1-02.)

8 (225 ILCS 110/31a)

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

10 Sec. 31a. Advertising services. A speech-language  
11 pathologist, auditory-verbal therapist, or audiologist shall  
12 include in every advertisement for services regulated under  
13 this Act his or her title as it appears on the license or the  
14 initials authorized under this Act.

15 (Source: P.A. 91-310, eff. 1-1-00; 92-510, eff. 6-1-02.)

16 (225 ILCS 110/33) (from Ch. 111, par. 7933)

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

18 Sec. 33. Exemption from civil liability for peer review  
19 committees. While serving upon any peer review committee, any  
20 speech-language pathologist, auditory-verbal therapist, or  
21 audiologist shall not be liable for civil damages as a result  
22 of his or her decisions, findings or recommendations in  
23 connection with his or her duties on such committee, except  
24 decisions, findings or recommendations involving his or her

1 wilful or wanton misconduct.

2 (Source: P.A. 90-69, eff. 7-8-97.)

3 (225 ILCS 110/34) (from Ch. 111, par. 7934)

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

5 Sec. 34. Administrative Procedure Act. The Illinois  
6 Administrative Procedure Act is hereby expressly adopted and  
7 incorporated herein as if all of the provisions of that Act  
8 were included in this Act, except that the provision of  
9 subsection (d) of Section 10-65 of the Illinois Administrative  
10 Procedure Act that provides that at hearings the  
11 speech-language pathologist, auditory-verbal therapist, or  
12 audiologist has the right to show compliance with all lawful  
13 requirements for retention, continuation or renewal of the  
14 license is specifically excluded. For the purposes of this Act,  
15 the notice required under Section 10-25 of the Administrative  
16 Procedure Act is deemed sufficient when mailed to the last  
17 known address of a party.

18 (Source: P.A. 88-45.)

19 Section 35. The Elder Abuse and Neglect Act is amended by  
20 changing Section 2 as follows:

21 (320 ILCS 20/2) (from Ch. 23, par. 6602)

22 Sec. 2. Definitions. As used in this Act, unless the  
23 context requires otherwise:

1           (a) "Abuse" means causing any physical, mental or sexual  
2 injury to an eligible adult, including exploitation of such  
3 adult's financial resources.

4           Nothing in this Act shall be construed to mean that an  
5 eligible adult is a victim of abuse, neglect, or self-neglect  
6 for the sole reason that he or she is being furnished with or  
7 relies upon treatment by spiritual means through prayer alone,  
8 in accordance with the tenets and practices of a recognized  
9 church or religious denomination.

10          Nothing in this Act shall be construed to mean that an  
11 eligible adult is a victim of abuse because of health care  
12 services provided or not provided by licensed health care  
13 professionals.

14          (a-5) "Abuser" means a person who abuses, neglects, or  
15 financially exploits an eligible adult.

16          (a-7) "Caregiver" means a person who either as a result of  
17 a family relationship, voluntarily, or in exchange for  
18 compensation has assumed responsibility for all or a portion of  
19 the care of an eligible adult who needs assistance with  
20 activities of daily living.

21          (b) "Department" means the Department on Aging of the State  
22 of Illinois.

23          (c) "Director" means the Director of the Department.

24          (d) "Domestic living situation" means a residence where the  
25 eligible adult lives alone or with his or her family or a  
26 caregiver, or others, or a board and care home or other

1 community-based unlicensed facility, but is not:

2 (1) A licensed facility as defined in Section 1-113 of  
3 the Nursing Home Care Act;

4 (2) A "life care facility" as defined in the Life Care  
5 Facilities Act;

6 (3) A home, institution, or other place operated by the  
7 federal government or agency thereof or by the State of  
8 Illinois;

9 (4) A hospital, sanitarium, or other institution, the  
10 principal activity or business of which is the diagnosis,  
11 care, and treatment of human illness through the  
12 maintenance and operation of organized facilities  
13 therefor, which is required to be licensed under the  
14 Hospital Licensing Act;

15 (5) A "community living facility" as defined in the  
16 Community Living Facilities Licensing Act;

17 (6) A "community residential alternative" as defined  
18 in the Community Residential Alternatives Licensing Act;

19 (7) A "community-integrated living arrangement" as  
20 defined in the Community-Integrated Living Arrangements  
21 Licensure and Certification Act;

22 (8) An assisted living or shared housing establishment  
23 as defined in the Assisted Living and Shared Housing Act;  
24 or

25 (9) A supportive living facility as described in  
26 Section 5-5.01a of the Illinois Public Aid Code.

1 (e) "Eligible adult" means a person 60 years of age or  
2 older who resides in a domestic living situation and is, or is  
3 alleged to be, abused, neglected, or financially exploited by  
4 another individual or who neglects himself or herself.

5 (f) "Emergency" means a situation in which an eligible  
6 adult is living in conditions presenting a risk of death or  
7 physical, mental or sexual injury and the provider agency has  
8 reason to believe the eligible adult is unable to consent to  
9 services which would alleviate that risk.

10 (f-5) "Mandated reporter" means any of the following  
11 persons while engaged in carrying out their professional  
12 duties:

13 (1) a professional or professional's delegate while  
14 engaged in: (i) social services, (ii) law enforcement,  
15 (iii) education, (iv) the care of an eligible adult or  
16 eligible adults, or (v) any of the occupations required to  
17 be licensed under the Clinical Psychologist Licensing Act,  
18 the Clinical Social Work and Social Work Practice Act, the  
19 Illinois Dental Practice Act, the Dietetic and Nutrition  
20 Services Practice Act, the Marriage and Family Therapy  
21 Licensing Act, the Medical Practice Act of 1987, the  
22 Naprapathic Practice Act, the Nursing and Advanced  
23 Practice Nursing Act, the Nursing Home Administrators  
24 Licensing and Disciplinary Act, the Illinois Occupational  
25 Therapy Practice Act, the Illinois Optometric Practice Act  
26 of 1987, the Pharmacy Practice Act of 1987, the Illinois

1 Physical Therapy Act, the Physician Assistant Practice Act  
2 of 1987, the Podiatric Medical Practice Act of 1987, the  
3 Respiratory Care Practice Act, the Professional Counselor  
4 and Clinical Professional Counselor Licensing Act, the  
5 Illinois Speech-Language Pathology, Auditory-Verbal  
6 Therapy, and Audiology Practice Act, the Veterinary  
7 Medicine and Surgery Practice Act of 2004, and the Illinois  
8 Public Accounting Act;

9 (2) an employee of a vocational rehabilitation  
10 facility prescribed or supervised by the Department of  
11 Human Services;

12 (3) an administrator, employee, or person providing  
13 services in or through an unlicensed community based  
14 facility;

15 (4) any religious practitioner who provides treatment  
16 by prayer or spiritual means alone in accordance with the  
17 tenets and practices of a recognized church or religious  
18 denomination, except as to information received in any  
19 confession or sacred communication enjoined by the  
20 discipline of the religious denomination to be held  
21 confidential;

22 (5) field personnel of the Department of Healthcare and  
23 Family Services, Department of Public Health, and  
24 Department of Human Services, and any county or municipal  
25 health department;

26 (6) personnel of the Department of Human Services, the

1 Guardianship and Advocacy Commission, the State Fire  
2 Marshal, local fire departments, the Department on Aging  
3 and its subsidiary Area Agencies on Aging and provider  
4 agencies, and the Office of State Long Term Care Ombudsman;

5 (7) any employee of the State of Illinois not otherwise  
6 specified herein who is involved in providing services to  
7 eligible adults, including professionals providing medical  
8 or rehabilitation services and all other persons having  
9 direct contact with eligible adults;

10 (8) a person who performs the duties of a coroner or  
11 medical examiner; or

12 (9) a person who performs the duties of a paramedic or  
13 an emergency medical technician.

14 (g) "Neglect" means another individual's failure to  
15 provide an eligible adult with or willful withholding from an  
16 eligible adult the necessities of life including, but not  
17 limited to, food, clothing, shelter or health care. This  
18 subsection does not create any new affirmative duty to provide  
19 support to eligible adults. Nothing in this Act shall be  
20 construed to mean that an eligible adult is a victim of neglect  
21 because of health care services provided or not provided by  
22 licensed health care professionals.

23 (h) "Provider agency" means any public or nonprofit agency  
24 in a planning and service area appointed by the regional  
25 administrative agency with prior approval by the Department on  
26 Aging to receive and assess reports of alleged or suspected



1 abuse, neglect, or financial exploitation.

2 (i) "Regional administrative agency" means any public or  
3 nonprofit agency in a planning and service area so designated  
4 by the Department, provided that the designated Area Agency on  
5 Aging shall be designated the regional administrative agency if  
6 it so requests. The Department shall assume the functions of  
7 the regional administrative agency for any planning and service  
8 area where another agency is not so designated.

9 (i-5) "Self-neglect" means a condition that is the result  
10 of an eligible adult's inability, due to physical or mental  
11 impairments, or both, or a diminished capacity, to perform  
12 essential self-care tasks that substantially threaten his or  
13 her own health, including: providing essential food, clothing,  
14 shelter, and health care; and obtaining goods and services  
15 necessary to maintain physical health, mental health,  
16 emotional well-being, and general safety.

17 (j) "Substantiated case" means a reported case of alleged  
18 or suspected abuse, neglect, financial exploitation, or  
19 self-neglect in which a provider agency, after assessment,  
20 determines that there is reason to believe abuse, neglect, or  
21 financial exploitation has occurred.

22 (Source: P.A. 93-281 eff. 12-31-03; 93-300, eff. 1-1-04;  
23 94-1064, eff. 1-1-07.)

24 Section 99. Effective date. This Act takes effect upon  
25 becoming law.

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4	5 ILCS 80/4.28 new	
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6	105 ILCS 5/14-1.09b	
7	105 ILCS 5/14-1.09c	
8	105 ILCS 5/14-6.03	
9	105 ILCS 5/14-6.04	
10	105 ILCS 5/14-9.01	from Ch. 122, par. 14-9.01
11	105 ILCS 5/21-14	from Ch. 122, par. 21-14
12	225 ILCS 47/15	
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