



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

SB0558

Introduced 2/8/2007, by Sen. Ms. Mattie Hunter

SYNOPSIS AS INTRODUCED:

110 ILCS 55/3 new

225 ILCS 60/19

225 ILCS 60/20

from Ch. 111, par. 4400-19

from Ch. 111, par. 4400-20

Amends the Medical School Curriculum Act. Provides that the curriculum in each medical school operated in this State must include instruction in cultural competency designed to address the problem of race-based and gender-based disparities in medical treatment decisions. Requires a medical school that includes such instruction in its curricula to offer, for continuing education credit, cultural competency training that is provided through classroom instruction, workshops, or other educational programs sponsored by the school and that meets continuing education criteria established by the Department of Financial and Professional Regulation under the Medical Practice Act of 1987. Amends the Medical Practice Act of 1987. Requires an applicant for licensure under the Act who is licensed in another jurisdiction to have completed cultural competency training consistent with that required under the Medical School Curriculum Act. Provides that continuing education requirements for persons licensed under the Act who did not receive instruction in cultural competency must include the completion of cultural competency training during the first renewal cycle immediately following the effective date of the amendatory Act. Effective immediately.

LRB095 06539 RAS 26641 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning regulation.

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

4 Section 5. The Medical School Curriculum Act is amended by
5 adding Section 3 as follows:

6 (110 ILCS 55/3 new)

7 Sec. 3. Cultural competency training.

8 (a) The curriculum in each medical school operated in this
9 State must include instruction in cultural competency designed
10 to address the problem of race-based and gender-based
11 disparities in medical treatment decisions and developed in
12 consultation with the Association of American Medical Colleges
13 or another nationally recognized organization that reviews
14 medical school curricula.

15 (b) Completion of cultural competency instruction as
16 provided in subsection (a) of this Section must be required as
17 a condition of receiving a diploma from a medical school
18 operated in this State.

19 (c) A medical school that includes instruction in cultural
20 competency as provided in subsection (a) of this Section in its
21 curricula must offer, for continuing education credit,
22 cultural competency training, consistent with the instruction
23 developed pursuant to subsection (a) of this Section, that is

1 provided through classroom instruction, workshops, or other
2 educational programs sponsored by the school and that meets
3 continuing education criteria established by the Department of
4 Financial and Professional Regulation under the Medical
5 Practice Act of 1987.

6 Section 10. The Medical Practice Act of 1987 is amended by
7 changing Sections 19 and 20 as follows:

8 (225 ILCS 60/19) (from Ch. 111, par. 4400-19)

9 (Section scheduled to be repealed on December 31, 2008)

10 Sec. 19. Licensure without examination. The Department
11 may, in its discretion, issue a license without examination to
12 any person who is currently licensed to practice medicine in
13 all of its branches, or to practice the treatment of human
14 ailments without the use of drugs or operative surgery, in any
15 other state, territory, country or province, upon the following
16 conditions:

17 (A) (Blank);

18 (B) That the applicant is of good moral character. In
19 determining moral character under this Section, the
20 Department may take into consideration whether the
21 applicant has engaged in conduct or activities which would
22 constitute grounds for discipline under this Act. The
23 Department may also request the applicant to submit, and
24 may consider as evidence of moral character, endorsements

1 from 2 or 3 individuals licensed under this Act;

2 (C) That the applicant is physically, mentally and
3 professionally capable of practicing medicine with
4 reasonable judgment, skill and safety. In determining
5 physical, mental and professional capacity under this
6 Section the Medical Licensing Board may, upon a showing of
7 a possible incapacity, compel an applicant to submit to a
8 mental or physical examination, or both, and may condition
9 or restrict any license, subject to the same terms and
10 conditions as are provided for the Medical Disciplinary
11 Board under Section 22 of this Act. The Medical Licensing
12 Board or the Department may order the examining physician
13 to present testimony concerning this mental or physical
14 examination of the applicant. No information shall be
15 excluded by reason of any common law or statutory privilege
16 relating to communications between the applicant and the
17 examining physician. Any condition of restricted license
18 shall provide that the Chief Medical Coordinator or Deputy
19 Medical Coordinator shall have the authority to review the
20 subject physician's compliance with such conditions or
21 restrictions, including, where appropriate, the
22 physician's record of treatment and counseling regarding
23 the impairment, to the extent permitted by applicable
24 federal statutes and regulations safeguarding the
25 confidentiality of medical records of patients.

26 (D) That if the applicant seeks to practice medicine in

1 all of its branches:

2 (1) if the applicant was licensed in another
3 jurisdiction prior to January 1, 1988, that the
4 applicant has satisfied the educational requirements
5 of paragraph (1) of subsection (A) or paragraph (2) of
6 subsection (A) of Section 11 of this Act; or

7 (2) if the applicant was licensed in another
8 jurisdiction after December 31, 1987, that the
9 applicant has satisfied the educational requirements
10 of paragraph (A) (2) of Section 11 of this Act; and

11 (3) the requirements for a license to practice
12 medicine in all of its branches in the particular
13 state, territory, country or province in which the
14 applicant is licensed are deemed by the Department to
15 have been substantially equivalent to the requirements
16 for a license to practice medicine in all of its
17 branches in force in this State at the date of the
18 applicant's license;

19 (E) That if the applicant seeks to treat human ailments
20 without the use of drugs and without operative surgery:

21 (1) the applicant is a graduate of a chiropractic
22 school or college approved by the Department at the
23 time of their graduation;

24 (2) the requirements for the applicant's license
25 to practice the treatment of human ailments without the
26 use of drugs are deemed by the Department to have been

1 substantially equivalent to the requirements for a
2 license to practice in this State at the date of the
3 applicant's license;

4 (F) That the Department may, in its discretion, issue a
5 license, without examination, to any graduate of a medical
6 or osteopathic college, reputable and in good standing in
7 the judgment of the Department, who has passed an
8 examination for admission to the United States Public
9 Health Service, or who has passed any other examination
10 deemed by the Department to have been at least equal in all
11 substantial respects to the examination required for
12 admission to any such medical corps;

13 (G) That applications for licenses without examination
14 shall be filed with the Department, under oath, on forms
15 prepared and furnished by the Department, and shall set
16 forth, and applicants therefor shall supply such
17 information respecting the life, education, professional
18 practice, and moral character of applicants as the
19 Department may require to be filed for its use;

20 (H) That the applicant undergo the criminal background
21 check established under Section 9.7 of this Act; and-

22 (I) That the applicant has completed cultural
23 competency training consistent with that required under
24 the Medical School Curriculum Act to the satisfaction of
25 the Department.

26 In the exercise of its discretion under this Section, the

1 Department is empowered to consider and evaluate each applicant
2 on an individual basis. It may take into account, among other
3 things, the extent to which there is or is not available to the
4 Department, authentic and definitive information concerning
5 the quality of medical education and clinical training which
6 the applicant has had. Under no circumstances shall a license
7 be issued under the provisions of this Section to any person
8 who has previously taken and failed the written examination
9 conducted by the Department for such license. In determining
10 moral character, the Department may take into consideration
11 whether the applicant has engaged in conduct or activities
12 which would constitute grounds for discipline under this Act.
13 The Department may also request the applicant to submit, and
14 may consider as evidence of moral character, evidence from 2 or
15 3 individuals licensed under this Act. Applicants have 3 years
16 from the date of application to complete the application
17 process. If the process has not been completed within 3 years,
18 the application shall be denied, the fees shall be forfeited,
19 and the applicant must reapply and meet the requirements in
20 effect at the time of reapplication.

21 (Source: P.A. 89-702, eff. 7-1-97; 90-722, eff. 1-1-99.)

22 (225 ILCS 60/20) (from Ch. 111, par. 4400-20)

23 (Section scheduled to be repealed on December 31, 2008)

24 Sec. 20. Continuing education. The Department shall
25 promulgate rules of continuing education for persons licensed

1 under this Act that require 150 hours of continuing education
2 per license renewal cycle. These rules shall be consistent with
3 requirements of relevant professional associations, speciality
4 societies, or boards. The rules shall also address variances in
5 part or in whole for good cause, including but not limited to
6 illness or hardship. In establishing these rules, the
7 Department shall consider educational requirements for medical
8 staffs, requirements for specialty society board certification
9 or for continuing education requirements as a condition of
10 membership in societies representing the 2 categories of
11 licensee under this Act. These rules shall assure that
12 licensees are given the opportunity to participate in those
13 programs sponsored by or through their professional
14 associations or hospitals which are relevant to their practice.
15 Each licensee is responsible for maintaining records of
16 completion of continuing education and shall be prepared to
17 produce the records when requested by the Department.

18 Continuing education requirements for persons licensed
19 under this Act who did not receive instruction in cultural
20 competency consistent with that required under the Medical
21 School Curriculum Act as part of the medical school curriculum,
22 including persons licensed in this State who did not attend
23 medical school in this State, must include the completion of
24 cultural competency training that is offered pursuant to
25 subsection (c) of Section 3 of the Medical School Curriculum
26 Act during the first renewal cycle immediately following the

1 effective date of this amendatory Act of the 95th General
2 Assembly. The Department may waive the cultural competency
3 continuing education requirement for any licensee who
4 demonstrates to the satisfaction of the Department that he or
5 she has attained the substantial equivalent of this requirement
6 through completion of a similar course in his or her
7 post-secondary education.

8 (Source: P.A. 92-750, eff. 1-1-03.)

9 Section 99. Effective date. This Act takes effect upon
10 becoming law.