

HB2597



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB2597

Introduced 2/20/2009, by Rep. Elizabeth Coulson

SYNOPSIS AS INTRODUCED:

225 ILCS 106/50

Amends the Respiratory Care Practice Act. Makes a technical change in a Section concerning the qualifications for a license.

LRB096 08915 ASK 19052 b

A BILL FOR

1 AN ACT concerning professional regulation.

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

4 Section 5. The Respiratory Care Practice Act is amended by
5 changing Section 50 as follows:

6 (225 ILCS 106/50)

7 (Section scheduled to be repealed on January 1, 2016)

8 Sec. 50. Qualifications for a license.

9 (a) A person is qualified to be licensed as a licensed
10 respiratory care practitioner, and the Department may issue a
11 license authorizing the practice of respiratory care to an
12 applicant who:

13 (1) has applied in writing on the prescribed form and
14 has paid the required fee;

15 (2) has successfully completed a respiratory care
16 training program approved by the Department;

17 (3) has successfully passed an examination for the
18 practice of respiratory care authorized by the Department,
19 within 5 years of making application; and

20 (4) has paid the fees required by this Act.

21 Any person who has received certification by any state or
22 national organization whose standards are accepted by the
23 Department as being substantially similar to the standards in

1 this Act may apply for a respiratory care practitioner license
2 without examination.

3 (b) Beginning 6 months after December 31, 2005, all
4 individuals who provide satisfactory evidence to the
5 Department of 3 years of experience, with a minimum of 400
6 hours per year, in the practice of respiratory care during the
7 5 years immediately preceding December 31, 2005 shall be issued
8 a license, unless the license may be denied under Section 95 of
9 this Act. This experience must have been obtained while under
10 the supervision of a certified respiratory therapist, a
11 registered respiratory therapist, or a licensed registered
12 nurse or under the supervision or direction of a licensed
13 health care professional. All applications for a license under
14 this subsection (b) shall be postmarked within 12 months after
15 December 31, 2005.

16 (c) A ~~A~~ person may practice as a respiratory care
17 practitioner if he or she has applied in writing to the
18 Department in form and substance satisfactory to the Department
19 for a license as a licensed respiratory care practitioner and
20 has complied with all the provisions under this Section except
21 for the passing of an examination to be eligible to receive
22 such license, until the Department has made the decision that
23 the applicant has failed to pass the next available examination
24 authorized by the Department or has failed, without an approved
25 excuse, to take the next available examination authorized by
26 the Department or until the withdrawal of the application, but

1 not to exceed 6 months. An applicant practicing professional
2 registered respiratory care under this subsection (c) who
3 passes the examination, however, may continue to practice under
4 this subsection (c) until such time as he or she receives his
5 or her license to practice or until the Department notifies him
6 or her that the license has been denied. No applicant for
7 licensure practicing under the provisions of this subsection
8 (c) shall practice professional respiratory care except under
9 the direct supervision of a licensed health care professional
10 or authorized licensed personnel. In no instance shall any such
11 applicant practice or be employed in any supervisory capacity.
12 (Source: P.A. 94-523, eff. 1-1-06.)