



Adopted in House Comm. on Mar 25, 2010

09600HB4935ham001

LRB096 16173 AMC 38576 a

1 AMENDMENT TO HOUSE BILL 4935

2 AMENDMENT NO. _____. Amend House Bill 4935 on page 2, by
3 replacing lines 23 through 26 with the following:

4 "rendered. Nothing in this subparagraph (L) affects any bona
5 fide independent contractor or employment arrangements among
6 health care professionals, health facilities, health care
7 providers, or other entities, except as otherwise prohibited by
8 law. Any employment arrangements may include provisions for
9 compensation, health insurance, pension, or other employment
10 benefits for the provision of services within the scope of the
11 licensee's practice under this Act. Nothing in this
12 subparagraph (L) shall be construed to require an employment
13 arrangement to receive professional fees for services
14 rendered;"; and

15 on page 3, by deleting lines 1 through 7; and

16 on page 7, by replacing lines 18 through 26 with the following:

1 "rendered. Nothing in this paragraph (12) affects any bona fide
2 independent contractor or employment arrangements among health
3 care professionals, health facilities, health care providers,
4 or other entities, except as otherwise prohibited by law. Any
5 employment arrangements may include provisions for
6 compensation, health insurance, pension, or other employment
7 benefits for the provision of services within the scope of the
8 licensee's practice under this Act. Nothing in this paragraph
9 (12) shall be construed to require an employment arrangement to
10 receive professional fees for services rendered."; and

11 on page 8, by deleting lines 1 through 2; and

12 on page 14, by replacing lines 16 through 26 with the
13 following:

14 "Nothing in this paragraph (1) affects any bona fide
15 independent contractor or employment arrangements among health
16 care professionals, health facilities, health care providers,
17 or other entities, except as otherwise prohibited by law. Any
18 employment arrangements may include provisions for
19 compensation, health insurance, pension, or other employment
20 benefits for the provision of services within the scope of the
21 licensee's practice under this Act. Nothing in this paragraph
22 (1) shall be construed to require an employment arrangement to
23 receive professional fees for services rendered;"; and

1 on page 19, by replacing lines 22 through 26 with the
2 following:

3 "Nothing in this item 5 affects any bona fide independent
4 contractor or employment arrangements among health care
5 professionals, health facilities, health care providers, or
6 other entities, except as otherwise prohibited by law. Any
7 employment arrangements may include provisions for
8 compensation, health insurance, pension, or other employment
9 benefits for the provision of services within the scope of the
10 licensee's practice under this Act. Nothing in this item 5
11 shall be construed to require an employment arrangement to
12 receive professional fees for services rendered."; and

13 on page 20, by deleting lines 1 through 5; and

14 on page 26, by replacing lines 9 through 19 with the following:
15 "rendered. Nothing in this paragraph (1) affects any bona fide
16 independent contractor or employment arrangements among health
17 care professionals, health facilities, health care providers,
18 or other entities, except as otherwise prohibited by law. Any
19 employment arrangements may include provisions for
20 compensation, health insurance, pension, or other employment
21 benefits for the provision of services within the scope of the
22 licensee's practice under this Act. Nothing in this paragraph
23 (1) shall be construed to require an employment arrangement to
24 receive professional fees for services rendered."; and

1 on page 29, immediately below line 19, by inserting the
2 following:

3 "Section 27. The Health Care Worker Self-Referral Act is
4 amended by adding Section 50 as follows:

5 (225 ILCS 47/50 new)

6 Sec. 50. Statutorily required referrals.

7 (a) With respect to statutorily required referrals for
8 physical therapy services, occupational therapy services,
9 athletic trainer services, or genetic counselor services, a
10 patient shall be informed that he or she may request a referral
11 for these services outside or independent of the authorized
12 referring health care worker's group practice, facility, or
13 health professional's or provider's office (hereinafter
14 "practice"). This notice to the patient may take the following
15 or a similar form:

16 For your information, the health care professionals in
17 this practice (or legal entity) are financially
18 integrated. If you are referred to a health care
19 professional in this practice for physical therapy
20 services, occupational therapy services, athletic trainer
21 services, or genetic counselor services, please note that
22 you may request and receive a referral for these services
23 outside or independent of this practice.

1 (b) For the purposes of this Section, "referral" means the
2 authority required by Illinois law for a physical therapist,
3 occupational therapist, athletic trainer, or genetic counselor
4 to provide services to a patient."; and

5 on page 31, by replacing lines 11 through 20 with the
6 following:

7 "affects any bona fide independent contractor or employment
8 arrangements among health care professionals, health
9 facilities, health care providers, or other entities, except as
10 otherwise prohibited by law. Any employment arrangements may
11 include provisions for compensation, health insurance,
12 pension, or other employment benefits for the provision of
13 services within the scope of the licensee's practice under this
14 Act. Nothing in this paragraph (m) shall be construed to
15 require an employment arrangement to receive professional fees
16 for services rendered."; and

17 on page 37, by replacing lines 11 through 21 with the
18 following:

19 "rendered. Nothing in this paragraph (12) affects any bona fide
20 independent contractor or employment arrangements among health
21 care professionals, health facilities, health care providers,
22 or other entities, except as otherwise prohibited by law. Any
23 employment arrangements may include provisions for
24 compensation, health insurance, pension, or other employment

1 benefits for the provision of services within the scope of the
2 licensee's practice under this Act. Nothing in this paragraph
3 (12) shall be construed to require an employment arrangement to
4 receive professional fees for services rendered."; and

5 on page 44, by replacing lines 6 through 15 with the following:

6 "(12) affects any bona fide independent contractor or
7 employment arrangements among health care professionals,
8 health facilities, health care providers, or other
9 entities, except as otherwise prohibited by law. Any
10 employment arrangements may include provisions for
11 compensation, health insurance, pension, or other
12 employment benefits for the provision of services within
13 the scope of the licensee's practice under this Act.
14 Nothing in this paragraph (12) shall be construed to
15 require an employment arrangement to receive professional
16 fees for services rendered."; and

17 on page 56, by replacing lines 4 through 14 with the following:

18 "Nothing in this paragraph (28) affects any bona fide
19 independent contractor or employment arrangements among health
20 care professionals, health facilities, health care providers,
21 or other entities, except as otherwise prohibited by law. Any
22 employment arrangements may include provisions for
23 compensation, health insurance, pension, or other employment
24 benefits for the provision of services within the scope of the

1 licensee's practice under this Act. Nothing in this paragraph
2 (28) shall be construed to require an employment arrangement to
3 receive professional fees for services rendered."; and

4 on page 62, by replacing lines 12 through 22 with the
5 following:

6 "rendered. Nothing in this paragraph (11) affects any bona fide
7 independent contractor or employment arrangements among health
8 care professionals, health facilities, health care providers,
9 or other entities, except as otherwise prohibited by law. Any
10 employment arrangements may include provisions for
11 compensation, health insurance, pension, or other employment
12 benefits for the provision of services within the scope of the
13 licensee's practice under this Act. Nothing in this paragraph
14 (11) shall be construed to require an employment arrangement to
15 receive professional fees for services rendered;"; and

16 on page 68, by replacing lines 25 through 26 with the
17 following:

18 "Nothing in this paragraph (12) affects any bona fide
19 independent contractor or employment arrangements among health
20 care professionals, health facilities, health care providers,
21 or other entities, except as otherwise prohibited by law. Any
22 employment arrangements may include provisions for
23 compensation, health insurance, pension, or other employment
24 benefits for the provision of services within the scope of the

1 licensee's practice under this Act. Nothing in this paragraph
2 (12) shall be construed to require an employment arrangement to
3 receive professional fees for services rendered."; and

4 on page 69, by deleting lines 1 through 9; and

5 on page 74, by replacing lines 5 through 15 with the following:
6 "rendered. Nothing in this item 9 affects any bona fide
7 independent contractor or employment arrangements among health
8 care professionals, health facilities, health care providers,
9 or other entities, except as otherwise prohibited by law. Any
10 employment arrangements may include provisions for
11 compensation, health insurance, pension, or other employment
12 benefits for the provision of services within the scope of the
13 licensee's practice under this Act. Nothing in this item 9
14 shall be construed to require an employment arrangement to
15 receive professional fees for services rendered."; and

16 on page 83, by replacing lines 16 through 26 with the
17 following:

18 "Nothing in this paragraph (L) affects any bona fide
19 independent contractor or employment arrangements among health
20 care professionals, health facilities, health care providers,
21 or other entities, except as otherwise prohibited by law. Any
22 employment arrangements may include provisions for
23 compensation, health insurance, pension, or other employment

1 benefits for the provision of services within the scope of the
2 licensee's practice under this Act. Nothing in this paragraph
3 (L) shall be construed to require an employment arrangement to
4 receive professional fees for services rendered;"; and

5 on page 88, by replacing lines 17 through 23 with the
6 following:

7 "rendered. Nothing in this paragraph (11) affects any bona fide
8 independent contractor or employment arrangements, which may
9 include provisions for compensation, health insurance,
10 pension, or other employment benefits, with persons or entities
11 authorized under this Act for the provision of services within
12 the scope of the licensee's practice under this Act."; and

13 on page 95, by replacing line 26 with the following:

14 "or corporation. Nothing in this paragraph (12) affects any
15 bona fide independent contractor or employment arrangements
16 among health care professionals, health facilities, health
17 care providers, or other entities, except as otherwise
18 prohibited by law. Any employment arrangements may include
19 provisions for compensation, health insurance, pension, or
20 other employment benefits for the provision of services within
21 the scope of the licensee's practice under this Act. Nothing in
22 this paragraph (12) shall be construed to require an employment
23 arrangement to receive professional fees for services
24 rendered."; and

1 on page 96, by deleting lines 1 through 10; and

2 on page 104, by replacing line 26 with the following:

3 "Nothing in this paragraph (12) affects any bona fide
4 independent contractor or employment arrangements among health
5 care professionals, health facilities, health care providers,
6 or other entities, except as otherwise prohibited by law. Any
7 employment arrangements may include provisions for
8 compensation, health insurance, pension, or other employment
9 benefits for the provision of services within the scope of the
10 licensee's practice under this Act. Nothing in this paragraph
11 (12) shall be construed to require an employment arrangement to
12 receive professional fees for services rendered."; and

13 on page 105, by deleting lines 1 through 10; and

14 on page 109, by replacing lines 15 through 25 with the
15 following:

16 "Nothing in this paragraph (12) affects any bona fide
17 independent contractor or employment arrangements among health
18 care professionals, health facilities, health care providers,
19 or other entities, except as otherwise prohibited by law. Any
20 employment arrangements may include provisions for
21 compensation, health insurance, pension, or other employment
22 benefits for the provision of services within the scope of the

1 licensee's practice under this Act. Nothing in this paragraph
2 (12) shall be construed to require an employment arrangement to
3 receive professional fees for services rendered."; and

4 on page 114, by replacing lines 20 through 25 with the
5 following:

6 "representative. Nothing in this paragraph (d) affects any bona
7 fide independent contractor or employment arrangements among
8 health care professionals, health facilities, health care
9 providers, or other entities, except as otherwise prohibited by
10 law. Any employment arrangements may include provisions for
11 compensation, health insurance, pension, or other employment
12 benefits for the provision of services within the scope of the
13 licensee's practice under this Act. Nothing in this paragraph
14 (d) shall be construed to require an employment arrangement to
15 receive professional fees for services rendered."; and

16 on page 115, by deleting lines 1 through 5; and

17 on page 123, by replacing lines 5 through 15 with the
18 following:

19 "Nothing in this paragraph (9) affects any bona fide
20 independent contractor or employment arrangements among health
21 care professionals, health facilities, health care providers,
22 or other entities, except as otherwise prohibited by law. Any
23 employment arrangements may include provisions for

1 compensation, health insurance, pension, or other employment
2 benefits for the provision of services within the scope of the
3 licensee's practice under this Act. Nothing in this paragraph
4 (9) shall be construed to require an employment arrangement to
5 receive professional fees for services rendered."; and

6 on page 130, by replacing lines 9 through 19 with the
7 following:

8 "Nothing in this paragraph (9) affects any bona fide
9 independent contractor or employment arrangements among health
10 care professionals, health facilities, health care providers,
11 or other entities, except as otherwise prohibited by law. Any
12 employment arrangements may include provisions for
13 compensation, health insurance, pension, or other employment
14 benefits for the provision of services within the scope of the
15 licensee's practice under this Act. Nothing in this paragraph
16 (9) shall be construed to require an employment arrangement to
17 receive professional fees for services rendered."; and

18 on page 135, by replacing lines 1 through 11 with the
19 following:

20 "Nothing in this paragraph (14) affects any bona fide
21 independent contractor or employment arrangements among health
22 care professionals, health facilities, health care providers,
23 or other entities, except as otherwise prohibited by law. Any
24 employment arrangements may include provisions for

1 compensation, health insurance, pension, or other employment
2 benefits for the provision of services within the scope of the
3 licensee's practice under this Act. Nothing in this paragraph
4 (14) shall be construed to require an employment arrangement to
5 receive professional fees for services rendered."; and

6 on page 139, by replacing lines 17 through 25 with the
7 following:

8 "rendered. Nothing in this paragraph (10) affects any bona fide
9 independent contractor or employment arrangements among health
10 care professionals, health facilities, health care providers,
11 or other entities, except as otherwise prohibited by law. Any
12 employment arrangements with health care providers may include
13 provisions for compensation, health insurance, pension, or
14 other employment benefits for the provision of services within
15 the scope of the licensee's practice under this Act. Nothing in
16 this paragraph (10) shall be construed to require an employment
17 arrangement to receive professional fees for services
18 rendered."