



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

SB0140

Introduced 1/27/2011, by Sen. Iris Y. Martinez

SYNOPSIS AS INTRODUCED:

New Act

Creates the Interventional Pain Medicine Act. Defines "interventional pain medicine", "interventional techniques", and other related terms. Provides that a person shall not practice or offer to practice interventional techniques for pain medicine in this State unless such person is a physician licensed to practice medicine in all its branches. Provides that a violation is a Class A misdemeanor. Provides that interventional techniques may not be delegated. Permits the performance of noninvasive or nonsurgical procedures by a licensed chiropractic physician or licensed physical therapist in accordance with the law or the performance of nonsurgical pain care and treatment authorized by the statutory scope of practice for other licensed health care workers or delegated by a physician licensed to practice medicine in all its branches. Effective July 1, 2011.

LRB097 05330 CEL 45385 b

CORRECTIONAL
BUDGET AND
IMPACT NOTE ACT
MAY APPLY

FISCAL NOTE ACT
MAY APPLY

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 1. Short title. This Act may be cited as the
5 Interventional Pain Medicine Act.

6 Section 5. Definitions. In this Act:

7 "Computed tomography" or "CT" means the imaging technique
8 utilizing digital geometry processing to generate a
9 three-dimensional image inside the body.

10 "Fluoroscope" means a radiological instrument equipped
11 with a fluorescent screen that opaque internal structures can
12 be viewed as moving shadows images formed by the differential
13 transmission of X-rays throughout the body.

14 "Image guidance" means currently available technologies
15 such as Fluoroscopy, Ultrasonography, computed tomography, and
16 other imaging technologies as they become available that can be
17 utilized for interventional pain medicine.

18 "Interventional pain medicine" means diagnosis and
19 treatment of pain-related medical conditions primarily with
20 the application of interventional techniques in managing
21 subacute, chronic, persistent, and intractable pain.

22 "Interventional techniques" means procedures during which
23 there is a skin break or contact with the mucosa that are used

1 by physicians for the diagnosis or treatment of many
2 pain-related medical conditions. "Interventional techniques"
3 include the placement of percutaneous needles through which
4 drugs are then placed in targeted areas, nerves are ablated, or
5 certain surgical procedures involving the injection of
6 steroids, analgesics, anesthetics, or the placement of
7 catheters or electrode leads are performed. These techniques
8 are surgical and invasive, use the imaging guidance, and are
9 used for the diagnosis and treatment of chronic pain
10 conditions.

11 "Ultrasonography" or "Ultrasound" means an imaging
12 technique where structures of the body are visualized by
13 recording the reflections (echos) of ultrasonic waves directed
14 through the tissues.

15 Section 10. Prohibited practices and penalties. A person
16 shall not practice or offer to practice interventional
17 techniques for pain medicine in this State unless the person is
18 a physician licensed to practice medicine in all its branches.
19 Interventional techniques may not be delegated. Any person who
20 violates this Section commits a Class A misdemeanor and is
21 subject to the injunction, punishment, and enforcement
22 provisions set forth in Section 3.5 of the Medical Practice Act
23 of 1987.

24 Chronic interventional techniques and medicine require a
25 physician to first examine the patient and formulate a

1 diagnosis and determine a course of treatment appropriate to
2 the patient prior to the performance of the technique.

3 Section 15. Rulemaking authority. The Department of
4 Financial and Professional Regulation may adopt rules, in
5 consultation with the Medical Licensing Board, as necessary to
6 implement this Act.

7 Section 20. Applicability. This Act does not prevent the
8 following:

9 (1) The performance of noninvasive or nonsurgical
10 procedures by a licensed chiropractic physician or
11 licensed physical therapist in accordance with the law.

12 (2) The performance of nonsurgical pain care and
13 treatment authorized by the statutory scope of practice for
14 other licensed health care workers or delegated by a
15 physician licensed to practice medicine in all its
16 branches.

17 Section 99. Effective date. This Act takes effect July 1,
18 2011.