



Sen. Scott M. Bennett

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09900SB2236sam001

LRB099 17046 SMS 44539 a

1 AMENDMENT TO SENATE BILL 2236

2 AMENDMENT NO. _____. Amend Senate Bill 2236 on page 24,
3 immediately below line 3, by inserting the following:

4 "Section 23. The Illinois Athletic Trainers Practice Act is
5 amended by changing Section 16 as follows:

6 (225 ILCS 5/16) (from Ch. 111, par. 7616)

7 (Section scheduled to be repealed on January 1, 2026)

8 Sec. 16. Grounds for discipline.

9 (1) The Department may refuse to issue or renew, or may
10 revoke, suspend, place on probation, reprimand, or take other
11 disciplinary action as the Department may deem proper,
12 including fines not to exceed \$10,000 for each violation, with
13 regard to any licensee for any one or combination of the
14 following:

15 (A) Material misstatement in furnishing information to
16 the Department;

1 (B) Violations of this Act, or of the rules or
2 regulations promulgated hereunder;

3 (C) Conviction of or plea of guilty to any crime under
4 the Criminal Code of 2012 or the laws of any jurisdiction
5 of the United States that is (i) a felony, (ii) a
6 misdemeanor, an essential element of which is dishonesty,
7 or (iii) of any crime that is directly related to the
8 practice of the profession;

9 (D) Fraud or any misrepresentation in applying for or
10 procuring a license under this Act, or in connection with
11 applying for renewal of a license under this Act;

12 (E) Professional incompetence or gross negligence;

13 (F) Malpractice;

14 (G) Aiding or assisting another person, firm,
15 partnership, or corporation in violating any provision of
16 this Act or rules;

17 (H) Failing, within 60 days, to provide information in
18 response to a written request made by the Department;

19 (I) Engaging in dishonorable, unethical, or
20 unprofessional conduct of a character likely to deceive,
21 defraud or harm the public;

22 (J) Habitual or excessive use or abuse of drugs defined
23 in law as controlled substances, alcohol, or any other
24 substance that results in the inability to practice with
25 reasonable judgment, skill, or safety;

26 (K) Discipline by another state, unit of government,

1 government agency, the District of Columbia, territory, or
2 foreign nation, if at least one of the grounds for the
3 discipline is the same or substantially equivalent to those
4 set forth herein;

5 (L) Directly or indirectly giving to or receiving from
6 any person, firm, corporation, partnership, or association
7 any fee, commission, rebate, or other form of compensation
8 for any professional services not actually or personally
9 rendered. Nothing in this subparagraph (L) affects any bona
10 fide independent contractor or employment arrangements
11 among health care professionals, health facilities, health
12 care providers, or other entities, except as otherwise
13 prohibited by law. Any employment arrangements may include
14 provisions for compensation, health insurance, pension, or
15 other employment benefits for the provision of services
16 within the scope of the licensee's practice under this Act.
17 Nothing in this subparagraph (L) shall be construed to
18 require an employment arrangement to receive professional
19 fees for services rendered;

20 (M) A finding by the Department that the licensee after
21 having his or her license disciplined has violated the
22 terms of probation;

23 (N) Abandonment of an athlete;

24 (O) Willfully making or filing false records or reports
25 in his or her practice, including but not limited to false
26 records filed with State agencies or departments;

1 (P) 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 (Q) Physical illness, including but not limited to
5 deterioration through the aging process, or loss of motor
6 skill that results in the inability to practice the
7 profession with reasonable judgment, skill, or safety;

8 (R) Solicitation of professional services other than
9 by permitted institutional policy;

10 (S) The use of any words, abbreviations, figures or
11 letters with the intention of indicating practice as an
12 athletic trainer without a valid license as an athletic
13 trainer under this Act;

14 (T) The evaluation or treatment of ailments of human
15 beings other than by the practice of athletic training as
16 defined in this Act or the treatment of injuries of
17 athletes by a licensed athletic trainer except by the
18 referral of a physician, podiatric physician, or dentist;

19 (U) Willfully violating or knowingly assisting in the
20 violation of any law of this State relating to the use of
21 habit-forming drugs;

22 (V) Willfully violating or knowingly assisting in the
23 violation of any law of this State relating to the practice
24 of abortion;

25 (W) Continued practice by a person knowingly having an
26 infectious communicable or contagious disease;

1 (X) Being named as a perpetrator in an indicated report
2 by the Department of Children and Family Services pursuant
3 to the Abused and Neglected Child Reporting Act and upon
4 proof by clear and convincing evidence that the licensee
5 has caused a child to be an abused child or neglected child
6 as defined in the Abused and Neglected Child Reporting Act;

7 (Y) (Blank);

8 (Z) Failure to fulfill continuing education
9 requirements;

10 (AA) Allowing one's license under this Act to be used
11 by an unlicensed person in violation of this Act;

12 (BB) Practicing under a false or, except as provided by
13 law, assumed name;

14 (CC) Promotion of the sale of drugs, devices,
15 appliances, or goods provided in any manner to exploit the
16 client for the financial gain of the licensee;

17 (DD) Gross, willful, or continued overcharging for
18 professional services;

19 (EE) Mental illness or disability that results in the
20 inability to practice under this Act with reasonable
21 judgment, skill, or safety; or

22 (FF) Cheating on or attempting to subvert the licensing
23 examination administered under this Act.

24 All fines imposed under this Section shall be paid within
25 60 days after the effective date of the order imposing the fine
26 or in accordance with the terms set forth in the order imposing

1 the fine.

2 (2) The determination by a circuit court that a licensee is
3 subject to involuntary admission or judicial admission as
4 provided in the Mental Health and Developmental Disabilities
5 Code operates as an automatic suspension. Such suspension will
6 end only upon a finding by a court that the licensee is no
7 longer subject to involuntary admission or judicial admission
8 and issuance of an order so finding and discharging the
9 licensee.

10 (3) The Department may refuse to issue or may suspend
11 without hearing, as provided for in the Code of Civil
12 Procedure, the license of any person who fails to file a
13 return, to pay the tax, penalty, or interest shown in a filed
14 return, or to pay any final assessment of tax, penalty, or
15 interest as required by any tax Act administered by the
16 Illinois Department of Revenue, until such time as the
17 requirements of any such tax Act are satisfied in accordance
18 with subsection (a) of Section 2105-15 of the Department of
19 Professional Regulation Law of the Civil Administrative Code of
20 Illinois.

21 (4) In enforcing this Section, the Department, upon a
22 showing of a possible violation, may compel any individual who
23 is licensed under this Act or any individual who has applied
24 for licensure to submit to a mental or physical examination or
25 evaluation, or both, which may include a substance abuse or
26 sexual offender evaluation, at the expense of the Department.

1 The Department shall specifically designate the examining
2 physician licensed to practice medicine in all of its branches
3 or, if applicable, the multidisciplinary team involved in
4 providing the mental or physical examination and evaluation.
5 The multidisciplinary team shall be led by a physician licensed
6 to practice medicine in all of its branches and may consist of
7 one or more or a combination of physicians licensed to practice
8 medicine in all of its branches, licensed chiropractic
9 physicians, licensed clinical psychologists, licensed clinical
10 social workers, licensed clinical professional counselors, and
11 other professional and administrative staff. Any examining
12 physician or member of the multidisciplinary team may require
13 any person ordered to submit to an examination and evaluation
14 pursuant to this Section to submit to any additional
15 supplemental testing deemed necessary to complete any
16 examination or evaluation process, including, but not limited
17 to, blood testing, urinalysis, psychological testing, or
18 neuropsychological testing.

19 The Department may order the examining physician or any
20 member of the multidisciplinary team to provide to the
21 Department any and all records, including business records,
22 that relate to the examination and evaluation, including any
23 supplemental testing performed. The Department may order the
24 examining physician or any member of the multidisciplinary team
25 to present testimony concerning this examination and
26 evaluation of the licensee or applicant, including testimony

1 concerning any supplemental testing or documents relating to
2 the examination and evaluation. No information, report,
3 record, or other documents in any way related to the
4 examination and evaluation shall be excluded by reason of any
5 common law or statutory privilege relating to communication
6 between the licensee or applicant and the examining physician
7 or any member of the multidisciplinary team. No authorization
8 is necessary from the licensee or applicant ordered to undergo
9 an evaluation and examination for the examining physician or
10 any member of the multidisciplinary team to provide
11 information, reports, records, or other documents or to provide
12 any testimony regarding the examination and evaluation. The
13 individual to be examined may have, at his or her own expense,
14 another physician of his or her choice present during all
15 aspects of the examination.

16 Failure of any individual to submit to a mental or physical
17 examination or evaluation, or both, when directed, shall result
18 in an automatic suspension without hearing, until such time as
19 the individual submits to the examination. If the Department
20 finds a licensee unable to practice because of the reasons set
21 forth in this Section, the Department shall require the
22 licensee to submit to care, counseling, or treatment by
23 physicians approved or designated by the Department as a
24 condition for continued, reinstated, or renewed licensure.

25 When the Secretary immediately suspends a license under
26 this Section, a hearing upon such person's license must be

1 convened by the Department within 15 days after the suspension
2 and completed without appreciable delay. The Department shall
3 have the authority to review the licensee's record of treatment
4 and counseling regarding the impairment to the extent permitted
5 by applicable federal statutes and regulations safeguarding
6 the confidentiality of medical records.

7 Individuals licensed under this Act who are affected under
8 this Section shall be afforded an opportunity to demonstrate to
9 the Department that they can resume practice in compliance with
10 acceptable and prevailing standards under the provisions of
11 their license.

12 (5) (Blank) ~~The Department shall deny a license or renewal~~
13 ~~authorized by this Act to a person who has defaulted on an~~
14 ~~educational loan or scholarship provided or guaranteed by the~~
15 ~~Illinois Student Assistance Commission or any governmental~~
16 ~~agency of this State in accordance with paragraph (5) of~~
17 ~~subsection (a) of Section 2105-15 of the Department of~~
18 ~~Professional Regulation Law of the Civil Administrative Code of~~
19 ~~Illinois.~~

20 (6) In cases where the Department of Healthcare and Family
21 Services has previously determined a licensee or a potential
22 licensee is more than 30 days delinquent in the payment of
23 child support and has subsequently certified the delinquency to
24 the Department, the Department may refuse to issue or renew or
25 may revoke or suspend that person's license or may take other
26 disciplinary action against that person based solely upon the

1 certification of delinquency made by the Department of
2 Healthcare and Family Services in accordance with paragraph (5)
3 of subsection (a) of Section 2105-15 of the Department of
4 Professional Regulation Law of the Civil Administrative Code of
5 Illinois.

6 (Source: P.A. 98-214, eff. 8-9-13; 99-469, eff. 8-26-15.)"; and

7 on page 158, immediately below line 21, by inserting the
8 following:

9 "Section 113. The Illinois Roofing Industry Licensing Act
10 is amended by changing Section 9.1 as follows:

11 (225 ILCS 335/9.1) (from Ch. 111, par. 7509.1)

12 (Section scheduled to be repealed on January 1, 2026)

13 Sec. 9.1. Grounds for disciplinary action.

14 (1) The Department may refuse to issue or to renew, or may
15 revoke, suspend, place on probation, reprimand or take other
16 disciplinary or non-disciplinary action as the Department may
17 deem proper, including fines not to exceed \$10,000 for each
18 violation, with regard to any license for any one or
19 combination of the following:

20 (a) violation of this Act or its rules;

21 (b) conviction or plea of guilty or nolo contendere,
22 finding of guilt, jury verdict, or entry of judgment or
23 sentencing of any crime, including, but not limited to,

1 convictions, preceding sentences of supervision,
2 conditional discharge, or first offender probation, under
3 the laws of any jurisdiction of the United States that is
4 (i) a felony or (ii) a misdemeanor, an essential element of
5 which is dishonesty or that is directly related to the
6 practice of the profession;

7 (c) fraud or any misrepresentation in applying for or
8 procuring a license under this Act, or in connection with
9 applying for renewal of a license under this Act;

10 (d) professional incompetence or gross negligence in
11 the practice of roofing contracting, prima facie evidence
12 of which may be a conviction or judgment in any court of
13 competent jurisdiction against an applicant or licensee
14 relating to the practice of roofing contracting or the
15 construction of a roof or repair thereof that results in
16 leakage within 90 days after the completion of such work;

17 (e) (blank);

18 (f) aiding or assisting another person in violating any
19 provision of this Act or rules;

20 (g) failing, within 60 days, to provide information in
21 response to a written request made by the Department;

22 (h) engaging in dishonorable, unethical, or
23 unprofessional conduct of a character likely to deceive,
24 defraud, or harm the public;

25 (i) habitual or excessive use or abuse of controlled
26 substances, as defined by the Illinois Controlled

1 Substances Act, alcohol, or any other substance that
2 results in the inability to practice with reasonable
3 judgment, skill, or safety;

4 (j) discipline by another state, unit of government, or
5 government agency, the District of Columbia, a territory,
6 or a foreign nation, if at least one of the grounds for the
7 discipline is the same or substantially equivalent to those
8 set forth in this Section;

9 (k) directly or indirectly giving to or receiving from
10 any person, firm, corporation, partnership, or association
11 any fee, commission, rebate, or other form of compensation
12 for any professional services not actually or personally
13 rendered;

14 (l) a finding by the Department that the licensee,
15 after having his or her license disciplined, has violated
16 the terms of the discipline;

17 (m) a finding by any court of competent jurisdiction,
18 either within or without this State, of any violation of
19 any law governing the practice of roofing contracting, if
20 the Department determines, after investigation, that such
21 person has not been sufficiently rehabilitated to warrant
22 the public trust;

23 (n) willfully making or filing false records or reports
24 in the practice of roofing contracting, including, but not
25 limited to, false records filed with the State agencies or
26 departments;

1 (o) practicing, attempting to practice, or advertising
2 under a name other than the full name as shown on the
3 license or any other legally authorized name;

4 (p) gross and willful overcharging for professional
5 services including filing false statements for collection
6 of fees or monies for which services are not rendered;

7 (q) (blank);

8 (r) (blank);

9 (s) failure to continue to meet the requirements of
10 this Act shall be deemed a violation;

11 (t) physical or mental disability, including
12 deterioration through the aging process or loss of
13 abilities and skills that result in an inability to
14 practice the profession with reasonable judgment, skill,
15 or safety;

16 (u) material misstatement in furnishing information to
17 the Department or to any other State agency;

18 (v) (blank);

19 (w) advertising in any manner that is false,
20 misleading, or deceptive;

21 (x) taking undue advantage of a customer, which results
22 in the perpetration of a fraud;

23 (y) performing any act or practice that is a violation
24 of the Consumer Fraud and Deceptive Business Practices Act;

25 (z) engaging in the practice of roofing contracting, as
26 defined in this Act, with a suspended, revoked, or

1 cancelled license;

2 (aa) treating any person differently to the person's
3 detriment because of race, color, creed, gender, age,
4 religion, or national origin;

5 (bb) knowingly making any false statement, oral,
6 written, or otherwise, of a character likely to influence,
7 persuade, or induce others in the course of obtaining or
8 performing roofing contracting services;

9 (cc) violation of any final administrative action of
10 the Secretary;

11 (dd) allowing the use of his or her roofing license by
12 an unlicensed roofing contractor for the purposes of
13 providing roofing or waterproofing services; or

14 (ee) (blank);

15 (ff) cheating or attempting to subvert a licensing
16 examination administered under this Act; or

17 (gg) use of a license to permit or enable an unlicensed
18 person to provide roofing contractor services.

19 (2) The determination by a circuit court that a license
20 holder is subject to involuntary admission or judicial
21 admission, as provided in the Mental Health and Developmental
22 Disabilities Code, operates as an automatic suspension. Such
23 suspension will end only upon a finding by a court that the
24 patient is no longer subject to involuntary admission or
25 judicial admission, an order by the court so finding and
26 discharging the patient, and the recommendation of the Board to

1 the Director that the license holder be allowed to resume his
2 or her practice.

3 (3) The Department may refuse to issue or take disciplinary
4 action concerning the license of any person who fails to file a
5 return, to pay the tax, penalty, or interest shown in a filed
6 return, or to pay any final assessment of tax, penalty, or
7 interest as required by any tax Act administered by the
8 Department of Revenue, until such time as the requirements of
9 any such tax Act are satisfied as determined by the Department
10 of Revenue.

11 (4) In enforcing this Section, the Department, upon a
12 showing of a possible violation, may compel any individual who
13 is licensed under this Act or any individual who has applied
14 for licensure to submit to a mental or physical examination or
15 evaluation, or both, which may include a substance abuse or
16 sexual offender evaluation, at the expense of the Department.
17 The Department shall specifically designate the examining
18 physician licensed to practice medicine in all of its branches
19 or, if applicable, the multidisciplinary team involved in
20 providing the mental or physical examination and evaluation.
21 The multidisciplinary team shall be led by a physician licensed
22 to practice medicine in all of its branches and may consist of
23 one or more or a combination of physicians licensed to practice
24 medicine in all of its branches, licensed chiropractic
25 physicians, licensed clinical psychologists, licensed clinical
26 social workers, licensed clinical professional counselors, and

1 other professional and administrative staff. Any examining
2 physician or member of the multidisciplinary team may require
3 any person ordered to submit to an examination and evaluation
4 pursuant to this Section to submit to any additional
5 supplemental testing deemed necessary to complete any
6 examination or evaluation process, including, but not limited
7 to, blood testing, urinalysis, psychological testing, or
8 neuropsychological testing.

9 (5) The Department may order the examining physician or any
10 member of the multidisciplinary team to provide to the
11 Department any and all records, including business records,
12 that relate to the examination and evaluation, including any
13 supplemental testing performed. The Department may order the
14 examining physician or any member of the multidisciplinary team
15 to present testimony concerning this examination and
16 evaluation of the licensee or applicant, including testimony
17 concerning any supplemental testing or documents relating to
18 the examination and evaluation. No information, report,
19 record, or other documents in any way related to the
20 examination and evaluation shall be excluded by reason of any
21 common law or statutory privilege relating to communication
22 between the licensee or applicant and the examining physician
23 or any member of the multidisciplinary team. No authorization
24 is necessary from the licensee or applicant ordered to undergo
25 an evaluation and examination for the examining physician or
26 any member of the multidisciplinary team to provide

1 information, reports, records, or other documents or to provide
2 any testimony regarding the examination and evaluation. The
3 individual to be examined may have, at his or her own expense,
4 another physician of his or her choice present during all
5 aspects of the examination.

6 (6) Failure of any individual to submit to mental or
7 physical examination or evaluation, or both, when directed,
8 shall result in an automatic suspension without hearing until
9 such time as the individual submits to the examination. If the
10 Department finds a licensee unable to practice because of the
11 reasons set forth in this Section, the Department shall require
12 the licensee to submit to care, counseling, or treatment by
13 physicians approved or designated by the Department as a
14 condition for continued, reinstated, or renewed licensure.

15 (7) When the Secretary immediately suspends a license under
16 this Section, a hearing upon such person's license must be
17 convened by the Department within 15 days after the suspension
18 and completed without appreciable delay. The Department shall
19 have the authority to review the licensee's record of treatment
20 and counseling regarding the impairment to the extent permitted
21 by applicable federal statutes and regulations safeguarding
22 the confidentiality of medical records.

23 (8) Licensees affected under this Section shall be afforded
24 an opportunity to demonstrate to the Department that they can
25 resume practice in compliance with acceptable and prevailing
26 standards under the provisions of their license.

1 (9) (Blank) ~~The Department shall deny a license or renewal~~
2 ~~authorized by this Act to a person who has defaulted on an~~
3 ~~educational loan or scholarship provided or guaranteed by the~~
4 ~~Illinois Student Assistance Commission or any governmental~~
5 ~~agency of this State in accordance with paragraph (5) of~~
6 ~~subsection (a) of Section 2105-15 of the Department of~~
7 ~~Professional Regulation Law of the Civil Administrative Code of~~
8 ~~Illinois.~~

9 (10) In cases where the Department of Healthcare and Family
10 Services has previously determined a licensee or a potential
11 licensee is more than 30 days delinquent in the payment of
12 child support and has subsequently certified the delinquency to
13 the Department, the Department may refuse to issue or renew or
14 may revoke or suspend that person's license or may take other
15 disciplinary action against that person based solely upon the
16 certification of delinquency made by the Department of
17 Healthcare and Family Services in accordance with paragraph (5)
18 of subsection (a) of Section 2105-15 of the Department of
19 Professional Regulation Law of the Civil Administrative Code of
20 Illinois.

21 The changes to this Act made by this amendatory Act of 1997
22 apply only to disciplinary actions relating to events occurring
23 after the effective date of this amendatory Act of 1997.

24 (Source: P.A. 99-469, eff. 8-26-15.)"