

AN ACT concerning regulation.

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

Section 5. The Regulatory Sunset Act is amended by changing Section 4.36 and by adding Section 4.41 as follows:

(5 ILCS 80/4.36)

Sec. 4.36. Acts repealed on January 1, 2026. The following Acts are repealed on January 1, 2026:

The Barber, Cosmetology, Esthetics, Hair Braiding, and Nail Technology Act of 1985.

The Collection Agency Act.

The Hearing Instrument Consumer Protection Act.

The Illinois Athletic Trainers Practice Act.

The Illinois Dental Practice Act.

The Illinois Roofing Industry Licensing Act.

~~The Illinois Physical Therapy Act.~~

The Professional Geologist Licensing Act.

The Respiratory Care Practice Act.

(Source: P.A. 99-26, eff. 7-10-15; 99-204, eff. 7-30-15; 99-227, eff. 8-3-15; 99-229, eff. 8-3-15; 99-230, eff. 8-3-15; 99-427, eff. 8-21-15; 99-469, eff. 8-26-15; 99-492, eff. 12-31-15; 99-642, eff. 7-28-16.)

(5 ILCS 80/4.41 new)

Sec. 4.41. Act repealed on January 1, 2031. The following Act is repealed on January 1, 2031:

The Illinois Physical Therapy Act.

Section 10. The Illinois Physical Therapy Act is amended by changing Sections 0.05, 1, 1.2, 1.5, 2, 3, 4, 6, 8, 8.1, 8.5, 11, 12, 15, 16, 16.1, 17, 18, 19, 19.5, 22, 23, 24, 25, 26, 29, 31, and 36 and by adding Sections 1.1 and 25.5 as follows:

(225 ILCS 90/0.05)

(Section scheduled to be repealed on January 1, 2026)

Sec. 0.05. Legislative Intent. This Act is enacted for the purpose of protecting the public health, safety, and welfare, and for providing for State administrative control, supervision, licensure, and regulation of the practice of physical therapy. It is the legislature's intent that only individuals who meet and maintain prescribed standards of competence and conduct may engage in the practice of physical therapy as authorized by this Act. This Act shall be liberally construed to promote the public interest and to accomplish the purpose stated herein. This Act does not prohibit a person licensed under any other Act in this State from engaging in the practice for which that person ~~he or she~~ is licensed or from delegating services as provided for under that other Act.

(Source: P.A. 92-350, eff. 8-15-01.)

(225 ILCS 90/1) (from Ch. 111, par. 4251)

(Section scheduled to be repealed on January 1, 2026)

Sec. 1. Definitions. As used in this Act:

(1) "Physical therapy" means all of the following:

(A) Examining, evaluating, and testing individuals who may have mechanical, physiological, or developmental impairments, functional limitations, disabilities, or other health and movement-related conditions, classifying these disorders, determining a rehabilitation prognosis and plan of therapeutic intervention, and assessing the ongoing effects of the interventions.

(B) Alleviating impairments, functional limitations, or disabilities by designing, implementing, and modifying therapeutic interventions that may include, but are not limited to, the evaluation or treatment of a patient ~~person~~ through the use of the effective properties of physical measures and heat, cold, light, water, radiant energy, electricity, sound, and air and use of therapeutic massage, therapeutic exercise, mobilization, dry needling, and rehabilitative procedures, with or without assistive devices and equipment, for the purposes of preventing, correcting, or alleviating a physical or mental impairment, functional limitation, or disability.

(C) Reducing the risk of injury, impairment,

functional limitation, or disability, including the promotion and maintenance of fitness, health, and wellness.

(D) Engaging in administration, consultation, education, and research.

"Physical therapy" includes, but is not limited to: (a) performance of specialized tests and measurements, (b) administration of specialized treatment procedures, (c) interpretation of referrals from physicians, dentists, advanced practice registered nurses, physician assistants, and podiatric physicians, (d) establishment, and modification of physical therapy treatment programs, (e) administration of topical medication used in generally accepted physical therapy procedures when such medication is either prescribed by the patient's physician, licensed to practice medicine in all its branches, the patient's physician licensed to practice podiatric medicine, the patient's advanced practice registered nurse, the patient's physician assistant, or the patient's dentist or used following the physician's orders or written instructions, (f) supervision or teaching of physical therapy, and (g) dry needling in accordance with Section 1.5. "Physical therapy" does not include practicing radiology, electrosurgery, acupuncture, chiropractic technique or providing a determination of a differential diagnosis; provided, however, the limitation on determining a differential diagnosis shall not in any manner limit a

physical therapist licensed under this Act from performing an evaluation and establishing a physical therapy treatment plan pursuant to such license. Nothing in this Section shall limit a physical therapist from employing appropriate physical therapy techniques that the physical therapist ~~he or she~~ is educated and licensed to perform.

(2) "Physical therapist" means a person who practices physical therapy and who has met all requirements as provided in this Act.

(3) "Department" means the Department of Financial and Professional Regulation.

(4) "Director" means the Director of the Division of Professional Regulation of the Department of Financial and Professional Regulation with the duties as designated by the Secretary.

(5) "Board" means the Physical Therapy Licensing and Disciplinary Board approved by the Secretary ~~Director~~.

(6) "Referral" means a written or oral authorization for physical therapy services for a patient by a physician, dentist, advanced practice registered nurse, physician assistant, or podiatric physician who maintains medical supervision of the patient and makes a diagnosis or verifies that the patient's condition is such that it may be treated by a physical therapist.

(7) (Blank).

(8) "State" includes:

- (a) the states of the United States of America;
- (b) the District of Columbia; and
- (c) the Commonwealth of Puerto Rico.

(9) "Physical therapist assistant" means a person licensed to assist a physical therapist and who has met all requirements as provided in this Act and who works under the supervision of a licensed physical therapist to assist in implementing the physical therapy treatment program as established by the licensed physical therapist. The patient care activities provided by the physical therapist assistant shall not include the interpretation of referrals, evaluation procedures, or the planning or major modification of patient programs.

(10) "Physical therapy aide" means a person who has received on the job training, specific to the facility in which he is employed.

(11) (Blank). ~~"Advanced practice registered nurse" means a person licensed as an advanced practice registered nurse under the Nurse Practice Act.~~

(12) (Blank). ~~"Physician assistant" means a person licensed under the Physician Assistant Practice Act of 1987.~~

(13) "Health care professional" means a physician, dentist, podiatric physician, advanced practice registered nurse, or physician assistant.

(14) "Address of record" means a designated address recorded by the Department in the applicant's application file

or the licensee's license file as maintained by the Department's licensure maintenance unit.

(15) "Email address of record" means a designated email address recorded by the Department in the applicant's application file or the licensee's license file as maintained by the Department's licensure maintenance unit.

(16) "Secretary" means the Secretary of Financial and Professional Regulation.

(Source: P.A. 102-307, eff. 1-1-22.)

(225 ILCS 90/1.1 new)

Sec. 1.1. Address of record; email address of record. All applicants and licensees shall:

(1) provide a valid address and email address to the Department, which shall serve as the address of record and email address of record, respectively, at the time of application for licensure or renewal of a license; and

(2) inform the Department of any change to the address of record or the email address of record within 14 days after such change either through the Department's website or by contacting the Department's licensure maintenance unit.

(225 ILCS 90/1.2)

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

Sec. 1.2. Physical therapy services.

(a) A physical therapist may provide physical therapy services to a patient with or without a referral from a health care professional.

(b) A physical therapist providing services without a referral from a health care professional must notify the patient's treating health care professional within 5 business days after the patient's first visit that the patient is receiving physical therapy. This does not apply to physical therapy services related to fitness or wellness, unless the patient presents with an ailment or injury.

(b-5) A physical therapist providing services to a patient without a referral who has been diagnosed by a health care professional as having a chronic disease that may benefit from physical therapy must communicate at least monthly with the patient's treating health care professional to provide updates on the patient's course of therapy.

(b-10) A physical therapist providing services to a patient with a referral who has been diagnosed by a health care professional as having a chronic disease must communicate at least monthly with the patient's referring health care professional consistent with the plan of care established with the referring health care professional.

(c) A physical therapist shall refer a patient to the patient's treating health care professional of record or, in the case where there is no health care professional of record, to a health care professional of the patient's choice, if:

(1) the patient does not demonstrate measurable or functional improvement after 10 visits or 15 business days, whichever occurs first, and continued improvement thereafter;

(2) the patient was under the care of a physical therapist without a diagnosis established by a health care professional of a chronic disease that may benefit from physical therapy and returns for services for the same or similar condition after 30 calendar days of being discharged by the physical therapist; or

(3) the patient's condition, at the time of evaluation or services, is determined to be beyond the scope of practice of the physical therapist.

(d) Wound debridement services may only be provided by a physical therapist with written authorization from a health care professional.

(e) A physical therapist shall promptly consult and collaborate with the appropriate health care professional anytime a patient's condition indicates that it may be related to temporomandibular disorder ~~so that a diagnosis can be made by that health care professional for an appropriate treatment plan.~~

(Source: P.A. 102-307, eff. 1-1-22.)

(225 ILCS 90/1.5)

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

Sec. 1.5. Dry needling.

(a) For the purpose of this Act, "dry needling", also known as intramuscular manual therapy, means an advanced needling skill or technique limited to the treatment of myofascial pain, using a single use, single insertion, sterile filiform needle (without the use of heat, cold, or any other added modality or medication), that is inserted into the skin or underlying tissues to stimulate trigger points. Dry needling may apply theory based only upon Western medical concepts, requires an examination and diagnosis, and treats specific anatomic entities selected according to physical signs. Dry needling does not include the teaching or application of acupuncture described by the stimulation of auricular points, utilization of distal points or non-local points, needle retention, application of retained electric stimulation leads, or other acupuncture theory.

(b) A physical therapist or physical therapist assistant licensed under this Act may only perform dry needling after completion of requirements, as determined by the Department by rule, that meet or exceed the following: (1) 50 hours of instructional courses that include, but are not limited to, studies in the musculoskeletal and neuromuscular system, the anatomical basis of pain mechanisms, chronic and referred pain, myofascial trigger point theory, and universal precautions; (2) completion of at least 30 hours of didactic course work specific to dry needling; (3) successful

completion of at least 54 practicum hours in dry needling course work; (4) completion of at least 200 supervised patient treatment sessions; and (5) successful completion of a competency examination. Dry needling shall only be performed by a licensed physical therapist or licensed physical therapist assistant.

(c) (Blank).

(d) (Blank).

(e) (Blank).

(Source: P.A. 102-307, eff. 1-1-22.)

(225 ILCS 90/2) (from Ch. 111, par. 4252)

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

Sec. 2. Licensure requirement; exempt activities. ~~Practice without a license forbidden — exception.~~ No person shall after the date of August 31, 1965 begin to practice physical therapy in this State or hold oneself ~~himself~~ out as being able to practice this profession, unless the person ~~he~~ is licensed as such in accordance with the provisions of this Act. After July 1, 1991 (the effective date of Public Act 86-1396) ~~this amendatory Act of 1990~~, no person shall practice or hold oneself ~~himself~~ out as a physical therapist assistant unless the person ~~he~~ is licensed as such under this Act. A physical therapist shall use the initials "PT" in connection with the physical therapist's ~~his or her~~ name to denote licensure under this Act, and a physical therapist assistant shall use the

initials "PTA" in connection with the physical therapist assistant's ~~his or her~~ name to denote licensure under this Act.

This Act does not prohibit:

(1) Any person licensed in this State under any other Act from engaging in the practice for which the person ~~he~~ is licensed.

(2) The practice of physical therapy by those persons, practicing under the supervision of a licensed physical therapist and who have met all of the qualifications as provided in Sections 7, 8.1, and 9 of this Act, until the next examination is given for physical therapists or physical therapist assistants and the results have been received by the Department and the Department has determined the applicant's eligibility for a license. Anyone failing to pass said examination shall not again practice physical therapy until such time as an examination has been successfully passed by such person.

(3) The practice of physical therapy for a period not exceeding 6 months by a person who is in this State on a temporary basis to assist in a case of medical emergency or to engage in a special physical therapy project, and who meets the qualifications for a physical therapist as set forth in Sections 7 and 8 of this Act and is licensed in another state as a physical therapist.

(4) Practice of physical therapy by qualified persons

who have filed for endorsement for no longer than one year or until such time that notification of licensure has been granted or denied, whichever period of time is lesser.

(5) One or more licensed physical therapists from forming a professional service corporation under the provisions of the "Professional Service Corporation Act", ~~approved September 15, 1969, as now or hereafter amended,~~ and licensing such corporation for the practice of physical therapy.

(6) Physical therapy aides from performing patient care activities under the on-site supervision of a licensed physical therapist or licensed physical therapist assistant. These patient care activities shall not include interpretation of referrals, evaluation procedures, the planning of or major modifications of, patient programs.

(7) Physical therapist assistants ~~Therapist Assistants~~ from performing patient care activities under the general supervision of a licensed physical therapist. The physical therapist must maintain continual contact with the physical therapist assistant including periodic personal supervision and instruction to ensure ~~insure~~ the safety and welfare of the patient.

(8) The practice of physical therapy by a physical therapy student or a physical therapist assistant student under the on-site supervision of a licensed physical therapist. The physical therapist shall be readily

available for direct supervision and instruction to ensure
~~insure~~ the safety and welfare of the patient.

(9) The practice of physical therapy as part of an educational program by a physical therapist licensed in another state or country for a period not to exceed 6 months.

(10) (Blank). ~~The practice, services, or activities of persons practicing the specified occupations set forth in subsection (a) of, and pursuant to a licensing exemption granted in subsection (b) or (d) of, Section 2105 350 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois, but only for so long as the 2016 Olympic and Paralympic Games Professional Licensure Exemption Law is operable.~~

(Source: P.A. 96-7, eff. 4-3-09; revised 8-6-24.)

(225 ILCS 90/3) (from Ch. 111, par. 4253)

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

Sec. 3. Powers and duties of the Department. Subject to the provisions of this Act, the Department shall:

1. Prescribe rules defining what constitutes a curriculum for physical therapy that is reputable and in good standing.

2. Adopt rules providing for the establishment of a uniform and reasonable standard of instruction and maintenance to be observed by all curricula for physical therapy which are approved by the Department; and determine the reputability and

good standing of such curricula for physical therapy by reference to compliance with such rules, provided that no school of physical therapy that refuses admittance to applicants solely on account of race, color, creed, sex or national origin shall be considered reputable and in good standing.

3. Prescribe and publish rules for a method of examination of candidates for licensed physical therapists and licensed physical therapist assistants and for issuance of licenses authorizing candidates upon passing examination to practice as licensed physical therapists and licensed physical therapist assistants.

4. Review application to ascertain the qualifications of applicants for licenses.

5. Authorize examinations to ascertain the qualifications of those applicants who require such examinations as a component of a license.

6. Conduct hearings on proceedings to refuse to issue licenses and to discipline persons who are licensed under this Act and refuse to issue such licenses, and to discipline such licensees, or to refuse to issue a license to any person who has practiced physical therapy in violation of this Act, prior to applying for a license.

7. Formulate rules required for the administration of this Act.

8. (Blank). ~~Maintain a list of licensed physical~~

~~therapists and licensed physical therapist assistants authorized to practice in the State. This list shall show the name of every licensee, his last known place of residence and the date and number of his or her license. Any interested person in the State may obtain a copy of that list on application to the Department and payment of the required fee.~~

9. Exercise the powers and duties prescribed by the Civil Administrative Code of Illinois for the administration of licensing Acts.

(Source: P.A. 91-357, eff. 7-29-99.)

(225 ILCS 90/4) (from Ch. 111, par. 4254)

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

Sec. 4. Illinois Administrative Procedure Act. The Illinois Administrative Procedure Act is hereby expressly adopted and incorporated herein as if all of the provisions of that Act were included in this Act, except that the provision of subsection (d) of Section 10-65 of the Illinois Administrative Procedure Act that provides that at hearings the licensee has the right to show compliance with all lawful requirements for retention, ~~or~~ continuation, or renewal of the license is specifically excluded. For the purposes of this Act the notice required under Section 10-25 of the Administrative Procedure Act is deemed sufficient when mailed or emailed to the last known address of a party.

(Source: P.A. 88-45.)

(225 ILCS 90/6) (from Ch. 111, par. 4256)

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

Sec. 6. Duties and functions of the Secretary ~~Director~~ and Board. The Secretary ~~Director~~ shall appoint a Physical Therapy Licensing and Disciplinary Board as follows: Seven persons who shall be appointed by and shall serve in an advisory capacity to the Secretary ~~Director~~. Six members must be actively engaged in the practice of physical therapy in this State for a minimum of 5 years and one member must be a member of the public who is not licensed under this Act, or a similar Act of another jurisdiction.

Members shall serve 4-year ~~4-year~~ terms and until their successors are appointed and qualified. No member shall be reappointed to the Board for a term which would cause his continuous service on the Board to be longer than 9 successive years. Appointments to fill vacancies shall be made in the same manner as original appointments, for the unexpired portion of the vacated term.

For the initial appointment of the Board, the Secretary ~~Director~~ shall give priority to filling the public member terms as vacancies become available.

Members of the Board shall be immune from suit in any action based upon any disciplinary proceedings or other activities performed in good faith as members of the Board.

A vacancy in the membership of the Board shall not impair

the right of a quorum to exercise all the rights and perform all the duties of the Board.

The members of the Board are entitled to receive as compensation a reasonable sum as determined by the Secretary ~~Director~~ for each day actually engaged in the duties of the office and all legitimate and necessary expenses incurred in attending the meetings of the Board.

The membership of the Board should reasonably reflect representation from the geographic areas in this State.

The Secretary ~~Director~~ may terminate the appointment of any member for cause which in the opinion of the Secretary ~~Director~~ reasonably justifies such termination.

The Secretary ~~Director~~ shall consider the recommendations of the Board on questions involving standards of professional conduct, discipline and qualifications of candidates and licensees under this Act.

Nothing shall limit the ability of the Board to provide recommendations to the Secretary ~~Director~~ in regard to any matter affecting the administration of this Act. The Secretary ~~Director~~ shall give due consideration to all recommendations of the Board. ~~If the Director takes action contrary to a recommendation of the Board, the Director shall promptly provide a written explanation of that action.~~

(Source: P.A. 94-651, eff. 1-1-06.)

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

Sec. 8. Qualifications for licensure as a physical therapist.

(a) A person is qualified to receive a license as a physical therapist if that person has applied in writing, on forms prescribed by the Department, has paid the required fees, and meets all of the following requirements:

(1) The person ~~He or she~~ is at least 21 years of age and of good moral character. In determining moral character, the Department may take into consideration any felony conviction of the applicant, but such a conviction shall not operate automatically as a complete bar to a license.

(2) The person ~~He or she~~ has graduated from a curriculum in physical therapy approved by the Department. In approving a curriculum in physical therapy, the Department shall consider, but not be bound by, accreditation by the Commission on Accreditation in Physical Therapy Education. A person who graduated from a physical therapy program outside the United States or its territories shall have the person's ~~his or her~~ degree validated as equivalent to a physical therapy degree conferred by a regionally accredited college or university in the United States. The Department may establish by rule a method for the completion of course deficiencies.

(3) The person ~~He or she~~ has passed an examination

approved by the Department to determine the person's ~~his~~ fitness for practice as a physical therapist, or is entitled to be licensed without examination as provided in Sections 10 and 11 of this Act. A person who graduated from a physical therapy program outside the United States or its territories and whose first language is not English shall submit certification of passage of the Test of English as a Foreign Language (TOEFL) and the Test of Spoken English (TSE) as defined by rule prior to taking the licensure examination.

(b) The Department reserves the right and may request a personal interview of an applicant before the Board to further evaluate the applicant's ~~his or her~~ qualifications for a license.

(Source: P.A. 99-229, eff. 8-3-15.)

(225 ILCS 90/8.1) (from Ch. 111, par. 4258.1)

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

Sec. 8.1. Qualifications for licensure as a physical therapist assistant. A person is qualified to receive a license as a physical therapist assistant if that person has applied in writing, on forms prescribed by the Department, has paid the required fees and:

(1) Is at least 18 years of age and of good moral character. In determining moral character, the Department may take into consideration any felony conviction of the

applicant, but such a conviction shall not operate automatically as a complete bar to a license;

(2) Has graduated from a physical therapist assistant program approved by the Department and attained, at a minimum, an associate's degree from the program. In approving such a physical therapist assistant program the Department shall consider but not be bound by accreditation by the Commission on Accreditation in Physical Therapy Education. Any person who graduated from a physical therapist assistant program outside the United States or its territories shall have the person's ~~his or her~~ degree validated as equivalent to a physical therapy assistant degree conferred by a regionally accredited college or university in the United States. The Department may establish by rule a method for the completion of course deficiencies; and

(3) Has successfully completed the examination authorized by the Department. A person who graduated from a physical therapist assistant program outside the United States or its territories and whose first language is not English shall submit certification of passage of the Test of English as a Foreign Language (TOEFL) and the Test of Spoken English (TSE) as defined by rule prior to taking the licensure examination.

(Source: P.A. 94-651, eff. 1-1-06.)

(225 ILCS 90/8.5)

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

Sec. 8.5. Social Security Number or Individual Taxpayer Identification Number on license application. In addition to any other information required to be contained in the application, every application for an original license under this Act shall include the applicant's Social Security Number or Individual Taxpayer Identification Number, which shall be retained in the agency's records pertaining to the license. As soon as practical, the Department shall assign a customer's identification number to each applicant for a license.

Every application for a renewal or restored license shall require the applicant's customer identification number.

(Source: P.A. 97-400, eff. 1-1-12.)

(225 ILCS 90/11) (from Ch. 111, par. 4261)

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

Sec. 11. Endorsement. The Department may, without examination, grant a license under this Act to an applicant who is licensed as a physical therapist or physical therapist assistant, without examination, on payment of the required fee, an applicant for a license who is a physical therapist or physical therapist assistant, as the case may be, licensed under the laws of another jurisdiction upon filing of an application on forms provided by the Department, paying the required fee, and meeting such requirements as are established

by rule. The Department may adopt rules governing recognition of education and legal practice in another jurisdiction, requiring additional education, and determining when an examination may be required.

An applicant for endorsement who has practiced for 10 consecutive years in another jurisdiction shall meet the requirements for licensure by endorsement upon filing an application on forms provided by the Department, paying the required fee, and showing proof of licensure in another jurisdiction for at least 10 consecutive years without discipline by certified verification of licensure from the jurisdiction in which the applicant practiced.

The Department may waive the English proficiency examination by rule.

Applicants have 3 years from the date of application to complete the application process. If the process has not been completed in 3 years, the application shall be denied, the fee forfeited, and the applicant must reapply and meet the requirements in effect at the time of reapplication.

(Source: P.A. 100-893, eff. 8-14-18.)

(225 ILCS 90/12) (from Ch. 111, par. 4262)

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

Sec. 12. Examinations. The Department shall examine applicants for licenses as physical therapists or physical therapist assistants at such times and places as it may

determine. At least 2 written examinations shall be given during each calendar year for both physical therapists and physical therapist assistants. The examination shall be approved by the Department.

Following notification of eligibility for examination, an applicant who fails to take the examination for a license under this Act within 60 days of the notification or on the next available exam date, if no exam is held within 60 days of the notification, shall forfeit the ~~his or her~~ fee and the ~~his or her~~ right to practice as a physical therapist or physical therapist assistant until such time as the applicant has passed the appropriate examination. Any applicant failing the examination 3 ~~three~~ times in any jurisdiction will not be allowed to sit for another examination until the applicant has presented satisfactory evidence to the Board of appropriate remedial work as set forth in the rules and regulations.

If an applicant neglects, fails or refuses to take an examination or fails to pass an examination for a license or otherwise fails to complete the application process under this Act within 3 years after filing an ~~his~~ application, the application shall be denied. However, such applicant may make a new application for examination accompanied by the required fee, and must furnish proof of meeting qualifications for examination in effect at the time of new application.

(Source: P.A. 99-229, eff. 8-3-15.)

(225 ILCS 90/15) (from Ch. 111, par. 4265)

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

Sec. 15. Restoration of expired licenses. A physical therapist or physical therapist assistant who has permitted the physical therapist's or physical therapist assistant's ~~his or her~~ license to expire or who has had the ~~his or her~~ license on inactive status may have the ~~his or her~~ license restored by making application to the Department and filing proof acceptable to the Department of the licensee's ~~his or her~~ fitness to have the ~~his or her~~ license restored, including sworn evidence certifying to active practice in another jurisdiction satisfactory to the Department and by paying the required restoration fee.

If the physical therapist or physical therapist assistant has not maintained an active practice in another jurisdiction satisfactory to the Department, the Board shall determine, by an evaluation program established by rule the licensee's ~~his or her~~ fitness to resume active status and may require the physical therapist or physical therapist assistant to complete a period of evaluated clinical experience and may require successful completion of an examination.

Any physical therapist or physical therapist assistant whose license has been expired or placed on inactive status for more than 5 years may have the ~~his or her~~ license restored by making application to the Department and filing proof acceptable to the Department of the physical therapist's or

physical therapist assistant's ~~his or her~~ fitness to have the ~~his or her~~ license restored, including sworn evidence certifying to active practice in another jurisdiction and by paying the required restoration fee.

However, any physical therapist or physical therapist assistant whose license has expired while the licensee ~~he~~ has been engaged (1) in the federal service in active duty with the Army of the United States, the United States Navy, the Marine Corps, the Air Force, the Coast Guard, or the State Militia called into the service or training of the United States of America, or (2) in training or education under the supervision of the United States preliminary to induction into the military service, may have the ~~his~~ license restored without paying any lapsed renewal fees or restoration fee, if, within 2 years after termination of such service, training, or education, other than by dishonorable discharge, ~~he furnishes~~ the Department is furnished with an affidavit to the effect that the physical therapist's or physical therapist assistant ~~he~~ has been so engaged and that the physical therapist's or physical therapist assistant's ~~his~~ service, training, or education has been so terminated.

(Source: P.A. 94-651, eff. 1-1-06.)

(225 ILCS 90/16) (from Ch. 111, par. 4266)

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

Sec. 16. Inactive Licenses. Any physical therapist or

physical therapist assistant who notifies the Department in writing on forms prescribed by the Department, may elect to place the physical therapist's or physical therapist assistant's ~~his or her~~ license on an inactive status and shall, subject to rules of the Department, be excused from payment of renewal fees until the physical therapist or physical therapist assistant ~~he or she~~ notifies the Department in writing of the ~~his or her~~ desire to resume active status.

Any physical therapist or physical therapist assistant requesting restoration from inactive status shall be required to pay the current renewal fee and shall be required to restore the ~~his or her~~ license, as provided in Section 15 of this Act.

Any physical therapist or physical therapist assistant whose license is in an inactive status shall not practice physical therapy in the State or present oneself as a physical therapist or physical therapist assistant as ~~of Illinois and~~ that practice shall be deemed unlicensed practice.

(Source: P.A. 89-387, eff. 1-1-96.)

(225 ILCS 90/16.1)

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

Sec. 16.1. Fees; returned checks. The ~~Department shall~~ ~~provide by rule a schedule of~~ fees for the administration and enforcement of this Act, including, but not limited to, original licensure and ~~renewal~~ and restoration of a license issued under this Act, shall be set by the Department by rule.

The fees shall be nonrefundable.

Any person who delivers a check or other payment to the Department that is returned to the Department unpaid by the financial institution upon which it is drawn shall pay to the Department, in addition to the amount already owed, a fine of \$50. The fines imposed by this Section are in addition to any other discipline provided under this Act for unlicensed practice or practice on a nonrenewed license. The Department shall notify the person that fees and fines shall be paid to the Department by certified check or money order within 30 calendar days after the notification. If, after the expiration of 30 days from the date of the notification, the person has failed to submit the necessary remittance, the Department shall automatically terminate the license or certificate or deny the application without a hearing. If, after termination or denial, the person seeks a license or certificate, the person shall apply to the Department for the restoration or issuance of the license or certificate and pay the required fees and fines to the Department. The Department may establish a fee for the processing of an application for the restoration of a license or certificate to recover all expenses of processing the application. The Secretary may waive the fines due under this Section in individual cases where the Secretary finds that the fines would be unreasonable or unnecessarily burdensome.

(Source: P.A. 91-454, eff. 1-1-00.)

(225 ILCS 90/17) (from Ch. 111, par. 4267)

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

Sec. 17. (1) The Department may refuse to issue or to renew, or may revoke, suspend, place on probation, reprimand, or take other disciplinary action as the Department deems appropriate, including the issuance of fines not to exceed \$5000, with regard to a license for any one or a combination of the following:

A. Material misstatement in furnishing information to the Department or otherwise making misleading, deceptive, untrue, or fraudulent representations in violation of this Act or otherwise in the practice of the profession;

B. Violations of this Act, or of the rules or regulations promulgated hereunder;

C. Conviction of any crime under the laws of the United States or any state or territory thereof which is a felony or which is a misdemeanor, an essential element of which is dishonesty, or of any crime which is directly related to the practice of the profession; conviction, as used in this paragraph, shall include a finding or verdict of guilty, an admission of guilt or a plea of nolo contendere;

D. Making any misrepresentation for the purpose of obtaining licenses, or violating any provision of this Act or the rules promulgated thereunder pertaining to

advertising;

E. A pattern of practice or other behavior which demonstrates incapacity or incompetency to practice under this Act;

F. Aiding or assisting another person in violating any provision of this Act or Rules;

G. Failing, within 60 days, to provide information in response to a written request made by the Department;

H. Engaging in dishonorable, unethical or unprofessional conduct of a character likely to deceive, defraud or harm the public. Unprofessional conduct shall include any departure from or the failure to conform to the minimal standards of acceptable and prevailing physical therapy practice, in which proceeding actual injury to a patient need not be established;

I. Unlawful distribution of any drug or narcotic, or unlawful conversion of any drug or narcotic not belonging to the person for such person's own use or benefit or for other than medically accepted therapeutic purposes;

J. Habitual or excessive use or addiction to alcohol, narcotics, stimulants, or any other chemical agent or drug which results in a physical therapist's or physical therapist assistant's inability to practice with reasonable judgment, skill or safety;

K. Revocation or suspension of a license to practice physical therapy as a physical therapist or physical

therapist assistant or the taking of other disciplinary action by the proper licensing authority of another state, territory or country;

L. Directly or indirectly giving to or receiving from any person, firm, corporation, partnership, or association any fee, commission, rebate or other form of compensation for any professional services not actually or personally rendered. Nothing contained in this paragraph prohibits persons holding valid and current licenses under this Act from practicing physical therapy in partnership under a partnership agreement, including a limited liability partnership, a limited liability company, or a corporation under the Professional Service Corporation Act or from pooling, sharing, dividing, or apportioning the fees and monies received by them or by the partnership, company, or corporation in accordance with the partnership agreement or the policies of the company or professional corporation. Nothing in this paragraph (L) affects any bona fide independent contractor or employment arrangements among health care professionals, health facilities, health care providers, or other entities, except as otherwise prohibited by law. Any employment arrangements may include provisions for compensation, health insurance, pension, or other employment benefits for the provision of services within the scope of the licensee's practice under this Act. Nothing in this

paragraph (L) shall be construed to require an employment arrangement to receive professional fees for services rendered;

M. A finding by the Board that the licensee after having the ~~his or her~~ license placed on probationary status has violated the terms of probation;

N. Abandonment of a patient;

O. Willfully failing to report an instance of suspected child abuse or neglect as required by the Abused and Neglected Child Reporting Act;

P. Willfully failing to report an instance of suspected elder abuse or neglect as required by the Elder Abuse Reporting Act;

Q. Physical illness, including but not limited to, deterioration through the aging process, or loss of motor skill which results in the inability to practice the profession with reasonable judgement, skill or safety;

R. The use of any words (such as physical therapy, physical therapist physiotherapy or physiotherapist), abbreviations, figures or letters with the intention of indicating practice as a licensed physical therapist without a valid license as a physical therapist issued under this Act;

S. The use of the term physical therapist assistant, or abbreviations, figures, or letters with the intention of indicating practice as a physical therapist assistant

without a valid license as a physical therapist assistant issued under this Act;

T. Willfully violating or knowingly assisting in the violation of any law of this State relating to the practice of abortion;

U. Continued practice by a person knowingly having an infectious, communicable or contagious disease;

V. Having treated ailments ~~of human beings~~ otherwise than by the practice of physical therapy as defined in this Act, or having treated ailments ~~of human beings~~ as a licensed physical therapist in violation of Section 1.2;

W. Being named as a perpetrator in an indicated report by the Department of Children and Family Services pursuant to the Abused and Neglected Child Reporting Act, and upon proof by clear and convincing evidence that the licensee has caused a child to be an abused child or neglected child as defined in the Abused and Neglected Child Reporting Act;

X. Interpretation of referrals, performance of evaluation procedures, planning or making major modifications of patient programs by a physical therapist assistant;

Y. Failure by a physical therapist assistant and supervising physical therapist to maintain continued contact, including periodic personal supervision and instruction, to ensure the ~~insure~~ safety and welfare of

patients;

Z. Violation of the Health Care Worker Self-Referral Act.

(2) The determination by a circuit court that a licensee is subject to involuntary admission or judicial admission as provided in the Mental Health and Developmental Disabilities Code operates as an automatic suspension. Such suspension will end only upon a finding by a court that the patient is no longer subject to involuntary admission or judicial admission and the issuance of an order so finding and discharging the patient; and upon the recommendation of the Board to the Secretary ~~Director~~ that the licensee be allowed to resume practicing ~~his practice~~.

(3) The Department may refuse to issue or may suspend the license of any person who fails to file a return, or to pay the tax, penalty or interest shown in a filed return, or to pay any final assessment of tax, penalty or interest, as required by any tax Act administered by the Illinois Department of Revenue, until such time as the requirements of any such tax Act are satisfied.

(Source: P.A. 100-513, eff. 1-1-18; 100-897, eff. 8-16-18.)

(225 ILCS 90/18) (from Ch. 111, par. 4268)

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

Sec. 18. Violations; injunction; cease and desist order.
~~Violations Injunction Cease and Desist Order.~~

(a) If any person violates the provision of this Act, the Secretary ~~Director~~ may, in the name of the People of the State of Illinois, through the Attorney General of the State of Illinois, or the State's Attorney in the county in which the offense occurs, petition for an order enjoining such violation or for an order enforcing compliance with this Act. Upon the filing of a verified petition in such court, the court may issue a temporary restraining order, without notice or bond, and may preliminarily and permanently enjoin such violation. If it is established that such person has violated or is violating the injunction, the Court may punish the offender for contempt of court. Proceedings under this Section shall be in addition to, and not in lieu of, all other remedies and penalties provided by this Act.

(b) If any person shall practice as a physical therapist or physical therapist assistant or hold oneself ~~himself~~ out as a physical therapist or physical therapist assistant without being licensed under the provisions of this Act, then any licensed physical therapist or physical therapist assistant, any interested party, or any person injured thereby may, in addition to the Secretary ~~Director~~, petition for relief as provided in subsection (a) of this Section or may apply to the Circuit Court of the county in which such violation or some part thereof occurred, or in which the person complained of has a ~~his~~ principal place of business or resides, to prevent such violation. The court has jurisdiction to enforce

obedience by injunction or by other process restricting such person complained of from further violation and enjoining upon the person ~~him~~ obedience.

(c) Whenever in the opinion of the Department any person violates any provision of this Act, the Department may issue a rule to show cause why an order to cease and desist should not be entered against the person ~~him~~. The rule shall clearly set forth the grounds relied upon by the Department and shall provide a period of 7 days from the date of the rule to file an answer to the satisfaction of the Department. Failure to answer to the satisfaction of the Department shall cause an order to cease and desist to be issued immediately.

(Source: P.A. 86-1396.)

(225 ILCS 90/19) (from Ch. 111, par. 4269)

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

Sec. 19. Investigations; notice and hearing. The Department may investigate the actions of any applicant or of any person or persons holding or claiming to hold a license. The Department shall, before refusing to issue, to renew or discipline a license pursuant to Section 17, at least 30 days prior to the date set for the hearing, notify in writing the applicant for, or holder of, a license of the nature of the charges, that a hearing will be held on the date designated, and direct the applicant or licensee to file a written answer to the Board under oath within 20 days after the service of the

notice and inform the applicant or licensee that failure to file an answer will result in default being taken against the applicant or licensee and that the license or certificate may be suspended, revoked, placed on probationary status, or other disciplinary action may be taken, including limiting the scope, nature or extent of practice, as the Secretary ~~Director~~ may deem proper. Written notice may be served by personal delivery or by ~~certified or registered~~ mail to the respondent's ~~respondent at the~~ address of ~~his~~ last notification to the Department or the licensee's email address of record. In case the person fails to file an answer after receiving notice, the ~~his or her~~ license or certificate may, in the discretion of the Department, be suspended, revoked, or placed on probationary status, or the Department may take whatever disciplinary action deemed proper, including limiting the scope, nature, or extent of the person's practice or the imposition of a fine, without a hearing, if the act or acts charged constitute sufficient grounds for such action under this Act. At the time and place fixed in the notice, the Board shall proceed to hear the charges and the parties or their counsel shall be accorded ample opportunity to present such statements, testimony, evidence and argument as may be pertinent to the charges or to their defense. The Board may continue a hearing from time to time.

(Source: P.A. 94-651, eff. 1-1-06.)

(225 ILCS 90/19.5)

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

Sec. 19.5. Confidentiality. All information collected by the Department in the course of an examination or investigation of a licensee or applicant, including, but not limited to, any complaint against a licensee filed with the Department and information collected to investigate any such complaint, shall be maintained for the confidential use of the Department and shall not be disclosed. The Department may not disclose the information to anyone other than law enforcement officials, other regulatory agencies that have an appropriate regulatory interest as determined by the Secretary of the Department, or a party presenting a lawful subpoena to the Department. Information and documents disclosed to a federal, State, county, or local law enforcement agency or regulatory agency shall not be disclosed by the agency for any purpose to any other agency or person. A formal complaint filed by the Department against a licensee or applicant shall be a public record, except as otherwise prohibited by law.

(Source: P.A. 99-229, eff. 8-3-15.)

(225 ILCS 90/22) (from Ch. 111, par. 4272)

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

Sec. 22. Findings of the Board ~~and Recommendations~~. At the conclusion of the hearing, the Board shall present to the Secretary ~~Director~~ a written report of its findings and

recommendations. The report shall contain a finding whether or not the accused person violated this Act or failed to comply with the conditions required in this Act. The Board shall specify the nature of the violation or failure to comply, and shall make its recommendations to the Secretary ~~Director~~.

The report of findings of fact, conclusions of law, and recommendations of the Board shall be the basis for the Secretary's ~~Department's~~ order or refusal or for the granting of a license or permit unless the Secretary determines ~~Director shall determine~~ that the Board report is contrary to the manifest weight of the evidence, in which case the Secretary ~~Director~~ may issue an order in contravention of the Board report. The finding is not admissible in evidence against the person in a criminal prosecution brought for the violation of this Act, but the hearing and finding are not a bar to a criminal prosecution brought for the violation of this Act.

(Source: P.A. 94-651, eff. 1-1-06.)

(225 ILCS 90/23) (from Ch. 111, par. 4273)

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

Sec. 23. Report of the Board; motion for rehearing ~~Rehearing~~. In any case involving the refusal to issue or ~~renew~~ a license or the taking of disciplinary action against ~~discipline of~~ a license, a copy of the Board's report shall be served upon the respondent by the Department, either

personally or by mail to the respondent's address of record or email address of record ~~or as provided in this Act for the service of the notice of hearing.~~ Within 20 days after such service, the respondent may present to the Secretary ~~Department~~ a motion in writing for a rehearing, which motion shall specify the particular grounds therefor. If no motion for rehearing is filed, then upon the expiration of the time specified for filing such a motion, or if a motion for rehearing is denied, then upon such denial the Secretary ~~Director~~ may enter an order in accordance with recommendations of the Board except as provided in Section 22 of this Act. If the respondent shall order from the reporting service, and pay for a transcript of the record within the time for filing a motion for rehearing, the 20-day ~~20-day~~ period within which such a motion may be filed shall commence upon the delivery of the transcript to the respondent.

(Source: P.A. 94-651, eff. 1-1-06.)

(225 ILCS 90/24) (from Ch. 111, par. 4274)

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

Sec. 24. Rehearing. ~~Director — Rehearing.~~ Upon a finding by the Secretary ~~Whenever the Director is satisfied~~ that substantial justice has not been done in the revocation, suspension, or refusal to issue or renew a license, the Secretary ~~Director~~ may order a rehearing by the same or other examiners.

(Source: P.A. 84-595.)

(225 ILCS 90/25) (from Ch. 111, par. 4275)

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

Sec. 25. Appointment of a Hearing Officer. The Secretary ~~Director~~ shall have the authority to appoint any attorney duly licensed to practice law in the State of Illinois to serve as the hearing officer in any action for refusal to issue, renew or discipline of a license or permit. The hearing officer shall have full authority to conduct the hearing. At least one member of the Board shall attend each hearing. The hearing officer shall report the hearing officer's ~~his~~ findings and recommendations to the Board and the Secretary ~~Director~~. The Board shall have 60 days from receipt of the report to review the report of the hearing officer and present their findings of fact, conclusions of law, and recommendations to the Secretary ~~Director~~. If the Board fails to present its report within the 60-day ~~60-day~~ period, the Secretary ~~Director~~ shall issue an order based on the report of the hearing officer. If the Secretary ~~Director~~ determines that the Board's report is contrary to the manifest weight of the evidence, the Secretary ~~he~~ may issue an order in contravention of the Board's report.

(Source: P.A. 94-651, eff. 1-1-06.)

(225 ILCS 90/25.5 new)

Sec. 25.5. Certification of record. The Department shall

not be required to certify any record to a court, file any answer in court, or otherwise appear in court in a judicial review proceeding, unless the Department has received from the plaintiff payment of the costs of furnishing and certifying the record. The costs of furnishing and certifying a record shall be determined by the Department. Failure on the part of the plaintiff to file a receipt in court shall be grounds for dismissal of the action.

(225 ILCS 90/26) (from Ch. 111, par. 4276)

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

Sec. 26. Order or certified copy; prima facie proof. An order or a certified copy thereof, over the seal of the Department and purporting to be signed by the Secretary or Director, shall be prima facie proof that:

(a) the signature is the genuine signature of the Secretary or Director, respectively;

(b) the Secretary or Director, respectively, is duly appointed and qualified; and

(c) the Board and the members thereof are qualified to act.

(Source: P.A. 94-651, eff. 1-1-06.)

(225 ILCS 90/29) (from Ch. 111, par. 4279)

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

Sec. 29. Temporary Suspension of a License. The Secretary

~~Director~~ may temporarily suspend the license of a physical therapist or physical therapist assistant without a hearing, simultaneously with the institution of proceedings for a hearing provided for in Section 19 of this Act, if the Secretary ~~Director~~ finds that evidence ~~in his possession~~ indicates that a physical therapist's or a physical therapist assistant's continuation in practice would constitute an imminent danger to the public. In the event that the Secretary ~~Director~~ suspends, temporarily, the license of a physical therapist or physical therapist assistant without a hearing, a hearing by the Board must be held within 30 calendar days after such suspension has occurred.

(Source: P.A. 94-651, eff. 1-1-06.)

(225 ILCS 90/31) (from Ch. 111, par. 4281)

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

Sec. 31. Violations.

(a) Any person who is found to have violated any provision of this Act is guilty of a Class A misdemeanor for the first offense and a Class 4 felony for the second and any subsequent offense.

(b) Any person or company representing itself ~~himself or herself~~ or advertising as a physical therapist or that the services the person or company ~~he or she~~ renders are physical therapy, or who uses any words, such as physical therapy, physical therapist, physiotherapy, or physiotherapist,

abbreviations, figures, or letters, such as "PT", "DPT", "MPT", "RPT", "LPT", or "PTA", indicating that the person or company ~~he or she~~ is engaged in the practice of physical therapy when the person or company ~~he or she~~ does not possess a currently valid license as defined herein, commits a Class A misdemeanor, for a first offense, and a Class 4 felony for a second or subsequent offense.

(c) Any person representing oneself ~~himself or herself~~ or advertising as a physical therapist assistant or that the services the person ~~he or she~~ renders are physical therapy, or who uses any words, such as physical therapy or physical therapist assistant, abbreviations, figures, or letters, such as "PT", "DPT", "MPT", "RPT", "LPT", or "PTA", indicating that the person ~~he or she~~ is engaged in the practice of physical therapy when the person ~~he or she~~ does not possess a currently valid license as defined herein, commits a Class A misdemeanor for a first offense, and a Class 4 felony for a second or subsequent offense.

(Source: P.A. 93-1010, eff. 8-24-04.)

(225 ILCS 90/36) (from Ch. 111, par. 4286)

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

Sec. 36. Home rule; exclusive ~~Exclusive~~ jurisdiction. The regulation and licensing of physical therapists and physical therapist assistants are exclusive powers and functions of the State. A home rule unit may not regulate or license physical

therapists or physical therapist assistants. This Section is a denial and limitation of home rule powers and functions under subsection (h) of Section 6 of Article VII of the Illinois Constitution.

(Source: P.A. 85-342; 86-1396.)

(225 ILCS 90/32.1 rep.)

Section 15. The Illinois Physical Therapy Act is amended by repealing Section 32.1.

Section 99. Effective date. This Section and Section 5 take effect upon becoming law.

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5 ILCS 80/4.41 new

225 ILCS 90/0.05

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225 ILCS 90/1.5

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