**Section 1285.230 Emergency and/or Temporary Suspension**

a) Upon receipt by the Division of a certified copy of any order or judgment that a person licensed under this Act is in need of mental treatment, the Director shall issue an order suspending the license. The order shall:

1) Set forth the statutory section of the Act upon which it is based;

2) Incorporate a certified copy of the judicial order or judgment that the person is in need of mental treatment;

3) Notify the licensee that the suspension order takes effect on the date signed by the Director; and

4) Notify the licensee that practice may resume only upon the entry of a Departmental order based upon a finding by the Medical Board that the licensee has been determined to be recovered from mental illness by the court and upon the Medical Board's recommendation that the licensee be permitted to resume his or her practice.

b) Emergency or temporary suspension of a license based upon an immediate danger to the public posed by a person's continuation in practice, pursuant to Section 25 or Section 37 of the Act, or upon failure to comply with terms, conditions, or restrictions or to complete a required program of care, counseling, or treatment pursuant to Section 22 of the Act, shall be as follows:

1) A petition for emergency or temporary suspension shall:

A) State the statutory basis for the action petitioned;

B) Allege facts, supported by evidence or affidavit sufficient for emergency or temporary action;

C) State that the Medical Coordinator or the Deputy Medical Coordinator has been consulted;

D) Be signed by the Chief of Medical Prosecutions; and

E) Be presented to the Director either in person, by telephone, or by videoconferencing technology.

2) An order for emergency or temporary suspension shall:

A) Contain findings of fact sufficient to support imposition of an emergency or temporary suspension;

B) Recite the statutory basis for the action;

C) Provide a date for a formal hearing;

D) Notify the respondent their license has been suspended and they are prohibited from further practice; and

E) Be signed by the Director.

3) A notice of emergency or temporary suspension shall accompany the order and shall set a hearing date within 15 days of the date on which the order takes effect.

(Source: Amended at 48 Ill. Reg. 18129, effective December 13, 2024)