

1 AN ACT in relation to medical matters.

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

4 Section 5. The Medical Practice Act of 1987 is amended  
5 by changing Section 7 as follows:

6 (225 ILCS 60/7) (from Ch. 111, par. 4400-7)

7 Sec. 7. Medical Disciplinary Board.

8 (A) There is hereby created the Illinois State Medical  
9 Disciplinary Board (hereinafter referred to as the  
10 "Disciplinary Board"). The Disciplinary Board shall consist  
11 of 9 members, to be appointed by the Governor by and with the  
12 advice and consent of the Senate. All shall be residents of  
13 the State, not more than 5 of whom shall be members of the  
14 same political party. Five members shall be physicians  
15 licensed to practice medicine in all of its branches in  
16 Illinois possessing the degree of doctor of medicine. Two  
17 shall be members of the public, who shall not be engaged in  
18 any way, directly or indirectly, as providers of health care.  
19 The 2 public members shall be voting members and shall be  
20 appointed by the Governor by and with the advice of the  
21 Senate for terms of 4 years ~~act-as-nonvoting, ex-officio~~  
22 ~~members-and--shall--not--be--considered--in--determining--the~~  
23 ~~existence, or lack of existence, of a quorum for all purposes~~  
24 ~~for--which--a-quorum-may-be-called-pursuant-to-this-Act.~~ One  
25 member shall be a physician licensed to practice in Illinois  
26 possessing the degree of doctor of osteopathy or osteopathic  
27 medicine. One member shall be a physician licensed to  
28 practice in Illinois and possessing the degree of doctor of  
29 chiropractic.

30 (B) Members of the Disciplinary Board shall be appointed  
31 for terms of 4 years. Upon the expiration of the term of any

1 member, their successor shall be appointed for a term of 4  
2 years by the Governor by and with the advice and consent of  
3 the Senate. The Governor shall fill any vacancy for the  
4 remainder of the unexpired term by and with the advice and  
5 consent of the Senate. Upon recommendation of the Board, any  
6 member of the Disciplinary Board may be removed by the  
7 Governor for misfeasance, malfeasance, or wilful neglect of  
8 duty, after notice, and a public hearing, unless such notice  
9 and hearing shall be expressly waived in writing. Each  
10 member shall serve on the Disciplinary Board until their  
11 successor is appointed and qualified. No member of the  
12 Disciplinary Board shall serve more than 2 consecutive 4 year  
13 terms.

14 In making appointments the Governor shall attempt to  
15 insure that the various social and geographic regions of the  
16 State of Illinois are properly represented.

17 In making the designation of persons to act for the  
18 several professions represented on the Disciplinary Board,  
19 the Governor shall give due consideration to recommendations  
20 by members of the respective professions and by organizations  
21 therein.

22 (C) The Disciplinary Board shall annually elect one of  
23 its voting members as chairperson and one as vice  
24 chairperson. No officer shall be elected more than twice in  
25 succession to the same office. Each officer shall serve  
26 until their successor has been elected and qualified.

27 (D) (Blank).

28 (E) Five ~~Four~~ voting members of the Disciplinary Board  
29 shall constitute a quorum. A vacancy in the membership of  
30 the Disciplinary Board shall not impair the right of a quorum  
31 to exercise all the rights and perform all the duties of the  
32 Disciplinary Board. Any action taken by the Disciplinary  
33 Board under this Act may be authorized by resolution at any  
34 regular or special meeting and each such resolution shall

1 take effect immediately. The Disciplinary Board shall meet  
2 at least quarterly. The Disciplinary Board is empowered to  
3 adopt all rules and regulations necessary and incident to the  
4 powers granted to it under this Act.

5 (F) Each member, and member-officer, of the Disciplinary  
6 Board shall receive a per diem stipend as the Director of the  
7 Department, hereinafter referred to as the Director, shall  
8 determine. The Director shall also determine the per diem  
9 stipend that each ex-officio member shall receive. Each  
10 member shall be paid their necessary expenses while engaged  
11 in the performance of their duties.

12 (G) The Director shall select a Chief Medical  
13 Coordinator and a Deputy Medical Coordinator who shall not be  
14 members of the Disciplinary Board. Each medical coordinator  
15 shall be a physician licensed to practice medicine in all of  
16 its branches, and the Director shall set their rates of  
17 compensation. The Director shall assign one medical  
18 coordinator to a region composed of Cook County and such  
19 other counties as the Director may deem appropriate, and such  
20 medical coordinator shall locate their office in Chicago.  
21 The Director shall assign the remaining medical coordinator  
22 to a region composed of the balance of counties in the State,  
23 and such medical coordinator shall locate their office in  
24 Springfield. Each medical coordinator shall be the chief  
25 enforcement officer of this Act in their assigned region and  
26 shall serve at the will of the Disciplinary Board.

27 The Director shall employ, in conformity with the  
28 Personnel Code, not less than one full time investigator for  
29 every 5000 physicians licensed in the State. Each  
30 investigator shall be a college graduate with at least 2  
31 years' investigative experience or one year advanced medical  
32 education. Upon the written request of the Disciplinary  
33 Board, the Director shall employ, in conformity with the  
34 Personnel Code, such other professional, technical,

1     investigative, and clerical help, either on a full or  
2     part-time basis as the Disciplinary Board deems necessary for  
3     the proper performance of its duties.

4           (H) Upon the specific request of the Disciplinary Board,  
5     signed by either the chairman, vice chairman, or a medical  
6     coordinator of the Disciplinary Board, the Department of  
7     Human Services or the Department of State Police shall make  
8     available any and all information that they have in their  
9     possession regarding a particular case then under  
10    investigation by the Disciplinary Board.

11          (I) Members of the Disciplinary Board shall be immune  
12    from suit in any action based upon any disciplinary  
13    proceedings or other acts performed in good faith as members  
14    of the Disciplinary Board.

15          (J) The Disciplinary Board may compile and establish a  
16    statewide roster of physicians and other medical  
17    professionals, including the several medical specialties, of  
18    such physicians and medical professionals, who have agreed to  
19    serve from time to time as advisors to the medical  
20    coordinators. Such advisors shall assist the medical  
21    coordinators in their investigations and participation in  
22    complaints against physicians. Such advisors shall serve  
23    under contract and shall be reimbursed at a reasonable rate  
24    for the services provided, plus reasonable expenses incurred.  
25    While serving in this capacity, the advisor, for any act  
26    undertaken in good faith and in the conduct of their duties  
27    under this Section, shall be immune from civil suit.

28    (Source: P.A. 89-507, eff. 7-1-97; 89-702, eff. 7-1-97.)