

AN ACT concerning professional regulation.

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

Section 5. The Medical Practice Act of 1987 is amended by
adding Section 7.5 as follows:

(225 ILCS 60/7.5 new)

(Section scheduled to be repealed on January 1, 2007)

Sec. 7.5. Complaint Committee.

(a) There shall be a Complaint Committee of the Disciplinary Board composed of at least one of the medical coordinators established by subsection (g) of Section 7 of this Act, the Chief of Medical Investigations (person employed by the Department who is in charge of investigating complaints against physicians and physician assistants), and at least 3 voting members of the Disciplinary Board (at least 2 of whom shall be physicians) designated by the Chairman of the Medical Disciplinary Board with the approval of the Disciplinary Board. The Disciplinary Board members so appointed shall serve one-year terms and may be eligible for reappointment for subsequent terms.

(b) The Complaint Committee shall meet at least twice a month to exercise its functions and duties set forth in subsection (c) below. At least 2 members of the Disciplinary Board shall be in attendance in order for any business to be transacted by the Complaint Committee. The Complaint Committee shall make every effort to consider expeditiously and take prompt action on each item on its agenda.

(c) The Complaint Committee shall have the following duties and functions:

(1) To recommend to the Disciplinary Board that a complaint file be closed.

(2) To refer a complaint file to the office of the Chief of Medical Prosecutions (person employed by the Department who is in charge of prosecuting formal complaints against licensees) for review.

(3) To make a decision in conjunction with the Chief of Medical Prosecutions regarding action to be taken on a complaint file.

(d) In determining what action to take or whether to proceed with prosecution of a complaint, the Complaint Committee shall consider, but not be limited to, the following factors: sufficiency of the evidence presented, prosecutorial merit under Section 22 of this Act, and insufficient cooperation from complaining parties.