



# IDFPR

## Illinois Department of Financial and Professional Regulation

Division of Professional Regulation

<https://idfpr.illinois.gov>

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### Guidance for Visiting Resident Exemption

The Illinois Department of Financial and Professional Regulation (“Department”), Division of Professional Regulation (the “Division”) is issuing the following Guidance for Visiting Residents looking to avail themselves of the recent changes to the Illinois Medical Practice Act of 1987 (“MPA”) regarding the postgraduate training exemption period. The MPA now provides that a person may participate in visiting rotations in an approved postgraduate training program, not to exceed a total of 90 days for all rotations, if the following information is submitted in writing or electronically to the Department by the patient care clinics or facilities where the person will be performing the training or by an affiliated program:

- (1) The person who has been invited or appointed to perform a portion of their postgraduate clinical training program in Illinois.
- (2) The name and address of the primary patient care clinic or facility, the date the training is to begin, and the length of time of the invitation or appointment.
- (3) The name and license number of the Illinois physician who will be responsible for supervising the trainee and the medical director or division director of the department or facility.
- (4) Certification from the postgraduate training program that the person is approved and enrolled in an [sic] graduate [sic] training program approved by the Department in their home state.

Due to the immediate effective date of PA 103-0551, the Department has drafted this Guidance for the determination of the requirements for the postgraduate training exemption period as referenced in the MPA at section 60/18(D).

The patient care clinic or facility must fill out and submit an Exemption Form which may be found online at: <https://idfpr.illinois.gov/content/dam/soi/en/web/idfpr/renewals/apply/forms/f2533.pdf> or on the Department’s website (<https://idfpr.illinois.gov>).

The Exemption Form identifies (1) the individual to perform a portion of their postgraduate clinical training program in Illinois by requiring identifying information such as a full legal name, date of birth, etc. and contact information such as home address, personal email, etc.; (2) the primary patient care clinic or facility name, and rotation and contact information; (3) the start date and length of the training; (4) the name, and license number of the supervising Illinois licensed physician; (5) the name and contact information of the medical director or division director of the department or facility; and (6) a certification of enrollment in an approved post-graduate training program.

The patient care clinic or facility that provides the Department with the qualifying information must keep record of the submitted material and inform the Department should any training cease or a trainee separate from the program or training during any point of the duration of the postgraduate training exemption period.

The Department has the authority and power to investigate any and all unlicensed or unexempted activity and whenever the Department has reason to believe that any person has violated the MPA by engaging in unlicensed practice or who does not appropriately qualify for a training exemption, as provided in this Guidance and under 225 ILCS 60/18(D), the Department may issue a rule to show cause why an order to cease and desist should not be entered against that individual. 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 in accordance with 225 ILCS 60/49.

This Guidance is in no way intended to waive or modify any statute, rule, or regulation concerning the licensure of or practice of medicine set forth in the Medical Practice Act of 1987, 225 ILCS 60, or its Administrative Rules, 68 Ill. Admin. Code 1285.