



Illinois Department of Financial and Professional Regulation

Division of Professional Regulation

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Statement Regarding the Parental Notice of Abortion Act of 1995

The medical provider community has expressed concern regarding the implementation of the Parental Notice of Abortion Act of 1995. While the Department does not issue “advisory opinions” or dispense legal advice, the public’s interest in this subject merits this statement from the Department. Parties seeking a legal opinion should consult with their own attorney.

On July 31, 2009, four members of the Medical Disciplinary Board unanimously voted to recommend a policy under which (a) for 90 days after the date the federal court dissolves the injunction prohibiting enforcement of the law, or 90 days after August 4, 2009, whichever period is longer, any failure by a physician to provide notice as required by the Parental Notice of Abortion Act of 1995, 750 ILCS 70/1-99, shall not be disciplined as a “willful” failure to provide notice under 750 ILCS 70/40(a) and 225 ILCS 60/22(A)(40); and (b) any physician who, within the 90 day period after the date the federal court dissolves the injunction prohibiting enforcement of the law, or 90 days after August 4, 2009, whichever is later, relies on section (a) of [the recommendation] in not providing notice under the Parental Notice of Abortion Act of 1995, 750 ILCS 70/1-99, shall be deemed to have done so in good faith and shall not be subject to discipline for unprofessional conduct. A copy of the members' recommendation may be found [here](#).

To promote the goals outlined in the members’ recommendation and to provide the provider community with clarity, the Department accepts the members’ recommendation and will act consistently with that recommendation.