



Sen. Toi W. Hutchinson

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1 AMENDMENT TO SENATE BILL 339

2 AMENDMENT NO. _____. Amend Senate Bill 339 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Nurse Practice Act is amended by changing
5 Sections 50-10, 50-75, and 60-35 and by adding Section 80-65 as
6 follows:

7 (225 ILCS 65/50-10) (was 225 ILCS 65/5-10)

8 (Section scheduled to be repealed on January 1, 2028)

9 Sec. 50-10. Definitions. Each of the following terms, when
10 used in this Act, shall have the meaning ascribed to it in this
11 Section, except where the context clearly indicates otherwise:

12 "Academic year" means the customary annual schedule of
13 courses at a college, university, or approved school,
14 customarily regarded as the school year as distinguished from
15 the calendar year.

16 "Address of record" means the designated address recorded

1 by the Department in the applicant's or licensee's application
2 file or license file as maintained by the Department's
3 licensure maintenance unit.

4 "Advanced practice registered nurse" or "APRN" means a
5 person who has met the qualifications for a (i) certified nurse
6 midwife (CNM); (ii) certified nurse practitioner (CNP); (iii)
7 certified registered nurse anesthetist (CRNA); or (iv)
8 clinical nurse specialist (CNS) and has been licensed by the
9 Department. All advanced practice registered nurses licensed
10 and practicing in the State of Illinois shall use the title
11 APRN and may use specialty credentials CNM, CNP, CRNA, or CNS
12 after their name. All advanced practice registered nurses may
13 only practice in accordance with national certification and
14 this Act.

15 "Advisory Board" means the Illinois Nursing Workforce
16 Center Advisory Board.

17 "Approved program of professional nursing education" and
18 "approved program of practical nursing education" are programs
19 of professional or practical nursing, respectively, approved
20 by the Department under the provisions of this Act.

21 "Board" means the Board of Nursing appointed by the
22 Secretary.

23 "Center" means the Illinois Nursing Workforce Center.

24 "Collaboration" means a process involving 2 or more health
25 care professionals working together, each contributing one's
26 respective area of expertise to provide more comprehensive

1 patient care.

2 "Competence" means an expected and measurable level of
3 performance that integrates knowledge, skills, abilities, and
4 judgment based on established scientific knowledge and
5 expectations for nursing practice.

6 "Comprehensive nursing assessment" means the gathering of
7 information about the patient's physiological, psychological,
8 sociological, and spiritual status on an ongoing basis by a
9 registered professional nurse and is the first step in
10 implementing and guiding the nursing plan of care.

11 "Consultation" means the process whereby an advanced
12 practice registered nurse seeks the advice or opinion of
13 another health care professional.

14 "Credentialed" means the process of assessing and
15 validating the qualifications of a health care professional.

16 "Dentist" means a person licensed to practice dentistry
17 under the Illinois Dental Practice Act.

18 "Department" means the Department of Financial and
19 Professional Regulation.

20 "Email address of record" means the designated email
21 address recorded by the Department in the applicant's
22 application file or the licensee's license file, as maintained
23 by the Department's licensure maintenance unit.

24 "Focused nursing assessment" means an appraisal of an
25 individual's status and current situation, contributing to the
26 comprehensive nursing assessment performed by the registered

1 professional nurse or advanced practice registered nurse or the
2 assessment by the physician assistant, physician, dentist,
3 podiatric physician, or other licensed health care
4 professional, as determined by the Department, supporting
5 ongoing data collection, and deciding who needs to be informed
6 of the information and when to inform.

7 "Full practice authority" means the authority of an
8 advanced practice registered nurse licensed in Illinois and
9 certified as a nurse practitioner, clinical nurse specialist,
10 or nurse midwife to practice without a written collaborative
11 agreement and:

12 (1) to be fully accountable to patients for the quality
13 of advanced nursing care rendered;

14 (2) to be fully accountable for recognizing limits of
15 knowledge and experience and for planning for the
16 management of situations beyond the advanced practice
17 registered nurse's expertise; the full practice authority
18 for advanced practice registered nurses includes accepting
19 referrals from, consulting with, collaborating with, or
20 referring to other health care professionals as warranted
21 by the needs of the patient; and

22 (3) to possess the authority to prescribe medications,
23 including Schedule II through V controlled substances, as
24 provided in Section 65-43.

25 "Hospital affiliate" means a corporation, partnership,
26 joint venture, limited liability company, or similar

1 organization, other than a hospital, that is devoted primarily
2 to the provision, management, or support of health care
3 services and that directly or indirectly controls, is
4 controlled by, or is under common control of the hospital. For
5 the purposes of this definition, "control" means having at
6 least an equal or a majority ownership or membership interest.
7 A hospital affiliate shall be 100% owned or controlled by any
8 combination of hospitals, their parent corporations, or
9 physicians licensed to practice medicine in all its branches in
10 Illinois. "Hospital affiliate" does not include a health
11 maintenance organization regulated under the Health
12 Maintenance Organization Act.

13 "Impaired nurse" means a nurse licensed under this Act who
14 is unable to practice with reasonable skill and safety because
15 of a physical or mental disability as evidenced by a written
16 determination or written consent based on clinical evidence,
17 including loss of motor skills, abuse of drugs or alcohol, or a
18 psychiatric disorder, of sufficient degree to diminish his or
19 her ability to deliver competent patient care.

20 "License-pending advanced practice registered nurse" means
21 a registered professional nurse who has completed all
22 requirements for licensure as an advanced practice registered
23 nurse except the certification examination and has applied to
24 take the next available certification exam and received a
25 temporary permit from the Department.

26 "License-pending registered nurse" means a person who has

1 passed the Department-approved registered nurse licensure exam
2 and has applied for a license from the Department. A
3 license-pending registered nurse shall use the title "RN lic
4 pend" on all documentation related to nursing practice.

5 "Nursing intervention" means any treatment based on
6 clinical nursing judgment or knowledge that a nurse performs.
7 An individual or entity shall not mandate that a registered
8 professional nurse delegate nursing interventions if the
9 registered professional nurse determines it is inappropriate
10 to do so. A nurse shall not be subject to disciplinary or any
11 other adverse action for refusing to delegate a nursing
12 intervention based on patient safety.

13 "Physician" means a person licensed to practice medicine in
14 all its branches under the Medical Practice Act of 1987.

15 "Podiatric physician" means a person licensed to practice
16 podiatry under the Podiatric Medical Practice Act of 1987.

17 "Practical nurse" or "licensed practical nurse" means a
18 person who is licensed as a practical nurse under this Act and
19 practices practical nursing as defined in this Act. Only a
20 practical nurse licensed under this Act is entitled to use the
21 title "licensed practical nurse" and the abbreviation
22 "L.P.N.".

23 "Practical nursing" means the performance of nursing
24 interventions requiring the nursing knowledge, judgment, and
25 skill acquired by means of completion of an approved practical
26 nursing education program. Practical nursing includes

1 assisting in the nursing process under the guidance of a
2 registered professional nurse or an advanced practice
3 registered nurse. The practical nurse may work under the
4 direction of a licensed physician, dentist, podiatric
5 physician, or other health care professional determined by the
6 Department.

7 "Privileged" means the authorization granted by the
8 governing body of a healthcare facility, agency, or
9 organization to provide specific patient care services within
10 well-defined limits, based on qualifications reviewed in the
11 credentialing process.

12 "Registered Nurse" or "Registered Professional Nurse"
13 means a person who is licensed as a professional nurse under
14 this Act and practices nursing as defined in this Act. Only a
15 registered nurse licensed under this Act is entitled to use the
16 titles "registered nurse" and "registered professional nurse"
17 and the abbreviation, "R.N.".

18 "Registered professional nursing practice" means a
19 scientific process founded on a professional body of knowledge
20 that includes, but is not limited to, the protection,
21 promotion, and optimization of health and abilities,
22 prevention of illness and injury, the administration of
23 medications and treatments prescribed by a physician, dentist,
24 podiatric physician, licensed optometrist, physician
25 assistant, or advanced practice registered nurse, development
26 and implementation of the nursing plan of care, facilitation of

1 nursing interventions to alleviate suffering, care
2 coordination, and advocacy in the care of individuals,
3 families, groups, communities, and populations. "Registered
4 professional nursing practice" does not include the act of
5 medical diagnosis or prescription of medical therapeutic or
6 corrective measures.

7 "Professional assistance program for nurses" means a
8 professional assistance program that meets criteria
9 established by the Board of Nursing and approved by the
10 Secretary, which provides a non-disciplinary treatment
11 approach for nurses licensed under this Act whose ability to
12 practice is compromised by alcohol or chemical substance
13 addiction.

14 "Secretary" means the Secretary of Financial and
15 Professional Regulation.

16 "Selected nursing task" means work that does not require
17 nursing knowledge, judgment, or decision making that may be
18 delegated if the delegating registered nurse:

19 (1) assesses that the specific task delegated can be
20 safely carried out by the person the professional
21 registered nurse delegates such work to;

22 (2) assesses such delegation is safe for the individual
23 patient or client receiving that care of a selected nursing
24 task; and

25 (3) delegation of a selected nursing task complies as
26 defined by the Department by rule.

1 "Task" means work that does not require nursing knowledge,
2 judgment, or decision making, as defined by the Department by
3 rule.

4 "Unencumbered license" means a license issued in good
5 standing.

6 "Written collaborative agreement" means a written
7 agreement between an advanced practice registered nurse and a
8 collaborating physician, dentist, or podiatric physician
9 pursuant to Section 65-35.

10 (Source: P.A. 99-173, eff. 7-29-15; 99-330, eff. 1-1-16;
11 99-642, eff. 7-28-16; 100-513, eff. 1-1-18.)

12 (225 ILCS 65/50-75)

13 (Section scheduled to be repealed on January 1, 2028)

14 Sec. 50-75. Nursing delegation by a registered
15 professional nurse.

16 (a) For the purposes of this Section:

17 "Delegation" means transferring to a specific individual
18 the authority to perform a specific nursing intervention in a
19 specific situation.

20 "Predictability of outcomes" means that a registered
21 professional nurse or advanced practice registered nurse has
22 determined that the patient's or individual's clinical status
23 is stable and expected to improve or the patient's or
24 individual's deteriorating condition is expected to follow a
25 known or expected course.

1 "Stability" means a registered professional nurse or
2 advanced practice registered nurse has determined that the
3 individual's clinical status and nursing care needs are
4 consistent.

5 (b) This Section authorizes a registered professional
6 nurse or advanced practice registered nurse to:

7 (1) delegate tasks and nursing interventions to other
8 registered professional nurses, licensed practical nurses,
9 and other unlicensed personnel based on the comprehensive
10 nursing assessment that includes, but is not limited to:

11 (A) the stability and condition of the patient;

12 (B) the potential for harm;

13 (C) the complexity of the nursing intervention to
14 be delegated;

15 (D) the predictability of outcomes; and

16 (E) competency of the individual to whom the
17 nursing intervention is delegated;

18 (2) delegate medication administration to other
19 licensed nurses;

20 (3) in community-based or in-home care settings,
21 delegate tasks and selected nursing tasks, as defined by
22 the Department by rule, which may include delegating
23 ~~delegate~~ the administration of medication (limited to oral
24 or subcutaneous dosage and topical or transdermal
25 application) to unlicensed personnel, if all the
26 conditions for delegation set forth in this Section are

1 met;

2 (4) refuse to delegate, stop, or rescind a previously
3 authorized delegation; or

4 (5) in community-based or in-home care settings,
5 delegate, guide, and evaluate the implementation of
6 nursing interventions as a component of patient care
7 coordination after completion of the comprehensive patient
8 assessment based on analysis of the comprehensive nursing
9 assessment data; care coordination in in-home care and
10 school settings may occur in person, by telecommunication,
11 or by electronic communication.

12 (c) This Section prohibits the following:

13 (1) An individual or entity from mandating that a
14 registered professional nurse delegate nursing
15 interventions, tasks, or selected nursing tasks if the
16 registered professional nurse determines it is
17 inappropriate to do so. Nurses shall not be subject to
18 disciplinary or any other adverse action for refusing to
19 delegate a nursing intervention based on patient safety.

20 (2) A registered professional nurse from the ~~The~~
21 delegation of medication administration to unlicensed
22 personnel in any institutional or long-term facility,
23 including, but not limited to, those facilities licensed by
24 the Hospital Licensing Act, the University of Illinois
25 Hospital Act, State-operated mental health hospitals, or
26 State-operated developmental centers, except as authorized

1 under Article 80 of this Act or otherwise specifically
2 authorized by law.

3 (3) A registered professional nurse from delegating
4 nursing judgment, the comprehensive patient assessment,
5 the development of a plan of care, and the evaluation of
6 care to licensed or unlicensed personnel.

7 (4) A licensed practical nurse ~~or unlicensed personnel~~
8 who has been delegated a nursing intervention by a
9 registered professional nurse from re-delegating that a
10 nursing intervention.

11 (5) An unlicensed personnel who has been delegated a
12 task or selected nursing task by a registered professional
13 nurse from re-delegating that task or selected nursing
14 task.

15 (Source: P.A. 100-513, eff. 1-1-18.)

16 (225 ILCS 65/60-35)

17 (Section scheduled to be repealed on January 1, 2028)

18 Sec. 60-35. RN scope of practice. The RN scope of nursing
19 practice is the protection, promotion, and optimization of
20 health and abilities, the prevention of illness and injury, the
21 development and implementation of the nursing plan of care, the
22 facilitation of nursing interventions to alleviate suffering,
23 care coordination, and advocacy in the care of individuals,
24 families, groups, communities, and populations. Practice as a
25 registered professional nurse means this full scope of nursing,

1 with or without compensation, that incorporates caring for all
2 patients in all settings, through nursing standards of practice
3 and professional performance for coordination of care, and may
4 include, but is not limited to, all of the following:

5 (1) Collecting pertinent data and information relative
6 to the patient's health or the situation on an ongoing
7 basis through the comprehensive nursing assessment.

8 (2) Analyzing comprehensive nursing assessment data to
9 determine actual or potential diagnoses, problems, and
10 issues.

11 (3) Identifying expected outcomes for a plan
12 individualized to the patient or the situation that
13 prescribes strategies to attain expected, measurable
14 outcomes.

15 (4) Implementing the identified plan, coordinating
16 care delivery, employing strategies to promote healthy and
17 safe environments, and administering or delegating
18 medication administration according to Section 50-75 of
19 this Act.

20 (5) Evaluating patient progress toward attainment of
21 goals and outcomes.

22 (6) Delegating tasks, nursing interventions, and
23 selected nursing tasks to implement the plan of care.

24 (7) Providing health education and counseling.

25 (7.5) Advocating for the patient.

26 (8) Practicing ethically according to the American

1 Nurses Association Code of Ethics.

2 (9) Practicing in a manner that recognizes cultural
3 diversity.

4 (10) Communicating effectively in all areas of
5 practice.

6 (11) Collaborating with patients and other key
7 stakeholders in the conduct of nursing practice.

8 (12) Participating in continuous professional
9 development.

10 (13) Teaching the theory and practice of nursing to
11 student nurses.

12 (14) Leading within the professional practice setting
13 and the profession.

14 (15) Contributing to quality nursing practice.

15 (16) Integrating evidence and research findings into
16 practice.

17 (17) Utilizing appropriate resources to plan, provide,
18 and sustain evidence-based nursing services that are safe
19 and effective.

20 (Source: P.A. 100-513, eff. 1-1-18.)

21 (225 ILCS 65/80-65 new)

22 Sec. 80-65. Repeal. This Article is scheduled to be
23 repealed on June 30, 2019."