

1 AN ACT concerning regulation.

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

4 Section 5. The Nurse Practice Act is amended by changing  
5 Section 65-35 as follows:

6 (225 ILCS 65/65-35) (was 225 ILCS 65/15-15)

7 (Text of Section before amendment by P.A. 100-513)

8 (Section scheduled to be repealed on January 1, 2028)

9 Sec. 65-35. Written collaborative agreements.

10 (a) A written collaborative agreement is required for all  
11 advanced practice nurses engaged in clinical practice, except  
12 for advanced practice nurses who are authorized to practice in  
13 a hospital, hospital affiliate, or ambulatory surgical  
14 treatment center.

15 (a-5) If an advanced practice nurse engages in clinical  
16 practice outside of a hospital, hospital affiliate, or  
17 ambulatory surgical treatment center in which he or she is  
18 authorized to practice, the advanced practice nurse must have a  
19 written collaborative agreement.

20 (b) A written collaborative agreement shall describe the  
21 relationship of the advanced practice nurse with the  
22 collaborating physician or podiatric physician and shall  
23 describe the categories of care, treatment, or procedures to be

1 provided by the advanced practice nurse. A collaborative  
2 agreement with a dentist must be in accordance with subsection  
3 (c-10) of this Section. Collaboration does not require an  
4 employment relationship between the collaborating physician or  
5 podiatric physician and advanced practice nurse.

6 The collaborative relationship under an agreement shall  
7 not be construed to require the personal presence of a  
8 physician or podiatric physician at the place where services  
9 are rendered. Methods of communication shall be available for  
10 consultation with the collaborating physician or podiatric  
11 physician in person or by telecommunications or electronic  
12 communications as set forth in the written agreement.

13 (b-5) Absent an employment relationship, a written  
14 collaborative agreement may not (1) restrict the categories of  
15 patients of an advanced practice nurse within the scope of the  
16 advanced practice nurses training and experience, (2) limit  
17 third party payors or government health programs, such as the  
18 medical assistance program or Medicare with which the advanced  
19 practice nurse contracts, or (3) limit the geographic area or  
20 practice location of the advanced practice nurse in this State.

21 (c) In the case of anesthesia services provided by a  
22 certified registered nurse anesthetist, an anesthesiologist, a  
23 physician, a dentist, or a podiatric physician must participate  
24 through discussion of and agreement with the anesthesia plan  
25 and remain physically present and available on the premises  
26 during the delivery of anesthesia services for diagnosis,

1 consultation, and treatment of emergency medical conditions.

2 (c-5) A certified registered nurse anesthetist, who  
3 provides anesthesia services outside of a hospital or  
4 ambulatory surgical treatment center shall enter into a written  
5 collaborative agreement with an anesthesiologist or the  
6 physician licensed to practice medicine in all its branches or  
7 the podiatric physician performing the procedure. Outside of a  
8 hospital or ambulatory surgical treatment center, the  
9 certified registered nurse anesthetist may provide only those  
10 services that the collaborating podiatric physician is  
11 authorized to provide pursuant to the Podiatric Medical  
12 Practice Act of 1987 and rules adopted thereunder. A certified  
13 registered nurse anesthetist may select, order, and administer  
14 medication, including controlled substances, and apply  
15 appropriate medical devices for delivery of anesthesia  
16 services under the anesthesia plan agreed with by the  
17 anesthesiologist or the operating physician or operating  
18 podiatric physician.

19 (c-10) A certified registered nurse anesthetist who  
20 provides anesthesia services in a dental office shall enter  
21 into a written collaborative agreement with an  
22 anesthesiologist or the physician licensed to practice  
23 medicine in all its branches or the operating dentist  
24 performing the procedure. The agreement shall describe the  
25 working relationship of the certified registered nurse  
26 anesthetist and dentist and shall authorize the categories of

1 care, treatment, or procedures to be performed by the certified  
2 registered nurse anesthetist. In a collaborating dentist's  
3 office, the certified registered nurse anesthetist may only  
4 provide those services that the operating dentist with the  
5 appropriate permit is authorized to provide pursuant to the  
6 Illinois Dental Practice Act and rules adopted thereunder. For  
7 anesthesia services, an anesthesiologist, physician, or  
8 operating dentist shall participate through discussion of and  
9 agreement with the anesthesia plan and shall remain physically  
10 present and be available on the premises during the delivery of  
11 anesthesia services for diagnosis, consultation, and treatment  
12 of emergency medical conditions. A certified registered nurse  
13 anesthetist may select, order, and administer medication,  
14 including controlled substances, and apply appropriate medical  
15 devices for delivery of anesthesia services under the  
16 anesthesia plan agreed with by the operating dentist.

17 (d) A copy of the signed, written collaborative agreement  
18 must be available to the Department upon request from both the  
19 advanced practice nurse and the collaborating physician,  
20 dentist, or podiatric physician.

21 (e) Nothing in this Act shall be construed to limit the  
22 delegation of tasks or duties by a physician to a licensed  
23 practical nurse, a registered professional nurse, or other  
24 persons in accordance with Section 54.2 of the Medical Practice  
25 Act of 1987. Nothing in this Act shall be construed to limit  
26 the method of delegation that may be authorized by any means,

1 including, but not limited to, oral, written, electronic,  
2 standing orders, protocols, guidelines, or verbal orders.  
3 Nothing in this Act shall be construed to authorize an advanced  
4 practice nurse to provide health care services required by law  
5 or rule to be performed by a physician.

6 (f) An advanced practice nurse shall inform each  
7 collaborating physician, dentist, or podiatric physician of  
8 all collaborative agreements he or she has signed and provide a  
9 copy of these to any collaborating physician, dentist, or  
10 podiatric physician upon request.

11 (g) (Blank).

12 (Source: P.A. 98-192, eff. 1-1-14; 98-214, eff. 8-9-13; 98-756,  
13 eff. 7-16-14; 99-173, eff. 7-29-15.)

14 (Text of Section after amendment by P.A. 100-513)

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

16 Sec. 65-35. Written collaborative agreements.

17 (a) A written collaborative agreement is required for all  
18 advanced practice registered nurses engaged in clinical  
19 practice prior to meeting the requirements of Section 65-43,  
20 except for advanced practice registered nurses who are  
21 privileged to practice in a hospital, hospital affiliate, or  
22 ambulatory surgical treatment center.

23 (a-5) If an advanced practice registered nurse engages in  
24 clinical practice outside of a hospital, hospital affiliate, or  
25 ambulatory surgical treatment center in which he or she is

1 privileged to practice, the advanced practice registered nurse  
2 must have a written collaborative agreement, except as set  
3 forth in Section 65-43.

4 (b) A written collaborative agreement shall describe the  
5 relationship of the advanced practice registered nurse with the  
6 collaborating physician and shall describe the categories of  
7 care, treatment, or procedures to be provided by the advanced  
8 practice registered nurse. A collaborative agreement with a  
9 podiatric physician must be in accordance with subsection (c-5)  
10 or (c-15) of this Section. A collaborative agreement with a  
11 dentist must be in accordance with subsection (c-10) of this  
12 Section. A collaborative agreement with a podiatric physician  
13 must be in accordance with subsection (c-5) of this Section.  
14 Collaboration does not require an employment relationship  
15 between the collaborating physician and the advanced practice  
16 registered nurse.

17 The collaborative relationship under an agreement shall  
18 not be construed to require the personal presence of a  
19 collaborating physician at the place where services are  
20 rendered. Methods of communication shall be available for  
21 consultation with the collaborating physician in person or by  
22 telecommunications or electronic communications as set forth  
23 in the written agreement.

24 (b-5) Absent an employment relationship, a written  
25 collaborative agreement may not (1) restrict the categories of  
26 patients of an advanced practice registered nurse within the

1 scope of the advanced practice registered nurses training and  
2 experience, (2) limit third party payors or government health  
3 programs, such as the medical assistance program or Medicare  
4 with which the advanced practice registered nurse contracts, or  
5 (3) limit the geographic area or practice location of the  
6 advanced practice registered nurse in this State.

7 (c) In the case of anesthesia services provided by a  
8 certified registered nurse anesthetist, an anesthesiologist, a  
9 physician, a dentist, or a podiatric physician must participate  
10 through discussion of and agreement with the anesthesia plan  
11 and remain physically present and available on the premises  
12 during the delivery of anesthesia services for diagnosis,  
13 consultation, and treatment of emergency medical conditions.

14 (c-5) A certified registered nurse anesthetist, who  
15 provides anesthesia services outside of a hospital or  
16 ambulatory surgical treatment center shall enter into a written  
17 collaborative agreement with an anesthesiologist or the  
18 physician licensed to practice medicine in all its branches or  
19 the podiatric physician performing the procedure. Outside of a  
20 hospital or ambulatory surgical treatment center, the  
21 certified registered nurse anesthetist may provide only those  
22 services that the collaborating podiatric physician is  
23 authorized to provide pursuant to the Podiatric Medical  
24 Practice Act of 1987 and rules adopted thereunder. A certified  
25 registered nurse anesthetist may select, order, and administer  
26 medication, including controlled substances, and apply

1 appropriate medical devices for delivery of anesthesia  
2 services under the anesthesia plan agreed with by the  
3 anesthesiologist or the operating physician or operating  
4 podiatric physician.

5 (c-10) A certified registered nurse anesthetist who  
6 provides anesthesia services in a dental office shall enter  
7 into a written collaborative agreement with an  
8 anesthesiologist or the physician licensed to practice  
9 medicine in all its branches or the operating dentist  
10 performing the procedure. The agreement shall describe the  
11 working relationship of the certified registered nurse  
12 anesthetist and dentist and shall authorize the categories of  
13 care, treatment, or procedures to be performed by the certified  
14 registered nurse anesthetist. In a collaborating dentist's  
15 office, the certified registered nurse anesthetist may only  
16 provide those services that the operating dentist with the  
17 appropriate permit is authorized to provide pursuant to the  
18 Illinois Dental Practice Act and rules adopted thereunder. For  
19 anesthesia services, an anesthesiologist, physician, or  
20 operating dentist shall participate through discussion of and  
21 agreement with the anesthesia plan and shall remain physically  
22 present and be available on the premises during the delivery of  
23 anesthesia services for diagnosis, consultation, and treatment  
24 of emergency medical conditions. A certified registered nurse  
25 anesthetist may select, order, and administer medication,  
26 including controlled substances, and apply appropriate medical



1 devices for delivery of anesthesia services under the  
2 anesthesia plan agreed with by the operating dentist.

3 (c-15) An advanced practice registered nurse who had a  
4 written collaborative agreement with a podiatric physician  
5 immediately before the effective date of Public Act 100-513 may  
6 continue in that collaborative relationship under the  
7 requirements of this Section and Section 65-40, as those  
8 Sections existed immediately before the amendment of those  
9 Sections by Public Act 100-513 with regard to a written  
10 collaborative agreement between an advanced practice  
11 registered nurse and a podiatric physician, until the  
12 collaborative relationship between the advanced practice  
13 registered nurse and podiatric physician terminates.

14 (d) A copy of the signed, written collaborative agreement  
15 must be available to the Department upon request from both the  
16 advanced practice registered nurse and the collaborating  
17 physician, dentist, or podiatric physician.

18 (e) Nothing in this Act shall be construed to limit the  
19 delegation of tasks or duties by a physician to a licensed  
20 practical nurse, a registered professional nurse, or other  
21 persons in accordance with Section 54.2 of the Medical Practice  
22 Act of 1987. Nothing in this Act shall be construed to limit  
23 the method of delegation that may be authorized by any means,  
24 including, but not limited to, oral, written, electronic,  
25 standing orders, protocols, guidelines, or verbal orders.

26 (e-5) Nothing in this Act shall be construed to authorize

1 an advanced practice registered nurse to provide health care  
2 services required by law or rule to be performed by a  
3 physician, including those acts to be performed by a physician  
4 in Section 3.1 of the Illinois Abortion Law of 1975.

5 (f) An advanced practice registered nurse shall inform each  
6 collaborating physician, dentist, or podiatric physician of  
7 all collaborative agreements he or she has signed and provide a  
8 copy of these to any collaborating physician, dentist, or  
9 podiatric physician upon request.

10 (g) (Blank).

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

12 Section 95. No acceleration or delay. Where this Act makes  
13 changes in a statute that is represented in this Act by text  
14 that is not yet or no longer in effect (for example, a Section  
15 represented by multiple versions), the use of that text does  
16 not accelerate or delay the taking effect of (i) the changes  
17 made by this Act or (ii) provisions derived from any other  
18 Public Act.

19 Section 99. Effective date. This Act takes effect January  
20 1, 2018.