



Rep. Sara Feigenholtz

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LRB100 08882 SMS 30128 a

1 AMENDMENT TO SENATE BILL 1322

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 1322 by replacing  
3 everything after the enacting clause with the following:

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8 (Section scheduled to be repealed on January 1, 2028)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

1 ambulatory surgical treatment center in which he or she is  
2 authorized to practice, the advanced practice nurse must have a  
3 written collaborative agreement.

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

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

20 (b-5) Absent an employment relationship, a written  
21 collaborative agreement may not (1) restrict the categories of  
22 patients of an advanced practice nurse within the scope of the  
23 advanced practice nurses training and experience, (2) limit  
24 third party payors or government health programs, such as the  
25 medical assistance program or Medicare with which the advanced  
26 practice nurse contracts, or (3) limit the geographic area or

1 practice location of the advanced practice nurse in this State.

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

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

26 (c-10) A certified registered nurse anesthetist who

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

24 (d) A copy of the signed, written collaborative agreement  
25 must be available to the Department upon request from both the  
26 advanced practice nurse and the collaborating physician,

1 dentist, or podiatric physician.

2 (e) Nothing in this Act shall be construed to limit the  
3 delegation of tasks or duties by a physician to a licensed  
4 practical nurse, a registered professional nurse, or other  
5 persons in accordance with Section 54.2 of the Medical Practice  
6 Act of 1987. Nothing in this Act shall be construed to limit  
7 the method of delegation that may be authorized by any means,  
8 including, but not limited to, oral, written, electronic,  
9 standing orders, protocols, guidelines, or verbal orders.  
10 Nothing in this Act shall be construed to authorize an advanced  
11 practice nurse to provide health care services required by law  
12 or rule to be performed by a physician.

13 (f) An advanced practice nurse shall inform each  
14 collaborating physician, dentist, or podiatric physician of  
15 all collaborative agreements he or she has signed and provide a  
16 copy of these to any collaborating physician, dentist, or  
17 podiatric physician upon request.

18 (g) (Blank).

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

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

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

23 Sec. 65-35. Written collaborative agreements.

24 (a) A written collaborative agreement is required for all  
25 advanced practice registered nurses engaged in clinical

1 practice prior to meeting the requirements of Section 65-43,  
2 except for advanced practice registered nurses who are  
3 privileged to practice in a hospital, hospital affiliate, or  
4 ambulatory surgical treatment center.

5 (a-5) If an advanced practice registered nurse engages in  
6 clinical practice outside of a hospital, hospital affiliate, or  
7 ambulatory surgical treatment center in which he or she is  
8 privileged to practice, the advanced practice registered nurse  
9 must have a written collaborative agreement, except as set  
10 forth in Section 65-43.

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

24 The collaborative relationship under an agreement shall  
25 not be construed to require the personal presence of a  
26 collaborating physician at the place where services are

1 rendered. Methods of communication shall be available for  
2 consultation with the collaborating physician in person or by  
3 telecommunications or electronic communications as set forth  
4 in the written agreement.

5 (b-5) Absent an employment relationship, a written  
6 collaborative agreement may not (1) restrict the categories of  
7 patients of an advanced practice registered nurse within the  
8 scope of the advanced practice registered nurses training and  
9 experience, (2) limit third party payors or government health  
10 programs, such as the medical assistance program or Medicare  
11 with which the advanced practice registered nurse contracts, or  
12 (3) limit the geographic area or practice location of the  
13 advanced practice registered nurse in this State.

14 (c) In the case of anesthesia services provided by a  
15 certified registered nurse anesthetist, an anesthesiologist, a  
16 physician, a dentist, or a podiatric physician must participate  
17 through discussion of and agreement with the anesthesia plan  
18 and remain physically present and available on the premises  
19 during the delivery of anesthesia services for diagnosis,  
20 consultation, and treatment of emergency medical conditions.

21 (c-5) A certified registered nurse anesthetist, who  
22 provides anesthesia services outside of a hospital or  
23 ambulatory surgical treatment center shall enter into a written  
24 collaborative agreement with an anesthesiologist or the  
25 physician licensed to practice medicine in all its branches or  
26 the podiatric physician performing the procedure. Outside of a

1 hospital or ambulatory surgical treatment center, the  
2 certified registered nurse anesthetist may provide only those  
3 services that the collaborating podiatric physician is  
4 authorized to provide pursuant to the Podiatric Medical  
5 Practice Act of 1987 and rules adopted thereunder. A certified  
6 registered nurse anesthetist may select, order, and administer  
7 medication, including controlled substances, and apply  
8 appropriate medical devices for delivery of anesthesia  
9 services under the anesthesia plan agreed with by the  
10 anesthesiologist or the operating physician or operating  
11 podiatric physician.

12 (c-10) A certified registered nurse anesthetist who  
13 provides anesthesia services in a dental office shall enter  
14 into a written collaborative agreement with an  
15 anesthesiologist or the physician licensed to practice  
16 medicine in all its branches or the operating dentist  
17 performing the procedure. The agreement shall describe the  
18 working relationship of the certified registered nurse  
19 anesthetist and dentist and shall authorize the categories of  
20 care, treatment, or procedures to be performed by the certified  
21 registered nurse anesthetist. In a collaborating dentist's  
22 office, the certified registered nurse anesthetist may only  
23 provide those services that the operating dentist with the  
24 appropriate permit is authorized to provide pursuant to the  
25 Illinois Dental Practice Act and rules adopted thereunder. For  
26 anesthesia services, an anesthesiologist, physician, or



1 operating dentist shall participate through discussion of and  
2 agreement with the anesthesia plan and shall remain physically  
3 present and be available on the premises during the delivery of  
4 anesthesia services for diagnosis, consultation, and treatment  
5 of emergency medical conditions. A certified registered nurse  
6 anesthetist may select, order, and administer medication,  
7 including controlled substances, and apply appropriate medical  
8 devices for delivery of anesthesia services under the  
9 anesthesia plan agreed with by the operating dentist.

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

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

25 (e) Nothing in this Act shall be construed to limit the  
26 delegation of tasks or duties by a physician to a licensed

1 practical nurse, a registered professional nurse, or other  
2 persons in accordance with Section 54.2 of the Medical Practice  
3 Act of 1987. Nothing in this Act shall be construed to limit  
4 the method of delegation that may be authorized by any means,  
5 including, but not limited to, oral, written, electronic,  
6 standing orders, protocols, guidelines, or verbal orders.

7 (e-5) Nothing in this Act shall be construed to authorize  
8 an advanced practice registered nurse to provide health care  
9 services required by law or rule to be performed by a  
10 physician, including those acts to be performed by a physician  
11 in Section 3.1 of the Illinois Abortion Law of 1975.

12 (f) An advanced practice registered nurse shall inform each  
13 collaborating physician, dentist, or podiatric physician of  
14 all collaborative agreements he or she has signed and provide a  
15 copy of these to any collaborating physician, dentist, or  
16 podiatric physician upon request.

17 (g) (Blank).

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

19 Section 95. No acceleration or delay. Where this Act makes  
20 changes in a statute that is represented in this Act by text  
21 that is not yet or no longer in effect (for example, a Section  
22 represented by multiple versions), the use of that text does  
23 not accelerate or delay the taking effect of (i) the changes  
24 made by this Act or (ii) provisions derived from any other  
25 Public Act.

1           Section 99. Effective date. This Act takes effect January  
2    1, 2018.".