



Sen. Mattie Hunter

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10000SB3116sam001

LRB100 17649 XWW 38811 a

1 AMENDMENT TO SENATE BILL 3116

2 AMENDMENT NO. _____. Amend Senate Bill 3116 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7 (Section scheduled to be repealed on January 1, 2028)

8 Sec. 65-35. Written collaborative agreements.

9 (a) A written collaborative agreement is required for all
10 advanced practice registered nurses engaged in clinical
11 practice prior to meeting the requirements of Section 65-43,
12 except for advanced practice registered nurses who are
13 privileged to practice in a hospital, hospital affiliate, or
14 ambulatory surgical treatment center.

15 (a-5) If an advanced practice registered nurse engages in
16 clinical practice outside of a hospital, hospital affiliate, or

1 ambulatory surgical treatment center in which he or she is
2 privileged to practice, the advanced practice registered nurse
3 must have a written collaborative agreement, except as set
4 forth in Section 65-43.

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

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

25 (b-5) Absent an employment relationship, a written
26 collaborative agreement may not (1) restrict the categories of

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

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

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

1 medication, including controlled substances, and apply
2 appropriate medical devices for delivery of anesthesia
3 services under the anesthesia plan agreed with by the
4 anesthesiologist or the operating physician or operating
5 podiatric physician.

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

1 including controlled substances, and apply appropriate medical
2 devices for delivery of anesthesia services under the
3 anesthesia plan agreed with by the operating dentist.

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

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

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

1 standing orders, protocols, guidelines, or verbal orders.

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

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

12 (g) (Blank).

13 (Source: P.A. 99-173, eff. 7-29-15; 100-513, eff. 1-1-18;
14 100-577, eff. 1-26-18.)

15 Section 99. Effective date. This Act takes effect January
16 1, 2018."