**Section 1300.20 Nursing Delegation by a Registered Professional Nurse**

a) *For the purposes of this Section:*

"Community-Based Setting" means facilities within the community where individuals, groups and populations may seek or receive assistance and/or care. These include, but are not limited to, schools, assisted living facilities, physicians' and APRNs' offices, clinics, home health, and residences where individuals receive services under the Home Health, Home Services, and Home Nursing Licensing Act [210 ILCS 55] or Hospice Program Licensing Act [210 ILCS 60]. Community-based setting does not include Home Services Agencies and Home Service Placement Agencies.

*"Delegation" means transferring to a specific individual the authority to perform a specific nursing intervention, in a specific situation.*

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

*"Stability" means a registered professional nurse or advanced practice registered nurse has determined that the individual's clinical status and nursing care needs are consistent.* (Section 50-75(a) of the Act)

b)A registered professional nurse may:

1) *Delegate nursing interventions to other registered professional nurses, licensed practical nurses, and other unlicensed personnel.* The delegation should be *based on the comprehensive nursing assessment that includes, but is not limited to:*

A) *The stability and condition of the patient;*

B) *The potential for harm;*

C) *The complexity of the nursing intervention to be delegated;*

D) *The predictability of outcomes; and*

E) The competency of the person to whom the nursing intervention is delegated. To ensure competency, the RN may have to provide instruction to the individual or evaluate the individual's experience, training and/or education.

2) *Delegate medication administration to other licensed nurses.*

3) *Refuse to delegate, stop, or rescind a previously authorized delegation.* (Section 5-75(b) of the Act)

c) *In community-based or in-home care settings, an RN may*:

1) *Delegate medication administration (limited to oral or subcutaneous dosage and topical or transdermal application) to unlicensed personnel, if the conditions of delegations* set forth in subsection (b) *are met*.

2) *Delegate, guide and evaluate the implementations of nursing interventions as a component of patient care coordination after completion of the comprehensive patient assessment based on analysis of the comprehensive nursing assessment data. Care coordination may occur in person, by telecommunication, or by electronic communication*. (Section 5-75(b) of the Act)

d) The following actions are prohibited by this Section:

1) *Mandating an RN to delegate nurse interventions when the RN has determined that it is not appropriate to do so.*

2) *Delegating medication administration to unlicensed personnel in any institutional or long-term facility, including but not limited to those facilities licensed by the Hospital Licensing Act* [210 ILCS 85]*, the University of Illinois Hospital Act* [110 ILCS 330]*, State-operated mental health hospitals, or State-operated developmental centers.*

3) *Delegating nursing judgement, the comprehensive patient assessment, development of a plan of care, and evaluations of care to licensed or unlicensed personnel;*

4) *Allowing a licensed practical nurse or unlicensed personnel to re‑delegate a nursing intervention that had been delegated to him or her by the RN.* (Section 50-75(b) of the Act)

e) Practice in End Stage Renal Dialysis Facilities

1) For the purposes of this Section only, an individual working as a dialysis technician in a Medicare-certified End Stage Renal Dialysis Facility or a facility regulated under the End Stage Renal Disease Facility Act [210 ILCS 62] shall be considered a licensed individual for the purposes of delegation only under Section 50-75 of the Act. A person working to acquire the experience necessary to obtain certification under subsection (e)(2) may practice in accordance with this subsection (e) for a period of no more than 18 months so long as his or her practice is in compliance with the experience standards set forth by the entities listed in subsection (e)(2).

2) Delegation under this subsection (e) shall only be allowed if the individual receiving delegation currently holds, or is in the process of acquiring, the necessary experience to apply for and achieve one of the following certifications:

A) Certified Clinical Hemodialysis Technician (CCHT) by the Nephrology Nursing Certification Commission (NNCC);

B) Certified Hemodialysis Technician (CHT) by the Board of Nephrology Examiners Nursing and Technology (BONENT);

C) Certified in Clinical Nephrology Technology (CCNT) by the National Nephrology Certification Organization (NNCO).

3) Delegation under this subsection (e) shall not include medication administration except for saline flushes and application of topical anesthetics. All patient care provided by a certified dialysis technician practicing under this subsection (e) shall be under the direct and immediate on-site supervision of a licensed physician, advanced practice registered nurse, physician assistant or registered nurse.

4) Delegation under this subsection (e) shall also comply with any rules adopted under the End Stage Renal Disease Facility Act.

5) Nothing in this subsection (e) shall be construed to apply to any other facility or practice setting. This subsection (e) shall not be construed as granting a license under the Act and shall not allow individuals receiving delegation under this subsection (e) to use any title regulated by the Act.

f) The delegation of medication administration in a community-based setting shall be rescinded upon the discharge of the patient from the home health, home nursing, or hospice agency, or when the nurse who delegated the nursing intervention is no longer providing or coordinating the nursing clinical care.

g) An RN who has delegated a nursing intervention does not have to be physically present while the individual is performing the delegation so long as the RN has satisfied the conditions of delegation set forth in subsection (b) and is available to assist in person or by telecommunications.

(Source: Amended at 45 Ill. Reg. 228, effective January 4, 2021)