**Section 2749.330 Deferment of Nursing Employment Obligation or Nurse Educator Employment Obligation**

A request to defer the recipient's nursing employment obligation or nurse educator employment obligation shall be submitted in writing to the Department. The request shall detail the reasons for the deferment and shall be accompanied and supported by documentation as described in this Section.

a) Deferment of the nursing employment obligation may include the recipient:

1) Spending *up to four years in military service before or after graduation.* The *recipient shall notify* the Department *within 30 days* after enlisting in military service. (Section 6 of the Law)

2) Being called to active duty (for recipients who are military reservists) by the armed forces of the United States. The recipient shall submit a copy of the order to active duty with the written request for deferment. The duration of the deferment shall equal the recipient's period of active military duty.

3) Enrolling in *an academic program leading to* a higher degree or *a graduate degree in nursing.* If the *recipient receives funding through the Nursing Education Scholarship Program for a higher degree, the nursing employment obligation shall be deferred until* the recipient *is no longer enrolled or has graduated.* The *recipient shall notify* the Department *within 30 days if* the recipient *is enrolled in an academic program leading to a graduate degree in nursing.* (Section 6 of the Law)

4) Failing *to fulfill the nursing employment obligation* by *involuntarily leaving the profession due to a decrease in the number of nurses employed in the State.* When requesting a deferral, the recipient shall provide documentation to the Department demonstrating that nursing positions do not exist in the recipient's area. The following website shall be used to provide documentation: https://illinoisjoblink.illinois.gov/ada/r/job\_seeker. If a deferment is granted, it will be *re-evaluated every 6 months*. (Section 6 of the Law)

5) Providing documentation of a physical or mental health disability that results in the recipient's temporary inability to fulfill the obligation. Documentation shall include an explanation from a licensed health care professional attesting to the recipient's temporary inability to fulfill the obligation. This deferment may be granted for up to one year.

6) Requesting up to 12 weeks leave for maternity, paternity or adoption leave. If the recipient's leave will exceed 12 weeks, a deferment may be granted based on documented medical need.

7) *The recipient must begin meeting the required nursing employment obligations no later than 6 months after the end of the deferments.* (Section 6 of the Law)

b) Deferment of the nurse educator employment obligation may include the recipient:

1) Spending *up to four years in military service before or after graduation.* The *recipient shall receive a deferment if he or she notifies the Department, within 30 days after enlisting, that he or she is spending up to 4 years in military service.* (Section 6.5(d) of the Law)

2) Being called to active duty (for recipients who are military reservists) by the armed forces of the United States. The recipient shall submit a copy of the order to active duty with the written request for deferment. The duration of the deferment shall equal the recipient's period of active military duty.

3) Enrolling *in an academic program leading to a graduate degree in nursing.* A *recipient shall receive a deferment if he or she notifies the Department, within 30 days after enrolling, that he or she is enrolled in an academic program leading to a graduate degree in nursing.* (Section 6.5(d) of the Law)

4) Providing documentation of a physical or mental health disability that results in the recipient's temporary inability to fulfill the recipient nurse educator employment obligation. Documentation shall include an explanation from a licensed health care professional attesting to the recipient's temporary inability to fulfill the nurse educator employment obligation. This deferment may be granted for up to one year.

5) Requesting up to 12 weeks for maternity, paternity or adoption leave. If the recipient's leave will exceed 12 weeks, a deferment may be granted based on documented medical need.

6) The nurse educator employment obligation *may be deferred and re-evaluated every 6 months when the failure to fulfill the nurse educator employment obligation results from involuntarily leaving the profession due to a decrease in the number of nurses employed in this State.* (Section 6.5(d) of the Law) When requesting this deferral, the recipient shall provide documentation to the Department that nurse educator positions do not exist in the recipients' area. The following website will be used to provide documentation: http://nursing.illinois.gov/ads.asp.

7) *The Department may allow a nurse educator employment obligation fulfillment alternative if the nurse educator scholarship recipient is unsuccessful in finding work as a nurse educator.* (Section 6.5(d) of the Law) Prior to the Department approving an alternative to the nurse educator employment obligation, the recipient shall provide documentation that nurse educator positions do not exist in the recipient area. The following website will be used to provide documentation: http://nursing.illinois.gov/ads.asp. If the recipient demonstrates that no nurse educator positions exists, the Department will allow the recipient to fulfill the service obligation by working as a nurse in a medical facility in Illinois providing direct patient care.

8) *The recipient must begin meeting the required nurse educator employment obligation no later than 6 months after the end of the deferment or deferments.* (Section 6.5(d) of the Law)

c) Recipients who receive a deferment shall have their nursing employment obligation or nurse educator employment obligation tolled. The tolling of these requirements shall equal the recipient's period of deferment.

(Source: Recodified from 77 Ill. Adm. Code 597.330 (Department of Public Health) pursuant to P.A. 102-699, at 47 Ill. Reg. 7031)