



Rep. Sara Feigenholtz

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1 AMENDMENT TO SENATE BILL 309

2 AMENDMENT NO. _____. Amend Senate Bill 309 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Nurse Practice Act is amended by changing
5 Section 50-75 as follows:

6 (225 ILCS 65/50-75)

7 (Section scheduled to be repealed on January 1, 2028)

8 Sec. 50-75. Nursing delegation by a registered
9 professional nurse.

10 (a) For the purposes of this Section:

11 "Delegation" means transferring to a specific individual
12 the authority to perform a specific nursing intervention in a
13 specific situation.

14 "Predictability of outcomes" means that a registered
15 professional nurse or advanced practice registered nurse has
16 determined that the patient's or individual's clinical status

1 is stable and expected to improve or the patient's or
2 individual's deteriorating condition is expected to follow a
3 known or expected course.

4 "Stability" means a registered professional nurse or
5 advanced practice registered nurse has determined that the
6 individual's clinical status and nursing care needs are
7 consistent.

8 (b) This Section authorizes a registered professional
9 nurse ~~or advanced practice registered nurse~~ to:

10 (1) delegate nursing interventions to other registered
11 professional nurses, licensed practical nurses, and other
12 unlicensed personnel based on the comprehensive nursing
13 assessment that includes, but is not limited to:

14 (A) the stability and condition of the patient;

15 (B) the potential for harm;

16 (C) the complexity of the nursing intervention to
17 be delegated;

18 (D) the predictability of outcomes; and

19 (E) competency of the individual to whom the
20 nursing intervention is delegated;

21 (2) delegate medication administration to other
22 licensed nurses;

23 (3) in community-based or in-home care settings,
24 delegate the administration of medication (limited to oral
25 or subcutaneous dosage and topical or transdermal
26 application) to unlicensed personnel, if all the

1 conditions for delegation set forth in this Section are
2 met;

3 (4) refuse to delegate, stop, or rescind a previously
4 authorized delegation; or

5 (5) in community-based or in-home care settings,
6 delegate, guide, and evaluate the implementation of
7 nursing interventions as a component of patient care
8 coordination after completion of the comprehensive patient
9 assessment based on analysis of the comprehensive nursing
10 assessment data; care coordination in in-home care and
11 school settings may occur in person, by telecommunication,
12 or by electronic communication.

13 (c) This Section prohibits the following:

14 (1) An individual or entity from mandating that a
15 registered professional nurse delegate nursing
16 interventions if the registered professional nurse
17 determines it is inappropriate to do so. Nurses shall not
18 be subject to disciplinary or any other adverse action for
19 refusing to delegate a nursing intervention based on
20 patient safety.

21 (2) The delegation of medication administration to
22 unlicensed personnel in any institutional or long-term
23 facility, including, but not limited to, those facilities
24 licensed by the Hospital Licensing Act, the University of
25 Illinois Hospital Act, State-operated mental health
26 hospitals, or State-operated developmental centers, except

1 as authorized under Article 80 of this Act or otherwise
2 specifically authorized by law.

3 (3) A registered professional nurse from delegating
4 nursing judgment, the comprehensive patient assessment,
5 the development of a plan of care, and the evaluation of
6 care to licensed or unlicensed personnel.

7 (4) A licensed practical nurse or unlicensed personnel
8 who has been delegated a nursing intervention from
9 re-delegating a nursing intervention.

10 (Source: P.A. 100-513, eff. 1-1-18.)".