



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB2509

Introduced 2/15/2023, by Rep. Eva-Dina Delgado

SYNOPSIS AS INTRODUCED:

225 ILCS 65/60-5
225 ILCS 65/60-10

Amends the Nurse Practice Act. Provides that the Board of Nursing shall review and make a recommendation for the approval or disapproval of a program by the Department of Financial and Professional Regulation based on, among other criteria, a measurement of program effectiveness based on a passage rate of all graduates over the 3 most recent calendar years without reference to first-time test takers. Provides that a graduate who does not take an examination for licensure within the first 90 days after graduation and a graduate who has failed the exam will be required to return to the institution of higher education for remediation prior to repeating or taking the exam. Provides that a graduate may retake the exam only after the institution of higher education provides approval once remediation has been successfully completed. Provides that institutional approval to retake expires 6 months after issuance of the approval to retake. Provides that a graduate with an expired approval is required to repeat the remediation and reapproval process.

LRB103 04652 AMQ 49660 b

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Nurse Practice Act is amended by changing
5 Sections 60-5 and 60-10 as follows:

6 (225 ILCS 65/60-5)

7 (Section scheduled to be repealed on January 1, 2028)

8 Sec. 60-5. RN education program requirements; out-of-State
9 programs.

10 (a) All registered professional nurse education programs
11 must be reviewed by the Board and approved by the Department
12 before the successful completion of such a program may be
13 applied toward meeting the requirements for registered
14 professional nurse licensure under this Act. Any program
15 changing the level of educational preparation or the
16 relationship with or to the parent institution or establishing
17 an extension of an existing program must request a review by
18 the Board and approval by the Department. The Board shall
19 review and make a recommendation for the approval or
20 disapproval of a program by the Department based on the
21 following criteria:

22 (1) a feasibility study that describes the need for
23 the program and the facilities used, the potential of the

1 program to recruit faculty and students, financial support
2 for the program, and other criteria, as established by
3 rule;

4 (2) program curriculum that meets all State
5 requirements;

6 (2.5) measurement of program effectiveness based on a
7 passage rate of all graduates over the 3 most recent
8 calendar years without reference to first-time test
9 takers;

10 (3) the administration of the program by a Nurse
11 Administrator and the involvement of a Nurse Administrator
12 in the development of the program;

13 (4) the occurrence of a site visit prior to approval;
14 and

15 (5) beginning December 31, 2022, obtaining and
16 maintaining programmatic accreditation by a national
17 accrediting body for nursing education recognized by the
18 United States Department of Education and approved by the
19 Department.

20 The Department and Board of Nursing shall be notified
21 within 30 days if the program loses its accreditation. The
22 Department may adopt rules regarding a warning process and
23 reaccreditation.

24 (b) In order to obtain initial Department approval and to
25 maintain Department approval, a registered professional
26 nursing program must meet all of the following requirements:

1 (1) The institution responsible for conducting the
2 program and the Nurse Administrator must ensure that
3 individual faculty members are academically and
4 professionally competent.

5 (2) The program curriculum must contain all applicable
6 requirements established by rule, including both theory
7 and clinical components.

8 (3) The passage rates of the program's graduating
9 classes on the State-approved licensure exam must be
10 deemed satisfactory by the Department.

11 (c) Program site visits to an institution conducting or
12 hosting a professional nursing program may be made at the
13 discretion of the Nursing Coordinator or upon recommendation
14 of the Board. Full routine site visits may be conducted by the
15 Department for periodic evaluation. Such visits shall be used
16 to determine compliance with this Act. Full routine site
17 visits must be announced and may be waived at the discretion of
18 the Department if the program maintains accreditation with an
19 accrediting body recognized by the United States Department of
20 Education and approved by the Department.

21 (d) Any institution conducting a registered professional
22 nursing program that wishes to discontinue the program must do
23 each of the following:

24 (1) Notify the Department, in writing, of its intent
25 to discontinue the program.

26 (2) Continue to meet the requirements of this Act and

1 the rules adopted thereunder until the official date of
2 termination of the program.

3 (3) Notify the Department of the date on which the
4 last student shall graduate from the program and the
5 program shall terminate.

6 (4) Assist remaining students in the continuation of
7 their education in the event of program termination prior
8 to the graduation of the program's final student.

9 (5) Upon the closure of the program, notify the
10 Department, in writing, of the location of student and
11 graduate records' storage.

12 (e) Out-of-State registered professional nursing education
13 programs planning to offer clinical practice experiences in
14 this State must meet the requirements set forth in this
15 Section and must meet the clinical and faculty requirements
16 for institutions outside of this State, as established by
17 rule. The institution responsible for conducting an
18 out-of-State registered professional nursing education program
19 and the administrator of the program shall be responsible for
20 ensuring that the individual faculty and preceptors overseeing
21 the clinical experience are academically and professionally
22 competent.

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

24 (225 ILCS 65/60-10)

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

1 Sec. 60-10. RN licensure by examination.

2 (a) Each applicant who successfully meets the requirements
3 of this Section is eligible for licensure as a registered
4 professional nurse.

5 (b) An applicant for licensure by examination to practice
6 as a registered professional nurse is eligible for licensure
7 when the following requirements are met:

8 (1) the applicant has submitted a completed written
9 application, on forms provided by the Department, and
10 fees, as established by the Department;

11 (2) the applicant has graduated from a professional
12 nursing education program approved by the Department or
13 has been granted a certificate of completion of
14 pre-licensure requirements from another United States
15 jurisdiction;

16 (3) the applicant has successfully completed a
17 licensure examination approved by the Department;

18 (4) (blank);

19 (5) the applicant has submitted to the criminal
20 history records check required under Section 50-35 of this
21 Act;

22 (6) the applicant has submitted, either to the
23 Department or its designated testing service, a fee
24 covering the cost of providing the examination; failure to
25 appear for the examination on the scheduled date at the
26 time and place specified after the applicant's application

1 for examination has been received and acknowledged by the
2 Department or the designated testing service shall result
3 in the forfeiture of the examination fee; and

4 (7) the applicant has met all other requirements
5 established by the Department by rule.

6 An applicant for licensure by examination may take the
7 Department-approved examination in another jurisdiction.

8 (b-5) If an applicant for licensure by examination
9 neglects, fails, or refuses to take an examination or fails to
10 pass an examination for a license within 3 years of the date of
11 initial application, the application shall be denied. When an
12 applicant's application is denied due to the failure to pass
13 the examination within the 3-year period, that applicant must
14 undertake an additional course of education as defined by rule
15 prior to submitting a new application for licensure. Any new
16 application must be accompanied by the required fee, evidence
17 of meeting the requirements in force at the time of the new
18 application, and evidence of completion of the additional
19 course of education prescribed by rule.

20 A graduate who does not take an examination for licensure
21 within the first 90 days after graduation and a graduate who
22 has failed the exam will be required to return to the
23 institution of higher education for remediation prior to
24 repeating or taking the exam. A graduate may retake the exam
25 only after the institution of higher education provides
26 approval once remediation has been successfully completed.

1 Institutional approval to retake expires 6 months after
2 issuance of the approval to retake. A graduate with an expired
3 approval is required to repeat the remediation and reapproval
4 process.

5 (c) An applicant for licensure by examination shall have
6 one year after the date of notification of the successful
7 completion of the examination to apply to the Department for a
8 license. If an applicant fails to apply within one year, the
9 applicant shall be required to retake and pass the examination
10 unless licensed in another jurisdiction of the United States.

11 (d) An applicant for licensure by examination who passes
12 the Department-approved licensure examination for professional
13 nursing may obtain employment as a license-pending registered
14 nurse and practice under the direction of a registered
15 professional nurse or an advanced practice registered nurse
16 until such time as he or she receives his or her license to
17 practice or until the license is denied. In no instance shall
18 any such applicant practice or be employed in any management
19 capacity. An individual may be employed as a license-pending
20 registered nurse if all of the following criteria are met:

21 (1) He or she has completed and passed the
22 Department-approved licensure exam and presents to the
23 employer the official written notification indicating
24 successful passage of the licensure examination.

25 (2) He or she has completed and submitted to the
26 Department an application for licensure under this Section

1 as a registered professional nurse.

2 (3) He or she has submitted the required licensure
3 fee.

4 (4) He or she has met all other requirements
5 established by rule, including having submitted to a
6 criminal history records check.

7 (e) The privilege to practice as a license-pending
8 registered nurse shall terminate with the occurrence of any of
9 the following:

10 (1) Three months have passed since the official date
11 of passing the licensure exam as inscribed on the formal
12 written notification indicating passage of the exam. The
13 3-month license pending period may be extended if more
14 time is needed by the Department to process the licensure
15 application.

16 (2) Receipt of the registered professional nurse
17 license from the Department.

18 (3) Notification from the Department that the
19 application for licensure has been refused.

20 (4) A request by the Department that the individual
21 terminate practicing as a license-pending registered nurse
22 until an official decision is made by the Department to
23 grant or deny a registered professional nurse license.

24 (f) (Blank).

25 (g) (Blank).

26 (h) (Blank).

1 (i) (Blank).

2 (j) (Blank).

3 (k) All applicants for registered professional nurse
4 licensure have 3 years after the date of application to
5 complete the application process. If the process has not been
6 completed within 3 years after the date of application, the
7 application shall be denied, the fee forfeited, and the
8 applicant must reapply and meet the requirements in effect at
9 the time of reapplication.

10 (l) All applicants for registered nurse licensure by
11 examination who are graduates of practical nursing educational
12 programs in a country other than the United States and its
13 territories shall have their nursing education credentials
14 evaluated by a Department-approved nursing credentialing
15 evaluation service. No such applicant may be issued a license
16 under this Act unless the applicant's program is deemed by the
17 nursing credentialing evaluation service to be equivalent to a
18 professional nursing education program approved by the
19 Department. An applicant who has graduated from a nursing
20 educational program outside of the United States or its
21 territories and whose first language is not English shall
22 submit evidence of English proficiency, as defined by rule.

23 (m) (Blank).

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