



Rep. Margaret Croke

**Filed: 4/15/2024**

10300HB4357ham001

LRB103 35918 RTM 71866 a

1 AMENDMENT TO HOUSE BILL 4357

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 4357 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Medical Practice Act of 1987 is amended by  
5 changing Section 54.2 as follows:

6 (225 ILCS 60/54.2)

7 (Section scheduled to be repealed on January 1, 2027)

8 Sec. 54.2. Physician delegation of authority.

9 (a) Nothing in this Act shall be construed to limit the  
10 delegation of patient care tasks or duties by a physician, to a  
11 licensed practical nurse, a registered professional nurse, or  
12 other licensed person practicing within the scope of his or  
13 her individual licensing Act. Delegation by a physician  
14 licensed to practice medicine in all its branches to physician  
15 assistants or advanced practice registered nurses is also  
16 addressed in Section 54.5 of this Act. No physician may

1 delegate any patient care task or duty that is statutorily or  
2 by rule mandated to be performed by a physician.

3 (b) In an office or practice setting and within a  
4 physician-patient relationship, a physician may delegate  
5 patient care tasks or duties to an unlicensed person who  
6 possesses appropriate training and experience provided a  
7 health care professional, who is practicing within the scope  
8 of such licensed professional's individual licensing Act, is  
9 on site to provide assistance.

10 (c) Any such patient care task or duty delegated to a  
11 licensed or unlicensed person must be within the scope of  
12 practice, education, training, or experience of the delegating  
13 physician and within the context of a physician-patient  
14 relationship.

15 (d) Nothing in this Section shall be construed to affect  
16 referrals for professional services required by law.

17 (e) The Department shall have the authority to adopt  
18 ~~promulgate~~ rules concerning a physician's delegation,  
19 including but not limited to, the use of light emitting  
20 devices for patient care or treatment. An on-site physician  
21 examination prior to the performance of a non-ablative laser  
22 procedure shall not be required when:

23 (1) the laser hair removal facility follows a  
24 physician supervision protocol, made available to the  
25 Department upon request;

26 (2) the procedure is performed by a registered nurse

1       or licensed practical nurse;

2           (3) an advanced practice registered nurse or a  
3       physician assistant examines the patient and determines a  
4       course of treatment appropriate to the patient prior to a  
5       non-ablative laser procedure being performed; and

6           (4) an advanced practice registered nurse, physician  
7       assistant, or physician is available for on-site  
8       supervision or by telephone or other electronic means to  
9       respond promptly to any questions or complications that  
10       may occur.

11       (f) Nothing in this Act shall be construed to limit the  
12 method of delegation that may be authorized by any means,  
13 including, but not limited to, oral, written, electronic,  
14 standing orders, protocols, guidelines, or verbal orders.

15       (g) A physician licensed to practice medicine in all of  
16 its branches under this Act may delegate any and all authority  
17 prescribed to him or her by law to international medical  
18 graduate physicians, so long as the tasks or duties are within  
19 the scope of practice, education, training, or experience of  
20 the delegating physician who is on site to provide assistance.  
21 An international medical graduate working in Illinois pursuant  
22 to this subsection is subject to all statutory and regulatory  
23 requirements of this Act, as applicable, relating to the  
24 standards of care. An international medical graduate physician  
25 is limited to providing treatment under the supervision of a  
26 physician licensed to practice medicine in all of its

1 branches. The supervising physician or employer must keep  
2 record of and make available upon request by the Department  
3 the following: (1) evidence of education certified by the  
4 Educational Commission for Foreign Medical Graduates; (2)  
5 evidence of passage of Step 1, Step 2 Clinical Knowledge, and  
6 Step 3 of the United States Medical Licensing Examination as  
7 required by this Act; and (3) evidence of an unencumbered  
8 license from another country. This subsection does not apply  
9 to any international medical graduate whose license as a  
10 physician is revoked, suspended, or otherwise encumbered. This  
11 subsection is inoperative upon the adoption of rules  
12 implementing Section 15.5.  
13 (Source: P.A. 103-1, eff. 4-27-23; 103-102, eff. 6-16-23.)".