



## 103RD GENERAL ASSEMBLY

### State of Illinois

2023 and 2024

**HB4994**

Introduced 2/8/2024, by Rep. Ryan Spain

#### SYNOPSIS AS INTRODUCED:

225 ILCS 65/Art. 80 heading  
225 ILCS 65/80-10  
225 ILCS 65/80-45

Amends the Nurse Practice Act. Changes the name of the Medication Aide Pilot Program to the Medication Aide Program. Makes conforming changes. Removes language that limits the program to 3 years. Provides that to be approved as a qualified facility under the program (instead of for the duration of the pilot program), a facility must meet specified requirements. Removes provisions that provide that the Department of Financial and Professional Regulation shall submit a report regarding patient safety, efficiency, and errors, as determined by rule, to the General Assembly no later than 6 months after termination of the pilot program. Removes language providing that licenses under the Medication Aide Program Article may not be renewed or restored. Makes corresponding changes.

LRB103 37051 RTM 67167 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 the heading of Article 80 and Sections 80-10 and 80-45 as  
6 follows:

7 (225 ILCS 65/Art. 80 heading)

8 ARTICLE 80. MEDICATION AIDE ~~PILOT~~ PROGRAM

9 (Article scheduled to be repealed on January 1, 2028)

10 (Source: P.A. 98-990, eff. 8-18-14.)

11 (225 ILCS 65/80-10)

12 (Section scheduled to be repealed on January 1, 2028)

13 Sec. 80-10. Program ~~Pilot program.~~

14 (a) The Department shall administer and enforce a Licensed  
15 Medication Aide ~~Pilot~~ Program. ~~The program shall last for a~~  
16 ~~period of 3 years, as determined by rule. During the 3 year~~  
17 ~~pilot program, the~~ Department shall license and regulate  
18 licensed medication aides. ~~As part of the pilot program, no~~  
19 ~~more than 10 skilled nursing homes, which shall be~~  
20 ~~geographically located throughout the State, shall be~~  
21 ~~authorized to employ licensed medication aides, as approved by~~  
22 ~~the Department.~~ The Department may consult with the Department

1 of Public Health as necessary to properly administer and  
2 enforce this Article.

3 (b) To be approved as a qualified facility under the ~~for~~  
4 ~~the duration of the pilot~~ program, a facility must:

5 (1) be licensed in good standing as a skilled nursing  
6 facility by the Department of Public Health;

7 (2) have an overall Five Star Quality Rating of 3, 4,  
8 or 5 from the most recent data available on the Centers for  
9 Medicare and Medicaid Services' website;

10 (3) certify that the employment of a licensed  
11 medication aide will not replace or diminish the  
12 employment of a registered nurse or licensed practical  
13 nurse at the facility;

14 (4) certify that a registered nurse will be on-duty  
15 and present in the facility to delegate and supervise the  
16 medication administration by a licensed medication aide at  
17 all times;

18 (5) certify that, with the exception of licensed  
19 health care professionals, only licensed medication aides  
20 will be employed in the capacity of administering  
21 medication; and

22 (6) provide information regarding patient safety,  
23 efficiency, and errors as determined by the Department;  
24 failure to submit any required report may be grounds for  
25 discipline or sanctions under this Act, the Nursing Home  
26 Administrators Licensing and Disciplinary Act, or the

1 Nursing Home Care Act.

2 ~~The Department shall submit a report regarding patient~~  
3 ~~safety, efficiency, and errors, as determined by rule, to the~~  
4 ~~General Assembly no later than 6 months after termination of~~  
5 ~~the pilot program.~~

6 (Source: P.A. 98-990, eff. 8-18-14.)

7 (225 ILCS 65/80-45)

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

9 Sec. 80-45. Expiration of license. The expiration date for  
10 each license to practice as a licensed medication aide shall  
11 be set by the rule. ~~Licenses under this Article may not be~~  
12 ~~renewed or restored.~~

13 (Source: P.A. 98-990, eff. 8-18-14.)