

1 AN ACT concerning the licensure of nurses.

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

4 ARTICLE 5

5 Section 1. Short title. This Article may be cited as  
6 the Nurse Licensure Compact Act. In this Article any  
7 reference to this Act means this Article.

8 Section 5-5. Nurse Licensure Compact. The State of  
9 Illinois ratifies and approves the Nurse Licensure Compact  
10 and enters into it with all other jurisdictions that legally  
11 join in the compact, which is, in form, substantially as  
12 follows:

13 ARTICLE I. Findings and Declaration of Purpose

14 (a) The party states find that:

15 (1) the health and safety of the public are  
16 affected by the degree of compliance with and the  
17 effectiveness of enforcement activities related to state  
18 nurse licensure laws;

19 (2) violations of nurse licensure and other laws  
20 regulating the practice of nursing may result in injury  
21 or harm to the public;

22 (3) the expanded mobility of nurses and the use of  
23 advanced communication technologies as part of our  
24 nation's healthcare delivery system require greater  
25 coordination and cooperation among states in the areas of  
26 nurse licensure and regulation;

27 (4) new practice modalities and technology make  
28 compliance with individual state nurse licensure laws  
29 difficult and complex;

1 (5) the current system of duplicative licensure for  
2 nurses practicing in multiple states is cumbersome and  
3 redundant to both nurses and states.

4 (b) The general purposes of this Compact are to:

5 (1) facilitate the states' responsibility to  
6 protect the public's health and safety;

7 (2) ensure and encourage the cooperation of party  
8 states in the areas of nurse licensure and regulation;

9 (3) facilitate the exchange of information between  
10 party states in the areas of nurse regulation,  
11 investigation and adverse actions;

12 (4) promote compliance with the laws governing the  
13 practice of nursing in each jurisdiction;

14 (5) invest all party states with the authority to  
15 hold a nurse accountable for meeting all state practice  
16 laws in the state in which the patient is located at the  
17 time care is rendered through the mutual recognition of  
18 party state licenses.

19 ARTICLE II. Definitions

20 As used in this Compact:

21 (a) "Adverse Action" means a home or remote state  
22 action.

23 (b) "Alternative program" means a voluntary,  
24 non-disciplinary monitoring program approved by a nurse  
25 licensing board.

26 (c) "Coordinated licensure information system" means an  
27 integrated process for collecting, storing, and sharing  
28 information on nurse licensure and enforcement activities  
29 related to nurse licensure laws, which is administered by a  
30 non-profit organization composed of and controlled by state  
31 nurse licensing boards.

32 (d) "Current significant investigative information"  
33 means:

1           (1) investigative information that a licensing  
2 board, after a preliminary inquiry that includes  
3 notification and an opportunity for the nurse to respond  
4 if required by state law, has reason to believe is not  
5 groundless and, if proved true, would indicate more than  
6 a minor infraction; or

7           (2) investigative information that indicates that  
8 the nurse represents an immediate threat to public health  
9 and safety regardless of whether the nurse has been  
10 notified and had an opportunity to respond.

11          (e) "Home state" means the party state which is the  
12 nurse's primary state of residence.

13          (f) "Home state action" means any administrative, civil,  
14 equitable or criminal action permitted by the home state's  
15 laws which are imposed on a nurse by the home state's  
16 licensing board or other authority including actions against  
17 an individual's license such as: revocation, suspension,  
18 probation or any other action which affects a nurse's  
19 authorization to practice.

20          (g) "Licensing board" means a party state's regulatory  
21 body responsible for issuing nurse licenses.

22          (h) "Multistate licensure privilege" means current,  
23 official authority from a remote state permitting the  
24 practice of nursing as either a registered nurse or a  
25 licensed practical/vocational nurse in such party state. All  
26 party states have the authority, in accordance with existing  
27 state due process law, to take actions against the nurse's  
28 privilege such as: revocation, suspension, probation or any  
29 other action which affects a nurse's authorization to  
30 practice.

31          (i) "Nurse" means a registered nurse or licensed  
32 practical/vocational nurse, as those terms are defined by  
33 each party's state practice laws.

34          (j) "Party state" means any state that has adopted this

1 Compact.

2 (k) "Remote state" means a party state, other than the  
3 home state,

4 (1) where the patient is located at the time  
5 nursing care is provided, or,

6 (2) in the case of the practice of nursing not  
7 involving a patient, in such party state where the  
8 recipient of nursing practice is located.

9 (l) "Remote state action" means:

10 (1) any administrative, civil, equitable or  
11 criminal action permitted by a remote state's laws which  
12 are imposed on a nurse by the remote state's licensing  
13 board or other authority including actions against an  
14 individual's multistate licensure privilege to practice  
15 in the remote state, and

16 (2) cease and desist and other injunctive or  
17 equitable orders issued by remote states or the licensing  
18 boards thereof.

19 (m) "State" means a state, territory, or possession of  
20 the United States, the District of Columbia or the  
21 Commonwealth of Puerto Rico.

22 (n) "State practice laws" means those individual party's  
23 state laws and regulations that govern the practice of  
24 nursing, define the scope of nursing practice, and create the  
25 methods and grounds for imposing discipline. "State practice  
26 laws" does not include the initial qualifications for  
27 licensure or requirements necessary to obtain and retain a  
28 license, except for qualifications or requirements of the  
29 home state.

30 ARTICLE III. General Provisions and Jurisdiction

31 (a) A license to practice registered nursing issued by a  
32 home state to a resident in that state will be recognized by  
33 each party state as authorizing a multistate licensure

1 privilege to practice as a registered nurse in such party  
2 state. A license to practice licensed practical/vocational  
3 nursing issued by a home state to a resident in that state  
4 will be recognized by each party state as authorizing a  
5 multistate licensure privilege to practice as a licensed  
6 practical/vocational nurse in such party state. In order to  
7 obtain or retain a license, an applicant must meet the home  
8 state's qualifications for licensure and license renewal as  
9 well as all other applicable state laws.

10 (b) Party states may, in accordance with state due  
11 process laws, limit or revoke the multistate licensure  
12 privilege of any nurse to practice in their state and may  
13 take any other actions under their applicable state laws  
14 necessary to protect the health and safety of their citizens.  
15 If a party state takes such action, it shall promptly notify  
16 the administrator of the coordinated licensure information  
17 system. The administrator of the coordinated licensure  
18 information system shall promptly notify the home state of  
19 any such actions by remote states.

20 (c) Every nurse practicing in a party state must comply  
21 with the state practice laws of the state in which the  
22 patient is located at the time care is rendered. In addition,  
23 the practice of nursing is not limited to patient care, but  
24 shall include all nursing practice as defined by the state  
25 practice laws of a party state. The practice of nursing will  
26 subject a nurse to the jurisdiction of the nurse licensing  
27 board and the courts, as well as the laws, in that party  
28 state.

29 (d) This Compact does not affect additional requirements  
30 imposed by states for advanced practice registered nursing.  
31 However, a multistate licensure privilege to practice  
32 registered nursing granted by a party state shall be  
33 recognized by other party states as a license to practice  
34 registered nursing if one is required by state law as a

1 precondition for qualifying for advanced practice registered  
2 nurse authorization.

3 (e) Individuals not residing in a party state shall  
4 continue to be able to apply for nurse licensure as provided  
5 for under the laws of each party state. However, the license  
6 granted to these individuals will not be recognized as  
7 granting the privilege to practice nursing in any other party  
8 state unless explicitly agreed to by that party state.

9 ARTICLE IV. Applications for Licensure in a Party State

10 (a) Upon application for a license, the licensing board  
11 in a party state shall ascertain, through the coordinated  
12 licensure information system, whether the applicant has ever  
13 held, or is the holder of, a license issued by any other  
14 state, whether there are any restrictions on the multistate  
15 licensure privilege, and whether any other adverse action by  
16 any state has been taken against the license.

17 (b) A nurse in a party state shall hold licensure in  
18 only one party state at a time, issued by the home state.

19 (c) A nurse who intends to change primary state of  
20 residence may apply for licensure in the new home state in  
21 advance of such change. However, new licenses will not be  
22 issued by a party state until after a nurse provides evidence  
23 of change in primary state of residence satisfactory to the  
24 new home state's licensing board.

25 (d) When a nurse changes primary state of residence by:

26 (1) moving between two party states, and obtains a  
27 license from the new home state, the license from the  
28 former home state is no longer valid;

29 (2) moving from a non-party state to a party state,  
30 and obtains a license from the new home state, the  
31 individual state license issued by the non-party state is  
32 not affected and will remain in full force if so provided  
33 by the laws of the non-party state;

1           (3) moving from a party state to a non-party state,  
2           the license issued by the prior home state converts to an  
3           individual state license, valid only in the former home  
4           state, without the multistate licensure privilege to  
5           practice in other party states.

6                           ARTICLE V. Adverse Actions

7           In addition to the General Provisions described in  
8           Article III, the following provisions apply:

9           (a) The licensing board of a remote state shall promptly  
10          report to the administrator of the coordinated licensure  
11          information system any remote state actions including the  
12          factual and legal basis for such action, if known. The  
13          licensing board of a remote state shall also promptly report  
14          any significant current investigative information yet to  
15          result in a remote state action. The administrator of the  
16          coordinated licensure information system shall promptly  
17          notify the home state of any such reports.

18          (b) The licensing board of a party state shall have the  
19          authority to complete any pending investigations for a nurse  
20          who changes primary state of residence during the course of  
21          such investigations. It shall also have the authority to take  
22          appropriate action(s), and shall promptly report the  
23          conclusions of such investigations to the administrator of  
24          the coordinated licensure information system. The  
25          administrator of the coordinated licensure information system  
26          shall promptly notify the new home state of any such actions.

27          (c) A remote state may take adverse action affecting the  
28          multistate licensure privilege to practice within that party  
29          state. However, only the home state shall have the power to  
30          impose adverse action against the license issued by the home  
31          state.

32          (d) For purposes of imposing adverse action, the  
33          licensing board of the home state shall give the same

1 priority and effect to reported conduct received from a  
2 remote state as it would if such conduct had occurred within  
3 the home state. In so doing, it shall apply its own state  
4 laws to determine appropriate action.

5 (e) The home state may take adverse action based on the  
6 factual findings of the remote state, so long as each state  
7 follows its own procedures for imposing such adverse action.

8 (f) Nothing in this Compact shall override a party  
9 state's decision that participation in an alternative program  
10 may be used in lieu of licensure action and that such  
11 participation shall remain non-public if required by the  
12 party state's laws. Party states must require nurses who  
13 enter any alternative programs to agree not to practice in  
14 any other party state during the term of the alternative  
15 program without prior authorization from such other party  
16 state.

17 ARTICLE VI. Additional Authorities Invested  
18 in Party State Nurse Licensing Boards

19 Notwithstanding any other powers, party state nurse  
20 licensing boards shall have the authority to:

21 (a) if otherwise permitted by state law, recover from  
22 the affected nurse the costs of investigations and  
23 disposition of cases resulting from any adverse action taken  
24 against that nurse;

25 (b) issue subpoenas for both hearings and investigations  
26 which require the attendance and testimony of witnesses, and  
27 the production of evidence. Subpoenas issued by a nurse  
28 licensing board in a party state for the attendance and  
29 testimony of witnesses, and/or the production of evidence  
30 from another party state, shall be enforced in the latter  
31 state by any court of competent jurisdiction, according to  
32 the practice and procedure of that court applicable to  
33 subpoenas issued in proceedings pending before it. The



1 issuing authority shall pay any witness fees, travel  
2 expenses, mileage and other fees required by the service  
3 statutes of the state where the witnesses and/or evidence are  
4 located;

5 (c) issue cease and desist orders to limit or revoke a  
6 nurse's authority to practice in their state;

7 (d) promulgate uniform rules and regulations as provided  
8 for in Article VIII(c).

9 ARTICLE VII. Coordinated Licensure Information System

10 (a) All party states shall participate in a cooperative  
11 effort to create a coordinated data base of all licensed  
12 registered nurses and licensed practical/vocational nurses.  
13 This system will include information on the licensure and  
14 disciplinary history of each nurse, as contributed by party  
15 states, to assist in the coordination of nurse licensure and  
16 enforcement efforts.

17 (b) Notwithstanding any other provision of law, all  
18 party states' licensing boards shall promptly report adverse  
19 actions, actions against multistate licensure privileges, any  
20 current significant investigative information yet to result  
21 in adverse action, denials of applications, and the reasons  
22 for such denials, to the coordinated licensure information  
23 system.

24 (c) Current significant investigative information shall  
25 be transmitted through the coordinated licensure information  
26 system only to party state licensing boards.

27 (d) Notwithstanding any other provision of law, all  
28 party states' licensing boards contributing information to  
29 the coordinated licensure information system may designate  
30 information that may not be shared with non-party states or  
31 disclosed to other entities or individuals without the  
32 express permission of the contributing state.

33 (e) Any personally identifiable information obtained by

1 a party states' licensing board from the coordinated  
2 licensure information system may not be shared with non-party  
3 states or disclosed to other entities or individuals except  
4 to the extent permitted by the laws of the party state  
5 contributing the information.

6 (f) Any information contributed to the coordinated  
7 licensure information system that is subsequently required to  
8 be expunged by the laws of the party state contributing that  
9 information, shall also be expunged from the coordinated  
10 licensure information system.

11 (g) The Compact administrators, acting jointly with each  
12 other and in consultation with the administrator of the  
13 coordinated licensure information system, shall formulate  
14 necessary and proper procedures for the identification,  
15 collection and exchange of information under this Compact.

16 ARTICLE VIII. Compact Administration and  
17 Interchange of Information

18 (a) The head of the nurse licensing board, or his/her  
19 designee, of each party state shall be the administrator of  
20 this Compact for his/her state.

21 (b) The Compact administrator of each party state shall  
22 furnish to the Compact administrator of each other party  
23 state any information and documents including, but not  
24 limited to, a uniform data set of investigations, identifying  
25 information, licensure data, and disclosable alternative  
26 program participation information to facilitate the  
27 administration of this Compact.

28 (c) Compact administrators shall have the authority to  
29 develop uniform rules to facilitate and coordinate  
30 implementation of this Compact. These uniform rules shall be  
31 adopted by party states, under the authority invested under  
32 Article VI(d).

1 ARTICLE IX. Immunity

2 No party state or the officers or employees or agents of  
3 a party state's nurse licensing board who acts in accordance  
4 with the provisions of this Compact shall be liable on  
5 account of any act or omission in good faith while engaged in  
6 the performance of their duties under this Compact. Good  
7 faith in this article shall not include willful misconduct,  
8 gross negligence, or recklessness.

9 ARTICLE X. Entry into Force, Withdrawal and Amendment

10 (a) This Compact shall enter into force and become  
11 effective as to any state when it has been enacted into the  
12 laws of that state. Any party state may withdraw from this  
13 Compact by enacting a statute repealing the same, but no such  
14 withdrawal shall take effect until six months after the  
15 withdrawing state has given notice of the withdrawal to the  
16 executive heads of all other party states.

17 (b) No withdrawal shall affect the validity or  
18 applicability by the licensing boards of states remaining  
19 party to the Compact of any report of adverse action  
20 occurring prior to the withdrawal.

21 (c) Nothing contained in this Compact shall be construed  
22 to invalidate or prevent any nurse licensure agreement or  
23 other cooperative arrangement between a party state and a  
24 non-party state that is made in accordance with the other  
25 provisions of this Compact.

26 (d) This Compact may be amended by the party states. No  
27 amendment to this Compact shall become effective and binding  
28 upon the party states unless and until it is enacted into the  
29 laws of all party states.

30 ARTICLE XI. Construction and Severability

31 (a) This Compact shall be liberally construed so as to

1 effectuate the purposes thereof. The provisions of this  
2 Compact shall be severable and if any phrase, clause,  
3 sentence or provision of this Compact is declared to be  
4 contrary to the constitution of any party state or of the  
5 United States or the applicability thereof to any government,  
6 agency, person or circumstance is held invalid, the validity  
7 of the remainder of this Compact and the applicability  
8 thereof to any government, agency, person or circumstance  
9 shall not be affected thereby. If this Compact shall be held  
10 contrary to the constitution of any state party thereto, the  
11 Compact shall remain in full force and effect as to the  
12 remaining party states and in full force and effect as to the  
13 party state affected as to all severable matters.

14 (b) In the event party states find a need for settling  
15 disputes arising under this Compact:

16 (1) The party states may submit the issues in  
17 dispute to an arbitration panel which will be comprised  
18 of an individual appointed by the Compact administrator  
19 in the home state; an individual appointed by the Compact  
20 administrator in the remote state(s) involved; and an  
21 individual mutually agreed upon by the Compact  
22 administrators of all the party states involved in the  
23 dispute.

24 (2) The decision of a majority of the arbitrators  
25 shall be final and binding.

26 Section 5-10. Compact administrator. The head of the  
27 nurse licensing board as used to define the compact  
28 administrator in Article VIII(a) of the Compact shall mean  
29 the Nursing Act Coordinator as defined under Section 10-15 of  
30 the Nursing and Advanced Practice Nursing Act.

31 Section 5-15. Compact Evaluation Initiative. Upon the  
32 effective date of this Compact, the licensing board shall

1 participate in a Compact Evaluation Initiative designed to  
2 evaluate the effectiveness and operability of the Compact.  
3 Such Compact Evaluation Initiative shall be conducted by an  
4 outside researcher. A component of the Evaluation shall  
5 include a remote state identification system through which  
6 nurses shall designate those remote states in which the nurse  
7 is practicing. A nurse's practice information in such  
8 identification system shall be updated upon issuance and  
9 renewal of the nurse license. The Evaluation shall continue  
10 until the year 2005, after which time a report shall be  
11 produced for comment by the participating licensing boards  
12 and shall be submitted to the General Assembly in the form of  
13 a Nurse Licensure Compact evaluation report.

14 Section 5-20. Costs of investigation and disposition of  
15 cases. To facilitate cross-state enforcement efforts, the  
16 General Assembly finds that it is necessary for Illinois to  
17 have the power to recover from the affected nurse the costs  
18 of investigations and disposition of cases resulting from  
19 adverse actions taken by this State against that nurse.

20 Section 5-25. Statutory obligations. This Compact is  
21 designed to facilitate the regulation of nurses and does not  
22 relieve employers from complying with statutorily imposed  
23 obligations.

24 Section 5-30. State labor laws. This Compact does not  
25 supersede existing State labor laws.

26 ARTICLE 10

27 Section 10-1. Short title. This Article may be cited as  
28 the Advanced Practice Registered Nurse Compact Act. In this  
29 Article, any reference to this Act means this Article.



1 underserved areas.

2 (b) The general purposes of this Compact are to:

3 (1) Facilitate the states' responsibilities to  
4 protect the public's health and safety;

5 (2) Ensure and encourage the cooperation of party  
6 states in the areas of APRN licensure/authority to  
7 practice and regulation including promotion of uniform  
8 licensure requirements;

9 (3) Facilitate the exchange of information between  
10 party states in the areas of APRN regulation,  
11 investigation and adverse actions;

12 (4) Promote compliance with the laws governing APRN  
13 practice in each jurisdiction; and

14 (5) Invest all party states with the authority to  
15 hold an APRN accountable for meeting all state practice  
16 laws in the state in which the patient is located at the  
17 time care is rendered through the mutual recognition of  
18 party state licenses.

19 ARTICLE II

20 Definitions

21 As used in this Compact:

22 (a) "Advanced Practice Registered Nurse" or "APRN" means  
23 a Nurse Anesthetist; Nurse Practitioner; Nurse Midwife; or  
24 Clinical Nurse Specialist to the extent a party state  
25 licenses or grants authority to practice in that APRN role  
26 and title.

27 (b) "Adverse Action" means a home or remote state  
28 disciplinary action.

29 (c) "Alternative program" means a voluntary,  
30 non-disciplinary monitoring program approved by a licensing  
31 board.

32 (d) "APRN Licensure/Authority to Practice" means the  
33 regulatory mechanism used by a party state to grant legal

1 authority to practice as an APRN.

2 (e) "APRN Uniform Licensure/Authority to Practice  
3 Requirements" means those agreed upon minimum uniform  
4 licensure, education and examination requirements adopted by  
5 licensing boards for the recognized APRN role and title.

6 (f) "Coordinated licensure information system" means an  
7 integrated process for collecting, storing and sharing  
8 information on APRN licensure/authority to practice and  
9 enforcement activities related to APRN licensure/authority to  
10 practice laws, which is administered by a non-profit  
11 organization composed of and controlled by state licensing  
12 boards.

13 (g) "Current significant investigative information"  
14 means:

15 (1) Investigative information that a licensing  
16 board, after a preliminary inquiry that includes  
17 notification and an opportunity for the APRN to respond  
18 if required by state law, has reason to believe is not  
19 groundless and, if proved true, would indicate more than  
20 a minor infraction; or

21 (2) Investigative information that indicates that  
22 the APRN represents an immediate threat to public health  
23 and safety regardless of whether the APRN has been  
24 notified and had an opportunity to respond.

25 (h) "Home state" means the party state that is the  
26 APRN's primary state of residence.

27 (i) "Home state action" means any administrative, civil,  
28 equitable or criminal action permitted by the home state's  
29 laws which are imposed on an APRN by the home state's  
30 licensing board or other authority including actions against  
31 an individual's license/authority to practice such as:  
32 revocation, suspension, probation or any other action which  
33 affects an APRN's authorization to practice.

34 (j) "Licensing board" means a party state's regulatory



1 body responsible for issuing APRN licensure/authority to  
2 practice.

3 (k) "Multistate advanced practice privilege" means  
4 current authority from a remote state permitting an APRN to  
5 practice in that state in the same role and title as the APRN  
6 is licensed/authorized to practice in the home state to the  
7 extent that the remote state laws recognize such APRN role  
8 and title. A remote state has the authority, in accordance  
9 with existing state due process laws, to take actions against  
10 the APRN's privilege, including revocation, suspension,  
11 probation, or any other action that affects an APRN's  
12 multistate privilege to practice.

13 (l) "Party state" means any state that has adopted this  
14 Compact.

15 (m) "Prescriptive authority" means the legal authority  
16 to prescribe medications and devices as defined by party  
17 state laws.

18 (n) "Remote state" means a party state, other than the  
19 home state,

20 (1) Where the patient is located at the time APRN  
21 care is provided, or

22 (2) In the case of APRN practice not involving a  
23 patient, in such party state where the recipient of APRN  
24 practice is located.

25 (o) "Remote state action" means:

26 (1) Any administrative, civil, equitable or  
27 criminal action permitted by a remote state's laws which  
28 are imposed on an APRN by the remote state's licensing  
29 board or other authority including actions against an  
30 individual's multistate advanced practice privilege in  
31 the remote state, and

32 (2) Cease and desist and other injunctive or  
33 equitable orders issued by remote states or the licensing  
34 boards thereof.



1 not include prescriptive authority, and does not affect any  
2 requirements imposed by states to grant to an APRN initial  
3 and continuing prescriptive authority according to state  
4 practice laws. However, a party state may grant prescriptive  
5 authority to an individual on the basis of a multistate  
6 advanced practice privilege to the extent permitted by state  
7 practice laws.

8 (e) A party state may, in accordance with state due  
9 process laws, limit or revoke the multistate advanced  
10 practice privilege in the party state and may take any other  
11 necessary actions under the party state's applicable laws to  
12 protect the health and safety of the party state's citizens.  
13 If a party state takes action, the party state shall promptly  
14 notify the administrator of the coordinated licensure  
15 information system. The administrator of the coordinated  
16 licensure information system shall promptly notify the home  
17 state of any such actions by remote states.

18 (f) An APRN practicing in a party state must comply with  
19 the state practice laws of the state in which the patient is  
20 located at the time care is provided. The APRN practice  
21 includes patient care and all advanced nursing practice  
22 defined by the party state's practice laws. The APRN  
23 practice will subject an APRN to the jurisdiction of the  
24 licensing board, the courts, and the laws of the party state.

25 (g) Individuals not residing in a party state may apply  
26 for APRN licensure/authority to practice as an APRN under the  
27 laws of a party state. However, the authority to practice  
28 granted to these individuals will not be recognized as  
29 granting the privilege to practice as an APRN in any other  
30 party state unless explicitly agreed to by that party state.

31 ARTICLE IV

32 Applications for APRN Licensure/Authority

33 to Practice in a Party State

1 (a) Once an application for APRN licensure/authority to  
2 practice is submitted, a party state shall ascertain, through  
3 the Coordinated Licensure Information System, whether:

4 (1) The applicant has held or is the holder of a  
5 nursing license/authority to practice issued by another  
6 state;

7 (2) The applicant has had a history of previous  
8 disciplinary action by any state;

9 (3) An encumbrance exists on any license/authority  
10 to practice; and

11 (4) Any other adverse action by any other state has  
12 been taken against a license/authority to practice.

13 This information may be used in approving or denying an  
14 application for APRN licensure/authority to practice.

15 (b) An APRN in a party state shall hold APRN  
16 licensure/authority to practice in only one party state at a  
17 time, issued by the home state.

18 (c) An APRN who intends to change primary state of  
19 residence may apply for APRN licensure/authority to practice  
20 in the new home state in advance of such change. However,  
21 new licensure/authority to practice will not be issued by a  
22 party state until after an APRN provides evidence of change  
23 in primary state of residence satisfactory to the new home  
24 state's licensing board.

25 (d) When an APRN changes primary state of residence by:

26 (1) Moving between two party states, and obtains  
27 APRN licensure/authority to practice from the new home  
28 state, the APRN licensure/authority to practice from the  
29 former home state is no longer valid;

30 (2) Moving from a non-party state to a party state,  
31 and obtains APRN licensure/authority to practice from the  
32 new home state, the individual state license issued by  
33 the non-party state is not affected and will remain in  
34 full force if so provided by the laws of the non-party

1 state;

2 (3) Moving from a party state to a non-party state,  
3 the APRN licensure/authority to practice issued by the  
4 prior home state converts to an individual state license,  
5 valid only in the former home state, without the  
6 multistate licensure privilege to practice in other party  
7 states.

8 ARTICLE V

9 Adverse Actions

10 In addition to the General Provisions described in  
11 Article III, the following provisions apply:

12 (a) The licensing board of a remote state shall promptly  
13 report to the administrator of the coordinated licensure  
14 information system any remote state actions including the  
15 factual and legal basis for such action, if known. The  
16 licensing board of a remote state shall also promptly report  
17 any significant current investigative information yet to  
18 result in a remote state action. The administrator of the  
19 coordinated licensure information system shall promptly  
20 notify the home state of any such reports.

21 (b) The licensing board of a party state shall have the  
22 authority to complete any pending investigations for an APRN  
23 who changes primary state of residence during the course of  
24 such investigations. It shall also have the authority to take  
25 appropriate action(s), and shall promptly report the  
26 conclusions of such investigations to the administrator of  
27 the coordinated licensure information system. The  
28 administrator of the coordinated licensure information system  
29 shall promptly notify the new home state of any such actions.

30 (c) A remote state may take adverse action affecting the  
31 multistate advanced practice privilege to practice within  
32 that party state. However, only the home state shall have the  
33 power to impose adverse action against the APRN

1 licensure/authority to practice issued by the home state.

2 (d) For purposes of imposing adverse action, the  
3 licensing board of the home state shall give the same  
4 priority and effect to reported conduct received from a  
5 remote state as it would if such conduct had occurred within  
6 the home state. In so doing, it shall apply its own state  
7 laws to determine appropriate action.

8 (e) The home state may take adverse action based on the  
9 factual findings of the remote state, so long as each state  
10 follows its own procedures for imposing such adverse action.

11 (f) Nothing in this Compact shall override a party  
12 state's decision that participation in an alternative program  
13 may be used in lieu of adverse action and that such  
14 participation shall remain non-public if required by the  
15 party state's laws. Party states must require APRNs who enter  
16 any alternative programs to agree not to practice in any  
17 other party state during the term of the alternative program  
18 without prior authorization from such other party state.

19 (g) All home state licensing board disciplinary orders,  
20 agreed or otherwise, which limit the scope of the APRN's  
21 practice or require monitoring of the APRN as a condition of  
22 the order shall include the requirements that the APRN will  
23 limit her or his practice to the home state during the  
24 pendency of the order. This requirement may allow the APRN to  
25 practice in other party states with prior written  
26 authorization from both the home state and party state  
27 licensing boards.

28 ARTICLE VI

29 Additional Authorities Invested in Party State

30 Licensing Boards

31 Notwithstanding any other powers, party state licensing  
32 boards shall have the authority to:

33 (a) If otherwise permitted by state law, recover from

1 the affected APRN the costs of investigations and disposition  
2 of cases resulting from any adverse action taken against that  
3 APRN;

4 (b) Issue subpoenas for both hearings and  
5 investigations, which require the attendance and testimony of  
6 witnesses, and the production of evidence. Subpoenas issued  
7 by a licensing board in a party state for the attendance and  
8 testimony of witnesses, and/or the production of evidence  
9 from another party state, shall be enforced in the latter  
10 state by any court of competent jurisdiction, according to  
11 the practice and procedure of that court applicable to  
12 subpoenas issued in proceedings pending before it. The  
13 issuing authority shall pay any witness fees, travel  
14 expenses, mileage and other fees required by the service  
15 statutes of the state where the witnesses and/or evidence are  
16 located;

17 (c) Issue cease and desist orders to limit or revoke an  
18 APRN's privilege or licensure/authority to practice in their  
19 state; and

20 (d) Promulgate uniform rules and regulations as provided  
21 for in Article VIII(c).

22 ARTICLE VII

23 Coordinated Licensure Information System

24 (a) All party states shall participate in a cooperative  
25 effort to create a coordinated database of all APRNs. This  
26 system will include information on the APRN  
27 licensure/authority to practice and disciplinary history of  
28 each APRN, as contributed by party states, to assist in the  
29 coordination of APRN licensure/authority to practice and  
30 enforcement efforts.

31 (b) Notwithstanding any other provision of law, all  
32 party states' licensing boards shall promptly report adverse  
33 actions, actions against multistate advanced practice

1 privileges, any current significant investigative information  
2 yet to result in adverse action, denials of applications, and  
3 the reasons for such denials, to the coordinated licensure  
4 information system.

5 (c) Current significant investigative information shall  
6 be transmitted through the coordinated licensure information  
7 system only to party state licensing boards.

8 (d) Notwithstanding any other provision of law, all  
9 party states' licensing boards contributing information to  
10 the coordinated licensure information system may designate  
11 information that may not be shared with non-party states or  
12 disclosed to other entities or individuals without the  
13 express permission of the contributing state.

14 (e) Any personally identifiable information obtained by  
15 a party states' licensing board from the coordinated  
16 licensure information system may not be shared with non-party  
17 states or disclosed to other entities or individuals except  
18 to the extent permitted by the laws of the party state  
19 contributing the information.

20 (f) Any information contributed to the coordinated  
21 licensure information system that is subsequently required to  
22 be expunged by the laws of the party state contributing that  
23 information, shall also be expunged from the coordinated  
24 licensure information system.

25 (g) The Compact administrators, acting jointly with each  
26 other and in consultation with the administrator of the  
27 coordinated licensure information system, shall formulate  
28 necessary and proper procedures for the identification,  
29 collection and exchange of information under this Compact.

30 ARTICLE VIII

31 Compact Administration and Interchange of Information

32 (a) The head of the licensing board, or his/her  
33 designee, of each party state shall be the administrator of



1 this Compact for his/her state.

2 (b) The Compact administrator of each party state shall  
3 furnish to the Compact administrator of each other party  
4 state any information and documents including, but not  
5 limited to, a uniform data set of investigations, identifying  
6 information, licensure data, and disclosable alternative  
7 program participation information to facilitate the  
8 administration of this Compact.

9 (c) Compact administrators shall have the authority to  
10 develop uniform rules to facilitate and coordinate  
11 implementation of this Compact. These uniform rules shall be  
12 adopted by party states, under the authority invested under  
13 Article VI(d).

14 ARTICLE IX

15 Immunity

16 No party state or the officers or employees or agents of  
17 a party state's licensing board who acts in accordance with  
18 the provisions of this Compact shall be liable on account of  
19 any act or omission in good faith while engaged in the  
20 performance of their duties under this Compact. Good faith in  
21 this article shall not include willful misconduct, gross  
22 negligence, or recklessness.

23 ARTICLE X

24 Entry into Force, Withdrawal and Amendment

25 (a) This Compact shall enter into force and become  
26 effective as to any state when it has been enacted into the  
27 laws of that state. Any party state may withdraw from this  
28 Compact by enacting a statute repealing the same, but no such  
29 withdrawal shall take effect until six months after the  
30 withdrawing state has given notice of the withdrawal to the  
31 executive heads of all other party states.

1 (b) No withdrawal shall affect the validity or  
 2 applicability by the licensing boards of states remaining  
 3 party to the Compact of any report of adverse action  
 4 occurring prior to the withdrawal.

5 (c) Nothing contained in this Compact shall be construed  
 6 to invalidate or prevent any APRN licensure/authority to  
 7 practice agreement or other cooperative arrangement between a  
 8 party state and a non-party state that is made in accordance  
 9 with the other provisions of this Compact.

10 (d) This Compact may be amended by the party states. No  
 11 amendment to this Compact shall become effective and binding  
 12 upon the party states unless and until it is enacted into the  
 13 laws of all party states.

14 ARTICLE XI

15 Construction and Severability

16 (a) This Compact shall be liberally construed so as to  
 17 effectuate the purposes thereof. The provisions of this  
 18 Compact shall be severable and if any phrase, clause,  
 19 sentence or provision of this Compact is declared to be  
 20 contrary to the constitution of any party state or of the  
 21 United States or the applicability thereof to any government,  
 22 agency, person or circumstance is held invalid, the validity  
 23 of the remainder of this Compact and the applicability  
 24 thereof to any government, agency, person or circumstance  
 25 shall not be affected thereby. If this Compact shall be held  
 26 contrary to the constitution of any state party thereto, the  
 27 Compact shall remain in full force and effect as to the  
 28 remaining party states and in full force and effect as to the  
 29 party state affected as to all severable matters.

30 (b) In the event party states find a need for settling  
 31 disputes arising under this Compact:

32 (1) The party states may submit the issues in  
 33 dispute to an arbitration panel which will be comprised

1 of an individual appointed by the Compact administrator  
2 in the home state; an individual appointed by the Compact  
3 administrator in the remote state(s) involved; and an  
4 individual mutually agreed upon by the Compact  
5 administrators of all the party states involved in the  
6 dispute.

7 (2) The decision of a majority of the arbitrators  
8 shall be final and binding.

9 Section 10. Compact administrator; expenses.

10 (a) The Director of Professional Regulation shall serve  
11 as the compact administrator for this State and any expenses  
12 he or she incurs in so serving shall be paid from the  
13 appropriation for the ordinary and contingent expenses of the  
14 Department of Professional Regulation.

15 (b) The Director shall terminate Illinois' participation  
16 in the compact if the APRN Uniform Licensure/Authority to  
17 Practice Requirements are substantially changed after the  
18 effective date of this Act. A substantial change is anything  
19 that significantly alters the individual professional  
20 qualifications for participation in the compact such as no  
21 longer requiring either certification by a national  
22 accreditation body in the APRN's specialty appropriate to  
23 educational preparation or completion of a graduate level  
24 APRN educational program accredited by a national  
25 accreditation body. If the Director terminates Illinois'  
26 participation in the compact, then the Director shall provide  
27 all APRNs practicing in Illinois under the compact at the  
28 time 60 days written notice of the termination.

29 (c) All APRNs practicing in Illinois under the compact  
30 at the time of registration with the Department of  
31 Professional Regulation shall be required to sign a notarized  
32 statement of understanding and agreement to practice within  
33 the scope of practice requirements for advanced practice

1 nurses in Illinois under the Nursing and Advanced Practice  
2 Nursing Act. The Department shall prepare the form to be  
3 used.

4 ARTICLE 90

5 Section 90-5. The Nursing and Advanced Practice Nursing  
6 Act is amended by changing Sections 5-10, 5-15, and 10-30 as  
7 follows:

8 (225 ILCS 65/5-10)

9 (Section scheduled to be repealed on January 1, 2008)

10 Sec. 5-10. Definitions. Each of the following terms,  
11 when used in this Act, shall have the meaning ascribed to it  
12 in this Section, except where the context clearly indicates  
13 otherwise:

14 (a) "Department" means the Department of Professional  
15 Regulation.

16 (b) "Director" means the Director of Professional  
17 Regulation.

18 (c) "Board" means the Board of Nursing appointed by the  
19 Director.

20 (d) "Academic year" means the customary annual schedule  
21 of courses at a college, university, or approved school,  
22 customarily regarded as the school year as distinguished from  
23 the calendar year.

24 (e) "Approved program of professional nursing education"  
25 and "approved program of practical nursing education" are  
26 programs of professional or practical nursing, respectively,  
27 approved by the Department under the provisions of this Act.

28 (f) "Nursing Act Coordinator" means a registered  
29 professional nurse appointed by the Director to carry out the  
30 administrative policies of the Department.

31 (g) "Assistant Nursing Act Coordinator" means a

1 registered professional nurse appointed by the Director to  
2 assist in carrying out the administrative policies of the  
3 Department.

4 (h) "Registered" is the equivalent of "licensed".

5 (i) "Practical nurse" or "licensed practical nurse"  
6 means a person who is licensed as a practical nurse under  
7 this Act or holds the privilege to practice under this Act  
8 and practices practical nursing as defined in paragraph (j)  
9 of this Section. Only a practical nurse licensed or granted  
10 the privilege to practice under this Act is entitled to use  
11 the title "licensed practical nurse" and the abbreviation  
12 "L.P.N.".

13 (j) "Practical nursing" means the performance of nursing  
14 acts requiring the basic nursing knowledge, judgement, and  
15 skill acquired by means of completion of an approved  
16 practical nursing education program. Practical nursing  
17 includes assisting in the nursing process as delegated by and  
18 under the direction of a registered professional nurse. The  
19 practical nurse may work under the direction of a licensed  
20 physician, dentist, podiatrist, or other health care  
21 professional determined by the Department.

22 (k) "Registered Nurse" or "Registered Professional  
23 Nurse" means a person who is licensed as a professional nurse  
24 under this Act or holds the privilege to practice under this  
25 Act and practices nursing as defined in paragraph (l) of this  
26 Section. Only a registered nurse licensed or granted the  
27 privilege to practice under this Act is entitled to use the  
28 titles "registered nurse" and "registered professional nurse"  
29 and the abbreviation, "R.N.".

30 (l) "Registered professional nursing practice" includes  
31 all nursing specialities and means the performance of any  
32 nursing act based upon professional knowledge, judgment, and  
33 skills acquired by means of completion of an approved  
34 registered professional nursing education program. A

1 registered professional nurse provides nursing care  
2 emphasizing the importance of the whole and the  
3 interdependence of its parts through the nursing process to  
4 individuals, groups, families, or communities, that includes  
5 but is not limited to: (1) the assessment of healthcare  
6 needs, nursing diagnosis, planning, implementation, and  
7 nursing evaluation; (2) the promotion, maintenance, and  
8 restoration of health; (3) counseling, patient education,  
9 health education, and patient advocacy; (4) the  
10 administration of medications and treatments as prescribed by  
11 a physician licensed to practice medicine in all of its  
12 branches, a licensed dentist, a licensed podiatrist, or a  
13 licensed optometrist or as prescribed by a physician  
14 assistant in accordance with written guidelines required  
15 under the Physician Assistant Practice Act of 1987 or by an  
16 advanced practice nurse in accordance with a written  
17 collaborative agreement required under the Nursing and  
18 Advanced Practice Nursing Act; (5) the coordination and  
19 management of the nursing plan of care; (6) the delegation to  
20 and supervision of individuals who assist the registered  
21 professional nurse implementing the plan of care; and (7)  
22 teaching and supervision of nursing students. The foregoing  
23 shall not be deemed to include those acts of medical  
24 diagnosis or prescription of therapeutic or corrective  
25 measures that are properly performed only by physicians  
26 licensed in the State of Illinois.

27 (m) "Current nursing practice update course" means a  
28 planned nursing education curriculum approved by the  
29 Department consisting of activities that have educational  
30 objectives, instructional methods, content or subject matter,  
31 clinical practice, and evaluation methods, related to basic  
32 review and updating content and specifically planned for  
33 those nurses previously licensed in the United States or its  
34 territories and preparing for reentry into nursing practice.

1 (n) "Professional assistance program for nurses" means a  
 2 professional assistance program that meets criteria  
 3 established by the Board of Nursing and approved by the  
 4 Director, which provides a non-disciplinary treatment  
 5 approach for nurses licensed under this Act whose ability to  
 6 practice is compromised by alcohol or chemical substance  
 7 addiction.

8 (o) "Privilege to practice" means the authorization to  
 9 practice as a practical nurse or a registered nurse in the  
 10 State under the Nurse Licensure Compact.

11 (p) "License" or "licensed" means the permission granted  
 12 a person to practice nursing under this Act, including the  
 13 privilege to practice.

14 (q) "Licensee" means a person who has been issued a  
 15 license to practice nursing in the state or who holds the  
 16 privilege to practice nursing in this State.

17 (Source: P.A. 90-61, eff. 12-30-97; 90-248, eff. 1-1-98;  
 18 90-655, eff. 7-30-98; 90-742, eff. 8-13-98.)

19 (225 ILCS 65/5-15)

20 (Section scheduled to be repealed on January 1, 2008)

21 Sec. 5-15. Policy; application of Act. For the protection  
 22 of life and the promotion of health, and the prevention of  
 23 illness and communicable diseases, any person practicing or  
 24 offering to practice professional and practical nursing in  
 25 Illinois shall submit evidence that he or she is qualified to  
 26 practice, and shall be licensed or hold the privilege to  
 27 practice as provided under this Act. No person shall  
 28 practice or offer to practice professional or practical  
 29 nursing in Illinois or use any title, sign, card or device to  
 30 indicate that such a person is practicing professional or  
 31 practical nursing unless such person has been licensed or  
 32 holds the privilege to practice under the provisions of this  
 33 Act.

1 This Act does not prohibit the following:

2 (a) The practice of nursing in Federal employment  
3 in the discharge of the employee's duties by a person who  
4 is employed by the United States government or any  
5 bureau, division or agency thereof and is a legally  
6 qualified and licensed nurse of another state or  
7 territory and not in conflict with Sections 10-5, 10-30,  
8 and 10-45 of this Act.

9 (b) Nursing that is included in their program of  
10 study by students enrolled in programs of nursing or in  
11 current nurse practice update courses approved by the  
12 Department.

13 (c) The furnishing of nursing assistance in an  
14 emergency.

15 (d) The practice of nursing by a nurse who holds an  
16 active license in another state when providing services  
17 to patients in Illinois during a bonafide emergency or in  
18 immediate preparation for or during interstate transit.

19 (e) The incidental care of the sick by members of  
20 the family, domestic servants or housekeepers, or care of  
21 the sick where treatment is by prayer or spiritual means.

22 (f) Persons from being employed as nursing aides,  
23 attendants, orderlies, and other auxiliary workers in  
24 private homes, long term care facilities, nurseries,  
25 hospitals or other institutions.

26 (g) The practice of practical nursing by one who  
27 has applied in writing to the Department in form and  
28 substance satisfactory to the Department, for a license  
29 as a licensed practical nurse and who has complied with  
30 all the provisions under Section 10-30, except the  
31 passing of an examination to be eligible to receive such  
32 license, until: the decision of the Department that the  
33 applicant has failed to pass the next available  
34 examination authorized by the Department or has failed,



1 without an approved excuse, to take the next available  
2 examination authorized by the Department or until the  
3 withdrawal of the application, but not to exceed 3  
4 months. No applicant for licensure practicing under the  
5 provisions of this paragraph shall practice practical  
6 nursing except under the direct supervision of a  
7 registered professional nurse licensed under this Act or  
8 a licensed physician, dentist or podiatrist. In no  
9 instance shall any such applicant practice or be employed  
10 in any supervisory capacity.

11 (h) The practice of practical nursing by one who is  
12 a licensed practical nurse under the laws of another U.S.  
13 jurisdiction and has applied in writing to the  
14 Department, in form and substance satisfactory to the  
15 Department, for a license as a licensed practical nurse  
16 and who is qualified to receive such license under  
17 Section 10-30, until (1) the expiration of 6 months after  
18 the filing of such written application, (2) the  
19 withdrawal of such application, or (3) the denial of such  
20 application by the Department.

21 (i) The practice of professional nursing by one who  
22 has applied in writing to the Department in form and  
23 substance satisfactory to the Department for a license as  
24 a registered professional nurse and has complied with all  
25 the provisions under Section 10-30 except the passing of  
26 an examination to be eligible to receive such license,  
27 until the decision of the Department that the applicant  
28 has failed to pass the next available examination  
29 authorized by the Department or has failed, without an  
30 approved excuse, to take the next available examination  
31 authorized by the Department or until the withdrawal of  
32 the application, but not to exceed 3 months. No  
33 applicant for licensure practicing under the provisions  
34 of this paragraph shall practice professional nursing

1           except under the direct supervision of a registered  
2           professional nurse licensed under this Act. In no  
3           instance shall any such applicant practice or be employed  
4           in any supervisory capacity.

5           (j) The practice of professional nursing by one who  
6           is a registered professional nurse under the laws of  
7           another state, territory of the United States or country  
8           and has applied in writing to the Department, in form and  
9           substance satisfactory to the Department, for a license  
10          as a registered professional nurse and who is qualified  
11          to receive such license under Section 10-30, until (1)  
12          the expiration of 6 months after the filing of such  
13          written application, (2) the withdrawal of such  
14          application, or (3) the denial of such application by the  
15          Department.

16          (k) The practice of professional nursing that is  
17          included in a program of study by one who is a registered  
18          professional nurse under the laws of another state or  
19          territory of the United States or foreign country,  
20          territory or province and who is enrolled in a graduate  
21          nursing education program or a program for the completion  
22          of a baccalaureate nursing degree in this State, which  
23          includes clinical supervision by faculty as determined by  
24          the educational institution offering the program and the  
25          health care organization where the practice of nursing  
26          occurs. The educational institution will file with the  
27          Department each academic term a list of the names and  
28          origin of license of all professional nurses practicing  
29          nursing as part of their programs under this provision.

30          (l) Any person licensed in this State under any  
31          other Act from engaging in the practice for which she or  
32          he is licensed.

33          (m) Delegation to authorized direct care staff  
34          trained under Section 15.4 of the Mental Health and

1           Developmental Disabilities Administrative Act.

2           An applicant for license practicing under the exceptions  
3 set forth in subparagraphs (g), (h), (i), and (j) of this  
4 Section shall use the title R.N. Lic. Pend. or L.P.N. Lic.  
5 Pend. respectively and no other.

6           (Source: P.A. 90-61, eff. 12-30-97; 90-248, eff. 1-1-98;  
7 90-655, eff. 7-30-98; 90-742, eff. 8-13-98; 91-630, eff.  
8 8-19-99.)

9           (225 ILCS 65/10-30)

10           (Section scheduled to be repealed on January 1, 2008)

11           Sec. 10-30. Qualifications for licensure.

12           (a) Each applicant who successfully meets the  
13 requirements of this Section shall be entitled to licensure  
14 as a Registered Nurse or Licensed Practical Nurse, whichever  
15 is applicable.

16           (b) An applicant for licensure by examination to  
17 practice as a registered nurse or licensed practical nurse  
18 shall:

19                   (1) submit a completed written application, on  
20 forms provided by the Department and fees as established  
21 by the Department;

22                   (2) for registered nurse licensure, have graduated  
23 from a professional nursing education program approved by  
24 the Department;

25                   (2.5) for licensed practical nurse licensure, have  
26 graduate from a practical nursing education program  
27 approved by the Department;

28                   (3) have not violated the provisions of Section  
29 10-45 of this Act. The Department may take into  
30 consideration any felony conviction of the applicant, but  
31 such a conviction shall not operate as an absolute bar to  
32 licensure;

33                   (4) meet all other requirements as established by

1 rule;

2 (5) pay, either to the Department or its designated  
3 testing service, a fee covering the cost of providing the  
4 examination. Failure to appear for the examination on the  
5 scheduled date at the time and place specified after the  
6 applicant's application for examination has been received  
7 and acknowledged by the Department or the designated  
8 testing service shall result in the forfeiture of the  
9 examination fee.

10 If an applicant neglects, fails, or refuses to take an  
11 examination or fails to pass an examination for a license  
12 under this Act within 3 years after filing the application,  
13 the application shall be denied. However, the applicant may  
14 make a new application accompanied by the required fee and  
15 provide evidence of meeting the requirements in force at the  
16 time of the new application.

17 An applicant may take and successfully complete a  
18 Department-approved examination in another jurisdiction.  
19 However, an applicant who has never been licensed previously  
20 in any jurisdiction that utilizes a Department-approved  
21 examination and who has taken and failed to pass the  
22 examination within 3 years after filing the application must  
23 submit proof of successful completion of a  
24 Department-authorized nursing education program or  
25 recompletion of an approved registered nursing program or  
26 licensed practical nursing program, as appropriate, prior to  
27 re-application.

28 An applicant shall have one year from the date of  
29 notification of successful completion of the examination to  
30 apply to the Department for a license. If an applicant fails  
31 to apply within one year, the applicant shall be required to  
32 again take and pass the examination unless licensed in  
33 another jurisdiction of the United States within one year of  
34 passing the examination.

1 (c) An applicant for licensure by endorsement who is a  
2 registered professional nurse or a licensed practical nurse  
3 licensed by examination under the laws of another state or  
4 territory of the United States or a foreign country,  
5 jurisdiction, territory, or province shall:

6 (1) submit a completed written application, on  
7 forms supplied by the Department, and fees as established  
8 by the Department;

9 (2) for registered nurse licensure, have graduated  
10 from a professional nursing education program approved by  
11 the Department;

12 (2.5) for licensed practical nurse licensure, have  
13 graduated from a practical nursing education program  
14 approved by the Department;

15 (3) submit verification of licensure status  
16 directly from the United States jurisdiction of  
17 licensure, if applicable, as defined by rule;

18 (4) have passed the examination authorized by the  
19 Department;

20 (5) meet all other requirements as established by  
21 rule.

22 (d) All applicants for registered nurse licensure  
23 pursuant to item (2) of subsection (b) and item (2) of  
24 subsection (c) of this Section who are graduates of nursing  
25 educational programs in a country other than the United  
26 States or its territories must submit to the Department  
27 certification of successful completion of the Commission of  
28 Graduates of Foreign Nursing Schools (CGFNS) examination. An  
29 applicant who is unable to provide appropriate documentation  
30 to satisfy CGFNS of her or his educational qualifications for  
31 the CGFNS examination shall be required to pass an  
32 examination to test competency in the English language, which  
33 shall be prescribed by the Department, if the applicant is  
34 determined by the Board to be educationally prepared in

1 nursing. The Board shall make appropriate inquiry into the  
2 reasons for any adverse determination by CGFNS before making  
3 its own decision.

4 An applicant licensed in another state or territory who  
5 is applying for licensure and has received her or his  
6 education in a country other than the United States or its  
7 territories shall be exempt from the completion of the  
8 Commission of Graduates of Foreign Nursing Schools (CGFNS)  
9 examination if the applicant meets all of the following  
10 requirements:

11 (1) successful passage of the licensure examination  
12 authorized by the Department;

13 (2) holds an active, unencumbered license in  
14 another state; and

15 (3) has been actively practicing for a minimum of 2  
16 years in another state.

17 (e) (Blank).

18 (f) Pending the issuance of a license under subsection  
19 (c) of this Section, the Department may grant an applicant a  
20 temporary license to practice nursing as a registered nurse  
21 or as a licensed practical nurse if the Department is  
22 satisfied that the applicant holds an active, unencumbered  
23 license in good standing in another jurisdiction. If the  
24 applicant holds more than one current active license, or one  
25 or more active temporary licenses from other jurisdictions,  
26 the Department shall not issue a temporary license until it  
27 is satisfied that each current active license held by the  
28 applicant is unencumbered. The temporary license, which  
29 shall be issued no later than 14 working days following  
30 receipt by the Department of an application for the temporary  
31 license, shall be granted upon the submission of the  
32 following to the Department:

33 (1) a signed and completed application for  
34 licensure under subsection (a) of this Section as a

1 registered nurse or a licensed practical nurse;

2 (2) proof of a current, active license in at least  
3 one other jurisdiction and proof that each current active  
4 license or temporary license held by the applicant within  
5 the last 5 years is unencumbered;

6 (3) a signed and completed application for a  
7 temporary license; and

8 (4) the required temporary license fee.

9 (g) The Department may refuse to issue an applicant a  
10 temporary license authorized pursuant to this Section if,  
11 within 14 working days following its receipt of an  
12 application for a temporary license, the Department  
13 determines that:

14 (1) the applicant has been convicted of a crime  
15 under the laws of a jurisdiction of the United States:  
16 (i) which is a felony; or (ii) which is a misdemeanor  
17 directly related to the practice of the profession,  
18 within the last 5 years;

19 (2) within the last 5 years the applicant has had a  
20 license or permit related to the practice of nursing  
21 revoked, suspended, or placed on probation by another  
22 jurisdiction, if at least one of the grounds for  
23 revoking, suspending, or placing on probation is the same  
24 or substantially equivalent to grounds in Illinois; or

25 (3) it intends to deny licensure by endorsement.

26 For purposes of this Section, an "unencumbered license"  
27 means a license against which no disciplinary action has been  
28 taken or is pending and for which all fees and charges are  
29 paid and current.

30 (h) The Department may revoke a temporary license issued  
31 pursuant to this Section if:

32 (1) it determines that the applicant has been  
33 convicted of a crime under the law of any jurisdiction of  
34 the United States that is (i) a felony or (ii) a

1           misdemeanor directly related to the practice of the  
2           profession, within the last 5 years;

3           (2) it determines that within the last 5 years the  
4           applicant has had a license or permit related to the  
5           practice of nursing revoked, suspended, or placed on  
6           probation by another jurisdiction, if at least one of the  
7           grounds for revoking, suspending, or placing on probation  
8           is the same or substantially equivalent to grounds in  
9           Illinois; or

10          (3) it determines that it intends to deny licensure  
11          by endorsement.

12          A temporary license shall expire 6 months from the date  
13          of issuance. Further renewal may be granted by the  
14          Department in hardship cases, as defined by rule and upon  
15          approval of the Director. However, a temporary license shall  
16          automatically expire upon issuance of the Illinois license or  
17          upon notification that the Department intends to deny  
18          licensure, whichever occurs first.

19          (i) Applicants have 3 years from the date of application  
20          to complete the application process. If the process has not  
21          been completed within 3 years from the date of application,  
22          the application shall be denied, the fee forfeited, and the  
23          applicant must reapply and meet the requirements in effect at  
24          the time of reapplication.

25          (j) A practical nurse licensed by a party state under  
26          the Nurse Licensure Compact is granted the privilege to  
27          practice practical nursing in this State. A registered nurse  
28          licensed by a party state under the Nurse Licensure Compact  
29          is granted the privilege to practice registered nursing in  
30          this State. A practical nurse or registered nurse who has  
31          been granted the privilege to practice nursing in this State  
32          under this subsection, shall notify the Department, prior to  
33          commencing employment in this State as a practical or  
34          registered nurse, of the identity and location of the nurse's



1 prospective employer. A practical nurse or registered nurse  
2 who has been granted the privilege to practice nursing in  
3 this State under this subsection is subject to the schedule  
4 of fees authorized under Section 20-35 and the criminal  
5 background check required under Section 5-23 of this Act,  
6 provided that the practical or registered nurse may exercise  
7 her privilege to practice pending completion of the criminal  
8 background check.

9 (Source: P.A. 92-39, eff. 6-29-01; 92-744, eff. 7-25-02.)

10

#### ARTICLE 99

11 Section 99-5. Effective date. This Act takes effect  
12 upon becoming law.