

1 AN ACT concerning nursing.

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

4 Section 5. The Nursing and Advanced Practice Nursing Act  
5 is amended by changing Section 10-30 as follows:

6 (225 ILCS 65/10-30)

7 (Section scheduled to be repealed on January 1, 2008)

8 Sec. 10-30. Qualifications for licensure.

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

13 (b) An applicant for licensure by examination to  
14 practice as a registered nurse or licensed practical nurse  
15 shall:

16 (1) submit a completed written application, on  
17 forms provided by the Department and fees as established  
18 by the Department;

19 (2) for registered nurse licensure, have graduated,  
20 or will graduate prior to testing, from a professional  
21 nursing education program approved by the Department.  
22 Proof of graduation must be submitted to the Department  
23 prior to testing;

24 (2.5) for licensed practical nurse licensure, have  
25 graduated, or will graduate prior to testing, graduate  
26 from a practical nursing education program approved by  
27 the Department. Proof of graduation must be submitting  
28 to the Department prior to testing;

29 (3) have not violated the provisions of Section  
30 10-45 of this Act. The Department may take into  
31 consideration any felony conviction of the applicant, but

1 such a conviction shall not operate as an absolute bar to  
2 licensure;

3 (4) meet all other requirements as established by  
4 rule;

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

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

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

31 An applicant shall have one year from the date of  
32 notification of successful completion of the examination to  
33 apply to the Department for a license. If an applicant fails  
34 to apply within one year, the applicant shall be required to

1 again take and pass the examination unless licensed in  
2 another jurisdiction of the United States within one year of  
3 passing the examination.

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

9 (1) submit a completed written application, on  
10 forms supplied by the Department, and fees as established  
11 by the Department;

12 (2) for registered nurse licensure, have graduated  
13 from a professional nursing education program approved by  
14 the Department;

15 (2.5) for licensed practical nurse licensure, have  
16 graduated from a practical nursing education program  
17 approved by the Department;

18 (3) submit verification of licensure status  
19 directly from the United States jurisdiction of  
20 licensure, if applicable, as defined by rule;

21 (4) have passed the examination authorized by the  
22 Department;

23 (5) meet all other requirements as established by  
24 rule.

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

1 examination to test competency in the English language, which  
2 shall be prescribed by the Department, if the applicant is  
3 determined by the Board to be educationally prepared in  
4 nursing. The Board shall make appropriate inquiry into the  
5 reasons for any adverse determination by CGFNS before making  
6 its own decision.

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

14 (1) successful passage of the licensure examination  
15 authorized by the Department;

16 (2) holds an active, unencumbered license in  
17 another state; and

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

20 (e) (Blank).

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

1 following to the Department:

2 (1) a signed and completed application for  
3 licensure under subsection (a) of this Section as a  
4 registered nurse or a licensed practical nurse;

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

9 (3) a signed and completed application for a  
10 temporary license; and

11 (4) the required temporary license fee.

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

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

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

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

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

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

1           (1) it determines that the applicant has been  
2 convicted of a crime under the law of any jurisdiction of  
3 the United States that is (i) a felony or (ii) a  
4 misdemeanor directly related to the practice of the  
5 profession, within the last 5 years;

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

13           (3) it determines that it intends to deny licensure  
14 by endorsement.

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

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

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

29           Section 99. Effective date. This Act takes effect upon  
30 becoming law.