

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 Nursing and Advanced Practice Nursing Act is
5 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7 (Section scheduled to be repealed on January 1, 2008)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 requirements
10 of this Section shall be entitled to licensure as a Registered
11 Nurse or Licensed Practical Nurse, whichever is applicable.

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

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

17 (2) for registered nurse licensure, have graduated
18 from a professional nursing education program approved by
19 the Department;

20 (2.5) for licensed practical nurse licensure, have
21 graduated ~~graduate~~ from a practical nursing education
22 program approved by the Department;

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

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

28 (5) pay, either to the Department or its designated
29 testing service, a fee covering the cost of providing the
30 examination. Failure to appear for the examination on the
31 scheduled date at the time and place specified after the
32 applicant's application for examination has been received

1 and acknowledged by the Department or the designated
2 testing service shall result in the forfeiture of the
3 examination fee.

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

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

22 An applicant shall have one year from the date of
23 notification of successful completion of the examination to
24 apply to the Department for a license. If an applicant fails to
25 apply within one year, the applicant shall be required to again
26 take and pass the examination unless licensed in another
27 jurisdiction of the United States within one year of passing
28 the examination.

29 (c) An applicant for licensure by endorsement who is a
30 registered professional nurse or a licensed practical nurse
31 licensed by examination under the laws of another state or
32 territory of the United States or a foreign country,
33 jurisdiction, territory, or province shall:

34 (1) submit a completed written application, on forms
35 supplied by the Department, and fees as established by the
36 Department;

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

4 (2.5) for licensed practical nurse licensure, have
5 graduated from a practical nursing education program
6 approved by the Department;

7 (3) submit verification of licensure status directly
8 from the United States jurisdiction of licensure, if
9 applicable, as defined by rule;

10 (4) have passed the examination authorized by the
11 Department;

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

13 (d) All applicants for registered nurse licensure pursuant
14 to item (2) of subsection (b) and item (2) of subsection (c) of
15 this Section who are graduates of nursing educational programs
16 in a country other than the United States or its territories
17 shall have their nursing education credentials evaluated by a
18 Department-approved nursing credentialing evaluation service.
19 No such applicant may be issued a license under this Act unless
20 the applicant's program is deemed by the nursing credentialing
21 evaluation service to be equivalent to a professional nursing
22 education program approved by the Department. An applicant who
23 has graduated from a nursing educational program outside of the
24 United States or its territories and whose first language is
25 not English shall submit certification of passage of the Test
26 of English as a Foreign Language (TOEFL), as defined by rule.
27 The Department may, upon recommendation from the nursing
28 evaluation service, waive the requirement that the applicant
29 pass the TOEFL examination if the applicant submits
30 verification of the successful completion of a nursing
31 education program conducted in English. ~~must submit to the~~
32 ~~Department certification of successful completion of the~~
33 ~~Commission of Graduates of Foreign Nursing Schools (CGFNS)~~
34 ~~examination. An applicant who is unable to provide appropriate~~
35 ~~documentation to satisfy CGFNS of her or his educational~~
36 ~~qualifications for the CGFNS examination shall be required to~~

1 ~~pass an examination to test competency in the English language,~~
2 ~~which shall be prescribed by the Department, if the applicant~~
3 ~~is 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 (d-5) An applicant licensed in another state or territory
8 who 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 have her or his nursing education credentials
11 evaluated by a Department-approved nursing credentialing
12 evaluation service. No such applicant may be issued a license
13 under this Act unless the applicant's program is deemed by the
14 nursing credentialing evaluation service to be equivalent to a
15 professional nursing education program approved by the
16 Department. An applicant who has graduated from a nursing
17 educational program outside of the United States or its
18 territories and whose first language is not English shall
19 submit certification of passage of the Test of English as a
20 Foreign Language (TOEFL), as defined by rule. The Department
21 may, upon recommendation from the nursing evaluation service,
22 waive the requirement that the applicant pass the TOEFL
23 examination if the applicant submits verification of the
24 successful completion of a nursing education program conducted
25 in English or the successful passage of an approved licensing
26 examination given in English. ~~be exempt from the completion of~~
27 ~~the Commission of Graduates of Foreign Nursing Schools (CGFNS)~~
28 ~~examination if the applicant meets all of the following~~
29 ~~requirements:~~

30 ~~(1) successful passage of the licensure examination~~
31 ~~authorized by the Department;~~

32 ~~(2) holds an active, unencumbered license in another~~
33 ~~state; and~~

34 ~~(3) has been actively practicing for a minimum of 2~~
35 ~~years in another state.~~

36 (e) (Blank).

1 (f) Pending the issuance of a license under subsection (c)
2 of this Section, the Department may grant an applicant a
3 temporary license to practice nursing as a registered nurse or
4 as a licensed practical nurse if the Department is satisfied
5 that the applicant holds an active, unencumbered license in
6 good standing in another jurisdiction. If the applicant holds
7 more than one current active license, or one or more active
8 temporary licenses from other jurisdictions, the Department
9 shall not issue a temporary license until it is satisfied that
10 each current active license held by the applicant is
11 unencumbered. The temporary license, which shall be issued no
12 later than 14 working days following receipt by the Department
13 of an application for the temporary license, shall be granted
14 upon the submission of the following to the Department:

15 (1) a signed and completed application for licensure
16 under subsection (a) of this Section as a registered nurse
17 or a licensed practical nurse;

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

22 (3) a signed and completed application for a temporary
23 license; and

24 (4) the required temporary license fee.

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

29 (1) the applicant has been convicted of a crime under
30 the laws of a jurisdiction of the United States: (i) which
31 is a felony; or (ii) which is a misdemeanor directly
32 related to the practice of the profession, within the last
33 5 years;

34 (2) within the last 5 years the applicant has had a
35 license or permit related to the practice of nursing
36 revoked, suspended, or placed on probation by another

1 jurisdiction, if at least one of the grounds for revoking,
2 suspending, or placing on probation is the same or
3 substantially equivalent to grounds in Illinois; or

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

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

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

11 (1) it determines that the applicant has been convicted
12 of a crime under the law of any jurisdiction of the United
13 States that is (i) a felony or (ii) a misdemeanor directly
14 related to the practice of the profession, within the last
15 5 years;

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

23 (3) it determines that it intends to deny licensure by
24 endorsement.

25 A temporary license shall expire 6 months from the date of
26 issuance. Further renewal may be granted by the Department in
27 hardship cases, as defined by rule and upon approval of the
28 Director. However, a temporary license shall automatically
29 expire upon issuance of the Illinois license or upon
30 notification that the Department intends to deny licensure,
31 whichever occurs first.

32 (i) Applicants have 3 years from the date of application to
33 complete the application process. If the process has not been
34 completed within 3 years from the date of application, the
35 application shall be denied, the fee forfeited, and the
36 applicant must reapply and meet the requirements in effect at

1 the time of reapplication.

2 (Source: P.A. 92-39, eff. 6-29-01; 92-744, eff. 7-25-02;
3 revised 2-17-03.)

4 Section 99. Effective date. This Act takes effect upon
5 becoming law.