

# HB0113



## 95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB0113

Introduced 1/19/2007, by Rep. Lou Lang

### SYNOPSIS AS INTRODUCED:

225 ILCS 65/10-30

Amends the Nursing and Advanced Practice Nursing Act. Makes a technical change in a Section concerning qualifications for licensure.

LRB095 03532 RAS 23536 b

A BILL FOR

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7 (Section scheduled to be repealed on January 1, 2008)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 ~~the~~  
10 requirements of this Section shall be entitled to licensure as  
11 a Registered Nurse or Licensed Practical Nurse, whichever is  
12 applicable.

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

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

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

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

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

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

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

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

21           An applicant may take and successfully complete a  
22 Department-approved examination in another jurisdiction.  
23 However, an applicant who has never been licensed previously in  
24 any jurisdiction that utilizes a Department-approved  
25 examination and who has taken and failed to pass the  
26 examination within 3 years after filing the application must

1 submit proof of successful completion of a  
2 Department-authorized nursing education program or  
3 recompletion of an approved registered nursing program or  
4 licensed practical nursing program, as appropriate, prior to  
5 re-application.

6 An applicant shall have one year from the date of  
7 notification of successful completion of the examination to  
8 apply to the Department for a license. If an applicant fails to  
9 apply within one year, the applicant shall be required to again  
10 take and pass the examination unless licensed in another  
11 jurisdiction of the United States within one year of passing  
12 the examination.

13 (c) An applicant for licensure by endorsement who is a  
14 registered professional nurse or a licensed practical nurse  
15 licensed by examination under the laws of another state or  
16 territory of the United States or a foreign country,  
17 jurisdiction, territory, or province shall:

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

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

24 (2.5) for licensed practical nurse licensure, have  
25 graduated from a practical nursing education program  
26 approved by the Department;

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

4           (4) have passed the examination authorized by the  
5           Department;

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

7           (d) All applicants for registered nurse licensure pursuant  
8           to item (2) of subsection (b) and item (2) of subsection (c) of  
9           this Section who are graduates of nursing educational programs  
10          in a country other than the United States or its territories  
11          shall have their nursing education credentials evaluated by a  
12          Department-approved nursing credentialing evaluation service.  
13          No such applicant may be issued a license under this Act unless  
14          the applicant's program is deemed by the nursing credentialing  
15          evaluation service to be equivalent to a professional nursing  
16          education program approved by the Department. An applicant who  
17          has graduated from a nursing educational program outside of the  
18          United States or its territories and whose first language is  
19          not English shall submit certification of passage of the Test  
20          of English as a Foreign Language (TOEFL), as defined by rule.  
21          The Department may, upon recommendation from the nursing  
22          evaluation service, waive the requirement that the applicant  
23          pass the TOEFL examination if the applicant submits  
24          verification of the successful completion of a nursing  
25          education program conducted in English. The requirements of  
26          this subsection (d) may be satisfied by the showing of proof of

1 a certificate from the Certificate Program or the VisaScreen  
2 Program of the Commission on Graduates of Foreign Nursing  
3 Schools.

4 (d-5) An applicant licensed in another state or territory  
5 who 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 have her or his nursing education credentials  
8 evaluated by a Department-approved nursing credentialing  
9 evaluation service. No such applicant may be issued a license  
10 under this Act unless the applicant's program is deemed by the  
11 nursing credentialing evaluation service to be equivalent to a  
12 professional nursing education program approved by the  
13 Department. An applicant who has graduated from a nursing  
14 educational program outside of the United States or its  
15 territories and whose first language is not English shall  
16 submit certification of passage of the Test of English as a  
17 Foreign Language (TOEFL), as defined by rule. The Department  
18 may, upon recommendation from the nursing evaluation service,  
19 waive the requirement that the applicant pass the TOEFL  
20 examination if the applicant submits verification of the  
21 successful completion of a nursing education program conducted  
22 in English or the successful passage of an approved licensing  
23 examination given in English. The requirements of this  
24 subsection (d-5) may be satisfied by the showing of proof of a  
25 certificate from the Certificate Program or the VisaScreen  
26 Program of the Commission on Graduates of Foreign Nursing

1 Schools.

2 (e) (Blank).

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

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

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

24 (3) a signed and completed application for a temporary  
25 license; and

26 (4) the required temporary license fee.

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

5 (1) the applicant has been convicted of a crime under  
6 the laws of a jurisdiction of the United States: (i) which  
7 is a felony; or (ii) which is a misdemeanor directly  
8 related to the practice of the profession, within the last  
9 5 years;

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

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

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

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

23 (1) it determines that the applicant has been convicted  
24 of a crime under the law of any jurisdiction of the United  
25 States that is (i) a felony or (ii) a misdemeanor directly  
26 related to the practice of the profession, within the last



1           5 years;

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

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

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

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

24          (Source: P.A. 94-352, eff. 7-28-05; 94-932, eff. 1-1-07.)