



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB3759

Introduced 2/25/2009, by Rep. Maria Antonia Berrios - Edward J. Acevedo

SYNOPSIS AS INTRODUCED:

225 ILCS 65/50-10	was 225 ILCS 65/5-10
225 ILCS 65/50-15	was 225 ILCS 65/5-15
225 ILCS 65/50-70	was 225 ILCS 65/10-35
225 ILCS 65/55-10	was 225 ILCS 65/10-30
225 ILCS 65/60-10	
225 ILCS 65/60-15	was 225 ILCS 65/10-37
225 ILCS 65/70-35	was 225 ILCS 65/20-31

Amends the Nurse Practice Act. Provides that "another state of the United States" means any state of the United States, the District of Columbia, any territory of the United States, Puerto Rico, Guam, American Samoa, or the U.S. Virgin Islands. Makes technical changes in other Sections relating to definition of "another state of the United States".

LRB096 10437 ASK 20609 b

1 AN ACT concerning professional regulation.

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

4 Section 5. The Nurse Practice Act is amended by changing
5 Sections 50-10, 50-15, 50-70, 55-10, 60-10, 60-15, and 70-35 as
6 follows:

7 (225 ILCS 65/50-10) (was 225 ILCS 65/5-10)

8 (Section scheduled to be repealed on January 1, 2018)

9 Sec. 50-10. Definitions. Each of the following terms, when
10 used in this Act, shall have the meaning ascribed to it in this
11 Section, except where the context clearly indicates otherwise:

12 "Academic year" means the customary annual schedule of
13 courses at a college, university, or approved school,
14 customarily regarded as the school year as distinguished from
15 the calendar year.

16 "Advanced practice nurse" or "APN" means a person who has
17 met the qualifications for a (i) certified nurse midwife (CNM);
18 (ii) certified nurse practitioner (CNP); (iii) certified
19 registered nurse anesthetist (CRNA); or (iv) clinical nurse
20 specialist (CNS) and has been licensed by the Department. All
21 advanced practice nurses licensed and practicing in the State
22 of Illinois shall use the title APN and may use speciality
23 credentials after their name.

1 "Another state of the United States" means any state of the
2 United States, the District of Columbia, any territory of the
3 United States, Puerto Rico, Guam, American Samoa, or the U.S.
4 Virgin Islands.

5 "Approved program of professional nursing education" and
6 "approved program of practical nursing education" are programs
7 of professional or practical nursing, respectively, approved
8 by the Department under the provisions of this Act.

9 "Board" means the Board of Nursing appointed by the
10 Secretary.

11 "Collaboration" means a process involving 2 or more health
12 care professionals working together, each contributing one's
13 respective area of expertise to provide more comprehensive
14 patient care.

15 "Consultation" means the process whereby an advanced
16 practice nurse seeks the advice or opinion of another health
17 care professional.

18 "Credentialed" means the process of assessing and
19 validating the qualifications of a health care professional.

20 "Current nursing practice update course" means a planned
21 nursing education curriculum approved by the Department
22 consisting of activities that have educational objectives,
23 instructional methods, content or subject matter, clinical
24 practice, and evaluation methods, related to basic review and
25 updating content and specifically planned for those nurses
26 previously licensed in the United States or its territories and

1 preparing for reentry into nursing practice.

2 "Dentist" means a person licensed to practice dentistry
3 under the Illinois Dental Practice Act.

4 "Department" means the Department of Financial and
5 Professional Regulation.

6 "Impaired nurse" means a nurse licensed under this Act who
7 is unable to practice with reasonable skill and safety because
8 of a physical or mental disability as evidenced by a written
9 determination or written consent based on clinical evidence,
10 including loss of motor skills, abuse of drugs or alcohol, or a
11 psychiatric disorder, of sufficient degree to diminish his or
12 her ability to deliver competent patient care.

13 "License-pending advanced practice nurse" means a
14 registered professional nurse who has completed all
15 requirements for licensure as an advanced practice nurse except
16 the certification examination and has applied to take the next
17 available certification exam and received a temporary license
18 from the Department.

19 "License-pending registered nurse" means a person who has
20 passed the Department-approved registered nurse licensure exam
21 and has applied for a license from the Department. A
22 license-pending registered nurse shall use the title "RN lic
23 pend" on all documentation related to nursing practice.

24 "Physician" means a person licensed to practice medicine in
25 all its branches under the Medical Practice Act of 1987.

26 "Podiatrist" means a person licensed to practice podiatry

1 under the Podiatric Medical Practice Act of 1987.

2 "Practical nurse" or "licensed practical nurse" means a
3 person who is licensed as a practical nurse under this Act and
4 practices practical nursing as defined in this Act. Only a
5 practical nurse licensed under this Act is entitled to use the
6 title "licensed practical nurse" and the abbreviation
7 "L.P.N."

8 "Practical nursing" means the performance of nursing acts
9 requiring the basic nursing knowledge, judgement, and skill
10 acquired by means of completion of an approved practical
11 nursing education program. Practical nursing includes
12 assisting in the nursing process as delegated by a registered
13 professional nurse or an advanced practice nurse. The practical
14 nurse may work under the direction of a licensed physician,
15 dentist, podiatrist, or other health care professional
16 determined by the Department.

17 "Privileged" means the authorization granted by the
18 governing body of a healthcare facility, agency, or
19 organization to provide specific patient care services within
20 well-defined limits, based on qualifications reviewed in the
21 credentialing process.

22 "Registered Nurse" or "Registered Professional Nurse"
23 means a person who is licensed as a professional nurse under
24 this Act and practices nursing as defined in this Act. Only a
25 registered nurse licensed under this Act is entitled to use the
26 titles "registered nurse" and "registered professional nurse"

1 and the abbreviation, "R.N."

2 "Registered professional nursing practice" is a scientific
3 process founded on a professional body of knowledge; it is a
4 learned profession based on the understanding of the human
5 condition across the life span and environment and includes all
6 nursing specialities and means the performance of any nursing
7 act based upon professional knowledge, judgment, and skills
8 acquired by means of completion of an approved professional
9 nursing education program. A registered professional nurse
10 provides holistic nursing care through the nursing process to
11 individuals, groups, families, or communities, that includes
12 but is not limited to: (1) the assessment of healthcare needs,
13 nursing diagnosis, planning, implementation, and nursing
14 evaluation; (2) the promotion, maintenance, and restoration of
15 health; (3) counseling, patient education, health education,
16 and patient advocacy; (4) the administration of medications and
17 treatments as prescribed by a physician licensed to practice
18 medicine in all of its branches, a licensed dentist, a licensed
19 podiatrist, or a licensed optometrist or as prescribed by a
20 physician assistant in accordance with written guidelines
21 required under the Physician Assistant Practice Act of 1987 or
22 by an advanced practice nurse in accordance with Article 65 of
23 this Act; (5) the coordination and management of the nursing
24 plan of care; (6) the delegation to and supervision of
25 individuals who assist the registered professional nurse
26 implementing the plan of care; and (7) teaching nursing

1 students. The foregoing shall not be deemed to include those
2 acts of medical diagnosis or prescription of therapeutic or
3 corrective measures.

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

11 "Secretary" means the Secretary of Financial and
12 Professional Regulation.

13 "Unencumbered license" means a license issued in good
14 standing.

15 "Written collaborative agreement" means a written
16 agreement between an advanced practice nurse and a
17 collaborating physician, dentist, or podiatrist pursuant to
18 Section 65-35.

19 (Source: P.A. 95-639, eff. 10-5-07.)

20 (225 ILCS 65/50-15) (was 225 ILCS 65/5-15)

21 (Section scheduled to be repealed on January 1, 2018)

22 Sec. 50-15. Policy; application of Act.

23 (a) For the protection of life and the promotion of health,
24 and the prevention of illness and communicable diseases, any
25 person practicing or offering to practice advanced,

1 professional, or practical nursing in Illinois shall submit
2 evidence that he or she is qualified to practice, and shall be
3 licensed as provided under this Act. No person shall practice
4 or offer to practice advanced, professional, or practical
5 nursing in Illinois or use any title, sign, card or device to
6 indicate that such a person is practicing professional or
7 practical nursing unless such person has been licensed under
8 the provisions of this Act.

9 (b) This Act does not prohibit the following:

10 (1) The practice of nursing in Federal employment in
11 the discharge of the employee's duties by a person who is
12 employed by the United States government or any bureau,
13 division or agency thereof and is a legally qualified and
14 licensed nurse of another state of the United States ~~or~~
15 ~~territory~~ and not in conflict with Sections 50-50, 55-10,
16 60-10, and 70-5 of this Act.

17 (2) Nursing that is included in the program of study by
18 students enrolled in programs of nursing or in current
19 nurse practice update courses approved by the Department.

20 (3) The furnishing of nursing assistance in an
21 emergency.

22 (4) The practice of nursing by a nurse who holds an
23 active license in another state of the United States when
24 providing services to patients in Illinois during a
25 bonafide emergency or in immediate preparation for or
26 during interstate transit.

1 (5) The incidental care of the sick by members of the
2 family, domestic servants or housekeepers, or care of the
3 sick where treatment is by prayer or spiritual means.

4 (6) Persons from being employed as unlicensed
5 assistive personnel in private homes, long term care
6 facilities, nurseries, hospitals or other institutions.

7 (7) The practice of practical nursing by one who is a
8 licensed practical nurse under the laws of another U.S.
9 jurisdiction and has applied in writing to the Department,
10 in form and substance satisfactory to the Department, for a
11 license as a licensed practical nurse and who is qualified
12 to receive such license under this Act, until (i) the
13 expiration of 6 months after the filing of such written
14 application, (ii) the withdrawal of such application, or
15 (iii) the denial of such application by the Department.

16 (8) The practice of advanced practice nursing by one
17 who is an advanced practice nurse under the laws of another
18 state, ~~territory~~ of the United States, or country and has
19 applied in writing to the Department, in form and substance
20 satisfactory to the Department, for a license as an
21 advanced practice nurse and who is qualified to receive
22 such license under this Act, until (i) the expiration of 6
23 months after the filing of such written application, (ii)
24 the withdrawal of such application, or (iii) the denial of
25 such application by the Department.

26 (9) The practice of professional nursing by one who is

1 a registered professional nurse under the laws of another
2 state, ~~territory~~ of the United States or country and has
3 applied in writing to the Department, in form and substance
4 satisfactory to the Department, for a license as a
5 registered professional nurse and who is qualified to
6 receive such license under Section 55-10, until (1) the
7 expiration of 6 months after the filing of such written
8 application, (2) the withdrawal of such application, or (3)
9 the denial of such application by the Department.

10 (10) The practice of professional nursing that is
11 included in a program of study by one who is a registered
12 professional nurse under the laws of another state ~~or~~
13 ~~territory~~ of the United States or foreign country,
14 territory or province and who is enrolled in a graduate
15 nursing education program or a program for the completion
16 of a baccalaureate nursing degree in this State, which
17 includes clinical supervision by faculty as determined by
18 the educational institution offering the program and the
19 health care organization where the practice of nursing
20 occurs.

21 (11) Any person licensed in this State under any other
22 Act from engaging in the practice for which she or he is
23 licensed.

24 (12) Delegation to authorized direct care staff
25 trained under Section 15.4 of the Mental Health and
26 Developmental Disabilities Administrative Act consistent

1 with the policies of the Department.

2 Nothing in this Act shall be construed to limit the
3 delegation of tasks or duties by a physician, dentist, or
4 podiatrist to a licensed practical nurse, a registered
5 professional nurse, or other persons.

6 (Source: P.A. 95-639, eff. 10-5-07; 95-876, eff. 8-21-08.)

7 (225 ILCS 65/50-70) (was 225 ILCS 65/10-35)

8 (Section scheduled to be repealed on January 1, 2018)

9 Sec. 50-70. Concurrent theory and clinical practice
10 education requirements of this Act. The educational
11 requirements of Sections 55-10 and 60-10 of this Act relating
12 to registered professional nursing and licensed practical
13 nursing shall not be deemed to have been satisfied by the
14 completion of any correspondence course or any program of
15 nursing that does not require coordinated or concurrent theory
16 and clinical practice. The Department may, upon recommendation
17 of the Board, grant an Illinois license to those applicants who
18 have received advanced graduate degrees in nursing from an
19 approved program with concurrent theory and clinical practice
20 or to those applicants who are currently licensed in another
21 state of the United States and have been actively practicing
22 clinical nursing for a minimum of 2 years.

23 (Source: P.A. 95-639, eff. 10-5-07.)

24 (225 ILCS 65/55-10) (was 225 ILCS 65/10-30)

1 (Section scheduled to be repealed on January 1, 2018)

2 Sec. 55-10. Qualifications for LPN licensure.

3 (a) Each applicant who successfully meets the requirements
4 of this Section shall be entitled to licensure as a Licensed
5 Practical Nurse.

6 (b) An applicant for licensure by examination to practice
7 as a practical nurse must do each of the following:

8 (1) Submit a completed written application, on forms
9 provided by the Department and fees as established by the
10 Department.

11 (2) Have graduated from a practical nursing education
12 program approved by the Department or have been granted a
13 certificate of completion of pre-licensure requirements
14 from another United States jurisdiction.

15 (3) Successfully complete a licensure examination
16 approved by the Department.

17 (4) Have not violated the provisions of this Act
18 concerning the grounds for disciplinary action. The
19 Department may take into consideration any felony
20 conviction of the applicant, but such a conviction shall
21 not operate as an absolute bar to licensure.

22 (5) Submit to the criminal history records check
23 required under Section 50-35 of this Act.

24 (6) Submit either to the Department or its designated
25 testing service, a fee covering the cost of providing the
26 examination. Failure to appear for the examination on the

1 scheduled date at the time and place specified after the
2 applicant's application for examination has been received
3 and acknowledged by the Department or the designated
4 testing service shall result in the forfeiture of the
5 examination fee.

6 (7) Meet all other requirements established by rule.

7 An applicant for licensure by examination may take the
8 Department-approved examination in another jurisdiction.

9 (b-5) If an applicant for licensure by examination
10 neglects, fails, or refuses to take an examination or fails to
11 pass an examination for a license under this Act within 3 years
12 after filing the application, the application shall be denied.
13 The applicant must enroll in and complete an approved practical
14 nursing education program prior to submitting an additional
15 application for the licensure exam.

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

26 (c) An applicant for licensure by examination shall have

1 one year from the date of notification of successful completion
2 of the examination to apply to the Department for a license. If
3 an applicant fails to apply within one year, the applicant
4 shall be required to retake and pass the examination unless
5 licensed in another jurisdiction of the United States.

6 (d) A licensed practical nurse applicant who passes the
7 Department-approved licensure examination and has applied to
8 the Department for licensure may obtain employment as a
9 license-pending practical nurse and practice as delegated by a
10 registered professional nurse or an advanced practice nurse or
11 physician. An individual may be employed as a license-pending
12 practical nurse if all of the following criteria are met:

13 (1) He or she has completed and passed the
14 Department-approved licensure exam and presents to the
15 employer the official written notification indicating
16 successful passage of the licensure examination.

17 (2) He or she has completed and submitted to the
18 Department an application for licensure under this Section
19 as a practical nurse.

20 (3) He or she has submitted the required licensure fee.

21 (4) He or she has met all other requirements
22 established by rule, including having submitted to a
23 criminal history records check.

24 (e) The privilege to practice as a license-pending
25 practical nurse shall terminate with the occurrence of any of
26 the following:

1 (1) Three months have passed since the official date of
2 passing the licensure exam as inscribed on the formal
3 written notification indicating passage of the exam. This
4 3-month period may be extended as determined by rule.

5 (2) Receipt of the practical nurse license from the
6 Department.

7 (3) Notification from the Department that the
8 application for licensure has been denied.

9 (4) A request by the Department that the individual
10 terminate practicing as a license-pending practical nurse
11 until an official decision is made by the Department to
12 grant or deny a practical nurse license.

13 (f) An applicant for licensure by endorsement who is a
14 licensed practical nurse licensed by examination under the laws
15 of another state ~~or territory~~ of the United States or a foreign
16 country, jurisdiction, territory, or province must do each of
17 the following:

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

21 (2) Have graduated from a practical nursing education
22 program approved by the Department.

23 (3) Submit verification of licensure status directly
24 from the United States jurisdiction of licensure, if
25 applicable, as defined by rule.

26 (4) Submit to the criminal history records check

1 required under Section 50-35 of this Act.

2 (5) Meet all other requirements as established by the
3 Department by rule.

4 (g) All applicants for practical nurse licensure by
5 examination or endorsement who are graduates of nursing
6 educational programs in a country other than the United States
7 or its territories shall have their nursing education
8 credentials evaluated by a Department-approved nursing
9 credentialing evaluation service. No such applicant may be
10 issued a license under this Act unless the applicant's program
11 is deemed by the nursing credentialing evaluation service to be
12 equivalent to a professional nursing education program
13 approved by the Department. An applicant who has graduated from
14 a nursing educational program outside of the United States or
15 its 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. The requirements of this subsection (d) may be
23 satisfied by the showing of proof of a certificate from the
24 Certificate Program or the VisaScreen Program of the Commission
25 on Graduates of Foreign Nursing Schools.

26 (h) An applicant licensed in another state of the United

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

24 (i) A licensed practical nurse who holds an unencumbered
25 license in good standing in another United States jurisdiction
26 and who has applied for practical nurse licensure under this

1 Act by endorsement may be issued a temporary license, if
2 satisfactory proof of such licensure in another jurisdiction is
3 presented to the Department. The Department shall not issue an
4 applicant a temporary practical nurse license until it is
5 satisfied that the applicant holds an active, unencumbered
6 license in good standing in another jurisdiction. If the
7 applicant holds more than one current active license or one or
8 more active temporary licenses from another jurisdiction, the
9 Department may not issue a temporary license until the
10 Department is satisfied that each current active license held
11 by the applicant is unencumbered. The temporary license, which
12 shall be issued no later than 14 working days following receipt
13 by the Department of an application for the temporary license,
14 shall be granted upon the submission of all of the following to
15 the Department:

16 (1) A completed application for licensure as a
17 practical nurse.

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

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

24 (4) The required temporary license fee.

25 (j) The Department may refuse to issue an applicant a
26 temporary license authorized pursuant to this Section if,

1 within 14 working days following its receipt of an application
2 for a temporary license, the Department determines that:

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

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

13 (3) the Department intends to deny licensure by
14 endorsement.

15 (k) The Department may revoke a temporary license issued
16 pursuant to this Section if it determines any of the following:

17 (1) That the applicant has been convicted of a crime
18 under the law of any jurisdiction of the United States that
19 is (i) a felony or (ii) a misdemeanor directly related to
20 the practice of the profession, within the last 5 years.

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

1 action under this Act.

2 (3) That the Department intends to deny licensure by
3 endorsement.

4 (1) A temporary license shall expire 6 months from the date
5 of issuance. Further renewal may be granted by the Department
6 in hardship cases, as defined by rule and upon approval of the
7 Secretary. However, a temporary license shall automatically
8 expire upon issuance of a valid license under this Act or upon
9 notification that the Department intends to deny licensure,
10 whichever occurs first.

11 (m) All applicants for practical nurse licensure have 3
12 years from the date of application to complete the application
13 process. If the process has not been completed within 3 years
14 from the date of application, the application shall be denied,
15 the fee forfeited, and the applicant must reapply and meet the
16 requirements in effect at the time of reapplication.

17 (Source: P.A. 94-352, eff. 7-28-05; 94-932, eff. 1-1-07;
18 95-639, eff. 10-5-07.)

19 (225 ILCS 65/60-10)

20 (Section scheduled to be repealed on January 1, 2018)

21 Sec. 60-10. Qualifications for RN licensure.

22 (a) Each applicant who successfully meets the requirements
23 of this Section shall be entitled to licensure as a registered
24 professional nurse.

25 (b) An applicant for licensure by examination to practice

1 as a registered professional nurse must do each of the
2 following:

3 (1) Submit a completed written application, on forms
4 provided by the Department, and fees, as established by the
5 Department.

6 (2) Have graduated from a professional nursing
7 education program approved by the Department or have been
8 granted a certificate of completion of pre-licensure
9 requirements from another United States jurisdiction.

10 (3) Successfully complete a licensure examination
11 approved by the Department.

12 (4) Have not violated the provisions of this Act
13 concerning the grounds for disciplinary action. The
14 Department may take into consideration any felony
15 conviction of the applicant, but such a conviction may not
16 operate as an absolute bar to licensure.

17 (5) Submit to the criminal history records check
18 required under Section 50-35 of this Act.

19 (6) Submit, either to the Department or its designated
20 testing service, a fee covering the cost of providing the
21 examination. Failure to appear for the examination on the
22 scheduled date at the time and place specified after the
23 applicant's application for examination has been received
24 and acknowledged by the Department or the designated
25 testing service shall result in the forfeiture of the
26 examination fee.

1 (7) Meet all other requirements established by the
2 Department by rule. An applicant for licensure by
3 examination may take the Department-approved examination
4 in another jurisdiction.

5 (b-5) If an applicant for licensure by examination
6 neglects, fails, or refuses to take an examination or fails to
7 pass an examination for a license within 3 years after filing
8 the application, the application shall be denied. The applicant
9 may make a new application accompanied by the required fee,
10 evidence of meeting the requirements in force at the time of
11 the new application, and proof of the successful completion of
12 at least 2 additional years of professional nursing education.

13 (c) An applicant for licensure by examination shall have
14 one year after the date of notification of the successful
15 completion of the examination to apply to the Department for a
16 license. If an applicant fails to apply within one year, the
17 applicant shall be required to retake and pass the examination
18 unless licensed in another jurisdiction of the United States.

19 (d) An applicant for licensure by examination who passes
20 the Department-approved licensure examination for professional
21 nursing may obtain employment as a license-pending registered
22 nurse and practice under the direction of a registered
23 professional nurse or an advanced practice nurse until such
24 time as he or she receives his or her license to practice or
25 until the license is denied. In no instance shall any such
26 applicant practice or be employed in any management capacity.

1 An individual may be employed as a license-pending registered
2 nurse if all of the following criteria are met:

3 (1) He or she has completed and passed the
4 Department-approved licensure exam and presents to the
5 employer the official written notification indicating
6 successful passage of the licensure examination.

7 (2) He or she has completed and submitted to the
8 Department an application for licensure under this Section
9 as a registered professional nurse.

10 (3) He or she has submitted the required licensure fee.

11 (4) He or she has met all other requirements
12 established by rule, including having submitted to a
13 criminal history records check.

14 (e) The privilege to practice as a license-pending
15 registered nurse shall terminate with the occurrence of any of
16 the following:

17 (1) Three months have passed since the official date of
18 passing the licensure exam as inscribed on the formal
19 written notification indicating passage of the exam. The
20 3-month license pending period may be extended if more time
21 is needed by the Department to process the licensure
22 application.

23 (2) Receipt of the registered professional nurse
24 license from the Department.

25 (3) Notification from the Department that the
26 application for licensure has been refused.

1 (4) A request by the Department that the individual
2 terminate practicing as a license-pending registered nurse
3 until an official decision is made by the Department to
4 grant or deny a registered professional nurse license.

5 (f) An applicant for registered professional nurse
6 licensure by endorsement who is a registered professional nurse
7 licensed by examination under the laws of another state ~~or~~
8 ~~territory~~ of the United States must do each of the following:

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

12 (2) Have graduated from a registered professional
13 nursing education program approved by the Department.

14 (3) Submit verification of licensure status directly
15 from the United States jurisdiction of licensure, if
16 applicable, as defined by rule.

17 (4) Submit to the criminal history records check
18 required under Section 50-35 of this Act.

19 (5) Meet all other requirements as established by the
20 Department by rule.

21 (g) Pending the issuance of a license under this Section,
22 the Department may grant an applicant a temporary license to
23 practice nursing as a registered professional nurse if the
24 Department is satisfied that the applicant holds an active,
25 unencumbered license in good standing in another U.S.
26 jurisdiction. If the applicant holds more than one current

1 active license or one or more active temporary licenses from
2 another jurisdiction, the Department may not issue a temporary
3 license until the Department is satisfied that each current
4 active license held by the applicant is unencumbered. The
5 temporary license, which shall be issued no later than 14
6 working days after receipt by the Department of an application
7 for the temporary license, shall be granted upon the submission
8 of all of the following to the Department:

9 (1) A completed application for licensure as a
10 registered professional nurse.

11 (2) Proof of a current, active license in at least one
12 other jurisdiction of the United States and proof that each
13 current active license or temporary license held by the
14 applicant within the last 5 years is unencumbered.

15 (3) A completed application for a temporary license.

16 (4) The required temporary license fee.

17 (h) The Department may refuse to issue an applicant a
18 temporary license authorized pursuant to this Section if,
19 within 14 working days after its receipt of an application for
20 a temporary license, the Department determines that:

21 (1) the applicant has been convicted of a crime under
22 the laws of a jurisdiction of the United States that is (i)
23 a felony or (ii) a misdemeanor directly related to the
24 practice of the profession, within the last 5 years;

25 (2) the applicant has had a license or permit related
26 to the practice of nursing revoked, suspended, or placed on

1 probation by another jurisdiction within the last 5 years,
2 if at least one of the grounds for revoking, suspending, or
3 placing on probation is the same or substantially
4 equivalent to grounds for disciplinary action under this
5 Act; or

6 (3) the Department intends to deny licensure by
7 endorsement.

8 (i) The Department may revoke a temporary license issued
9 pursuant to this Section if it determines any of the following:

10 (1) That the applicant has been convicted of a crime
11 under the laws of any jurisdiction of the United States
12 that is (i) a felony or (ii) a misdemeanor directly related
13 to the practice of the profession, within the last 5 years.

14 (2) That within the last 5 years, the applicant has had
15 a license or permit related to the practice of nursing
16 revoked, suspended, or placed on probation by another
17 jurisdiction, if at least one of the grounds for revoking,
18 suspending, or placing on probation is the same or
19 substantially equivalent to grounds for disciplinary
20 action under this Act.

21 (3) That it intends to deny licensure by endorsement.

22 (j) A temporary license issued under this Section shall
23 expire 6 months after the date of issuance. Further renewal may
24 be granted by the Department in hardship cases, as defined by
25 rule and upon approval of the Secretary. However, a temporary
26 license shall automatically expire upon issuance of the

1 Illinois license or upon notification that the Department
2 intends to deny licensure, whichever occurs first.

3 (k) All applicants for registered professional nurse
4 licensure have 3 years after the date of application to
5 complete the application process. If the process has not been
6 completed within 3 years after the date of application, the
7 application shall be denied, the fee forfeited, and the
8 applicant must reapply and meet the requirements in effect at
9 the time of reapplication.

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

1 successful completion of a nursing education program conducted
2 in English. The requirements of this subsection (l) may be
3 satisfied by the showing of proof of a certificate from the
4 Certificate Program or the VisaScreen Program of the Commission
5 on Graduates of Foreign Nursing Schools.

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

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

4 (Source: P.A. 95-639, eff. 10-5-07.)

5 (225 ILCS 65/60-15) (was 225 ILCS 65/10-37)

6 (Section scheduled to be repealed on January 1, 2018)

7 Sec. 60-15. Registered nurse externship permit.

8 (a) The Department shall establish a program under which
9 the Department may issue a nurse externship permit to a
10 registered nurse who is licensed under the laws of another
11 state ~~or territory~~ of the United States and who has not taken
12 the National Council Licensure Examination (NCLEX). A nurse who
13 is issued a permit shall be allowed to practice as a nurse
14 extern under the direct, on-site supervision of a registered
15 professional nurse licensed under this Act. There shall be one
16 supervising registered professional nurse for every one nurse
17 extern.

18 (b) An applicant shall be qualified to receive a nurse
19 externship permit if that applicant:

20 (1) Has submitted a completed written application to
21 the Department, on forms provided by the Department, and
22 submitted any fees established by the Department.

23 (2) Has graduated from a professional nursing
24 education program approved by the Department.

25 (3) Is licensed as a professional nurse in another

1 state ~~or territory~~ of the United States and has submitted a
2 verification of active and unencumbered licensure in all of
3 the states and territories in which the applicant is
4 licensed.

5 (4) Has submitted verification of an offer of
6 employment in Illinois as a nurse extern. The Department
7 may prescribe the information necessary to determine if
8 this employment meets the requirements of the permit
9 program. This information shall include a copy of the
10 written employment offer.

11 (5) Has submitted a written statement from the
12 applicant's prospective employer stating that the
13 prospective employer agrees to pay the full tuition for the
14 Bilingual Nurse Consortium course or other course approved
15 by rule.

16 (6) Has submitted proof of taking the Test of English
17 as a Foreign Language (TOEFL) with a minimum score as set
18 by rule. Applicants with the highest TOEFL scores shall be
19 given first consideration to entrance into an extern
20 program.

21 (7) Has submitted written verification that the
22 applicant has been enrolled in the Bilingual Nurse
23 Consortium course or other course approved by rule. This
24 verification must state that the applicant shall be able to
25 complete the course within the year for which the permit is
26 issued.

1 (8) Has agreed to submit to the Department a mid-year
2 exam as determined by rule that demonstrates proficiency
3 towards passing the NCLEX.

4 (9) Has not violated the provisions of Section 70-5 of
5 this Act. The Department may take into consideration any
6 felony conviction of the applicant, but such a conviction
7 shall not operate as an absolute bar to licensure.

8 (10) Has met all other requirements established by
9 rule.

10 (c) A nurse extern shall be issued no more than one permit
11 in a lifetime. The permit shall expire one calendar year after
12 it is issued. Before being issued a license under this Act, the
13 nurse extern must submit proof of the successful completion of
14 the Bilingual Nurse Consortium course or other course approved
15 by rule and successful passage of the NCLEX. The nurse extern
16 shall not practice autonomous, professional nursing until he or
17 she is licensed under this Act. The nurse extern shall carry
18 out progressive nursing skills under the direct supervision of
19 a registered nurse licensed under this Act and shall not be
20 employed in a supervisory capacity. The nurse extern shall work
21 only in the sponsoring facility. A nurse extern may work for a
22 period not to exceed one calendar year from the date of
23 issuance of the permit or until he or she fails the NCLEX.
24 While working as a nurse extern, the nurse extern is subject to
25 the provisions of this Act and all rules adopted by the
26 Department for the administration of this Act.

1 (d) The Secretary shall convene a task force to establish
2 clinical guidelines that allow for the gradual progression of
3 nursing skills in culturally diverse practice settings. The
4 Nursing Act Coordinator or his or her designee shall serve as
5 chairperson of the task force. The task force shall include,
6 but not be limited to, 2 representatives of the Illinois Nurses
7 Association, 2 representatives of the Illinois Hispanic Nurses
8 Association, a nurse engaged in nursing education who possesses
9 a master's degree or higher, one representative from the
10 Humboldt Park Vocational Educational Center, 2 registered
11 nurses from United States territories who each hold a current
12 State nursing license, one representative from the Chicago
13 Bilingual Nurse Consortium, and one member of the Illinois
14 Hospital Association. The task force shall complete this work
15 no longer than 4 months after convening. After the nurse
16 externship permit program has been in effect for 2 years, the
17 task force shall evaluate the effectiveness of the program and
18 make appropriate recommendations to the Secretary.

19 (Source: P.A. 94-351, eff. 7-28-05; 95-639, eff. 10-5-07.)

20 (225 ILCS 65/70-35) (was 225 ILCS 65/20-31)

21 (Section scheduled to be repealed on January 1, 2018)

22 Sec. 70-35. Licensure requirements; internet site. The
23 Department shall make available to the public the requirements
24 for licensure in English and Spanish on the internet through
25 the Department's World Wide Web site. This information shall

1 include the requirements for licensure of individuals
2 currently residing in another state ~~or territory~~ of the United
3 States or a foreign country, territory, or province. The
4 Department shall establish an e-mail link to the Department for
5 information on the requirements for licensure, with replies
6 available in English and Spanish.

7 (Source: P.A. 95-639, eff. 10-5-07.)