



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB5876

by Rep. Elgie R. Sims, Jr.

SYNOPSIS AS INTRODUCED:

225 ILCS 65/65-70 new
410 ILCS 130/20
410 ILCS 130/75
410 ILCS 130/200
30 ILCS 105/5.855 new

Amends the Nurse Practice Act. Creates the Illinois Primary Care Workforce Investment Fund for the purposes of providing individuals seeking licensure as an advanced practice nurse with increased opportunities to complete the clinical hours required for licensure and increased access to clinical preceptors who are qualified to teach, supervise, and evaluate these individuals. Provides that the fund is also intended to address the State-wide shortage of a primary care workforce by increasing the number of advanced practice nurses in local health care facilities. Further provides that the fund shall be financed by moneys collected from the proceeds of the penalty imposed on cardholders who violate certain provisions of the Compassionate Use of Medical Cannabis Pilot Program Act and from the proceeds of the tax paid by cultivation centers under certain provisions of the Compassionate Use of Medical Cannabis Pilot Program Act. Amends the Compassionate Use of Medical Cannabis Pilot Program Act and the State Finance Act to make related changes.

LRB098 19142 ZMM 54294 b

FISCAL NOTE ACT
MAY APPLY

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 Nurse Practice Act is amended by adding
5 Section 65-70 as follows:

6 (225 ILCS 65/65-70 new)

7 Sec. 65-70. Illinois Primary Care Workforce Investment
8 Fund. The Illinois Primary Care Workforce Investment Fund is
9 created as a special fund in the State treasury for the purpose
10 of providing individuals seeking licensure as an APN with
11 increased opportunities to complete the clinical hours
12 required for licensure, which shall be achieved in part by
13 making clinical preceptors qualified to teach, supervise, and
14 evaluate these individuals more accessible in local health care
15 facilities. The fund is also intended to address the State-wide
16 shortage of a primary care workforce by increasing the number
17 of advanced practice nurses in local health care facilities.
18 The moneys in this fund shall be used by the Department,
19 subject to appropriation, to provide monetary assistance to
20 hospitals, hospital affiliates, ambulatory surgical treatment
21 centers, nursing schools, community health centers, and any
22 other licensed health care facilities or non-profit entities
23 operating in this State for the purpose of providing clinical

1 opportunities for individuals studying to be an advanced
2 practice nurse, including the employment of a clinical
3 preceptor who is qualified to supervise such individuals. The
4 fund shall be financed by moneys collected from the proceeds of
5 the penalty imposed on cardholders under subsection (d) of
6 Section 75 of the Compassionate Use of Medical Cannabis Pilot
7 Program Act and from the proceeds of the tax paid by
8 cultivation centers under subsection (a) of Section 200 of the
9 Compassionate Use of Medical Cannabis Pilot Program Act.

10 Section 10. The Compassionate Use of Medical Cannabis Pilot
11 Program Act is amended by changing Sections 20, 75, and 200 as
12 follows:

13 (410 ILCS 130/20)

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

15 Sec. 20. Compassionate Use of Medical Cannabis Fund.

16 (a) There is created the Compassionate Use of Medical
17 Cannabis Fund in the State treasury to be used exclusively for
18 the direct and indirect costs associated with the
19 implementation, administration, and enforcement of this Act.
20 Funds in excess of the direct and indirect costs associated
21 with the implementation, administration, and enforcement of
22 this Act shall be used to fund crime prevention programs.

23 (b) Except as provided in subsection (d) of Section 75 and
24 in Section 200 of this Act, all ~~All~~ monies collected under this

1 Act shall be deposited in the Compassionate Use of Medical
2 Cannabis Fund in the State treasury. All earnings received from
3 investment of monies in the Compassionate Use of Medical
4 Cannabis Fund shall be deposited in the Compassionate Use of
5 Medical Cannabis Fund.

6 (c) Notwithstanding any other law to the contrary, the
7 Compassionate Use of Medical Cannabis Fund is not subject to
8 sweeps, administrative charge-backs, or any other fiscal or
9 budgetary maneuver that would in any way transfer any amounts
10 from the Compassionate Use of Medical Cannabis Fund into any
11 other fund of the State.

12 (Source: P.A. 98-122, eff. 1-1-14.)

13 (410 ILCS 130/75)

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

15 Sec. 75. Notifications to Department of Public Health and
16 responses; civil penalty.

17 (a) The following notifications and Department of Public
18 Health responses are required:

19 (1) A registered qualifying patient shall notify the
20 Department of Public Health of any change in his or her
21 name or address, or if the registered qualifying patient
22 ceases to have his or her debilitating medical condition,
23 within 10 days of the change.

24 (2) A registered designated caregiver shall notify the
25 Department of Public Health of any change in his or her

1 name or address, or if the designated caregiver becomes
2 aware the registered qualifying patient passed away,
3 within 10 days of the change.

4 (3) Before a registered qualifying patient changes his
5 or her designated caregiver, the qualifying patient must
6 notify the Department of Public Health.

7 (4) If a cardholder loses his or her registry
8 identification card, he or she shall notify the Department
9 within 10 days of becoming aware the card has been lost.

10 (b) When a cardholder notifies the Department of Public
11 Health of items listed in subsection (a), but remains eligible
12 under this Act, the Department of Public Health shall issue the
13 cardholder a new registry identification card with a new random
14 alphanumeric identification number within 15 business days of
15 receiving the updated information and a fee as specified in
16 Department of Public Health rules. If the person notifying the
17 Department of Public Health is a registered qualifying patient,
18 the Department shall also issue his or her registered
19 designated caregiver, if any, a new registry identification
20 card within 15 business days of receiving the updated
21 information.

22 (c) If a registered qualifying patient ceases to be a
23 registered qualifying patient or changes his or her registered
24 designated caregiver, the Department of Public Health shall
25 promptly notify the designated caregiver. The registered
26 designated caregiver's protections under this Act as to that

1 qualifying patient shall expire 15 days after notification by
2 the Department.

3 (d) A cardholder who fails to make a notification to the
4 Department of Public Health that is required by this Section is
5 subject to a civil infraction, punishable by a penalty of no
6 more than \$150. Moneys collected pursuant to this subsection
7 (d) shall be deposited into the Illinois Primary Care Workforce
8 Investment Fund.

9 (e) A registered qualifying patient shall notify the
10 Department of Public Health of any change to his or her
11 designated registered dispensing organization. Registered
12 dispensing organizations must comply with all requirements of
13 this Act.

14 (f) If the registered qualifying patient's certifying
15 physician notifies the Department in writing that either the
16 registered qualifying patient has ceased to suffer from a
17 debilitating medical condition or that the physician no longer
18 believes the patient would receive therapeutic or palliative
19 benefit from the medical use of cannabis, the card shall become
20 null and void. However, the registered qualifying patient shall
21 have 15 days to destroy his or her remaining medical cannabis
22 and related paraphernalia.

23 (Source: P.A. 98-122, eff. 1-1-14.)

24 (410 ILCS 130/200)

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

1 Sec. 200. Tax imposed.

2 (a) Beginning on the effective date of this Act, a tax is
3 imposed upon the privilege of cultivating medical cannabis at a
4 rate of 7% of the sales price per ounce. The proceeds from this
5 tax shall be deposited into the Illinois Primary Care Workforce
6 Investment Fund ~~Compassionate Use of Medical Cannabis Fund~~
7 created under the Nurse Practice Act ~~Compassionate Use of~~
8 ~~Medical Cannabis Pilot Program Act~~. This tax shall be paid by a
9 cultivation center and is not the responsibility of a
10 dispensing organization or a qualifying patient.

11 (b) The tax imposed under this Act shall be in addition to
12 all other occupation or privilege taxes imposed by the State of
13 Illinois or by any municipal corporation or political
14 subdivision thereof.

15 (Source: P.A. 98-122, eff. 1-1-14.)

16 Section 15. The State Finance Act is amended by adding
17 Section 5.855 as follows:

18 (30 ILCS 105/5.855 new)

19 Sec. 5.855. The Illinois Primary Care Workforce Investment
20 Fund.