



## 98TH GENERAL ASSEMBLY

### State of Illinois

2013 and 2014

SB3513

Introduced 2/14/2014, by Sen. Pamela J. Althoff

#### SYNOPSIS AS INTRODUCED:

See Index

Amends the Nurse Practice Act. Ratifies and adopts the Nurse Licensure Compact. Allows for reciprocity of licensure of licensed practical nurses and registered nurses among the states. Provides for administration of the Compact by the Nursing Act Coordinator. Provides that the licensing board shall participate in a Compact Evaluation Initiative designed to evaluate the effectiveness and operability of the Compact. Provides that the Compact does not relieve employers from complying with statutorily imposed obligations. Provides that the Compact does not supersede existing State labor laws. Makes changes relating to the purposes of the Compact. Provides that any practical nurse or registered nurse exercising the practice privilege afforded under the Nurse Licensure Compact who provides direct patient care in Illinois shall be registered with the eNotify Nurses Database system which can be assessed at no cost by the Department of Financial and Professional Regulation. Provides that the Department may revoke or limit the multistate licensure privilege of any practical nurse or registered nurse to practice in Illinois necessary to protect the health and safety of the public. Further provides that a practical nurse or registered nurse shall be denied the privilege to practice by the Department if he or she has been convicted of certain criminal offenses or has been required to register under the Sex Offender Registration Act. Provides that each practical nurse or registered nurse licensed by a party state under the Nurse Licensure Compact that is applying for the privilege to practice in this State shall have his or her fingerprints submitted to the Department of State Police for the purposes of a criminal history records check.

LRB098 19827 ZMM 55468 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 Article 80 as follows:

6 (225 ILCS 65/Art. 80 heading new)

7 ARTICLE 80. NURSE LICENSURE COMPACT

8 (225 ILCS 65/80-5 new)

9 (Section scheduled to be repealed on January 1, 2018)

10 Sec. 80-5. Nurse Licensure Compact. The State of Illinois  
11 ratifies and approves the Nurse Licensure Compact and enters  
12 into it with all other jurisdictions that legally join in the  
13 compact. The General Assembly finds that no amendment by the  
14 General Assembly to the provisions of the Compact contained in  
15 this Act shall become effective and binding upon the Compact  
16 and the Compact party states unless and until the Nurse  
17 Licensure Compact Administrators (NLCA) enact the amendment to  
18 the Articles of Organization of the NCLA. The Nurse Licensure  
19 Compact is, in form, substantially as follows:

20 PART I.

21 Findings and Declaration of Purpose

1       (a) The party states find that:

2           (1) the health and safety of the public are affected by  
3       the degree of compliance with and the effectiveness of  
4       enforcement activities related to state nurse licensure  
5       laws;

6           (2) violations of nurse licensure and other laws  
7       regulating the practice of nursing may result in injury or  
8       harm to the public;

9           (3) the expanded mobility of nurses and the use of  
10       advanced communication technologies as part of our  
11       nation's healthcare delivery system require greater  
12       coordination and cooperation among states in the areas of  
13       nurse licensure and regulation;

14           (4) new practice modalities and technology make  
15       compliance with individual state nurse licensure laws  
16       difficult and complex; and

17           (5) the current system of duplicative licensure for  
18       nurses practicing in multiple states is cumbersome and  
19       redundant to both nurses and states.

20       (b) The general purposes of this Compact are to:

21           (1) facilitate the states' responsibility to protect  
22       the public's health and safety;

23           (2) ensure and encourage the cooperation of party  
24       states in the areas of nurse licensure and regulation;

25           (3) facilitate the exchange of information between

1 party states in the areas of nurse regulation,  
2 investigation and adverse actions;

3 (4) promote compliance with the laws governing the  
4 practice of nursing in each jurisdiction; and

5 (5) invest all party states with the authority to hold  
6 a nurse accountable for meeting all state practice laws in  
7 the state in which the patient is located at the time care  
8 is rendered through the mutual recognition of party state  
9 licenses.

10 PART II.

11 Definitions

12 As used in this Compact:

13 (a) "Adverse Action" means a home or remote state action.

14 (b) "Alternative program" means a voluntary,  
15 non-disciplinary monitoring program approved by a nurse  
16 licensing board.

17 (c) "Coordinated licensure information system" means an  
18 integrated process for collecting, storing, and sharing  
19 information on nurse licensure and enforcement activities  
20 related to nurse licensure laws, which is administered by a  
21 non-profit organization composed of and controlled by state  
22 nurse licensing boards.

23 (d) "Current significant investigative information" means:

24 (1) investigative information that a licensing board,

1 after a preliminary inquiry that includes notification and  
2 an opportunity for the nurse to respond if required by  
3 state law, has reason to believe is not groundless and, if  
4 proved true, would indicate more than a minor infraction;  
5 or

6 (2) investigative information that indicates that the  
7 nurse represents an immediate threat to public health and  
8 safety regardless of whether the nurse has been notified  
9 and had an opportunity to respond.

10 (e) "Home state" means the party state which is the nurse's  
11 primary state of residence.

12 (f) "Home state action" means any administrative, civil,  
13 equitable, or criminal action permitted by the home state's  
14 laws that are imposed on a nurse by the home state's licensing  
15 board or other authority including actions against an  
16 individual's license such as: revocation, suspension,  
17 probation, or any other action which affects a nurse's  
18 authorization to practice.

19 (g) "Licensing board" means a party state's regulatory body  
20 responsible for issuing nurse licenses.

21 (h) "Multistate licensure privilege" means current,  
22 official authority from a remote state permitting the practice  
23 of nursing as either a registered nurse or a licensed  
24 practical/vocational nurse in such party state. All party  
25 states have the authority, in accordance with existing state  
26 due process law, to take actions against the nurse's privilege

1 such as: revocation, suspension, probation, or any other action  
2 which affects a nurse's authorization to practice.

3 (i) "Nurse" means a registered nurse or licensed  
4 practical/vocational nurse, as those terms are defined by each  
5 party's state practice laws.

6 (j) "Party state" means any state that has adopted this  
7 Compact.

8 (k) "Remote state" means a party state, other than the home  
9 state,

10 (1) where the patient is located at the time nursing  
11 care is provided, or,

12 (2) in the case of the practice of nursing not  
13 involving a patient, in such party state where the  
14 recipient of nursing practice is located.

15 (l) "Remote state action" means:

16 (1) any administrative, civil, equitable, or criminal  
17 action permitted by a remote state's laws which are imposed  
18 on a nurse by the remote state's licensing board or other  
19 authority including actions against an individual's  
20 multistate licensure privilege to practice in the remote  
21 state, and

22 (2) cease and desist and other injunctive or equitable  
23 orders issued by remote states or the licensing boards  
24 thereof.

25 (m) "State" means a state, territory, or possession of the  
26 United States, the District of Columbia or the Commonwealth of

1 Puerto Rico.

2 (n) "State practice laws" means those individual party's  
3 state laws and regulations that govern the practice of nursing,  
4 define the scope of nursing practice, and create the methods  
5 and grounds for imposing discipline. "State practice laws" does  
6 not include the initial qualifications for licensure or  
7 requirements necessary to obtain and retain a license, except  
8 for qualifications or requirements of the home state.

9 PART III.

10 General Provisions and Jurisdiction

11 (a) A license to practice registered nursing issued by a  
12 home state to a resident in that state will be recognized by  
13 each party state as authorizing a multistate licensure  
14 privilege to practice as a registered nurse in such party  
15 state. A license to practice licensed practical/vocational  
16 nursing issued by a home state to a resident in that state will  
17 be recognized by each party state as authorizing a multistate  
18 licensure privilege to practice as a licensed  
19 practical/vocational nurse in such party state. In order to  
20 obtain or retain a license, an applicant must meet the home  
21 state's qualifications for licensure and license renewal as  
22 well as all other applicable state laws.

23 (b) Party states may, in accordance with state due process  
24 laws, limit or revoke the multistate licensure privilege of any

1 nurse to practice in their state and may take any other actions  
2 under their applicable state laws necessary to protect the  
3 health and safety of their citizens. If a party state takes  
4 such action, it shall promptly notify the administrator of the  
5 coordinated licensure information system. The administrator of  
6 the coordinated licensure information system shall promptly  
7 notify the home state of any such actions by remote states.

8 (c) Every nurse practicing in a party state must comply  
9 with the state practice laws of the state in which the patient  
10 is located at the time care is rendered. In addition, the  
11 practice of nursing is not limited to patient care, but shall  
12 include all nursing practice as defined by the state practice  
13 laws of a party state. The practice of nursing will subject a  
14 nurse to the jurisdiction of the nurse licensing board and the  
15 courts, as well as the laws, in that party state.

16 (d) This Compact does not affect additional requirements  
17 imposed by states for advanced practice registered nursing.  
18 However, a multistate licensure privilege to practice  
19 registered nursing granted by a party state shall be recognized  
20 by other party states as a license to practice registered  
21 nursing if one is required by state law as a precondition for  
22 qualifying for advanced practice registered nurse  
23 authorization.

24 (e) Individuals not residing in a party state shall  
25 continue to be able to apply for nurse licensure as provided  
26 for under the laws of each party state. However, the license



1 granted to these individuals will not be recognized as granting  
2 the privilege to practice nursing in any other party state  
3 unless explicitly agreed to by that party state.

4 PART IV.

5 Applications for Licensure in a Party State

6 (a) Upon application for a license, the licensing board in  
7 a party state shall ascertain, through the coordinated  
8 licensure information system, whether the applicant has ever  
9 held, or is the holder of, a license issued by any other state,  
10 whether there are any restrictions on the multistate licensure  
11 privilege, and whether any other adverse action by any state  
12 has been taken against the license.

13 (b) A nurse in a party state shall hold licensure in only  
14 one party state at a time, issued by the home state.

15 (c) A nurse who intends to change primary state of  
16 residence may apply for licensure in the new home state in  
17 advance of such change. However, new licenses will not be  
18 issued by a party state until after a nurse provides evidence  
19 of change in primary state of residence satisfactory to the new  
20 home state's licensing board.

21 (d) When a nurse changes primary state of residence by:

22 (1) moving between two party states, and obtains a  
23 license from the new home state, the license from the  
24 former home state is no longer valid;

1           (2) moving from a non-party state to a party state, and  
2           obtains a license from the new home state, the individual  
3           state license issued by the non-party state is not affected  
4           and will remain in full force if so provided by the laws of  
5           the non-party state;

6           (3) moving from a party state to a non-party state, the  
7           license issued by the prior home state converts to an  
8           individual state license, valid only in the former home  
9           state, without the multistate licensure privilege to  
10           practice in other party states.

11    PART V.

12    Adverse Actions

13           In addition to the General Provisions described in Part  
14           III, the following provisions apply:

15           (a) The licensing board of a remote state shall promptly  
16           report to the administrator of the coordinated licensure  
17           information system any remote state actions including the  
18           factual and legal basis for such action, if known. The  
19           licensing board of a remote state shall also promptly report  
20           any significant current investigative information yet to  
21           result in a remote state action. The administrator of the  
22           coordinated licensure information system shall promptly notify  
23           the home state of any such reports.

24           (b) The licensing board of a party state shall have the

1 authority to complete any pending investigations for a nurse  
2 who changes primary state of residence during the course of  
3 such investigations. It shall also have the authority to take  
4 appropriate action(s), and shall promptly report the  
5 conclusions of such investigations to the administrator of the  
6 coordinated licensure information system. The administrator of  
7 the coordinated licensure information system shall promptly  
8 notify the new home state of any such actions.

9 (c) A remote state may take adverse action affecting the  
10 multistate licensure privilege to practice within that party  
11 state. However, only the home state shall have the power to  
12 impose adverse action against the license issued by the home  
13 state.

14 (d) For purposes of imposing adverse action, the licensing  
15 board of the home state shall give the same priority and effect  
16 to reported conduct received from a remote state as it would if  
17 such conduct had occurred within the home state. In so doing,  
18 it shall apply its own state laws to determine appropriate  
19 action.

20 (e) The home state may take adverse action based on the  
21 factual findings of the remote state, so long as each state  
22 follows its own procedures for imposing such adverse action.

23 (f) Nothing in this Compact shall override a party state's  
24 decision that participation in an alternative program may be  
25 used in lieu of licensure action and that such participation  
26 shall remain non-public if required by the party state's laws.

1 Party states must require nurses who enter any alternative  
2 programs to agree not to practice in any other party state  
3 during the term of the alternative program without prior  
4 authorization from such other party state.

5 PART VI.

6 Additional Authorities Invested  
7 in Party State Nurse Licensing Boards

8 Notwithstanding any other powers, party state nurse  
9 licensing boards shall have the authority to:

10 (a) if otherwise permitted by state law, recover from the  
11 affected nurse the costs of investigations and disposition of  
12 cases resulting from any adverse action taken against that  
13 nurse;

14 (b) issue subpoenas for both hearings and investigations  
15 which require the attendance and testimony of witnesses and the  
16 production of evidence. Subpoenas issued by a nurse licensing  
17 board in a party state for the attendance and testimony of  
18 witnesses or the production of evidence from another party  
19 state, shall be enforced in the latter state by any court of  
20 competent jurisdiction, according to the practice and  
21 procedure of that court applicable to subpoenas issued in  
22 proceedings pending before it. The issuing authority shall pay  
23 any witness fees, travel expenses, mileage, and other fees  
24 required by the service statutes of the state where the

1 witnesses and/or evidence are located;

2 (c) issue cease and desist orders to limit or revoke a  
3 nurse's authority to practice in their state; or

4 (d) adopt uniform rules and regulations as provided for in  
5 Part VIII(c).

6 PART VII.

7 Coordinated Licensure Information System

8 (a) All party states shall participate in a cooperative  
9 effort to create a coordinated data base of all licensed  
10 registered nurses and licensed practical/vocational nurses.  
11 This system will include information on the licensure and  
12 disciplinary history of each nurse, as contributed by party  
13 states, to assist in the coordination of nurse licensure and  
14 enforcement efforts.

15 (b) Notwithstanding any other provision of law, all party  
16 states' licensing boards shall promptly report adverse  
17 actions, actions against multistate licensure privileges, any  
18 current significant investigative information yet to result in  
19 adverse action, denials of applications, and the reasons for  
20 such denials, to the coordinated licensure information system.

21 (c) Current significant investigative information shall be  
22 transmitted through the coordinated licensure information  
23 system only to party state licensing boards.

24 (d) Notwithstanding any other provision of law, all party

1 states' licensing boards contributing information to the  
2 coordinated licensure information system may designate  
3 information that may not be shared with non-party states or  
4 disclosed to other entities or individuals without the express  
5 permission of the contributing state.

6 (e) Any personally identifiable information obtained by a  
7 party states' licensing board from the coordinated licensure  
8 information system may not be shared with non-party states or  
9 disclosed to other entities or individuals except to the extent  
10 permitted by the laws of the party state contributing the  
11 information.

12 (f) Any information contributed to the coordinated  
13 licensure information system that is subsequently required to  
14 be expunged by the laws of the party state contributing that  
15 information shall also be expunged from the coordinated  
16 licensure information system.

17 (g) The Compact administrators, acting jointly with each  
18 other and in consultation with the administrator of the  
19 coordinated licensure information system, shall formulate  
20 necessary and proper procedures for the identification,  
21 collection, and exchange of information under this Compact.

22 PART VIII.

23 Compact Administration and

24 Interchange of Information

1       (a) The head of the nurse licensing board, or his or her  
2 designee, of each party state shall be the administrator of  
3 this Compact for his or her state.

4       (b) The Compact administrator of each party state shall  
5 furnish to the Compact administrator of each other party state  
6 any information and documents including, but not limited to, a  
7 uniform data set of investigations, identifying information,  
8 licensure data, and disclosable alternative program  
9 participation information to facilitate the administration of  
10 this Compact.

11       (c) Compact administrators shall have the authority to  
12 develop uniform rules to facilitate and coordinate  
13 implementation of this Compact. These uniform rules shall be  
14 adopted by party states, under the authority invested under  
15 Part VI(d).

16                               PART IX.

17                               Immunity

18       No party state or the officers or employees or agents of a  
19 party state's nurse licensing board who acts in accordance with  
20 the provisions of this Compact shall be liable on account of  
21 any act or omission in good faith while engaged in the  
22 performance of their duties under this Compact. Good faith in  
23 this article shall not include willful misconduct, gross  
24 negligence, or recklessness.

1 PART X.

2 Entry into Force, Withdrawal and Amendment

3 (a) This Compact shall enter into force and become  
4 effective as to any state when it has been enacted into the  
5 laws of that state. Any party state may withdraw from this  
6 Compact by enacting a statute repealing the same, but no such  
7 withdrawal shall take effect until six months after the  
8 withdrawing state has given notice of the withdrawal to the  
9 executive heads of all other party states.

10 (b) No withdrawal shall affect the validity or  
11 applicability by the licensing boards of states remaining party  
12 to the Compact of any report of adverse action occurring prior  
13 to the withdrawal.

14 (c) Nothing contained in this Compact shall be construed to  
15 invalidate or prevent any nurse licensure agreement or other  
16 cooperative arrangement between a party state and a non-party  
17 state that is made in accordance with the other provisions of  
18 this Compact.

19 (d) This Compact may be amended by the party states. No  
20 amendment to this Compact shall become effective and binding  
21 upon the party states unless and until it is enacted into the  
22 laws of all party states.

23 PART XI.



1                   Construction and Severability

2           (a) This Compact shall be liberally construed so as to  
3 effectuate the purposes thereof. The provisions of this Compact  
4 shall be severable and if any phrase, clause, sentence, or  
5 provision of this Compact is declared to be contrary to the  
6 constitution of any party state or of the United States or the  
7 applicability thereof to any government, agency, person, or  
8 circumstance is held invalid, the validity of the remainder of  
9 this Compact and the applicability thereof to any government,  
10 agency, person, or circumstance shall not be affected thereby.  
11 If this Compact shall be held contrary to the constitution of  
12 any state party thereto, the Compact shall remain in full force  
13 and effect as to the remaining party states and in full force  
14 and effect as to the party state affected as to all severable  
15 matters.

16           (b) In the event party states find a need for settling  
17 disputes arising under this Compact:

18               (1) The party states may submit the issues in dispute  
19 to an arbitration panel which will be comprised of an  
20 individual appointed by the Compact administrator in the  
21 home state; an individual appointed by the Compact  
22 administrator in the remote state(s) involved; and an  
23 individual mutually agreed upon by the Compact  
24 administrators of all the party states involved in the  
25 dispute.

1           (2) The decision of a majority of the arbitrators shall  
2           be final and binding.

3           (225 ILCS 65/80-10 new)

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

5           Sec. 80-10. Costs of investigation and disposition of  
6           cases. To facilitate cross-state enforcement efforts, the  
7           Department shall have the power to recover from the affected  
8           nurse a reasonable fine for the costs of investigations and  
9           disposition of cases resulting from adverse actions taken by  
10          this State against that nurse.

11          (225 ILCS 65/80-15 new)

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

13          Sec. 80-15. Statutory obligations. This Compact is  
14          designed to facilitate the regulation of nurses and does not  
15          relieve employers from complying with statutorily imposed  
16          obligations.

17          (225 ILCS 65/80-20 new)

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

19          Sec. 80-20. State labor laws. This Compact does not  
20          supersede existing State labor laws.

21          Section 90. The Nurse Practice Act is amended by changing  
22          Sections 50-10, 50-15, 55-10, and 60-10 as follows:

1 (225 ILCS 65/50-10) (was 225 ILCS 65/5-10)

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

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

6 "Academic year" means the customary annual schedule of  
7 courses at a college, university, or approved school,  
8 customarily regarded as the school year as distinguished from  
9 the calendar year.

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

18 "Approved program of professional nursing education" and  
19 "approved program of practical nursing education" are programs  
20 of professional or practical nursing, respectively, approved  
21 by the Department under the provisions of this Act.

22 "Board" means the Board of Nursing appointed by the  
23 Secretary.

24 "Collaboration" means a process involving 2 or more health  
25 care professionals working together, each contributing one's

1       respective area of expertise to provide more comprehensive  
2       patient care.

3       "Consultation" means the process whereby an advanced  
4       practice nurse seeks the advice or opinion of another health  
5       care professional.

6       "Credentialed" means the process of assessing and  
7       validating the qualifications of a health care professional.

8       "Current nursing practice update course" means a planned  
9       nursing education curriculum approved by the Department  
10       consisting of activities that have educational objectives,  
11       instructional methods, content or subject matter, clinical  
12       practice, and evaluation methods, related to basic review and  
13       updating content and specifically planned for those nurses  
14       previously licensed in the United States or its territories and  
15       preparing for reentry into nursing practice.

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

18       "Department" means the Department of Financial and  
19       Professional Regulation.

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

1       "License" or "licensed" means the permission granted a  
2 person to practice nursing under this Act, including the  
3 privilege to practice.

4       "Licensee" means a person who has been issued a license to  
5 practice nursing in this State or who holds the privilege to  
6 practice nursing in this State.

7       "License-pending advanced practice nurse" means a  
8 registered professional nurse who has completed all  
9 requirements for licensure as an advanced practice nurse except  
10 the certification examination and has applied to take the next  
11 available certification exam and received a temporary license  
12 from the Department.

13       "License-pending registered nurse" means a person who has  
14 passed the Department-approved registered nurse licensure exam  
15 and has applied for a license from the Department. A  
16 license-pending registered nurse shall use the title "RN lic  
17 pend" on all documentation related to nursing practice.

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

20       "Podiatric physician" means a person licensed to practice  
21 podiatry under the Podiatric Medical Practice Act of 1987.

22       "Practical nurse" or "licensed practical nurse" means a  
23 person who is licensed as a practical nurse under this Act or  
24 holds the privilege to practice under this Act and practices  
25 practical nursing as defined in this Act. Only a practical  
26 nurse licensed or granted the privilege to practice under this

1 Act is entitled to use the title "licensed practical nurse" and  
2 the abbreviation "L.P.N."

3 "Practical nursing" means the performance of nursing acts  
4 requiring the basic nursing knowledge, judgment ~~judgement~~, and  
5 skill acquired by means of completion of an approved practical  
6 nursing education program. Practical nursing includes  
7 assisting in the nursing process as delegated by a registered  
8 professional nurse or an advanced practice nurse. The practical  
9 nurse may work under the direction of a licensed physician,  
10 dentist, podiatric physician, or other health care  
11 professional determined by the Department.

12 "Privileged" means the authorization granted by the  
13 governing body of a healthcare facility, agency, or  
14 organization to provide specific patient care services within  
15 well-defined limits, based on qualifications reviewed in the  
16 credentialing process.

17 "Privilege to practice" means the authorization to  
18 practice as a practical nurse or a registered nurse in this  
19 State under Article 80 of this Act.

20 "Registered Nurse" or "Registered Professional Nurse"  
21 means a person who is licensed as a professional nurse under  
22 this Act or holds the privilege to practice under this Act and  
23 practices nursing as defined in this Act. Only a registered  
24 nurse licensed under or granted the privilege to practice this  
25 Act is entitled to use the titles "registered nurse" and  
26 "registered professional nurse" and the abbreviation, "R.N."

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

1 acts of medical diagnosis or prescription of therapeutic or  
2 corrective measures.

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

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

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

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

18 (Source: P.A. 97-813, eff. 7-13-12; 98-214, eff. 8-9-13.)

19 (225 ILCS 65/50-15) (was 225 ILCS 65/5-15)

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

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

22 (a) For the protection of life and the promotion of health,  
23 and the prevention of illness and communicable diseases, any  
24 person practicing or offering to practice advanced,  
25 professional, or practical nursing in Illinois shall submit



1 evidence that he or she is qualified to practice, and shall be  
2 licensed or hold the privilege to practice as provided under  
3 this Act. No person shall practice or offer to practice  
4 advanced, professional, or practical nursing in Illinois or use  
5 any title, sign, card or device to indicate that such a person  
6 is practicing professional or practical nursing unless such  
7 person has been licensed or holds the privilege to practice  
8 under 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 or territory and not in  
15 conflict with Sections 50-50, 55-10, 60-10, and 70-5 of  
16 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 when providing services to  
24 patients in Illinois during a bonafide emergency or in  
25 immediate preparation for or during interstate transit.

26 (5) The incidental care of the sick by members of the

1 family, domestic servants or housekeepers, or care of the  
2 sick where treatment is by prayer or spiritual means.

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

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

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

25 (9) The practice of professional nursing by one who is  
26 a registered professional nurse under the laws of another

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

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

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

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

1           (13) The practice, services, or activities of persons  
2 practicing the specified occupations set forth in  
3 subsection (a) of, and pursuant to a licensing exemption  
4 granted in subsection (b) or (d) of, Section 2105-350 of  
5 the Department of Professional Regulation Law of the Civil  
6 Administrative Code of Illinois, but only for so long as  
7 the 2016 Olympic and Paralympic Games Professional  
8 Licensure Exemption Law is operable.

9           (14) County correctional personnel from delivering  
10 prepackaged medication for self-administration to an  
11 individual detainee in a correctional facility.

12           Nothing in this Act shall be construed to limit the  
13 delegation of tasks or duties by a physician, dentist, or  
14 podiatric physician to a licensed practical nurse, a registered  
15 professional nurse, or other persons.

16           (Source: P.A. 98-214, eff. 8-9-13.)

17           (225 ILCS 65/55-10) (was 225 ILCS 65/10-30)

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

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

20           (a) Each applicant who successfully meets the requirements  
21 of this Section shall be entitled to licensure as a Licensed  
22 Practical Nurse.

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

25           (1) Submit a completed written application, on forms

1 provided by the Department and fees as established by the  
2 Department.

3 (2) Have graduated from a practical nursing education  
4 program approved by the Department or have been granted a  
5 certificate of completion of pre-licensure requirements  
6 from another United States jurisdiction.

7 (3) Successfully complete a licensure examination  
8 approved by the Department.

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

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

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

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

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

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

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

18 (c) An applicant for licensure by examination shall have  
19 one year from the date of notification of successful completion  
20 of the examination to apply to the Department for a license. If  
21 an applicant fails to apply within one year, the applicant  
22 shall be required to retake and pass the examination unless  
23 licensed in another jurisdiction of the United States.

24 (d) A licensed practical nurse applicant who passes the  
25 Department-approved licensure examination and has applied to  
26 the Department for licensure may obtain employment as a

1 license-pending practical nurse and practice as delegated by a  
2 registered professional nurse or an advanced practice nurse or  
3 physician. An individual may be employed as a license-pending  
4 practical nurse if all of the following criteria are met:

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

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

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

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

16 (e) The privilege to practice as a license-pending  
17 practical nurse shall terminate with the occurrence of any of  
18 the following:

19 (1) Three months have passed since the official date of  
20 passing the licensure exam as inscribed on the formal  
21 written notification indicating passage of the exam. This  
22 3-month period may be extended as determined by rule.

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

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

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

5           (f) An applicant for licensure by endorsement who is a  
6           licensed practical nurse licensed by examination under the laws  
7           of another state or territory of the United States or a foreign  
8           country, jurisdiction, territory, or province must do each of  
9           the following:

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

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

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

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

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

22           (g) All applicants for practical nurse licensure by  
23           examination or endorsement who are graduates of nursing  
24           educational programs in a country other than the United States  
25           or its territories shall have their nursing education  
26           credentials evaluated by a Department-approved nursing



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

18 (h) An applicant licensed in another state or territory who  
19 is applying for licensure and has received her or his education  
20 in a country other than the United States or its territories  
21 shall have her or his nursing education credentials evaluated  
22 by a Department-approved nursing credentialing evaluation  
23 service. No such applicant may be issued a license under this  
24 Act unless the applicant's program is deemed by the nursing  
25 credentialing evaluation service to be equivalent to a  
26 professional nursing education program approved by the

1 Department. An applicant who has graduated from a nursing  
2 educational program outside of the United States or its  
3 territories and whose first language is not English shall  
4 submit certification of passage of the Test of English as a  
5 Foreign Language (TOEFL), as defined by rule. The Department  
6 may, upon recommendation from the nursing evaluation service,  
7 waive the requirement that the applicant pass the TOEFL  
8 examination if the applicant submits verification of the  
9 successful completion of a nursing education program conducted  
10 in English or the successful passage of an approved licensing  
11 examination given in English. The requirements of this  
12 subsection (d-5) may be satisfied by the showing of proof of a  
13 certificate from the Certificate Program or the VisaScreen  
14 Program of the Commission on Graduates of Foreign Nursing  
15 Schools.

16 (i) A licensed practical nurse who holds an unencumbered  
17 license in good standing in another United States jurisdiction  
18 and who has applied for practical nurse licensure under this  
19 Act by endorsement may be issued a temporary license, if  
20 satisfactory proof of such licensure in another jurisdiction is  
21 presented to the Department. The Department shall not issue an  
22 applicant a temporary practical nurse license until it is  
23 satisfied that the applicant holds an active, unencumbered  
24 license in good standing in another jurisdiction. If the  
25 applicant holds more than one current active license or one or  
26 more active temporary licenses from another jurisdiction, the

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

8 (1) A completed application for licensure as a  
9 practical nurse.

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

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

16 (4) The required temporary license fee.

17 (j) The Department may refuse to issue an applicant a  
18 temporary license authorized pursuant to this Section if,  
19 within 14 working days following its receipt of an application  
20 for 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:  
23 (i) 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 practical nursing revoked, suspended, or

1 placed on probation by another jurisdiction within the last  
2 5 years and at least one of the grounds for revoking,  
3 suspending, or placing on probation is the same or  
4 substantially equivalent to grounds in Illinois; or

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

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

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

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

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

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

1 notification that the Department intends to deny licensure,  
2 whichever occurs first.

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

9 (n) A practical nurse licensed by a party state under the  
10 Nurse Licensure Compact under Article 80 of this Act is granted  
11 the privilege to practice practical nursing in this State. Any  
12 practical nurse exercising the practice privilege afforded  
13 under this subsection (n) who provides direct patient care in  
14 Illinois shall be registered with the eNotify Nurses Database  
15 system which can be assessed at no cost by the Department. The  
16 Department may revoke or limit the multistate licensure  
17 privilege of any practical nurse to practice in Illinois  
18 necessary to protect the health and safety of the public.

19 (o) A practical nurse licensed by a party state under the  
20 Nurse Licensure Compact under Article 80 of this Act shall be  
21 denied the privilege to practice by the Department if he or  
22 she: (1) has been convicted of a criminal act that requires  
23 registration under the Sex Offender Registration Act; (2) has  
24 been convicted of a criminal battery against any patient in the  
25 course of patient care or treatment, including any offense  
26 based on sexual conduct or sexual penetration; (3) has been

1 convicted of a forcible felony; or (4) is required as a part of  
2 a criminal sentence to register under the Sex Offender  
3 Registration Act.

4 (p) Each practical nurse licensed by a party state under  
5 the Nurse Licensure Compact under Article 80 of this Act that  
6 is applying for the privilege to practice in this State shall  
7 have his or her fingerprints submitted to the Department of  
8 State Police in an electronic format that complies with the  
9 form and manner for requesting and furnishing criminal history  
10 record information as prescribed by the Department of State  
11 Police. These fingerprints shall be checked against the  
12 Department of State Police and Federal Bureau of Investigation  
13 criminal history record databases now and hereafter filed. The  
14 Department of State Police shall charge applicants a fee for  
15 conducting the criminal history records check, which shall be  
16 deposited into the State Police Services Fund and shall not  
17 exceed the actual cost of the records check. The Department of  
18 State Police shall furnish, pursuant to positive  
19 identification, records of Illinois convictions to the  
20 Department. The Department may require applicants to pay a  
21 separate fingerprinting fee, either to the Department or to a  
22 vendor. The Department, in its discretion, may allow an  
23 applicant who does not have reasonable access to a designated  
24 vendor to provide his or her fingerprints in an alternative  
25 manner. The Department may adopt any rules necessary to  
26 implement this Section. A practical nurse applying for the

1 privilege to practice in this State shall not be subject to the  
2 requirements of Section 50-35 of this Act.

3 (Source: P.A. 94-352, eff. 7-28-05; 94-932, eff. 1-1-07;  
4 95-639, eff. 10-5-07.)

5 (225 ILCS 65/60-10)

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

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

8 (a) Each applicant who successfully meets the requirements  
9 of this Section shall be entitled to licensure as a registered  
10 professional nurse.

11 (b) An applicant for licensure by examination to practice  
12 as a registered professional nurse must do each of the  
13 following:

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

17 (2) Have graduated from a professional nursing  
18 education program approved by the Department or have been  
19 granted a certificate of completion of pre-licensure  
20 requirements from another United States jurisdiction.

21 (3) Successfully complete a licensure examination  
22 approved by the Department.

23 (4) Have not violated the provisions of this Act  
24 concerning the grounds for disciplinary action. The  
25 Department may take into consideration any felony

1 conviction of the applicant, but such a conviction may not  
2 operate as an absolute bar to licensure.

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

5 (6) Submit, 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 (7) Meet all other requirements established by the  
14 Department by rule. An applicant for licensure by  
15 examination may take the Department-approved examination  
16 in another jurisdiction.

17 (b-5) If an applicant for licensure by examination  
18 neglects, fails, or refuses to take an examination or fails to  
19 pass an examination for a license within 3 years after filing  
20 the application, the application shall be denied. The applicant  
21 may make a new application accompanied by the required fee,  
22 evidence of meeting the requirements in force at the time of  
23 the new application, and proof of the successful completion of  
24 at least 2 additional years of professional nursing education.

25 (c) An applicant for licensure by examination shall have  
26 one year after the date of notification of the successful



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

5 (d) An applicant for licensure by examination who passes  
6 the Department-approved licensure examination for professional  
7 nursing may obtain employment as a license-pending registered  
8 nurse and practice under the direction of a registered  
9 professional nurse or an advanced practice nurse until such  
10 time as he or she receives his or her license to practice or  
11 until the license is denied. In no instance shall any such  
12 applicant practice or be employed in any management capacity.  
13 An individual may be employed as a license-pending registered  
14 nurse if all of the following criteria are met:

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

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

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

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

26 (e) The privilege to practice as a license-pending

1 registered nurse shall terminate with the occurrence of any of  
2 the following:

3 (1) Three months have passed since the official date of  
4 passing the licensure exam as inscribed on the formal  
5 written notification indicating passage of the exam. The  
6 3-month license pending period may be extended if more time  
7 is needed by the Department to process the licensure  
8 application.

9 (2) Receipt of the registered professional nurse  
10 license from the Department.

11 (3) Notification from the Department that the  
12 application for licensure has been refused.

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

17 (f) An applicant for registered professional nurse  
18 licensure by endorsement who is a registered professional nurse  
19 licensed by examination under the laws of another state or  
20 territory of the United States must do each of the following:

21 (1) Submit a completed written application, on forms  
22 supplied by the Department, and fees as established by the  
23 Department.

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

26 (3) Submit verification of licensure status directly

1 from the United States jurisdiction of licensure, if  
2 applicable, as defined by rule.

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

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

7 (g) Pending the issuance of a license under this Section,  
8 the Department may grant an applicant a temporary license to  
9 practice nursing as a registered professional nurse if the  
10 Department is satisfied that the applicant holds an active,  
11 unencumbered license in good standing in another U.S.  
12 jurisdiction. If the applicant holds more than one current  
13 active license or one or more active temporary licenses from  
14 another jurisdiction, the Department may not issue a temporary  
15 license until the Department is satisfied that each current  
16 active license held by the applicant is unencumbered. The  
17 temporary license, which shall be issued no later than 14  
18 working days after receipt by the Department of an application  
19 for the temporary license, shall be granted upon the submission  
20 of all of the following to the Department:

21 (1) A completed application for licensure as a  
22 registered professional nurse.

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

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

2 (4) The required temporary license fee.

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

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

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

18 (3) the Department intends to deny licensure by  
19 endorsement.

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

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

26 (2) That within the last 5 years, the applicant has had

1 a license or permit related to the practice of nursing  
2 revoked, suspended, or placed on probation by another  
3 jurisdiction, if at least one of the grounds for revoking,  
4 suspending, or placing on probation is the same or  
5 substantially equivalent to grounds for disciplinary  
6 action under this Act.

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

8 (j) A temporary license issued under this Section shall  
9 expire 6 months after the date of issuance. Further renewal may  
10 be granted by the Department in hardship cases, as defined by  
11 rule and upon approval of the Secretary. However, a temporary  
12 license shall automatically expire upon issuance of the  
13 Illinois license or upon notification that the Department  
14 intends to deny licensure, whichever occurs first.

15 (k) All applicants for registered professional nurse  
16 licensure have 3 years after the date of application to  
17 complete the application process. If the process has not been  
18 completed within 3 years after the date of application, the  
19 application shall be denied, the fee forfeited, and the  
20 applicant must reapply and meet the requirements in effect at  
21 the time of reapplication.

22 (l) All applicants for registered nurse licensure by  
23 examination or endorsement who are graduates of practical  
24 nursing educational programs in a country other than the United  
25 States and its territories shall have their nursing education  
26 credentials evaluated by a Department-approved nursing

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

18 (m) An applicant licensed in another state or territory who  
19 is applying for licensure and has received her or his education  
20 in a country other than the United States or its territories  
21 shall have her or his nursing education credentials evaluated  
22 by a Department-approved nursing credentialing evaluation  
23 service. No such applicant may be issued a license under this  
24 Act unless the applicant's program is deemed by the nursing  
25 credentialing evaluation service to be equivalent to a  
26 professional nursing education program approved by the

1 Department. An applicant who has graduated from a nursing  
2 educational program outside of the United States or its  
3 territories and whose first language is not English shall  
4 submit certification of passage of the Test of English as a  
5 Foreign Language (TOEFL), as defined by rule. The Department  
6 may, upon recommendation from the nursing evaluation service,  
7 waive the requirement that the applicant pass the TOEFL  
8 examination if the applicant submits verification of the  
9 successful completion of a nursing education program conducted  
10 in English or the successful passage of an approved licensing  
11 examination given in English. The requirements of this  
12 subsection (m) may be satisfied by the showing of proof of a  
13 certificate from the Certificate Program or the VisaScreen  
14 Program of the Commission on Graduates of Foreign Nursing  
15 Schools.

16 (n) A registered nurse licensed by a party state under the  
17 Nurse Licensure Compact under Article 80 of this Act is granted  
18 the privilege to practice registered nursing in this State. Any  
19 registered nurse exercising the practice privilege afforded  
20 under this subsection (n) who provides direct patient care in  
21 Illinois shall be registered with the eNotify Nurses Database  
22 system which can be assessed at no cost by the Department. The  
23 Department may revoke or limit the multistate licensure  
24 privilege of any registered nurse to practice in Illinois  
25 necessary to protect the health and safety of the public.

26 (o) A registered nurse licensed by a party state under the

1 Nurse Licensure Compact under Article 80 of this Act shall be  
2 denied the privilege to practice by the Department if he or  
3 she: (1) has been convicted of a criminal act that requires  
4 registration under the Sex Offender Registration Act; (2) has  
5 been convicted of a criminal battery against any patient in the  
6 course of patient care or treatment, including any offense  
7 based on sexual conduct or sexual penetration; (3) has been  
8 convicted of a forcible felony; or (4) is required as a part of  
9 a criminal sentence to register under the Sex Offender  
10 Registration Act.

11 (p) Each registered nurse licensed by a party state under  
12 the Nurse Licensure Compact under Article 80 of this Act that  
13 is applying for the privilege to practice in this State shall  
14 have his or her fingerprints submitted to the Department of  
15 State Police in an electronic format that complies with the  
16 form and manner for requesting and furnishing criminal history  
17 record information as prescribed by the Department of State  
18 Police. These fingerprints shall be checked against the  
19 Department of State Police and Federal Bureau of Investigation  
20 criminal history record databases now and hereafter filed. The  
21 Department of State Police shall charge applicants a fee for  
22 conducting the criminal history records check, which shall be  
23 deposited into the State Police Services Fund and shall not  
24 exceed the actual cost of the records check. The Department of  
25 State Police shall furnish, pursuant to positive  
26 identification, records of Illinois convictions to the



1 Department. The Department may require applicants to pay a  
2 separate fingerprinting fee, either to the Department or to a  
3 vendor. The Department, in its discretion, may allow an  
4 applicant who does not have reasonable access to a designated  
5 vendor to provide his or her fingerprints in an alternative  
6 manner. The Department may adopt any rules necessary to  
7 implement this Section. A registered nurse applying for the  
8 privilege to practice in this State shall not be subject to the  
9 requirements of Section 50-35 of this Act.

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

1		INDEX	
2		Statutes amended in order of appearance	
3	225 ILCS 65/Art. 80		
4	heading new		
5	225 ILCS 65/80-5 new		
6	225 ILCS 65/80-10 new		
7	225 ILCS 65/80-15 new		
8	225 ILCS 65/80-20 new		
9	225 ILCS 65/50-10	was 225 ILCS 65/5-10	
10	225 ILCS 65/50-15	was 225 ILCS 65/5-15	
11	225 ILCS 65/55-10	was 225 ILCS 65/10-30	
12	225 ILCS 65/60-10		