



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

SB2799

Introduced 2/17/2016, by Sen. Dan Duffy

SYNOPSIS AS INTRODUCED:

20 ILCS 1005/1005-45	was 20 ILCS 1005/43a.06
20 ILCS 1505/1505-20	was 20 ILCS 1505/43.13
225 ILCS 510/13	from Ch. 111, par. 963

Amends the Department of Employment Security Law of the Civil Administrative Code of Illinois and the Department of Labor Law of the Civil Administrative Code of Illinois. Provides that the Department of Employment Security rather than the Department of Labor shall monitor the employment progress of women and minorities in the workforce and report to the General Assembly. Amends the Nurse Agency Licensing Act. Requires the nurse agency to check the Health Care Worker Registry (rather than contact the Department of Public Health) before employing, assigning, or referring a certified nurse aide to verify that the certified nurse aide is eligible to be hired by health care employers or long-term care facilities pursuant to the Health Care Worker Background Check Act.

LRB099 20538 SMS 45083 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 Department of Employment Security Law of the
5 Civil Administrative Code of Illinois is amended by changing
6 Section 1005-45 as follows:

7 (20 ILCS 1005/1005-45) (was 20 ILCS 1005/43a.06)

8 Sec. 1005-45. Prosperity of laboring men and women.

9 (a) The Department has the power to acquire and diffuse
10 among the people useful information concerning the means of
11 promoting the material, social, intellectual, and moral
12 prosperity of laboring men and women.

13 (b) The Department shall monitor the employment progress of
14 women and minorities in the work force, including access to the
15 public sector, the private sector, labor unions, and collective
16 bargaining units. This information shall be provided to the
17 General Assembly in the form of an annual report no later than
18 April 1 of each year.

19 (Source: P.A. 91-239, eff. 1-1-00.)

20 Section 10. The Department of Labor Law of the Civil
21 Administrative Code of Illinois is amended by changing Section
22 1505-20 as follows:

1 (20 ILCS 1505/1505-20) (was 20 ILCS 1505/43.13)

2 Sec. 1505-20. Prosperity of laboring men and women;
3 progress of women and minorities.

4 (a) The Department has the power to acquire and diffuse
5 among the people useful information concerning the means of
6 promoting the material, social, intellectual, and moral
7 prosperity of laboring men and women.

8 (b) (Blank). ~~The Department shall monitor the employment~~
9 ~~progress of women and minorities in the work force, including~~
10 ~~access to the public sector, the private sector, labor unions,~~
11 ~~and collective bargaining units. This information shall be~~
12 ~~provided to the General Assembly in the form of an annual~~
13 ~~report no later than April 1 of each year.~~

14 (Source: P.A. 91-239, eff. 1-1-00.)

15 Section 15. The Nurse Agency Licensing Act is amended by
16 changing Section 13 as follows:

17 (225 ILCS 510/13) (from Ch. 111, par. 963)

18 Sec. 13. Application for employment.

19 (a) Every nurse agency shall cause each applicant for
20 employment, assignment, or referral, as a nurse to complete an
21 application form including the following information:

22 (1) name and address of the applicant;

23 (2) whether or not such applicant is a nurse currently

1 licensed by the Department of Professional Regulation;

2 (3) if so licensed, the number and date of such
3 license; and

4 (4) references and dates and places of previous
5 employment.

6 Prior to employing, assigning, or referring a nurse, the
7 agency shall contact the Department of Professional Regulation
8 to determine whether the nurse's license is valid and in good
9 standing. Written verification shall be sent by the Department
10 of Professional Regulation within 20 working days. At least
11 biennially thereafter, the agency shall contact the Department
12 of Professional Regulation to verify this information in
13 writing. The nurse agency shall review the disciplinary report
14 published by the Department of Professional Regulation on a
15 monthly basis to determine whether the nurse's license is valid
16 and in good standing.

17 (b) Every nurse agency shall cause each applicant for
18 employment, assignment, or referral, as a certified nurse aide
19 to complete an application form including the following
20 information:

21 (1) name and address of the applicant;

22 (2) whether or not the nurse aide is registered as
23 having completed a certified course as approved by the
24 Department of Public Health;

25 (3) references and dates and places of previous
26 employment.

1 Prior to employing, assigning, or referring a certified
2 nurse aide, the agency shall review the information provided on
3 the Health Care Worker Registry to verify that the
4 certification is valid and that the certified nurse aide is not
5 ineligible to be hired by health care employers or long-term
6 care facilities pursuant to Section 25 of the Health Care
7 Worker Background Check Act. ~~Prior to employing, assigning or~~
8 ~~referring a certified nurse aide, the agency shall contact the~~
9 ~~Department of Public Health to determine whether the~~
10 ~~certification is valid and that the certified nurse aide is not~~
11 ~~listed on the abuse register. Written verification shall be~~
12 ~~sent by the Department of Public Health within 20 working days.~~

13 (c) Every nurse agency shall check at least 2 recent
14 references and the dates of employment provided by the
15 applicant, unless the applicant has not had 2 previous
16 employers.

17 (d) Nurses or certified nurses aides employed, assigned, or
18 referred to a health care facility by a nurse agency shall be
19 deemed to be employees of the nurse agency while working for
20 the nurse agency or on nurse agency employment, assignment or
21 referral.

22 (Source: P.A. 86-817; 86-1043.)