

1 AN ACT in relation to nursing.

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

4 Section 5. The Nursing and Advanced Practice Nursing Act  
5 is amended by changing Section 10-30 as follows:

6 (225 ILCS 65/10-30)

7 Sec. 10-30. Qualifications for licensure.

8 (a) Each applicant who successfully meets the  
9 requirements of this Section shall be entitled to licensure  
10 as a Registered Nurse or Licensed Practical Nurse, whichever  
11 is applicable.

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

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

18 (2) for registered nurse licensure, have completed  
19 an approved professional nursing education program of not  
20 less than 2 academic years and have graduated from the  
21 program; for licensed practical nurse licensure, have  
22 completed an approved practical nursing education program  
23 of not less than one academic year and have graduated  
24 from the program;

25 (3) have not violated the provisions of Section  
26 10-45 of this Act. The Department may take into  
27 consideration any felony conviction of the applicant, but  
28 such a conviction shall not operate as an absolute bar to  
29 licensure;

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

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

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

16           An applicant shall have one year from the date of  
17 notification of successful completion of the examination to  
18 apply to the Department for a license. If an applicant fails  
19 to apply within one year, the applicant shall be required to  
20 again take and pass the examination unless licensed in  
21 another jurisdiction of the United States within one year of  
22 passing the examination.

23           (c) An applicant for licensure who is a registered  
24 professional nurse or a licensed practical nurse licensed by  
25 examination under the laws of another state or territory of  
26 the United States shall:

27           (1) submit a completed written application, on  
28 forms supplied by the Department, and fees as established  
29 by the Department;

30           (2) for registered nurse licensure, have completed  
31 an approved professional nursing education program of not  
32 less than 2 academic years and have graduated from the  
33 program; for licensed practical nurse licensure, have  
34 completed an approved practical nursing education program

1 of not less than one academic year and have graduated  
2 from the program;

3 (3) submit verification of licensure status  
4 directly from the United States jurisdiction of  
5 licensure;

6 (4) have passed the examination authorized by the  
7 Department;

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

10 (d) All applicants for licensure pursuant to this  
11 Section who are graduates of nursing educational programs in  
12 a country other than the United States or its territories  
13 must submit to the Department certification of successful  
14 completion of the Commission of Graduates of Foreign Nursing  
15 Schools (CGFNS) examination. An applicant, who is unable to  
16 provide appropriate documentation to satisfy CGFNS of her or  
17 his educational qualifications for the CGFNS examination,  
18 shall be required to pass an examination to test competency  
19 in the English language which shall be prescribed by the  
20 Department, if the applicant is determined by the Board to be  
21 educationally prepared in nursing. The Board shall make  
22 appropriate inquiry into the reasons for any adverse  
23 determination by CGFNS before making its own decision.

24 An applicant licensed in another state or territory who  
25 is applying for licensure and has received her or his  
26 education in a country other than the United States or its  
27 territories shall be exempt from the completion of the  
28 Commission of Graduates of Foreign Nursing Schools (CGFNS)  
29 examination if the applicant meets all of the following  
30 requirements:

31 (1) successful passage of the licensure examination  
32 authorized by the Department;

33 (2) holds an active, unencumbered license in  
34 another state; and

1           (3) has been actively practicing for a minimum of 2  
2           years in another state.

3           (e) No applicant shall be issued a license as a  
4           registered nurse or practical nurse under this Section unless  
5           he or she has passed the examination authorized by the  
6           Department within 3 years of completion and graduation from  
7           an approved nursing education program, unless such applicant  
8           submits proof of successful completion of a  
9           Department-authorized remedial nursing education program or  
10          recompletion of an approved registered nursing program or  
11          licensed practical nursing program, as appropriate. This  
12          subsection (e) does not apply to applicants educated and  
13          licensed under laws of another jurisdiction, including  
14          applicants educated and licensed under the laws of a foreign  
15          country, territory, or province.

16          (f) Pending the issuance of a license under subsection  
17          (b) of this Section, the Department may grant an applicant a  
18          temporary license to practice nursing as a registered nurse  
19          or as a licensed practical nurse if the Department is  
20          satisfied that the applicant holds an active, unencumbered  
21          license in good standing in another jurisdiction. If the  
22          applicant holds more than one current active license, or one  
23          or more active temporary licenses from other jurisdictions,  
24          the Department shall not issue a temporary license until it  
25          is satisfied that each current active license held by the  
26          applicant is unencumbered. The temporary license, which  
27          shall be issued no later than 14 working days following  
28          receipt by the Department of an application for the temporary  
29          license, shall be granted upon the submission of the  
30          following to the Department:

31                 (1) a signed and completed application for  
32                 licensure under subsection (a) of this Section as a  
33                 registered nurse or a licensed practical nurse;

34                 (2) proof of a current, active license in at least

1 one other jurisdiction and proof that each current active  
2 license or temporary license held by the applicant is  
3 unencumbered;

4 (3) a signed and completed application for a  
5 temporary license; and

6 (4) the required permit fee.

7 (g) The Department may refuse to issue an applicant a  
8 temporary license authorized pursuant to this Section if,  
9 within 14 working days following its receipt of an  
10 application for a temporary license, the Department  
11 determines that:

12 (1) the applicant has been convicted of a crime  
13 under the laws of a jurisdiction of the United States:

14 (i) which is a felony; or (ii) which is a misdemeanor  
15 directly related to the practice of the profession,  
16 within the last 5 years;

17 (2) within the last 5 years the applicant has had a  
18 license or permit related to the practice of nursing  
19 revoked, suspended, or placed on probation by another  
20 jurisdiction, if at least one of the grounds for  
21 revoking, suspending, or placing on probation is the same  
22 or substantially equivalent to grounds in Illinois; or

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

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

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

30 (1) it determines that the applicant has been  
31 convicted of a crime under the law of any jurisdiction of  
32 the United States that is (i) a felony or (ii) a  
33 misdemeanor directly related to the practice of the  
34 profession, within the last 5 years;

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

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

10          A temporary license or renewed temporary license shall  
11 expire (i) upon issuance of an Illinois license or (ii) upon  
12 notification that the Department intends to deny licensure by  
13 endorsement. A temporary license shall expire 6 months from  
14 the date of issuance. Further renewal may be granted by the  
15 Department in hardship cases, as defined by rule. However, a  
16 temporary license shall automatically expire upon issuance of  
17 the Illinois license or upon notification that the Department  
18 intends to deny licensure, whichever occurs first. No  
19 extensions shall be granted beyond the 6-month period unless  
20 approved by the Director. Notification by the Department  
21 under this Section shall be by certified or registered mail.  
22 (Source: P.A. 90-61, eff. 12-30-97; 90-742, eff. 8-13-98.)

23          Section 99. Effective date. This Act takes effect upon  
24 becoming law.