

AN ACT concerning regulation.

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

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

(225 ILCS 65/10-30)

(Section scheduled to be repealed on January 1, 2008)

Sec. 10-30. Qualifications for licensure.

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

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

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

(2) for registered nurse licensure, have graduated from a professional nursing education program approved by the Department;

(2.5) for licensed practical nurse licensure, have graduated ~~graduate~~ from a practical nursing education program approved by the Department;

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

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

(5) pay, either to the Department or its designated testing service, a fee covering the cost of providing the examination. Failure to appear for the examination on the scheduled date at the time and place specified after the applicant's application for examination has been received

and acknowledged by the Department or the designated testing service shall result in the forfeiture of the examination fee.

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

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

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

(c) An applicant for licensure by endorsement who is a registered professional nurse or a licensed practical nurse licensed by examination under the laws of another state or territory of the United States or a foreign country, jurisdiction, territory, or province shall:

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

(2) for registered nurse licensure, have graduated from a professional nursing education program approved by the Department;

(2.5) for licensed practical nurse licensure, have graduated from a practical nursing education program approved by the Department;

(3) submit verification of licensure status directly from the United States jurisdiction of licensure, if applicable, as defined by rule;

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

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

(d) All applicants for registered nurse licensure pursuant to item (2) of subsection (b) and item (2) of subsection (c) of this Section who are graduates of nursing educational programs in a country other than the United States or its territories shall have their nursing education credentials evaluated by a Department-approved nursing credentialing evaluation service. No such applicant may be issued a license under this Act unless the applicant's program is deemed by the nursing credentialing evaluation service to be equivalent to a professional nursing education program approved by the Department. An applicant who has graduated from a nursing educational program outside of the United States or its territories and whose first language is not English shall submit certification of passage of the Test of English as a Foreign Language (TOEFL), as defined by rule. The Department may, upon recommendation from the nursing evaluation service, waive the requirement that the applicant pass the TOEFL examination if the applicant submits verification of the successful completion of a nursing education program conducted in English. ~~must submit to the Department certification of successful completion of the Commission of Graduates of Foreign Nursing Schools (CGFNS) examination. An applicant who is unable to provide appropriate documentation to satisfy CGFNS of her or his educational qualifications for the CGFNS examination shall be required to~~

~~pass an examination to test competency in the English language, which shall be prescribed by the Department, if the applicant is determined by the Board to be educationally prepared in nursing. The Board shall make appropriate inquiry into the reasons for any adverse determination by CGFNS before making its own decision.~~

(d-5) An applicant licensed in another state or territory who is applying for licensure and has received her or his education in a country other than the United States or its territories shall have her or his nursing education credentials evaluated by a Department-approved nursing credentialing evaluation service. No such applicant may be issued a license under this Act unless the applicant's program is deemed by the nursing credentialing evaluation service to be equivalent to a professional nursing education program approved by the Department. An applicant who has graduated from a nursing educational program outside of the United States or its territories and whose first language is not English shall submit certification of passage of the Test of English as a Foreign Language (TOEFL), as defined by rule. The Department may, upon recommendation from the nursing evaluation service, waive the requirement that the applicant pass the TOEFL examination if the applicant submits verification of the successful completion of a nursing education program conducted in English or the successful passage of an approved licensing examination given in English. ~~be exempt from the completion of the Commission of Graduates of Foreign Nursing Schools (CGFNS) examination if the applicant meets all of the following requirements:~~

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

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

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

(e) (Blank).

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

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

(2) proof of a current, active license in at least one other jurisdiction and proof that each current active license or temporary license held by the applicant within the last 5 years is unencumbered;

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

(4) the required temporary license fee.

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

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

(2) within the last 5 years the applicant has had a license or permit related to the practice of nursing revoked, suspended, or placed on probation by another

jurisdiction, if at least one of the grounds for revoking, suspending, or placing on probation is the same or substantially equivalent to grounds in Illinois; or

(3) it intends to deny licensure by endorsement.

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

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

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

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

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

A temporary license shall expire 6 months from the date of issuance. Further renewal may be granted by the Department in hardship cases, as defined by rule and upon approval of the Director. However, a temporary license shall automatically expire upon issuance of the Illinois license or upon notification that the Department intends to deny licensure, whichever occurs first.

(i) Applicants have 3 years from the date of application to complete the application process. If the process has not been completed within 3 years from the date of application, the application shall be denied, the fee forfeited, and the applicant must reapply and meet the requirements in effect at

the time of reapplication.

(Source: P.A. 92-39, eff. 6-29-01; 92-744, eff. 7-25-02;
revised 2-17-03.)

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