



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB5522

by Rep. Emanuel Chris Welch

SYNOPSIS AS INTRODUCED:

225 ILCS 60/20	from Ch. 111, par. 4400-20
225 ILCS 65/55-35	
225 ILCS 65/60-40	
225 ILCS 65/65-60	was 225 ILCS 65/15-45
225 ILCS 95/11.5	

Amends the Medical Practice Act of 1987, the Nurse Practice Act, and the Physician Assistant Practice Act of 1987. Provides that the rules adopted by the Department of Financial and Professional Regulation concerning continuing education shall require that, on and after January 1, 2022, all continuing education courses for persons licensed under the Acts contain curriculum that includes the understanding of implicit bias in the practice of medicine. Provides that a continuing education course dedicated solely to research or other issues that does not include a direct patient care component is not required to contain curriculum that includes implicit bias in the practice of medicine. Specifies requirements that continuing education courses must satisfy. Effectively immediately.

LRB101 19117 SPS 68580 b

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 1. The General Assembly finds and declares all of
5 the following:

6 (a) Implicit bias, meaning the attitudes or internalized
7 stereotypes that affect our perceptions, actions, and
8 decisions in an unconscious manner, exists and often
9 contributes to unequal treatment of people based on race,
10 ethnicity, gender identity, sexual orientation, age,
11 disability, and other characteristics.

12 (b) Implicit bias contributes to health disparities by
13 affecting the behavior of physicians and surgeons, nurses,
14 physician assistants, and other healing arts licensees.

15 (c) African American women are 3 to 4 times more likely
16 than white women to die from pregnancy-related causes
17 nationwide. African American patients often are prescribed
18 less pain medication than white patients who present the same
19 complaints. African American patients with signs of heart
20 problems are not referred for advanced cardiovascular
21 procedures as often as white patients with the same symptoms.

22 (d) Implicit gender bias also impacts treatment decisions
23 and outcomes. Women are less likely to survive a heart attack
24 when they are treated by a male physician and surgeon. LGBTQ

1 and gender-nonconforming patients are less likely to seek
2 timely medical care because they experience disrespect and
3 discrimination from health care staff, with one out of 5
4 transgender patients nationwide reporting that they were
5 outright denied medical care due to bias.

6 (e) The General Assembly intends to reduce disparate
7 outcomes and ensure that all patients receive fair treatment
8 and quality health care.

9 Section 5. The Medical Practice Act of 1987 is amended by
10 changing Section 20 as follows:

11 (225 ILCS 60/20) (from Ch. 111, par. 4400-20)

12 (Section scheduled to be repealed on January 1, 2022)

13 Sec. 20. Continuing education.

14 (a) The Department shall promulgate rules of continuing
15 education for persons licensed under this Act that require an
16 average of 50 hours of continuing education per license year.
17 These rules shall be consistent with requirements of relevant
18 professional associations, specialty societies, or boards. The
19 rules shall also address variances in part or in whole for good
20 cause, including, but not limited to, temporary illness or
21 hardship. In establishing these rules, the Department shall
22 consider educational requirements for medical staffs,
23 requirements for specialty society board certification or for
24 continuing education requirements as a condition of membership

1 in societies representing the 2 categories of licensee under
2 this Act. These rules shall assure that licensees are given the
3 opportunity to participate in those programs sponsored by or
4 through their professional associations or hospitals which are
5 relevant to their practice.

6 (b) Except as otherwise provided in this subsection, the
7 rules adopted under this Section shall require that, on and
8 after January 1, 2022, all continuing education courses for
9 persons licensed under this Act contain curriculum that
10 includes the understanding of implicit bias. Beginning January
11 1, 2023, continuing education providers shall ensure
12 compliance with this Section. Beginning January 1, 2023, the
13 Department shall audit continuing education providers at least
14 once every 5 years to ensure adherence to regulatory
15 requirements and shall withhold or rescind approval from any
16 provider that is in violation of the requirements of this
17 subsection.

18 A continuing education course dedicated solely to research
19 or other issues that does not include a direct patient care
20 component is not required to contain curriculum that includes
21 implicit bias in the practice of medicine.

22 To satisfy the requirements of this subsection, continuing
23 education courses shall address at least one of the following:

24 (1) examples of how implicit bias affects perceptions
25 and treatment decisions, leading to disparities in health
26 outcomes; or

1 (2) strategies to address how unintended biases in
2 decision making may contribute to health care disparities
3 by shaping behavior and producing differences in medical
4 treatment along lines of race, ethnicity, gender identity,
5 sexual orientation, age, socioeconomic status, or other
6 characteristics.

7 (c) Each licensee is responsible for maintaining records of
8 completion of continuing education and shall be prepared to
9 produce the records when requested by the Department.

10 (Source: P.A. 97-622, eff. 11-23-11.)

11 Section 10. The Nurse Practice Act is amended by adding
12 Sections changing Sections 55-35, 60-40, 65-60 as follows:

13 (225 ILCS 65/55-35)

14 (Section scheduled to be repealed on January 1, 2028)

15 Sec. 55-35. Continuing education for LPN licensees.

16 (a) The Department may adopt rules of continuing education
17 for licensed practical nurses that require 20 hours of
18 continuing education per 2-year license renewal cycle. The
19 rules shall address variances in part or in whole for good
20 cause, including without limitation illness or hardship. The
21 continuing education rules must ensure that licensees are given
22 the opportunity to participate in programs sponsored by or
23 through their State or national professional associations,
24 hospitals, or other providers of continuing education.

1 (b) Except as otherwise provided in this subsection, the
2 rules adopted under this Section shall require that, on and
3 after January 1, 2022, all continuing education courses for
4 licensed practical nurses licensed under this Act contain
5 curriculum that includes the understanding of implicit bias.
6 Beginning January 1, 2023, continuing education providers
7 shall ensure compliance with this Section. Beginning January 1,
8 2023, the Department shall audit continuing education
9 providers to verify their compliance with this Section.

10 A continuing education course dedicated solely to research
11 or other issues that does not include a direct patient care
12 component is not required to contain curriculum that includes
13 implicit bias in the practice of nursing.

14 To satisfy the requirements of this subsection, continuing
15 education courses shall address at least one of the following:

16 (1) examples of how implicit bias affects perceptions
17 and treatment decisions, leading to disparities in health
18 outcomes; or

19 (2) strategies to address how unintended biases in
20 decision making may contribute to health care disparities
21 by shaping behavior and producing differences in medical
22 treatment along lines of race, ethnicity, gender identity,
23 sexual orientation, age, socioeconomic status, or other
24 characteristics.

25 (c) Each licensee is responsible for maintaining records of
26 completion of continuing education and shall be prepared to

1 produce the records when requested by the Department.

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

3 (225 ILCS 65/60-40)

4 (Section scheduled to be repealed on January 1, 2028)

5 Sec. 60-40. Continuing education for RN licensees.

6 (a) The Department may adopt rules of continuing education
7 for registered professional nurses licensed under this Act that
8 require 20 hours of continuing education per 2-year license
9 renewal cycle. The rules shall address variances in part or in
10 whole for good cause, including without limitation illness or
11 hardship. The continuing education rules must ensure that
12 licensees are given the opportunity to participate in programs
13 sponsored by or through their State or national professional
14 associations, hospitals, or other providers of continuing
15 education.

16 (b) Except as otherwise provided in this subsection, the
17 rules adopted under this Section shall require that, on and
18 after January 1, 2022, all continuing education courses for
19 registered professional nurses licensed under this Act contain
20 curriculum that includes the understanding of implicit bias.
21 Beginning January 1, 2023, continuing education providers
22 shall ensure compliance with this Section. Beginning January 1,
23 2023, the Department shall audit continuing education
24 providers to verify their compliance with this Section.

25 A continuing education course dedicated solely to research

1 or other issues that does not include a direct patient care
2 component is not required to contain curriculum that includes
3 implicit bias in the practice of nursing.

4 To satisfy the requirements of this subsection, continuing
5 education courses shall address at least one of the following:

6 (1) examples of how implicit bias affects perceptions
7 and treatment decisions, leading to disparities in health
8 outcomes; or

9 (2) strategies to address how unintended biases in
10 decision making may contribute to health care disparities
11 by shaping behavior and producing differences in medical
12 treatment along lines of race, ethnicity, gender identity,
13 sexual orientation, age, socioeconomic status, or other
14 characteristics.

15 (c) Each licensee is responsible for maintaining records of
16 completion of continuing education and shall be prepared to
17 produce the records when requested by the Department.

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

19 (225 ILCS 65/65-60) (was 225 ILCS 65/15-45)

20 (Section scheduled to be repealed on January 1, 2028)

21 Sec. 65-60. Continuing education.

22 (a) The Department shall adopt rules of continuing
23 education for persons licensed under this Article as advanced
24 practice registered nurses that require 80 hours of continuing
25 education per 2-year license renewal cycle. Completion of the

1 80 hours of continuing education shall be deemed to satisfy the
2 continuing education requirements for renewal of a registered
3 professional nurse license as required by this Act.

4 The 80 hours of continuing education required under this
5 Section shall be completed as follows:

6 (1) A minimum of 50 hours of the continuing education
7 shall be obtained in continuing education programs as
8 determined by rule that shall include no less than 20 hours
9 of pharmacotherapeutics, including 10 hours of opioid
10 prescribing or substance abuse education. Continuing
11 education programs may be conducted or endorsed by
12 educational institutions, hospitals, specialist
13 associations, facilities, or other organizations approved
14 to offer continuing education under this Act or rules and
15 shall be in the advanced practice registered nurse's
16 specialty.

17 (2) A maximum of 30 hours of credit may be obtained by
18 presentations in the advanced practice registered nurse's
19 clinical specialty, evidence-based practice, or quality
20 improvement projects, publications, research projects, or
21 preceptor hours as determined by rule.

22 The rules adopted regarding continuing education shall be
23 consistent to the extent possible with requirements of relevant
24 national certifying bodies or State or national professional
25 associations.

26 (b) The rules shall not be inconsistent with requirements

1 of relevant national certifying bodies or State or national
2 professional associations. The rules shall also address
3 variances in part or in whole for good cause, including but not
4 limited to illness or hardship. The continuing education rules
5 shall assure that licensees are given the opportunity to
6 participate in programs sponsored by or through their State or
7 national professional associations, hospitals, or other
8 providers of continuing education.

9 (c) Except as otherwise provided in this subsection, the
10 rules adopted under this Section shall require that, on and
11 after January 1, 2022, all continuing education courses for
12 advanced practice registered nurses licensed under this Act
13 contain curriculum that includes the understanding of implicit
14 bias. Beginning January 1, 2023, continuing education
15 providers shall ensure compliance with this Section. Beginning
16 January 1, 2023, the Department shall audit continuing
17 education providers to verify their compliance with this
18 Section.

19 A continuing education course dedicated solely to research
20 or other issues that does not include a direct patient care
21 component is not required to contain curriculum that includes
22 implicit bias in the practice of nursing.

23 To satisfy the requirements of this subsection, continuing
24 education courses shall address at least one of the following:

25 (1) examples of how implicit bias affects perceptions
26 and treatment decisions, leading to disparities in health

1 outcomes; or
2 (2) strategies to address how unintended biases in
3 decision making may contribute to health care disparities
4 by shaping behavior and producing differences in medical
5 treatment along lines of race, ethnicity, gender identity,
6 sexual orientation, age, socioeconomic status, or other
7 characteristics.

8 (d) Each licensee is responsible for maintaining records of
9 completion of continuing education and shall be prepared to
10 produce the records when requested by the Department.

11 (Source: P.A. 100-513, eff. 1-1-18.)

12 Section 15. The Physician Assistant Practice Act of 1987 is
13 amended by changing Section 11.5 as follows:

14 (225 ILCS 95/11.5)

15 (Section scheduled to be repealed on January 1, 2028)

16 Sec. 11.5. Continuing education.

17 (a) The Department shall adopt rules for continuing
18 education for persons licensed under this Act that require 50
19 hours of continuing education per 2-year license renewal cycle.
20 Completion of the 50 hours of continuing education shall be
21 deemed to satisfy the continuing education requirements for
22 renewal of a physician assistant license as required by this
23 Act. The rules shall not be inconsistent with requirements of
24 relevant national certifying bodies or State or national

1 professional associations. The rules shall also address
2 variances in part or in whole for good cause, including, but
3 not limited to, illness or hardship. The continuing education
4 rules shall ensure that licensees are given the opportunity to
5 participate in programs sponsored by or through their State or
6 national professional associations, hospitals, or other
7 providers of continuing education.

8 (b) Except as otherwise provided in this subsection, the
9 rules adopted under this Section shall require that, on and
10 after January 1, 2022, all continuing education courses for
11 persons licensed under this Act contain curriculum that
12 includes the understanding of implicit bias. Beginning January
13 1, 2023, continuing education providers shall ensure
14 compliance with this Section. Beginning January 1, 2023, the
15 Department shall audit continuing education providers at least
16 once every 5 years to ensure adherence to regulatory
17 requirements and shall withhold or rescind approval from any
18 provider that is in violation of the regulatory requirements.

19 A continuing education course dedicated solely to research
20 or other issues that does not include a direct patient care
21 component is not required to contain curriculum that includes
22 implicit bias in the practice of medicine.

23 To satisfy the requirements of subsection (a) of this
24 Section, continuing education courses shall address at least
25 one of the following:

26 (1) examples of how implicit bias affects perceptions

1 and treatment decisions, leading to disparities in health
2 outcomes; or

3 (2) strategies to address how unintended biases in
4 decision making may contribute to health care disparities
5 by shaping behavior and producing differences in medical
6 treatment along lines of race, ethnicity, gender identity,
7 sexual orientation, age, socioeconomic status, or other
8 characteristics.

9 (c) Each licensee is responsible for maintaining records of
10 completion of continuing education and shall be prepared to
11 produce the records when requested by the Department.

12 (Source: P.A. 100-453, eff. 8-25-17.)

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