

SB0199



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB0199

Introduced 1/31/2023, by Sen. Sara Feigenholtz

SYNOPSIS AS INTRODUCED:

225 ILCS 65/65-43

Amends the Nurse Practice Act. Removes a provision providing that the scope of practice of an advanced practice registered nurse with full practice authority includes prescribing benzodiazepines or Schedule II narcotic drugs.

LRB103 25368 AMQ 51713 b

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 changing
5 Section 65-43 as follows:

6 (225 ILCS 65/65-43)

7 (Section scheduled to be repealed on January 1, 2028)

8 Sec. 65-43. Full practice authority.

9 (a) An Illinois-licensed advanced practice registered
10 nurse certified as a nurse practitioner, nurse midwife, or
11 clinical nurse specialist shall be deemed by law to possess
12 the ability to practice without a written collaborative
13 agreement as set forth in this Section.

14 (b) An advanced practice registered nurse certified as a
15 nurse midwife, clinical nurse specialist, or nurse
16 practitioner who files with the Department a notarized
17 attestation of completion of at least 250 hours of continuing
18 education or training and at least 4,000 hours of clinical
19 experience after first attaining national certification shall
20 not require a written collaborative agreement. Documentation
21 of successful completion shall be provided to the Department
22 upon request.

23 Continuing education or training hours required by

1 subsection (b) shall be in the advanced practice registered
2 nurse's area of certification as set forth by Department rule.

3 The clinical experience must be in the advanced practice
4 registered nurse's area of certification. The clinical
5 experience shall be in collaboration with a physician or
6 physicians. Completion of the clinical experience must be
7 attested to by the collaborating physician or physicians or
8 employer and the advanced practice registered nurse. If the
9 collaborating physician or physicians or employer is unable to
10 attest to the completion of the clinical experience, the
11 Department may accept other evidence of clinical experience as
12 established by rule.

13 (c) The scope of practice of an advanced practice
14 registered nurse with full practice authority includes:

15 (1) all matters included in subsection (c) of Section
16 65-30 of this Act;

17 (2) practicing without a written collaborative
18 agreement in all practice settings consistent with
19 national certification;

20 (3) authority to prescribe both legend drugs and
21 Schedule II through V controlled substances; this
22 authority includes prescription of, selection of, orders
23 for, administration of, storage of, acceptance of samples
24 of, and dispensing over the counter medications, legend
25 drugs, and controlled substances categorized as any
26 Schedule II through V controlled substances, as defined in

1 Article II of the Illinois Controlled Substances Act, and
2 other preparations, including, but not limited to,
3 botanical and herbal remedies;

4 (4) (blank) ~~prescribing benzodiazepines or Schedule II~~
5 ~~narcotic drugs, such as opioids, only in a consultation~~
6 ~~relationship with a physician; this consultation~~
7 ~~relationship shall be recorded in the Prescription~~
8 ~~Monitoring Program website, pursuant to Section 316 of the~~
9 ~~Illinois Controlled Substances Act, by the physician and~~
10 ~~advanced practice registered nurse with full practice~~
11 ~~authority and is not required to be filed with the~~
12 ~~Department; the specific Schedule II narcotic drug must be~~
13 ~~identified by either brand name or generic name; the~~
14 ~~specific Schedule II narcotic drug, such as an opioid, may~~
15 ~~be administered by oral dosage or topical or transdermal~~
16 ~~application; delivery by injection or other route of~~
17 ~~administration is not permitted; at least monthly, the~~
18 ~~advanced practice registered nurse and the physician must~~
19 ~~discuss the condition of any patients for whom a~~
20 ~~benzodiazepine or opioid is prescribed; nothing in this~~
21 ~~subsection shall be construed to require a prescription by~~
22 ~~an advanced practice registered nurse with full practice~~
23 ~~authority to require a physician name;~~

24 (5) authority to obtain an Illinois controlled
25 substance license and a federal Drug Enforcement
26 Administration number; and

1 (6) use of only local anesthetic.

2 The scope of practice of an advanced practice registered
3 nurse does not include operative surgery. Nothing in this
4 Section shall be construed to preclude an advanced practice
5 registered nurse from assisting in surgery.

6 (d) The Department may adopt rules necessary to administer
7 this Section, including, but not limited to, requiring the
8 completion of forms and the payment of fees.

9 (e) Nothing in this Act shall be construed to authorize an
10 advanced practice registered nurse with full practice
11 authority to provide health care services required by law or
12 rule to be performed by a physician.

13 (Source: P.A. 101-13, eff. 6-12-19; 102-75, eff. 1-1-22.)