

1 AMENDMENT TO HOUSE BILL 2553

2 AMENDMENT NO. _____. Amend House Bill 2553 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Nursing and Advanced Practice Nursing
5 Act is amended by changing Section 5-15 as follows:

6 (225 ILCS 65/5-15)

7 (Section scheduled to be repealed on January 1, 2008)

8 Sec. 5-15. Policy; application of Act. For the protection
9 of life and the promotion of health, and the prevention of
10 illness and communicable diseases, any person practicing or
11 offering to practice professional and practical nursing in
12 Illinois shall submit evidence that he or she is qualified to
13 practice, and shall be licensed as provided under this Act.
14 No person shall practice or offer to practice professional or
15 practical nursing in Illinois or use any title, sign, card or
16 device to indicate that such a person is practicing
17 professional or practical nursing unless such person has been
18 licensed under the provisions of this Act.

19 This Act does not prohibit the following:

20 (a) The practice of nursing in Federal employment
21 in the discharge of the employee's duties by a person who
22 is employed by the United States government or any

1 bureau, division or agency thereof and is a legally
2 qualified and licensed nurse of another state or
3 territory and not in conflict with Sections 10-5, 10-30,
4 and 10-45 of this Act.

5 (b) Nursing that is included in their program of
6 study by students enrolled in programs of nursing or in
7 current nurse practice update courses approved by the
8 Department.

9 (c) The furnishing of nursing assistance in an
10 emergency.

11 (d) The practice of nursing by a nurse who holds an
12 active license in another state when providing services
13 to patients in Illinois during a bonafide emergency or in
14 immediate preparation for or during interstate transit.

15 (e) The incidental care of the sick by members of
16 the family, domestic servants or housekeepers, or care of
17 the sick where treatment is by prayer or spiritual means.

18 (f) Persons from being employed as nursing aides,
19 attendants, orderlies, and other auxiliary workers in
20 private homes, long term care facilities, nurseries,
21 hospitals or other institutions.

22 (g) The practice of practical nursing by one who
23 has applied in writing to the Department in form and
24 substance satisfactory to the Department, for a license
25 as a licensed practical nurse and who has complied with
26 all the provisions under Section 10-30, except the
27 passing of an examination to be eligible to receive such
28 license, until: the decision of the Department that the
29 applicant has failed to pass the next available
30 examination authorized by the Department or has failed,
31 without an approved excuse, to take the next available
32 examination authorized by the Department or until the
33 withdrawal of the application, but not to exceed 3
34 months. An applicant practicing practical nursing under

1 this Section who passes the examination, however, may
2 continue to practice under this Section until such time
3 as he or she receives his or her license to practice or
4 until the Department notifies him or her that the license
5 has been denied. No applicant for licensure practicing
6 under the provisions of this paragraph shall practice
7 practical nursing except under the direct supervision of
8 a registered professional nurse licensed under this Act
9 or a licensed physician, dentist or podiatrist. In no
10 instance shall any such applicant practice or be employed
11 in any supervisory capacity.

12 (h) The practice of practical nursing by one who is
13 a licensed practical nurse under the laws of another U.S.
14 jurisdiction and has applied in writing to the
15 Department, in form and substance satisfactory to the
16 Department, for a license as a licensed practical nurse
17 and who is qualified to receive such license under
18 Section 10-30, until (1) the expiration of 6 months after
19 the filing of such written application, (2) the
20 withdrawal of such application, or (3) the denial of such
21 application by the Department.

22 (i) The practice of professional nursing by one who
23 has applied in writing to the Department in form and
24 substance satisfactory to the Department for a license as
25 a registered professional nurse and has complied with all
26 the provisions under Section 10-30 except the passing of
27 an examination to be eligible to receive such license,
28 until the decision of the Department that the applicant
29 has failed to pass the next available examination
30 authorized by the Department or has failed, without an
31 approved excuse, to take the next available examination
32 authorized by the Department or until the withdrawal of
33 the application, but not to exceed 3 months. An applicant
34 practicing professional nursing under this Section who

1 passes the examination, however, may continue to practice
2 under this Section until such time as he or she receives
3 his or her license to practice or until the Department
4 notifies him or her that the license has been denied. No
5 applicant for licensure practicing under the provisions
6 of this paragraph shall practice professional nursing
7 except under the direct supervision of a registered
8 professional nurse licensed under this Act. In no
9 instance shall any such applicant practice or be employed
10 in any supervisory capacity.

11 (j) The practice of professional nursing by one who
12 is a registered professional nurse under the laws of
13 another state, territory of the United States or country
14 and has applied in writing to the Department, in form and
15 substance satisfactory to the Department, for a license
16 as a registered professional nurse and who is qualified
17 to receive such license under Section 10-30, until (1)
18 the expiration of 6 months after the filing of such
19 written application, (2) the withdrawal of such
20 application, or (3) the denial of such application by the
21 Department.

22 (k) The practice of professional nursing that is
23 included in a program of study by one who is a registered
24 professional nurse under the laws of another state or
25 territory of the United States or foreign country,
26 territory or province and who is enrolled in a graduate
27 nursing education program or a program for the completion
28 of a baccalaureate nursing degree in this State, which
29 includes clinical supervision by faculty as determined by
30 the educational institution offering the program and the
31 health care organization where the practice of nursing
32 occurs. The educational institution will file with the
33 Department each academic term a list of the names and
34 origin of license of all professional nurses practicing

1 nursing as part of their programs under this provision.

2 (l) Any person licensed in this State under any
3 other Act from engaging in the practice for which she or
4 he is licensed.

5 (m) Delegation to authorized direct care staff
6 trained under Section 15.4 of the Mental Health and
7 Developmental Disabilities Administrative Act.

8 An applicant for license practicing under the exceptions
9 set forth in subparagraphs (g), (h), (i), and (j) of this
10 Section shall use the title R.N. Lic. Pend. or L.P.N. Lic.
11 Pend. respectively and no other.

12 (Source: P.A. 90-61, eff. 12-30-97; 90-248, eff. 1-1-98;
13 90-655, eff. 7-30-98; 90-742, eff. 8-13-98; 91-630, eff.
14 8-19-99.)

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