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09400SB2064sam001

LRB094 11566 RAS 43623 a

1 AMENDMENT TO SENATE BILL 2064

2 AMENDMENT NO. _____. Amend Senate Bill 2064 by replacing
3 everything after the enacting clause with the following:

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7 (Section scheduled to be repealed on January 1, 2008)

8 Sec. 10-30. Qualifications for licensure.

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

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

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

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

20 (2.5) for licensed practical nurse licensure, have
21 graduated ~~graduate~~ from a practical nursing education
22 program approved by the Department;

23 (3) have not violated the provisions of Section 10-45
24 of this Act. The Department may take into consideration any

1 felony conviction of the applicant, but such a conviction
2 shall not operate as an absolute bar to licensure;

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

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

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

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

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

1 jurisdiction of the United States within one year of passing
2 the examination.

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

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

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

14 (2.5) for licensed practical nurse licensure, have
15 graduated from a practical nursing education program
16 approved by the Department;

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

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

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

23 (d) All applicants for registered nurse licensure pursuant
24 to item (2) of subsection (b) and item (2) of subsection (c) of
25 this Section who are graduates of nursing educational programs
26 in a country other than the United States or its territories
27 shall have their nursing education credentials evaluated by a
28 Department-approved nursing credentialing evaluation service.
29 No such applicant may be issued a license under this Act unless
30 the applicant's program is deemed by the nursing credentialing
31 evaluation service to be equivalent to a professional nursing
32 education program approved by the Department. An applicant who
33 has graduated from a nursing educational program outside of the
34 United States or its territories and whose first language is

1 not English shall submit certification of passage of the Test
2 of English as a Foreign Language (TOEFL), as defined by rule.
3 The Department may waive the requirement that the applicant
4 pass the TOEFL examination if the applicant submits
5 verification of the successful completion of a nursing
6 education program conducted in English. ~~must submit to the~~
7 ~~Department certification of successful completion of the~~
8 ~~Commission of Graduates of Foreign Nursing Schools (CGFNS)~~
9 ~~examination. An applicant who is unable to provide appropriate~~
10 ~~documentation to satisfy CGFNS of her or his educational~~
11 ~~qualifications for the CGFNS examination shall be required to~~
12 ~~pass an examination to test competency in the English language,~~
13 ~~which shall be prescribed by the Department, if the applicant~~
14 ~~is determined by the Board to be educationally prepared in~~
15 ~~nursing. The Board shall make appropriate inquiry into the~~
16 ~~reasons for any adverse determination by CGFNS before making~~
17 ~~its own decision.~~

18 (d-5) An applicant licensed in another state or territory
19 who is applying for licensure and has received her or his
20 education in a country other than the United States or its
21 territories shall have her or his nursing education credentials
22 evaluated by a Department-approved nursing credentialing
23 evaluation service. No such applicant may be issued a license
24 under this Act unless the applicant's program is deemed by the
25 nursing credentialing evaluation service to be equivalent to a
26 professional nursing education program approved by the
27 Department. An applicant who has graduated from a nursing
28 educational program outside of the United States or its
29 territories and whose first language is not English shall
30 submit certification of passage of the Test of English as a
31 Foreign Language (TOEFL), as defined by rule. The Department
32 may waive the requirement that the applicant pass the TOEFL
33 examination if the applicant submits verification of the
34 successful completion of a nursing education program conducted

1 in English or the successful passage of an approved licensing
2 examination given in English. ~~be exempt from the completion of~~
3 ~~the Commission of Graduates of Foreign Nursing Schools (CGFNS)~~
4 ~~examination if the applicant meets all of the following~~
5 ~~requirements:~~

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

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

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

12 (e) (Blank).

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

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

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

34 (3) a signed and completed application for a temporary

1 license; and

2 (4) the required temporary license fee.

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

7 (1) the applicant has been convicted of a crime under
8 the laws of a jurisdiction of the United States: (i) which
9 is a felony; or (ii) which is a misdemeanor directly
10 related to the practice of the profession, within the last
11 5 years;

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

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

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

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

25 (1) it determines that the applicant has been convicted
26 of a crime under the law of any jurisdiction of the United
27 States that is (i) a felony or (ii) a misdemeanor directly
28 related to the practice of the profession, within the last
29 5 years;

30 (2) it determines that within the last 5 years the
31 applicant has had a license or permit related to the
32 practice of nursing revoked, suspended, or placed on
33 probation by another jurisdiction, if at least one of the
34 grounds for revoking, suspending, or placing on probation

1 is the same or substantially equivalent to grounds in
2 Illinois; or

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

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

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

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

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