



Rep. Angelo Saviano

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LRB096 03184 ASK 23476 a

1 AMENDMENT TO HOUSE BILL 64

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 64 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Medical Practice Act of 1987 is amended by  
5 changing Section 54.5 and by adding Section 54.2 as follows:

6 (225 ILCS 60/54.2 new)

7 (Section scheduled to be repealed on December 31, 2010)

8 Sec. 54.2. Physician delegation of authority.

9 (a) Nothing in this Act shall be construed to limit the  
10 delegation of tasks or duties by a physician licensed to  
11 practice medicine in all its branches to a licensed practical  
12 nurse, a registered professional nurse, or other licensed  
13 person practicing within the scope of his or her individual  
14 licensing Act.

15 (b) A physician licensed to practice medicine in all its  
16 branches may delegate tasks and duties to an appropriately

1 trained licensed or unlicensed person. Any such task or duty  
2 delegated to a licensed or unlicensed person must be within the  
3 education, training, or experience of the delegating physician  
4 and within the context of a physician-patient relationship.

5 (c) A chiropractic physician may delegate tasks and duties  
6 to an appropriately trained licensed or unlicensed person. Any  
7 task or duty delegated to a licensed or unlicensed person by  
8 the chiropractic physician:

9 (1) must fall within the scope of practice of the  
10 chiropractic physician as defined by this Act;

11 (2) must be within the education, training, or  
12 experience of the delegating chiropractic physician; and

13 (3) can only be delegated within the context of a  
14 physician-patient relationship.

15 (225 ILCS 60/54.5)

16 (Section scheduled to be repealed on December 31, 2010)

17 Sec. 54.5. Physician delegation of authority to physician  
18 assistants and advanced practice nurses.

19 (a) Physicians licensed to practice medicine in all its  
20 branches may delegate care and treatment responsibilities to a  
21 physician assistant under guidelines in accordance with the  
22 requirements of the Physician Assistant Practice Act of 1987. A  
23 physician licensed to practice medicine in all its branches may  
24 enter into supervising physician agreements with no more than 2  
25 physician assistants.

1 (b) A physician licensed to practice medicine in all its  
2 branches in active clinical practice may collaborate with an  
3 advanced practice nurse in accordance with the requirements of  
4 the Nurse Practice Act. Collaboration is for the purpose of  
5 providing medical consultation, and no employment relationship  
6 is required. A written collaborative agreement shall conform to  
7 the requirements of Section 65-35 of the Nurse Practice Act.  
8 The written collaborative agreement shall be for services the  
9 collaborating physician generally provides to his or her  
10 patients in the normal course of clinical medical practice. A  
11 written collaborative agreement shall be adequate with respect  
12 to collaboration with advanced practice nurses if all of the  
13 following apply:

14 (1) The agreement is written to promote the exercise of  
15 professional judgment by the advanced practice nurse  
16 commensurate with his or her education and experience. The  
17 agreement need not describe the exact steps that an  
18 advanced practice nurse must take with respect to each  
19 specific condition, disease, or symptom, but must specify  
20 those procedures that require a physician's presence as the  
21 procedures are being performed.

22 (2) Practice guidelines and orders are developed and  
23 approved jointly by the advanced practice nurse and  
24 collaborating physician, as needed, based on the practice  
25 of the practitioners. Such guidelines and orders and the  
26 patient services provided thereunder are periodically

1 reviewed by the collaborating physician.

2 (3) The advance practice nurse provides services the  
3 collaborating physician generally provides to his or her  
4 patients in the normal course of clinical practice, except  
5 as set forth in subsection (b-5) of this Section. With  
6 respect to labor and delivery, the collaborating physician  
7 must provide delivery services in order to participate with  
8 a certified nurse midwife.

9 (4) The collaborating physician and advanced practice  
10 nurse meet in person at least once a month to provide  
11 collaboration and consultation.

12 (5) Methods of communication are available with the  
13 collaborating physician in person or through  
14 telecommunications for consultation, collaboration, and  
15 referral as needed to address patient care needs.

16 (6) The agreement contains provisions detailing notice  
17 for termination or change of status involving a written  
18 collaborative agreement, except when such notice is given  
19 for just cause.

20 (b-5) An anesthesiologist or physician licensed to  
21 practice medicine in all its branches may collaborate with a  
22 certified registered nurse anesthetist in accordance with  
23 Section 65-35 of the Nurse Practice Act for the provision of  
24 anesthesia services. With respect to the provision of  
25 anesthesia services, the collaborating anesthesiologist or  
26 physician shall have training and experience in the delivery of

1 anesthesia services consistent with Department rules.

2 Collaboration shall be adequate if:

3 (1) an anesthesiologist or a physician participates in  
4 the joint formulation and joint approval of orders or  
5 guidelines and periodically reviews such orders and the  
6 services provided patients under such orders; and

7 (2) for anesthesia services, the anesthesiologist or  
8 physician participates through discussion of and agreement  
9 with the anesthesia plan and is physically present and  
10 available on the premises during the delivery of anesthesia  
11 services for diagnosis, consultation, and treatment of  
12 emergency medical conditions. Anesthesia services in a  
13 hospital shall be conducted in accordance with Section 10.7  
14 of the Hospital Licensing Act and in an ambulatory surgical  
15 treatment center in accordance with Section 6.5 of the  
16 Ambulatory Surgical Treatment Center Act.

17 (b-10) The anesthesiologist or operating physician must  
18 agree with the anesthesia plan prior to the delivery of  
19 services.

20 (c) The supervising physician shall have access to the  
21 medical records of all patients attended by a physician  
22 assistant. The collaborating physician shall have access to the  
23 medical records of all patients attended to by an advanced  
24 practice nurse.

25 (d) Nothing in this Act shall be construed to limit the  
26 delegation of tasks or duties by a physician licensed to

1 practice medicine in all its branches to a licensed practical  
2 nurse, a registered professional nurse, or other persons in  
3 accordance with Section 54.2.

4 (e) A physician shall not be liable for the acts or  
5 omissions of a physician assistant or advanced practice nurse  
6 solely on the basis of having signed a supervision agreement or  
7 guidelines or a collaborative agreement, an order, a standing  
8 medical order, a standing delegation order, or other order or  
9 guideline authorizing a physician assistant or advanced  
10 practice nurse to perform acts, unless the physician has reason  
11 to believe the physician assistant or advanced practice nurse  
12 lacked the competency to perform the act or acts or commits  
13 willful and wanton misconduct.

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

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