



Rep. Linda Chapa LaVia

Filed: 3/26/2012

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LRB097 14495 NHT 67925 a

1 AMENDMENT TO HOUSE BILL 4056

2 AMENDMENT NO. _____. Amend House Bill 4056, AS AMENDED, by
3 replacing everything after the enacting clause with the
4 following:

5 "Section 5. The School Code is amended by changing Section
6 10-22.23 and by adding Section 10-22.23b as follows:

7 (105 ILCS 5/10-22.23) (from Ch. 122, par. 10-22.23)

8 Sec. 10-22.23. School Nurse. To employ a registered
9 professional nurse and define the duties of the school nurse
10 within the guidelines of rules and regulations promulgated by
11 the State Board of Education. Any school nurse first employed
12 on or after July 1, 1976, whose duties require teaching or the
13 exercise of instructional judgment or educational evaluation
14 of pupils, must be certificated under Section 21-25 of this
15 Act. School districts may employ non-certificated registered
16 professional nurses to perform professional nursing services.

1 In addition, non-certified registered professional nurses may
2 be contracted for as provided in Section 10-22.23b of this
3 Code.

4 (Source: P.A. 90-548, eff. 1-1-98.)

5 (105 ILCS 5/10-22.23b new)

6 Sec. 10-22.23b. Nurse; contracting for medical review
7 services.

8 (a) In this Section:

9 "Certified school nurse" means a nurse who is certified
10 under Section 21-25 of this Code, holding a school service
11 personnel certificate endorsed for school nursing.

12 "Medical review" means a review that is done as part of the
13 special education evaluation process and includes the
14 evaluation of whether a child has a disability and
15 recommendations as to the nature and extent of the special
16 education and related services that the child needs, as well as
17 the interpretation of health histories and the assessment of
18 medical needs, and as otherwise may be further defined by law.

19 "Reasonable efforts" means performing all of the
20 following:

21 (1) placing at least 3 employment advertisements for a
22 certified school nurse for publication in the newspaper of
23 widest distribution within the school district or
24 cooperative;

25 (2) placing one employment listing for a certified

1 school nurse in the placement bulletin of a college or
2 university that has a certified school nurse curriculum and
3 that is located in the geographic area of the school
4 district or cooperative, if any;

5 (3) providing the advertisement to the Department of
6 Humans Services for placement on its employment list, if
7 any, for at least 30 days; and

8 (4) posting the position for certified school nurse on
9 the Illinois Association of School Administrators' job
10 placement service for at least 30 days and simultaneously
11 providing the posting to the local union representative, if
12 any, for distribution by the union.

13 (b) A school district or a cooperative must make reasonable
14 efforts to employ a certified school nurse to conduct medical
15 reviews, except as provided in subsection (d) of this Section.
16 While making those reasonable efforts or after unsuccessful
17 reasonable efforts have been made or both, a school district or
18 cooperative may contract for medical review services with a
19 registered professional nurse licensed under Article 60 of the
20 Nurse Practice Act. Prior to any such contract being entered
21 into, the school board must approve a resolution that certifies
22 that reasonable efforts were performed and that there were no
23 qualified applicants, or, for a temporary contract while
24 reasonable efforts are being made, the resolution must certify
25 that reasonable efforts are currently underway and that an
26 immediate need exists to hire a registered professional nurse

1 licensed under Article 60 of the Nurse Practice Act. The school
2 board must then submit the resolution to the State Board of
3 Education for the State Board's review and approval. The school
4 board must not finalize and approve the contract until the
5 State Board of Education gives the school district the
6 authority to enter into the contract.

7 (c) A registered professional nurse licensed under Article
8 60 of the Nurse Practice Act who provides medical review
9 services pursuant to a contract under subsection (b) of this
10 Section must have at least 5 years of experience working as a
11 registered professional nurse and must become a certified
12 school nurse no later than 3 years after beginning work with
13 the school district or cooperative.

14 (d) In lieu of employing a certified school nurse under
15 subsection (b) of this Section, medical reviews may be
16 performed by an individual licensed to practice medicine in all
17 of its branches or an advanced practice nurse licensed to
18 practice under Article 65 of the Nurse Practice Act who has a
19 written collaborative agreement with a collaborating physician
20 that delegates the authority to provide a medical review.

21 (e) Nothing in this Section shall prohibit a school
22 district from contracting with another school district to
23 utilize the services of a certified school nurse or an advanced
24 practice nurse licensed to practice under Article 65 of the
25 Nurse Practice Act who has a written collaborative agreement
26 with a collaborating physician that delegates the authority to

1 provide a medical review.

2 Section 99. Effective date. This Act takes effect upon
3 becoming law.".