

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 50-10 as follows:

6 (225 ILCS 65/50-10) (was 225 ILCS 65/5-10)

7 (Section scheduled to be repealed on January 1, 2018)

8 Sec. 50-10. Definitions. Each of the following terms, when  
9 used in this Act, shall have the meaning ascribed to it in this  
10 Section, except where the context clearly indicates otherwise:

11 "Academic year" means the customary annual schedule of  
12 courses at a college, university, or approved school,  
13 customarily regarded as the school year as distinguished from  
14 the calendar year.

15 "Advanced practice nurse" or "APN" means a person who has  
16 met the qualifications for a (i) certified nurse midwife (CNM);  
17 (ii) certified nurse practitioner (CNP); (iii) certified  
18 registered nurse anesthetist (CRNA); or (iv) clinical nurse  
19 specialist (CNS) and has been licensed by the Department. All  
20 advanced practice nurses licensed and practicing in the State  
21 of Illinois shall use the title APN and may use specialty  
22 credentials after their name.

23 "Approved program of professional nursing education" and

1 "approved program of practical nursing education" are programs  
2 of professional or practical nursing, respectively, approved  
3 by the Department under the provisions of this Act.

4 "Board" means the Board of Nursing appointed by the  
5 Secretary.

6 "Collaboration" means a process involving 2 or more health  
7 care professionals working together, each contributing one's  
8 respective area of expertise to provide more comprehensive  
9 patient care.

10 "Consultation" means the process whereby an advanced  
11 practice nurse seeks the advice or opinion of another health  
12 care professional.

13 "Credentialed" means the process of assessing and  
14 validating the qualifications of a health care professional.

15 "Current nursing practice update course" means a planned  
16 nursing education curriculum approved by the Department  
17 consisting of activities that have educational objectives,  
18 instructional methods, content or subject matter, clinical  
19 practice, and evaluation methods, related to basic review and  
20 updating content and specifically planned for those nurses  
21 previously licensed in the United States or its territories and  
22 preparing for reentry into nursing practice.

23 "Dentist" means a person licensed to practice dentistry  
24 under the Illinois Dental Practice Act.

25 "Department" means the Department of Financial and  
26 Professional Regulation.

1       "Hospital affiliate" means a corporation, partnership,  
2       joint venture, limited liability company, or similar  
3       organization, other than a hospital, that is devoted primarily  
4       to the provision, management, or support of health care  
5       services and that directly or indirectly controls, is  
6       controlled by, or is under common control of the hospital. For  
7       the purposes of this definition, "control" means having at  
8       least an equal or a majority ownership or membership interest.  
9       A hospital affiliate shall be 100% owned or controlled by any  
10       combination of hospitals, their parent corporations, or  
11       physicians licensed to practice medicine in all its branches in  
12       Illinois. "Hospital affiliate" does not include a health  
13       maintenance organization regulated under the Health  
14       Maintenance Organization Act.

15       "Impaired nurse" means a nurse licensed under this Act who  
16       is unable to practice with reasonable skill and safety because  
17       of a physical or mental disability as evidenced by a written  
18       determination or written consent based on clinical evidence,  
19       including loss of motor skills, abuse of drugs or alcohol, or a  
20       psychiatric disorder, of sufficient degree to diminish his or  
21       her ability to deliver competent patient care.

22       "License-pending advanced practice nurse" means a  
23       registered professional nurse who has completed all  
24       requirements for licensure as an advanced practice nurse except  
25       the certification examination and has applied to take the next  
26       available certification exam and received a temporary license

1 from the Department.

2 "License-pending registered nurse" means a person who has  
3 passed the Department-approved registered nurse licensure exam  
4 and has applied for a license from the Department. A  
5 license-pending registered nurse shall use the title "RN lic  
6 pend" on all documentation related to nursing practice.

7 "Physician" means a person licensed to practice medicine in  
8 all its branches under the Medical Practice Act of 1987.

9 "Podiatric physician" means a person licensed to practice  
10 podiatry under the Podiatric Medical Practice Act of 1987.

11 "Practical nurse" or "licensed practical nurse" means a  
12 person who is licensed as a practical nurse under this Act and  
13 practices practical nursing as defined in this Act. Only a  
14 practical nurse licensed under this Act is entitled to use the  
15 title "licensed practical nurse" and the abbreviation  
16 "L.P.N.".

17 "Practical nursing" means the performance of nursing acts  
18 requiring the basic nursing knowledge, judgement, and skill  
19 acquired by means of completion of an approved practical  
20 nursing education program. Practical nursing includes  
21 assisting in the nursing process as delegated by a registered  
22 professional nurse or an advanced practice nurse. The practical  
23 nurse may work under the direction of a licensed physician,  
24 dentist, podiatric physician, or other health care  
25 professional determined by the Department.

26 "Privileged" means the authorization granted by the

1 governing body of a healthcare facility, agency, or  
2 organization to provide specific patient care services within  
3 well-defined limits, based on qualifications reviewed in the  
4 credentialing process.

5 "Registered Nurse" or "Registered Professional Nurse"  
6 means a person who is licensed as a professional nurse under  
7 this Act and practices nursing as defined in this Act. Only a  
8 registered nurse licensed under this Act is entitled to use the  
9 titles "registered nurse" and "registered professional nurse"  
10 and the abbreviation, "R.N.".

11 "Registered professional nursing practice" is a scientific  
12 process founded on a professional body of knowledge; it is a  
13 learned profession based on the understanding of the human  
14 condition across the life span and environment and includes all  
15 nursing specialties and means the performance of any nursing  
16 act based upon professional knowledge, judgment, and skills  
17 acquired by means of completion of an approved professional  
18 nursing education program. A registered professional nurse  
19 provides holistic nursing care through the nursing process to  
20 individuals, groups, families, or communities, that includes  
21 but is not limited to: (1) the assessment of healthcare needs,  
22 nursing diagnosis, planning, implementation, and nursing  
23 evaluation; (2) the promotion, maintenance, and restoration of  
24 health; (3) counseling, patient education, health education,  
25 and patient advocacy; (4) the administration of medications and  
26 treatments as prescribed by a physician licensed to practice

1 medicine in all of its branches, a licensed dentist, a licensed  
2 podiatric physician, or a licensed optometrist or as prescribed  
3 by a physician assistant in accordance with written guidelines  
4 required under the Physician Assistant Practice Act of 1987 or  
5 by an advanced practice nurse in accordance with Article 65 of  
6 this Act; (5) the coordination and management of the nursing  
7 plan of care; (6) the delegation to and supervision of  
8 individuals who assist the registered professional nurse  
9 implementing the plan of care; and (7) teaching nursing  
10 students. The foregoing shall not be deemed to include those  
11 acts of medical diagnosis or prescription of therapeutic or  
12 corrective measures.

13 "Professional assistance program for nurses" means a  
14 professional assistance program that meets criteria  
15 established by the Board of Nursing and approved by the  
16 Secretary, which provides a non-disciplinary treatment  
17 approach for nurses licensed under this Act whose ability to  
18 practice is compromised by alcohol or chemical substance  
19 addiction.

20 "Secretary" means the Secretary of Financial and  
21 Professional Regulation.

22 "Unencumbered license" means a license issued in good  
23 standing.

24 "Written collaborative agreement" means a written  
25 agreement between an advanced practice nurse and a  
26 collaborating physician, dentist, or podiatric physician

1 pursuant to Section 65-35.

2 (Source: P.A. 97-813, eff. 7-13-12; 98-214, eff. 8-9-13.)

3 Section 10. The Physician Assistant Practice Act of 1987 is  
4 amended by changing Section 4 as follows:

5 (225 ILCS 95/4) (from Ch. 111, par. 4604)

6 (Section scheduled to be repealed on January 1, 2018)

7 Sec. 4. In this Act:

8 1. "Department" means the Department of Financial and  
9 Professional Regulation.

10 2. "Secretary" means the Secretary of Financial and  
11 Professional Regulation.

12 3. "Physician assistant" means any person who has been  
13 certified as a physician assistant by the National Commission  
14 on the Certification of Physician Assistants or equivalent  
15 successor agency and performs procedures under the supervision  
16 of a physician as defined in this Act. A physician assistant  
17 may perform such procedures within the specialty of the  
18 supervising physician, except that such physician shall  
19 exercise such direction, supervision and control over such  
20 physician assistants as will assure that patients shall receive  
21 quality medical care. Physician assistants shall be capable of  
22 performing a variety of tasks within the specialty of medical  
23 care under the supervision of a physician. Supervision of the  
24 physician assistant shall not be construed to necessarily

1 require the personal presence of the supervising physician at  
2 all times at the place where services are rendered, as long as  
3 there is communication available for consultation by radio,  
4 telephone or telecommunications within established guidelines  
5 as determined by the physician/physician assistant team. The  
6 supervising physician may delegate tasks and duties to the  
7 physician assistant. Delegated tasks or duties shall be  
8 consistent with physician assistant education, training, and  
9 experience. The delegated tasks or duties shall be specific to  
10 the practice setting and shall be implemented and reviewed  
11 under a written supervision agreement established by the  
12 physician or physician/physician assistant team. A physician  
13 assistant, acting as an agent of the physician, shall be  
14 permitted to transmit the supervising physician's orders as  
15 determined by the institution's by-laws, policies, procedures,  
16 or job description within which the physician/physician  
17 assistant team practices. Physician assistants shall practice  
18 only in accordance with a written supervision agreement.

19 4. "Board" means the Medical Licensing Board constituted  
20 under the Medical Practice Act of 1987.

21 5. "Disciplinary Board" means the Medical Disciplinary  
22 Board constituted under the Medical Practice Act of 1987.

23 6. "Physician" means, for purposes of this Act, a person  
24 licensed to practice medicine in all its branches under the  
25 Medical Practice Act of 1987.

26 7. "Supervising Physician" means, for the purposes of this



1 Act, the primary supervising physician of a physician  
2 assistant, who, within his specialty and expertise may delegate  
3 a variety of tasks and procedures to the physician assistant.  
4 Such tasks and procedures shall be delegated in accordance with  
5 a written supervision agreement. The supervising physician  
6 maintains the final responsibility for the care of the patient  
7 and the performance of the physician assistant.

8 8. "Alternate supervising physician" means, for the  
9 purpose of this Act, any physician designated by the  
10 supervising physician to provide supervision in the event that  
11 he or she is unable to provide that supervision. The Department  
12 may further define "alternate supervising physician" by rule.

13 The alternate supervising physicians shall maintain all  
14 the same responsibilities as the supervising physician.  
15 Nothing in this Act shall be construed as relieving any  
16 physician of the professional or legal responsibility for the  
17 care and treatment of persons attended by him or by physician  
18 assistants under his supervision. Nothing in this Act shall be  
19 construed as to limit the reasonable number of alternate  
20 supervising physicians, provided they are designated by the  
21 supervising physician.

22 9. "Address of record" means the designated address  
23 recorded by the Department in the applicant's or licensee's  
24 application file or license file maintained by the Department's  
25 licensure maintenance unit. It is the duty of the applicant or  
26 licensee to inform the Department of any change of address, and

1 such changes must be made either through the Department's  
2 website or by contacting the Department's licensure  
3 maintenance unit.

4 10. "Hospital affiliate" means a corporation, partnership,  
5 joint venture, limited liability company, or similar  
6 organization, other than a hospital, that is devoted primarily  
7 to the provision, management, or support of health care  
8 services and that directly or indirectly controls, is  
9 controlled by, or is under common control of the hospital. For  
10 the purposes of this definition, "control" means having at  
11 least an equal or a majority ownership or membership interest.  
12 A hospital affiliate shall be 100% owned or controlled by any  
13 combination of hospitals, their parent corporations, or  
14 physicians licensed to practice medicine in all its branches in  
15 Illinois. "Hospital affiliate" does not include a health  
16 maintenance organization regulated under the Health  
17 Maintenance Organization Act.

18 (Source: P.A. 96-268, eff. 8-11-09; 97-1071, eff. 8-24-12.)