



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB4357

Introduced 1/16/2024, by Rep. Margaret Croke

SYNOPSIS AS INTRODUCED:

225 ILCS 60/54.2

Amends the Medical Practice Act of 1987. Provides that rules adopted by the Department of Financial and Professional Regulation concerning light emitting devices for patient care or treatment shall not require a delegating physician to be present in person to supervise a laser hair removal consultation, examination, or procedure if the laser hair removal consultation, examination, or procedure is performed in an office or practice setting by a physician assistant, advanced practice registered nurse, registered nurse, or licensed practical nurse and the delegating physician is available by two-way, real-time interactive communication.

LRB103 35918 SPS 66005 b

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 Medical Practice Act of 1987 is amended by
5 changing Section 54.2 as follows:

6 (225 ILCS 60/54.2)

7 (Section scheduled to be repealed on January 1, 2027)

8 Sec. 54.2. Physician delegation of authority.

9 (a) Nothing in this Act shall be construed to limit the
10 delegation of patient care tasks or duties by a physician, to a
11 licensed practical nurse, a registered professional nurse, or
12 other licensed person practicing within the scope of his or
13 her individual licensing Act. Delegation by a physician
14 licensed to practice medicine in all its branches to physician
15 assistants or advanced practice registered nurses is also
16 addressed in Section 54.5 of this Act. No physician may
17 delegate any patient care task or duty that is statutorily or
18 by rule mandated to be performed by a physician.

19 (b) In an office or practice setting and within a
20 physician-patient relationship, a physician may delegate
21 patient care tasks or duties to an unlicensed person who
22 possesses appropriate training and experience provided a
23 health care professional, who is practicing within the scope

1 of such licensed professional's individual licensing Act, is
2 on site to provide assistance.

3 (c) Any such patient care task or duty delegated to a
4 licensed or unlicensed person must be within the scope of
5 practice, education, training, or experience of the delegating
6 physician and within the context of a physician-patient
7 relationship.

8 (d) Nothing in this Section shall be construed to affect
9 referrals for professional services required by law.

10 (e) The Department shall have the authority to promulgate
11 rules concerning a physician's delegation, including but not
12 limited to, the use of light emitting devices for patient care
13 or treatment; however a delegating physician shall not be
14 required to be present in person to supervise a laser hair
15 removal consultation, examination, or procedure if the laser
16 hair removal consultation, examination, or procedure is
17 performed in an office or practice setting by a physician
18 assistant, advanced practice registered nurse, registered
19 nurse, or licensed practical nurse and the delegating
20 physician is available by two-way, real-time interactive
21 communication.

22 (f) Nothing in this Act shall be construed to limit the
23 method of delegation that may be authorized by any means,
24 including, but not limited to, oral, written, electronic,
25 standing orders, protocols, guidelines, or verbal orders.

26 (g) A physician licensed to practice medicine in all of

1 its branches under this Act may delegate any and all authority
2 prescribed to him or her by law to international medical
3 graduate physicians, so long as the tasks or duties are within
4 the scope of practice, education, training, or experience of
5 the delegating physician who is on site to provide assistance.
6 An international medical graduate working in Illinois pursuant
7 to this subsection is subject to all statutory and regulatory
8 requirements of this Act, as applicable, relating to the
9 standards of care. An international medical graduate physician
10 is limited to providing treatment under the supervision of a
11 physician licensed to practice medicine in all of its
12 branches. The supervising physician or employer must keep
13 record of and make available upon request by the Department
14 the following: (1) evidence of education certified by the
15 Educational Commission for Foreign Medical Graduates; (2)
16 evidence of passage of Step 1, Step 2 Clinical Knowledge, and
17 Step 3 of the United States Medical Licensing Examination as
18 required by this Act; and (3) evidence of an unencumbered
19 license from another country. This subsection does not apply
20 to any international medical graduate whose license as a
21 physician is revoked, suspended, or otherwise encumbered. This
22 subsection is inoperative upon the adoption of rules
23 implementing Section 15.5.

24 (Source: P.A. 103-1, eff. 4-27-23; 103-102, eff. 6-16-23.)