

1                                    AMENDMENT TO SENATE BILL 129

2            AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 129 by replacing  
3 everything after the enacting clause with the following:

4            "Section 5. The Nursing and Advanced Practice Nursing  
5 Act is amended by changing Section 10-30 as follows:

6            (225 ILCS 65/10-30)

7            Sec. 10-30. Qualifications for licensure.

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

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

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

18                    (2) for registered nurse licensure, have completed  
19 an approved professional nursing education program of not  
20 less than 2 academic years and have graduated from the  
21 program; for licensed practical nurse licensure, have  
22 completed an approved practical nursing education program

1 of not less than one academic year and have graduated  
2 from the program;

3 (3) have not violated the provisions of Section  
4 10-45 of this Act. The Department may take into  
5 consideration any felony conviction of the applicant, but  
6 such a conviction shall not operate as an absolute bar to  
7 licensure;

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

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

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

25 An applicant who has never been licensed previously in  
26 any jurisdiction that utilizes a Department-approved  
27 examination and who has taken and failed to pass the  
28 examination within 3 years after filing the application must  
29 submit proof of successful completion of a  
30 Department-authorized nursing education program or  
31 recompletion of an approved registered nursing program or  
32 licensed practical nursing program, as appropriate, prior to  
33 re-application.

34 An applicant shall have one year from the date of

1 notification of successful completion of the examination to  
2 apply to the Department for a license. If an applicant fails  
3 to apply within one year, the applicant shall be required to  
4 again take and pass the examination unless licensed in  
5 another jurisdiction of the United States within one year of  
6 passing the examination.

7 (c) An applicant for licensure who is a registered  
8 professional nurse or a licensed practical nurse licensed by  
9 examination under the laws of another state or territory of  
10 the United States shall:

11 (1) submit a completed written application, on  
12 forms supplied by the Department, and fees as established  
13 by the Department;

14 (2) for registered nurse licensure, have completed  
15 an approved professional nursing education program of not  
16 less than 2 academic years and have graduated from the  
17 program; for licensed practical nurse licensure, have  
18 completed an approved practical nursing education program  
19 of not less than one academic year and have graduated  
20 from the program;

21 (3) submit verification of licensure status  
22 directly from the United States jurisdiction of  
23 licensure;

24 (4) have passed the examination authorized by the  
25 Department;

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

28 (d) All applicants for licensure pursuant to this  
29 Section who are graduates of nursing educational programs in  
30 a country other than the United States or its territories  
31 must submit to the Department certification of successful  
32 completion of the Commission of Graduates of Foreign Nursing  
33 Schools (CGFNS) examination. An applicant, who is unable to  
34 provide appropriate documentation to satisfy CGFNS of her or

1 his educational qualifications for the CGFNS examination,  
 2 shall be required to pass an examination to test competency  
 3 in the English language which shall be prescribed by the  
 4 Department, if the applicant is determined by the Board to be  
 5 educationally prepared in nursing. The Board shall make  
 6 appropriate inquiry into the reasons for any adverse  
 7 determination by CGFNS before making its own decision.

8 An applicant licensed in another state or territory who  
 9 is applying for licensure and has received her or his  
 10 education in a country other than the United States or its  
 11 territories shall be exempt from the completion of the  
 12 Commission of Graduates of Foreign Nursing Schools (CGFNS)  
 13 examination if the applicant meets all of the following  
 14 requirements:

15 (1) successful passage of the licensure examination  
 16 authorized by the Department;

17 (2) holds an active, unencumbered license in  
 18 another state; and

19 (3) has been actively practicing for a minimum of 2  
 20 years in another state.

21 (e) (Blank). ~~No applicant shall be issued a license as~~  
 22 ~~a registered nurse or practical nurse under this Section~~  
 23 ~~unless he or she has passed the examination authorized by the~~  
 24 ~~Department within 3 years of completion and graduation from~~  
 25 ~~an approved nursing education program, unless such applicant~~  
 26 ~~submits proof of successful completion of a~~  
 27 ~~Department authorized remedial nursing education program or~~  
 28 ~~recompletion of an approved registered nursing program or~~  
 29 ~~licensed practical nursing program, as appropriate.~~

30 (f) Pending the issuance of a license under subsection  
 31 (b) of this Section, the Department may grant an applicant a  
 32 temporary license to practice nursing as a registered nurse  
 33 or as a licensed practical nurse if the Department is  
 34 satisfied that the applicant holds an active, unencumbered

1 license in good standing in another jurisdiction. If the  
2 applicant holds more than one current active license, or one  
3 or more active temporary licenses from other jurisdictions,  
4 the Department shall not issue a temporary license until it  
5 is satisfied that each current active license held by the  
6 applicant is unencumbered. The temporary license, which  
7 shall be issued no later than 14 working days following  
8 receipt by the Department of an application for the temporary  
9 license, shall be granted upon the submission of the  
10 following to the Department:

11 (1) a signed and completed application for  
12 licensure under subsection (a) of this Section as a  
13 registered nurse or a licensed practical nurse;

14 (2) proof of a current, active license in at least  
15 one other jurisdiction and proof that each current active  
16 license or temporary license held by the applicant is  
17 unencumbered;

18 (3) a signed and completed application for a  
19 temporary license; and

20 (4) the required permit fee.

21 (g) The Department may refuse to issue an applicant a  
22 temporary license authorized pursuant to this Section if,  
23 within 14 working days following its receipt of an  
24 application for a temporary license, the Department  
25 determines that:

26 (1) the applicant has been convicted of a crime  
27 under the laws of a jurisdiction of the United States:  
28 (i) which is a felony; or (ii) which is a misdemeanor  
29 directly related to the practice of the profession,  
30 within the last 5 years;

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

1           revoking, suspending, or placing on probation is the same  
2           or substantially equivalent to grounds in Illinois; or

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

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

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

10           (1) it determines that the applicant has been  
11 convicted of a crime under the law of any jurisdiction of  
12 the United States that is (i) a felony or (ii) a  
13 misdemeanor directly related to the practice of the  
14 profession, within the last 5 years;

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

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

24           A temporary license or renewed temporary license shall  
25 expire (i) upon issuance of an Illinois license or (ii) upon  
26 notification that the Department intends to deny licensure by  
27 endorsement. A temporary license shall expire 6 months from  
28 the date of issuance. Further renewal may be granted by the  
29 Department in hardship cases, as defined by rule. However, a  
30 temporary license shall automatically expire upon issuance of  
31 the Illinois license or upon notification that the Department  
32 intends to deny licensure, whichever occurs first. No  
33 extensions shall be granted beyond the 6-month period unless  
34 approved by the Director. Notification by the Department

1 under this Section shall be by certified or registered mail.  
2 (Source: P.A. 90-61, eff. 12-30-97; 90-742, eff. 8-13-98.)

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