

1 AN ACT concerning the practice of nursing.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

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

6 (225 ILCS 65/10-30)

7 (Section scheduled to be repealed on January 1, 2008)

8 Sec. 10-30. Qualifications for licensure.

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

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

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

19 (2) for registered nurse licensure, have graduated
20 from a completed--an--approved professional nursing
21 education program approved by the Department of--not--less
22 than--2--academic--years--and--have--graduated--from--the
23 program;

24 (2.5) for licensed practical nurse licensure, have
25 graduate from a completed-an-approved practical nursing
26 education program approved by the Department of--not--less
27 than--one--academic--year--and--have--graduated--from--the
28 program;

29 (3) have not violated the provisions of Section
30 10-45 of this Act. The Department may take into
31 consideration any felony conviction of the applicant, but

1 such a conviction shall not operate as an absolute bar to
2 licensure;

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

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

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

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

31 An applicant shall have one year from the date of
32 notification of successful completion of the examination to
33 apply to the Department for a license. If an applicant fails
34 to apply within one year, the applicant shall be required to

1 again take and pass the examination unless licensed in
2 another jurisdiction of the United States within one year of
3 passing the examination.

4 (c) An applicant for licensure by endorsement who is a
5 registered professional nurse or a licensed practical nurse
6 licensed by examination under the laws of another state or
7 territory of the United States or a foreign country,
8 jurisdiction, territory, or province shall:

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

12 (2) for registered nurse licensure, have graduated
13 from a completed--an--approved professional nursing
14 education program approved by the Department of-not-less
15 than--2--academic--years--and--have--graduated--from--the
16 program;

17 (2.5) for licensed practical nurse licensure, have
18 graduated from a completed-an-approved practical nursing
19 education program approved by the Department of-not--less
20 than--one--academic--year--and--have--graduated--from--the
21 program;

22 (3) submit verification of licensure status
23 directly from the United States jurisdiction of
24 licensure, if applicable, as defined by rule;

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

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

29 (d) All applicants for registered nurse licensure
30 pursuant to item (2) of subsection (b) and item (2) of
31 subsection (c) of this Section who are graduates of nursing
32 educational programs in a country other than the United
33 States or its territories must submit to the Department
34 certification of successful completion of the Commission of

1 Graduates of Foreign Nursing Schools (CGFNS) examination. An
2 applicant, who is unable to provide appropriate documentation
3 to satisfy CGFNS of her or his educational qualifications for
4 the CGFNS examination, shall be required to pass an
5 examination to test competency in the English language, which
6 shall be prescribed by the Department, if the applicant is
7 determined by the Board to be educationally prepared in
8 nursing. The Board shall make appropriate inquiry into the
9 reasons for any adverse determination by CGFNS before making
10 its own decision.

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

18 (1) successful passage of the licensure examination
19 authorized by the Department;

20 (2) holds an active, unencumbered license in
21 another state; and

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

24 (e) (Blank).

25 (f) Pending the issuance of a license under subsection
26 (c) ~~(b)~~ of this Section, the Department may grant an
27 applicant a temporary license to practice nursing as a
28 registered nurse or as a licensed practical nurse if the
29 Department is satisfied that the applicant holds an active,
30 unencumbered license in good standing in another
31 jurisdiction. If the applicant holds more than one current
32 active license, or one or more active temporary licenses from
33 other jurisdictions, the Department shall not issue a
34 temporary license until it is satisfied that each current

1 active license held by the applicant is unencumbered. The
2 temporary license, which shall be issued no later than 14
3 working days following receipt by the Department of an
4 application for the temporary license, shall be granted upon
5 the submission of the following to the Department:

6 (1) a signed and completed application for
7 licensure under subsection (a) of this Section as a
8 registered nurse or a licensed practical nurse;

9 (2) proof of a current, active license in at least
10 one other jurisdiction and proof that each current active
11 license or temporary license held by the applicant within
12 the last 5 years is unencumbered;

13 (3) a signed and completed application for a
14 temporary license; and

15 (4) the required temporary license permit fee.

16 (g) The Department may refuse to issue an applicant a
17 temporary license authorized pursuant to this Section if,
18 within 14 working days following its receipt of an
19 application for a temporary license, the Department
20 determines that:

21 (1) the applicant has been convicted of a crime
22 under the laws of a jurisdiction of the United States:
23 (i) which is a felony; or (ii) which is a misdemeanor
24 directly related to the practice of the profession,
25 within the last 5 years;

26 (2) within the last 5 years the applicant has had a
27 license or permit related to the practice of nursing
28 revoked, suspended, or placed on probation by another
29 jurisdiction, if at least one of the grounds for
30 revoking, suspending, or placing on probation is the same
31 or substantially equivalent to grounds in Illinois; or

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

33 For purposes of this Section, an "unencumbered license"
34 means a license against which no disciplinary action has been

1 taken or is pending and for which all fees and charges are
2 paid and current.

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

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

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

17 (3) it determines that it intends to deny licensure
18 by endorsement.

19 ~~A temporary license or renewed temporary license shall~~
20 ~~expire (i) upon issuance of an Illinois license or (ii) upon~~
21 ~~notification that the Department intends to deny licensure by~~
22 ~~endorsement. A temporary license shall expire 6 months from~~
23 ~~the date of issuance. Further renewal may be granted by the~~
24 ~~Department in hardship cases, as defined by rule and upon~~
25 ~~approval of the Director. However, a temporary license shall~~
26 ~~automatically expire upon issuance of the Illinois license or~~
27 ~~upon notification that the Department intends to deny~~
28 ~~licensure, whichever occurs first. No extensions shall be~~
29 ~~granted beyond the 6-month period unless approved by the~~
30 ~~Director. Notification by the Department under this Section~~
31 ~~shall be by certified or registered mail.~~

32 (i) Applicants have 3 years from the date of application
33 to complete the application process. If the process has not
34 been completed within 3 years from the date of application,

1 the application shall be denied, the fee forfeited, and the
2 applicant must reapply and meet the requirements in effect at
3 the time of reapplication.

4 (Source: P.A. 92-39, eff. 6-29-01.)

5 (225 ILCS 65/10-40 rep.)

6 Section 10. The Nursing and Advanced Practice Nursing Act
7 is amended by repealing Section 10-40.

8 Section 99. Effective date. This Act takes effect upon
9 becoming law.