

104TH GENERAL ASSEMBLY State of Illinois 2025 and 2026 HB2688

Introduced 2/6/2025, by Rep. Anna Moeller

SYNOPSIS AS INTRODUCED:

225	ILCS	65/50-10	was 225 ILCS	65/5-10
225	ILCS	65/65-35	was 225 ILCS	65/15-15
225	ILCS	65/65-40	was 225 ILCS	65/15-20
225	ILCS	65/65-43		

Amends the Nurse Practice Act. Provides that a certified nurse midwife with full practice authority may enter into a written collaborative agreement with an advanced practice registered nurse. Provides that an advanced practice registered nurse certified as a nurse midwife may enter into a written collaborative agreement with an advanced practice registered nurse with full practice authority who is certified as a nurse midwife or a physician. Provides that, for an advanced practice registered nurse certified as a nurse midwife, the clinical experience shall be in collaboration with a certified nurse midwife with full practice authority. Makes conforming changes in provisions concerning written collaborative agreements, prescriptive authority under a written collaborative agreement, and full practice authority.

LRB104 07342 AAS 17382 b

AN ACT concerning regulation. 1

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

- 4 Section 5. The Nurse Practice Act is amended by changing Sections 50-10, 65-35, 65-40, and 65-43 as follows: 5
- (225 ILCS 65/50-10) (was 225 ILCS 65/5-10) 6
- 7 (Section scheduled to be repealed on January 1, 2028)
- Sec. 50-10. Definitions. Each of the following terms, when 8
- used in this Act, shall have the meaning ascribed to it in this
- Section, except where the context clearly indicates otherwise: 10
- "Academic year" means the customary annual schedule of 11
- 12 at a college, university, or approved school, courses
- 13 customarily regarded as the school year as distinguished from
- 14 the calendar year.

- "Address of record" means the designated address recorded 15
- 16 by the Department in the applicant's or licensee's application
- 17 file or license file as maintained by the Department's
- licensure maintenance unit. 18
- 19 "Advanced practice registered nurse" or "APRN" means a
- person who has met the qualifications for a (i) certified 20
- 21 nurse midwife (CNM); (ii) certified nurse practitioner (CNP);
- 22 (iii) certified registered nurse anesthetist (CRNA); or (iv)
- clinical nurse specialist (CNS) and has been licensed by the 23

- 1 Department. All advanced practice registered nurses licensed
- 2 and practicing in the State of Illinois shall use the title
- 3 APRN and may use specialty credentials CNM, CNP, CRNA, or CNS
- 4 after their name. All advanced practice registered nurses may
- 5 only practice in accordance with national certification and
- 6 this Act.
- 7 "Advisory Board" means the Illinois Nursing Workforce
- 8 Center Advisory Board.
- 9 "Approved program of professional nursing education" and
- 10 "approved program of practical nursing education" are programs
- of professional or practical nursing, respectively, approved
- by the Department under the provisions of this Act.
- "Board" means the Board of Nursing appointed by the
- 14 Secretary.
- "Center" means the Illinois Nursing Workforce Center.
- "Collaboration" means a process involving 2 or more health
- 17 care professionals working together, each contributing one's
- 18 respective area of expertise to provide more comprehensive
- 19 patient care.
- "Competence" means an expected and measurable level of
- 21 performance that integrates knowledge, skills, abilities, and
- 22 judgment based on established scientific knowledge and
- 23 expectations for nursing practice.
- "Comprehensive nursing assessment" means the gathering of
- information about the patient's physiological, psychological,
- 26 sociological, and spiritual status on an ongoing basis by a

- 1 registered professional nurse and is the first step in
- 2 implementing and guiding the nursing plan of care.
- 3 "Consultation" means the process whereby an advanced
- 4 practice registered nurse seeks the advice or opinion of
- 5 another health care professional.
- 6 "Credentialed" means the process of assessing and
- 7 validating the qualifications of a health care professional.
- 8 "Dentist" means a person licensed to practice dentistry
- 9 under the Illinois Dental Practice Act.
- 10 "Department" means the Department of Financial and
- 11 Professional Regulation.
- "Email address of record" means the designated email
- 13 address recorded by the Department in the applicant's
- 14 application file or the licensee's license file, as maintained
- by the Department's licensure maintenance unit.
- 16 "Focused nursing assessment" means an appraisal of an
- individual's status and current situation, contributing to the
- 18 comprehensive nursing assessment performed by the registered
- 19 professional nurse or advanced practice registered nurse or
- 20 the assessment by the physician assistant, physician, dentist,
- 21 podiatric physician, or other licensed health care
- 22 professional, as determined by the Department, supporting
- 23 ongoing data collection, and deciding who needs to be informed
- of the information and when to inform.
- 25 "Full practice authority" means the authority of an
- 26 advanced practice registered nurse licensed in Illinois and

- certified as a nurse practitioner, clinical nurse specialist, or nurse midwife to practice without a written collaborative agreement and:
 - (1) to be fully accountable to patients for the quality of advanced nursing care rendered;
 - (2) to be fully accountable for recognizing limits of knowledge and experience and for planning for the management of situations beyond the advanced practice registered nurse's expertise; the full practice authority for advanced practice registered nurses includes accepting referrals from, consulting with, collaborating with, or referring to other health care professionals as warranted by the needs of the patient; and
 - (3) to possess the authority to prescribe medications, including Schedule II through V controlled substances, as provided in Section 65-43.

"Full practice authority-pending advanced practice registered nurse" means an advanced practice registered nurse licensed in Illinois and certified as a nurse practitioner, clinical nurse specialist, or nurse midwife who has provided a notarized attestation of completion of at least 250 hours of continuing education or training in the advanced practice registered nurse's area of certification and at least 4,000 hours of clinical experience after first attaining national certification and who has submitted an application to the Department to be granted full practice authority.

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

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

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

1 temporary permit from the Department.

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

"Nursing intervention" means any treatment based on clinical nursing judgment or knowledge that a nurse performs. An individual or entity shall not mandate that a registered professional nurse delegate nursing interventions if the registered professional nurse determines it is inappropriate to do so. A nurse shall not be subject to disciplinary or any other adverse action for refusing to delegate a nursing intervention based on patient safety.

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

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

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

"Practical nursing" means the performance of nursing interventions requiring the nursing knowledge, judgment, and

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skill acquired by means of completion of an approved practical 1 2 nursing education program. Practical nursing includes 3 assisting in the nursing process under the guidance of a registered professional nurse or advanced 4 an practice 5 registered nurse. The practical nurse may work under the 6 licensed physician, direction of а dentist, podiatric 7 physician, or other health care professional determined by the 8 Department.

"Privileged" means the authorization granted by the governing body of a healthcare facility, agency, or organization to provide specific patient care services within well-defined limits, based on qualifications reviewed in the credentialing process.

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

"Registered professional nursing practice" means scientific process founded on a professional body of knowledge that includes, but is not limited to, the protection, optimization of health and promotion, and abilities, prevention of illness and injury, development implementation of the nursing plan of care, facilitation of nursing interventions to alleviate suffering,

- 1 coordination, and advocacy in the care of individuals,
- families, groups, communities, and populations. "Registered
- 3 professional nursing practice" does not include the act of
- 4 medical diagnosis or prescription of medical therapeutic or
- 5 corrective measures.
- 6 "Professional assistance program for nurses" means a
- 7 professional assistance program that meets criteria
- 8 established by the Board of Nursing and approved by the
- 9 Secretary, which provides a non-disciplinary treatment
- 10 approach for nurses licensed under this Act whose ability to
- 11 practice is compromised by alcohol or chemical substance
- 12 addiction.
- "Secretary" means the Secretary of Financial and
- 14 Professional Regulation.
- 15 "Unencumbered license" means a license issued in good
- 16 standing.
- 17 "Written collaborative agreement" means a written
- 18 agreement between an advanced practice registered nurse and a
- 19 collaborating physician, dentist, certified nurse midwife with
- 20 full practice authority, or podiatric physician pursuant to
- 21 Section 65-35.
- 22 (Source: P.A. 103-154, eff. 6-30-23; 103-686, eff. 1-1-25.)
- 23 (225 ILCS 65/65-35) (was 225 ILCS 65/15-15)
- 24 (Section scheduled to be repealed on January 1, 2028)
- 25 Sec. 65-35. Written collaborative agreements.

- (a) A written collaborative agreement is required for all advanced practice registered nurses engaged in clinical practice prior to meeting the requirements of Section 65-43, except for advanced practice registered nurses who are privileged to practice in a hospital, hospital affiliate, or ambulatory surgical treatment center.
- (a-5) If an advanced practice registered nurse engages in clinical practice outside of a hospital, hospital affiliate, or ambulatory surgical treatment center in which he or she is privileged to practice, the advanced practice registered nurse must have a written collaborative agreement, except as set forth in Section 65-43.
- (b) A written collaborative agreement shall describe the relationship of the advanced practice registered nurse with the collaborating physician or certified nurse midwife with full practice authority and shall describe the categories of care, treatment, or procedures to be provided by the advanced practice registered nurse. A collaborative agreement with a podiatric physician must be in accordance with subsection (c-5) or (c-15) of this Section. A collaborative agreement with a dentist must be in accordance with subsection (c-10) of this Section. A collaborative agreement with a podiatric physician must be in accordance with subsection (c-5) of this Section. A collaborative agreement between an advanced practice registered nurse certified as a certified nurse midwife and a certified nurse midwife with full practice

authority must be in accordance with subsection (c-20) of this

Section. Collaboration does not require an employment

relationship between the collaborating physician or certified

nurse midwife with full practice authority and the advanced

practice registered nurse.

The collaborative relationship under an agreement shall not be construed to require the personal presence of a collaborating physician or certified nurse midwife with full practice authority at the place where services are rendered. Methods of communication shall be available for consultation with the collaborating physician or certified nurse midwife with full practice authority in person or by telecommunications or electronic communications as set forth in the written agreement.

- (b-5) Absent an employment relationship, a written collaborative agreement may not (1) restrict the categories of patients of an advanced practice registered nurse within the scope of the advanced practice registered nurses training and experience, (2) limit third party payors or government health programs, such as the medical assistance program or Medicare with which the advanced practice registered nurse contracts, or (3) limit the geographic area or practice location of the advanced practice registered nurse in this State.
- (c) In the case of anesthesia services provided by a certified registered nurse anesthetist, an anesthesiologist, a physician, a dentist, or a podiatric physician must

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- participate through discussion of and agreement with the anesthesia plan and remain physically present and available on the premises during the delivery of anesthesia services for diagnosis, consultation, and treatment of emergency medical conditions.
 - (c-5) A certified registered nurse anesthetist, provides anesthesia services outside of a hospital or ambulatory surgical treatment center shall enter into a written collaborative agreement with an anesthesiologist or the physician licensed to practice medicine in all its branches or the podiatric physician performing the procedure. Outside of a hospital or ambulatory surgical treatment center, the certified registered nurse anesthetist may provide only those services that the collaborating podiatric physician is authorized to provide pursuant to the Podiatric Medical Practice Act of 1987 and rules adopted thereunder. A certified registered nurse anesthetist may select, order, and administer including controlled substances, medication, and apply appropriate medical devices for delivery of anesthesia anesthesia plan agreed with by the services under the anesthesiologist or the operating physician or operating podiatric physician.
 - (c-10) A certified registered nurse anesthetist who provides anesthesia services in a dental office shall enter into a written collaborative agreement with an anesthesiologist or the physician licensed to practice

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medicine in all its branches or the operating dentist performing the procedure. The agreement shall describe the working relationship of the certified registered nurse anesthetist and dentist and shall authorize the categories of care, treatment, or procedures to be performed by the certified registered nurse anesthetist. In a collaborating dentist's office, the certified registered nurse anesthetist may only provide those services that the operating dentist with the appropriate permit is authorized to provide pursuant to the Illinois Dental Practice Act and rules adopted thereunder. For anesthesia services, an anesthesiologist, physician, or operating dentist shall participate through discussion of and agreement with the anesthesia plan and shall remain physically present and be available on the premises during the delivery of anesthesia services for diagnosis, consultation, and treatment of emergency medical conditions. A certified registered nurse anesthetist may select, order, and administer medication, including controlled substances, and apply appropriate medical devices for delivery of anesthesia services under the anesthesia plan agreed with by the operating dentist.

(c-15) An advanced practice registered nurse who had a written collaborative agreement with a podiatric physician immediately before the effective date of Public Act 100-513 may continue in that collaborative relationship or enter into a new written collaborative relationship with a podiatric

- physician under the requirements of this Section and Section 65-40, as those Sections existed immediately before the amendment of those Sections by Public Act 100-513 with regard to a written collaborative agreement between an advanced practice registered nurse and a podiatric physician.
- 6 (c-20) An advanced practice registered nurse certified as
 7 a certified nurse midwife may enter into a written
 8 collaborative agreement with a certified nurse midwife with
 9 full practice authority or a physician.
 - (d) A copy of the signed, written collaborative agreement must be available to the Department upon request from both the advanced practice registered nurse and the collaborating physician, dentist, certified nurse midwife with full practice authority, or podiatric physician.
 - (e) Nothing in this Act shall be construed to limit the delegation of tasks or duties by a physician to a licensed practical nurse, a registered professional nurse, or other persons in accordance with Section 54.2 of the Medical Practice Act of 1987. Nothing in this Act shall be construed to limit the method of delegation that may be authorized by any means, including, but not limited to, oral, written, electronic, standing orders, protocols, guidelines, or verbal orders.
 - (e-5) Nothing in this Act shall be construed to authorize an advanced practice registered nurse to provide health care services required by law or rule to be performed by a

- 1 physician. The scope of practice of an advanced practice
- 2 registered nurse does not include operative surgery. Nothing
- 3 in this Section shall be construed to preclude an advanced
- 4 practice registered nurse from assisting in surgery.
- 5 (f) An advanced practice registered nurse shall inform
- 6 each collaborating physician, dentist, <u>certified nurse midwife</u>
- 7 <u>with full practice authority</u>, or podiatric physician of all
- 8 collaborative agreements he or she has signed and provide a
- 9 copy of these to any collaborating physician, dentist,
- 10 certified nurse midwife with full practice authority, or
- 11 podiatric physician upon request.
- 12 (g) (Blank).
- 13 (Source: P.A. 100-513, eff. 1-1-18; 100-577, eff. 1-26-18;
- 14 100-1096, eff. 8-26-18; 101-13, eff. 6-12-19.)
- 15 (225 ILCS 65/65-40) (was 225 ILCS 65/15-20)
- 16 (Section scheduled to be repealed on January 1, 2028)
- 17 Sec. 65-40. Written collaborative agreement; prescriptive
- 18 authority.
- 19 (a) A collaborating physician or certified nurse midwife
- 20 with full practice authority may, but is not required to,
- 21 delegate prescriptive authority to an advanced practice
- registered nurse as part of a written collaborative agreement.
- 23 This authority may, but is not required to, include
- 24 prescription of, selection of, orders for, administration of,
- 25 storage of, acceptance of samples of, and dispensing over the

- medications, legend drugs, medical gases, counter controlled substances categorized as any Schedule III through V controlled substances, as defined in Article II of the Illinois Controlled Substances Act, and other preparations, including, but not limited to, botanical and herbal remedies. The collaborating physician must have a valid current Illinois controlled substance license and federal registration to delegate authority to prescribe delegated controlled substances.
 - (b) To prescribe controlled substances under this Section, an advanced practice registered nurse must obtain a mid-level practitioner controlled substance license. Medication orders shall be reviewed periodically by the collaborating physician.
 - (c) The collaborating physician or certified nurse midwife with full practice authority shall file with the Department and the Prescription Monitoring Program notice of delegation of prescriptive authority and termination of such delegation, in accordance with rules of the Department. Upon receipt of this notice delegating authority to prescribe any Schedule III through V controlled substances, the licensed advanced practice registered nurse shall be eligible to register for a mid-level practitioner controlled substance license under Section 303.05 of the Illinois Controlled Substances Act.
 - (d) In addition to the requirements of subsections (a),
 (b), and (c) of this Section, a collaborating physician or
 certified nurse midwife with full practice authority may, but

- is not required to, delegate authority to an advanced practice registered nurse to prescribe any Schedule II controlled substances, if all of the following conditions apply:
 - (1) Specific Schedule II controlled substances by oral dosage or topical or transdermal application may be delegated, provided that the delegated Schedule II controlled substances are routinely prescribed by the collaborating physician or certified nurse midwife with full practice authority. This delegation must identify the specific Schedule II controlled substances by either brand name or generic name. Schedule II controlled substances to be delivered by injection or other route of administration may not be delegated.
 - (2) Any delegation must be controlled substances that the collaborating physician or certified nurse midwife with full practice authority prescribes.
 - (3) Any prescription must be limited to no more than a 30-day supply, with any continuation authorized only after prior approval of the collaborating physician or certified nurse midwife with full practice authority.
 - (4) The advanced practice registered nurse must discuss the condition of any patients for whom a controlled substance is prescribed monthly with the delegating physician or certified nurse midwife with full practice authority.
 - (5) The advanced practice registered nurse meets the

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- education requirements of Section 303.05 of the Illinois
 Controlled Substances Act.
 - (e) Nothing in this Act shall be construed to limit the delegation of tasks or duties by a physician to a licensed practical nurse, a registered professional nurse, or other persons. Nothing in this Act shall be construed to limit the method of delegation that may be authorized by any means, including, but not limited to, oral, written, electronic, standing orders, protocols, guidelines, or verbal orders.
- 10 (f) Nothing in this Section shall be construed to apply to
 11 any medication authority including Schedule II controlled
 12 substances of an advanced practice registered nurse for care
 13 provided in a hospital, hospital affiliate, or ambulatory
 14 surgical treatment center pursuant to Section 65-45.
- 15 (g) (Blank).
- 16 (h) Nothing in this Section shall be construed to prohibit 17 generic substitution.
- (i) Nothing in this Section shall be construed to apply to an advanced practice registered nurse who meets the requirements of Section 65-43.
- 21 (Source: P.A. 100-513, eff. 1-1-18; 101-81, eff. 7-12-19.)
- 22 (225 ILCS 65/65-43)
- 23 (Section scheduled to be repealed on January 1, 2028)
- Sec. 65-43. Full practice authority.
- 25 (a) An Illinois-licensed advanced practice registered

- nurse certified as a nurse practitioner, nurse midwife, or clinical nurse specialist shall be deemed by law to possess the ability to practice without a written collaborative agreement as set forth in this Section.
 - (b) An advanced practice registered nurse certified as a nurse midwife, clinical nurse specialist, or nurse practitioner who files with the Department a notarized attestation of completion of at least 250 hours of continuing education or training and at least 4,000 hours of clinical experience after first attaining national certification shall not require a written collaborative agreement. Documentation of successful completion shall be provided to the Department upon request.

Continuing education or training hours required by subsection (b) shall be in the advanced practice registered nurse's area of certification as set forth by Department rule.

The clinical experience must be in the advanced practice registered nurse's area of certification. The clinical experience shall be in collaboration with a physician or physicians. For an advanced practice registered nurse certified as a nurse midwife, the clinical experience shall be in collaboration with a certified nurse midwife with full practice authority. Completion of the clinical experience must be attested to by the collaborating physician or physicians, collaborating certified nurse midwife with full practice authority, or employer and the advanced practice registered

- nurse. If the collaborating physician or physicians,

 collaborating certified nurse midwife with full practice

 authority, or employer is unable to attest to the completion

 of the clinical experience, the Department may accept other

 evidence of clinical experience as established by rule.
 - (c) The scope of practice of an advanced practice registered nurse with full practice authority includes:
 - (1) all matters included in subsection (c) of Section 65-30 of this Act;
 - (2) practicing without a written collaborative agreement in all practice settings consistent with national certification, except in the case of an advanced practice registered nurse with full practice authority who is certified as a nurse midwife, who may enter into a written collaborative agreement with a licensed certified nurse midwife pursuant to Section 65-35;
 - (3) authority to prescribe both legend drugs and Schedule II through V controlled substances; this authority includes prescription of, selection of, orders for, administration of, storage of, acceptance of samples of, and dispensing over the counter medications, legend drugs, and controlled substances categorized as any Schedule II through V controlled substances, as defined in Article II of the Illinois Controlled Substances Act, and other preparations, including, but not limited to, botanical and herbal remedies;

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(4) prescribing Schedule II narcotic drugs, such as opioids, only in a consultation relationship with a shall physician; this consultation relationship recorded in the Prescription Monitoring Program website, pursuant to Section 316 of the Illinois Controlled Substances Act, by the physician and advanced practice registered nurse with full practice authority and is not required to be filed with the Department; the specific Schedule II narcotic drug must be identified by either brand name or generic name; the specific Schedule II narcotic drug, such as an opioid, may be administered by oral dosage or topical or transdermal application; delivery by injection or other route of administration is not permitted; at least monthly, the advanced practice registered nurse and the physician must discuss the condition of any patients for whom an opioid prescribed; nothing in this subsection shall be construed require a prescription by an advanced practice registered nurse with full practice authority to require a physician name;

(4.5) prescribing up to a 120-day supply of benzodiazepines without a consultation relationship with a physician; thereafter, continued prescription of benzodiazepines shall require a consultation with a physician; nothing in this subsection shall be construed to require a prescription by an advanced practice

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- registered nurse with full practice authority to require a physician name;
- 3 (5) authority to obtain an Illinois controlled 4 substance license and a federal Drug Enforcement 5 Administration number; and
- 6 (6) use of only local anesthetic.

The scope of practice of an advanced practice registered nurse does not include operative surgery. Nothing in this Section shall be construed to preclude an advanced practice registered nurse from assisting in surgery.

- (d) The Department may adopt rules necessary to administer this Section, including, but not limited to, requiring the completion of forms and the payment of fees.
- (e) Nothing in this Act shall be construed to authorize an advanced practice registered nurse with full practice authority to provide health care services required by law or rule to be performed by a physician.
- 18 (Source: P.A. 102-75, eff. 1-1-22; 103-60, eff. 1-1-24.)