

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 1. Findings. The General Assembly finds that:

5 (1) the State is experiencing a maternal health
6 crisis; and

7 (2) access to out-of-hospital services is critical to
8 addressing the maternal health crisis.

9 Section 5. The Nurse Practice Act is amended by changing
10 Sections 50-10 and 65-35 and by adding Sections 65-44 and
11 65-70 as follows:

12 (225 ILCS 65/50-10) (was 225 ILCS 65/5-10)

13 (Section scheduled to be repealed on January 1, 2028)

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

17 "Academic year" means the customary annual schedule of
18 courses at a college, university, or approved school,
19 customarily regarded as the school year as distinguished from
20 the calendar year.

21 "Address of record" means the designated address recorded
22 by the Department in the applicant's or licensee's application

1 file or license file as maintained by the Department's
2 licensure maintenance unit.

3 "Advanced practice registered nurse" or "APRN" means a
4 person who has met the qualifications for a (i) certified
5 nurse midwife (CNM); (ii) certified nurse practitioner (CNP);
6 (iii) certified registered nurse anesthetist (CRNA); or (iv)
7 clinical nurse specialist (CNS) and has been licensed by the
8 Department. All advanced practice registered nurses licensed
9 and practicing in the State of Illinois shall use the title
10 APRN and may use specialty credentials CNM, CNP, CRNA, or CNS
11 after their name. All advanced practice registered nurses may
12 only practice in accordance with national certification and
13 this Act.

14 "Advisory Board" means the Illinois Nursing Workforce
15 Center Advisory Board.

16 "Approved program of professional nursing education" and
17 "approved program of practical nursing education" are programs
18 of professional or practical nursing, respectively, approved
19 by the Department under the provisions of this Act.

20 "Board" means the Board of Nursing appointed by the
21 Secretary.

22 "Center" means the Illinois Nursing Workforce Center.

23 "Collaboration" means a process involving 2 or more health
24 care professionals working together, each contributing one's
25 respective area of expertise to provide more comprehensive
26 patient care.

1 "Competence" means an expected and measurable level of
2 performance that integrates knowledge, skills, abilities, and
3 judgment based on established scientific knowledge and
4 expectations for nursing practice.

5 "Comprehensive nursing assessment" means the gathering of
6 information about the patient's physiological, psychological,
7 sociological, and spiritual status on an ongoing basis by a
8 registered professional nurse and is the first step in
9 implementing and guiding the nursing plan of care.

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

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

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

17 "Department" means the Department of Financial and
18 Professional Regulation.

19 "Email address of record" means the designated email
20 address recorded by the Department in the applicant's
21 application file or the licensee's license file, as maintained
22 by the Department's licensure maintenance unit.

23 "Focused nursing assessment" means an appraisal of an
24 individual's status and current situation, contributing to the
25 comprehensive nursing assessment performed by the registered
26 professional nurse or advanced practice registered nurse or

1 the assessment by the physician assistant, physician, dentist,
2 podiatric physician, or other licensed health care
3 professional, as determined by the Department, supporting
4 ongoing data collection, and deciding who needs to be informed
5 of the information and when to inform.

6 "Full practice authority" means the authority of an
7 advanced practice registered nurse licensed in Illinois and
8 certified as a nurse practitioner, clinical nurse specialist,
9 or nurse midwife to practice without a written collaborative
10 agreement and:

11 (1) to be fully accountable to patients for the
12 quality of advanced nursing care rendered;

13 (2) to be fully accountable for recognizing limits of
14 knowledge and experience and for planning for the
15 management of situations beyond the advanced practice
16 registered nurse's expertise; the full practice authority
17 for advanced practice registered nurses includes accepting
18 referrals from, consulting with, collaborating with, or
19 referring to other health care professionals as warranted
20 by the needs of the patient; and

21 (3) to possess the authority to prescribe medications,
22 including Schedule II through V controlled substances, as
23 provided in Section 65-43.

24 "Full practice authority-pending advanced practice
25 registered nurse" means an advanced practice registered nurse
26 licensed in Illinois and certified as a nurse practitioner,

1 clinical nurse specialist, or nurse midwife who has provided a
2 notarized attestation of completion of at least 250 hours of
3 continuing education or training in the advanced practice
4 registered nurse's area of certification and at least 4,000
5 hours of clinical experience after first attaining national
6 certification and who has submitted an application to the
7 Department to be granted full practice authority.

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

22 "Impaired nurse" means a nurse licensed under this Act who
23 is unable to practice with reasonable skill and safety because
24 of a physical or mental disability as evidenced by a written
25 determination or written consent based on clinical evidence,
26 including loss of motor skills, abuse of drugs or alcohol, or a

1 psychiatric disorder, of sufficient degree to diminish his or
2 her ability to deliver competent patient care.

3 "License-pending advanced practice registered nurse" means
4 a registered professional nurse who has completed all
5 requirements for licensure as an advanced practice registered
6 nurse except the certification examination and has applied to
7 take the next available certification exam and received a
8 temporary permit from the Department.

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

14 "Maternity care desert" means a county without any
15 hospital, any birth center, or any licensed health care
16 professional offering obstetric care.

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

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

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

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

9 "Practical nursing" means the performance of nursing
10 interventions requiring the nursing knowledge, judgment, and
11 skill acquired by means of completion of an approved practical
12 nursing education program. Practical nursing includes
13 assisting in the nursing process under the guidance of a
14 registered professional nurse or an advanced practice
15 registered nurse. The practical nurse may work under the
16 direction of a licensed physician, dentist, podiatric
17 physician, or other health care professional determined by the
18 Department.

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

24 "Registered Nurse" or "Registered Professional Nurse"
25 means a person who is licensed as a professional nurse under
26 this Act and practices nursing as defined in this Act. Only a

1 registered nurse licensed under this Act is entitled to use
2 the titles "registered nurse" and "registered professional
3 nurse" and the abbreviation, "R.N.".

4 "Registered professional nursing practice" means a
5 scientific process founded on a professional body of knowledge
6 that includes, but is not limited to, the protection,
7 promotion, and optimization of health and abilities,
8 prevention of illness and injury, development and
9 implementation of the nursing plan of care, facilitation of
10 nursing interventions to alleviate suffering, care
11 coordination, and advocacy in the care of individuals,
12 families, groups, communities, and populations. "Registered
13 professional nursing practice" does not include the act of
14 medical diagnosis or prescription of medical therapeutic or
15 corrective measures.

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

23 "Secretary" means the Secretary of Financial and
24 Professional Regulation.

25 "Unencumbered license" means a license issued in good
26 standing.

1 "Written collaborative agreement" means a written
2 agreement between an advanced practice registered nurse and a
3 collaborating physician, dentist, or podiatric physician
4 pursuant to Section 65-35.

5 (Source: P.A. 103-154, eff. 6-30-23; 103-686, eff. 1-1-25.)

6 (225 ILCS 65/65-35) (was 225 ILCS 65/15-15)

7 (Section scheduled to be repealed on January 1, 2028)

8 Sec. 65-35. Written collaborative agreements.

9 (a) A written collaborative agreement is required for all
10 advanced practice registered nurses engaged in clinical
11 practice prior to meeting the requirements of Section 65-43,
12 except for advanced practice registered nurses who are
13 privileged to practice in a hospital, hospital affiliate, or
14 ambulatory surgical treatment center.

15 (a-5) If an advanced practice registered nurse engages in
16 clinical practice outside of a hospital, hospital affiliate,
17 or ambulatory surgical treatment center in which he or she is
18 privileged to practice, the advanced practice registered nurse
19 must have a written collaborative agreement, except as set
20 forth in Section 65-43.

21 (b) A written collaborative agreement shall describe the
22 relationship of the advanced practice registered nurse with
23 the collaborating physician and shall describe the categories
24 of care, treatment, or procedures to be provided by the
25 advanced practice registered nurse. A collaborative agreement

1 with a podiatric physician must be in accordance with
2 subsection (c-5) or (c-15) of this Section. A collaborative
3 agreement with a dentist must be in accordance with subsection
4 (c-10) of this Section. A collaborative agreement with a
5 podiatric physician must be in accordance with subsection
6 (c-5) of this Section. Collaboration does not require an
7 employment relationship between the collaborating physician
8 and the advanced practice registered nurse.

9 The collaborative relationship under an agreement shall
10 not be construed to require the personal presence of a
11 collaborating physician at the place where services are
12 rendered. Methods of communication shall be available for
13 consultation with the collaborating physician in person or by
14 telecommunications or electronic communications as set forth
15 in the written agreement.

16 (b-5) Absent an employment relationship, a written
17 collaborative agreement may not (1) restrict the categories of
18 patients of an advanced practice registered nurse within the
19 scope of the advanced practice registered nurses training and
20 experience, (2) limit third party payors or government health
21 programs, such as the medical assistance program or Medicare
22 with which the advanced practice registered nurse contracts,
23 or (3) limit the geographic area or practice location of the
24 advanced practice registered nurse in this State.

25 (b-10) In the case of home birth services provided by a
26 certified nurse midwife, a written collaborative agreement may

1 permit a certified nurse midwife to provide home birth
2 services within the scope of the certified nurse midwife's
3 training and experience. A written collaborative agreement may
4 not prohibit a certified nurse midwife from providing home
5 birth services within the scope of the certified nurse
6 midwife's training and experience. Where the collaborating
7 physician does not provide home birth services, home birth
8 services may be provided by a certified nurse midwife working
9 under a written collaborative agreement with a collaborating
10 physician when the services are provided in a federal primary
11 care health professional shortage area with a Health
12 Professional Shortage Area score greater than or equal to 12,
13 as determined by the United States Department of Health and
14 Human Services, or a maternity care desert.

15 (c) In the case of anesthesia services provided by a
16 certified registered nurse anesthetist, an anesthesiologist, a
17 physician, a dentist, or a podiatric physician must
18 participate through discussion of and agreement with the
19 anesthesia plan and remain physically present and available on
20 the premises during the delivery of anesthesia services for
21 diagnosis, consultation, and treatment of emergency medical
22 conditions.

23 (c-5) A certified registered nurse anesthetist, who
24 provides anesthesia services outside of a hospital or
25 ambulatory surgical treatment center shall enter into a
26 written collaborative agreement with an anesthesiologist or

1 the physician licensed to practice medicine in all its
2 branches or the podiatric physician performing the procedure.
3 Outside of a hospital or ambulatory surgical treatment center,
4 the certified registered nurse anesthetist may provide only
5 those services that the collaborating podiatric physician is
6 authorized to provide pursuant to the Podiatric Medical
7 Practice Act of 1987 and rules adopted thereunder. A certified
8 registered nurse anesthetist may select, order, and administer
9 medication, including controlled substances, and apply
10 appropriate medical devices for delivery of anesthesia
11 services under the anesthesia plan agreed with by the
12 anesthesiologist or the operating physician or operating
13 podiatric physician.

14 (c-10) A certified registered nurse anesthetist who
15 provides anesthesia services in a dental office shall enter
16 into a written collaborative agreement with an
17 anesthesiologist or the physician licensed to practice
18 medicine in all its branches or the operating dentist
19 performing the procedure. The agreement shall describe the
20 working relationship of the certified registered nurse
21 anesthetist and dentist and shall authorize the categories of
22 care, treatment, or procedures to be performed by the
23 certified registered nurse anesthetist. In a collaborating
24 dentist's office, the certified registered nurse anesthetist
25 may only provide those services that the operating dentist
26 with the appropriate permit is authorized to provide pursuant

1 to the Illinois Dental Practice Act and rules adopted
2 thereunder. For anesthesia services, an anesthesiologist,
3 physician, or operating dentist shall participate through
4 discussion of and agreement with the anesthesia plan and shall
5 remain physically present and be available on the premises
6 during the delivery of anesthesia services for diagnosis,
7 consultation, and treatment of emergency medical conditions. A
8 certified registered nurse anesthetist may select, order, and
9 administer medication, including controlled substances, and
10 apply appropriate medical devices for delivery of anesthesia
11 services under the anesthesia plan agreed with by the
12 operating dentist.

13 (c-15) An advanced practice registered nurse who had a
14 written collaborative agreement with a podiatric physician
15 immediately before the effective date of Public Act 100-513
16 may continue in that collaborative relationship or enter into
17 a new written collaborative relationship with a podiatric
18 physician under the requirements of this Section and Section
19 65-40, as those Sections existed immediately before the
20 amendment of those Sections by Public Act 100-513 with regard
21 to a written collaborative agreement between an advanced
22 practice registered nurse and a podiatric physician.

23 (d) A copy of the signed, written collaborative agreement
24 must be available to the Department upon request from both the
25 advanced practice registered nurse and the collaborating
26 physician, dentist, or podiatric physician.

1 (e) Nothing in this Act shall be construed to limit the
2 delegation of tasks or duties by a physician to a licensed
3 practical nurse, a registered professional nurse, or other
4 persons in accordance with Section 54.2 of the Medical
5 Practice Act of 1987. Nothing in this Act shall be construed to
6 limit the method of delegation that may be authorized by any
7 means, including, but not limited to, oral, written,
8 electronic, standing orders, protocols, guidelines, or verbal
9 orders.

10 (e-5) Nothing in this Act shall be construed to authorize
11 an advanced practice registered nurse to provide health care
12 services required by law or rule to be performed by a
13 physician. The scope of practice of an advanced practice
14 registered nurse does not include operative surgery. Nothing
15 in this Section shall be construed to preclude an advanced
16 practice registered nurse from assisting in surgery.

17 (f) An advanced practice registered nurse shall inform
18 each collaborating physician, dentist, or podiatric physician
19 of all collaborative agreements he or she has signed and
20 provide a copy of these to any collaborating physician,
21 dentist, or podiatric physician upon request.

22 (g) (Blank).

23 (Source: P.A. 100-513, eff. 1-1-18; 100-577, eff. 1-26-18;
24 100-1096, eff. 8-26-18; 101-13, eff. 6-12-19.)

25 (225 ILCS 65/65-44 new)

1 Sec. 65-44. Certified nurse midwife out-of-hospital birth
2 services.

3 (a) An advanced practice registered nurse certified as a
4 nurse midwife may provide out-of-hospital birth services in a
5 licensed birth center without a written collaborative
6 agreement if the advanced practice registered nurse certified
7 as a nurse midwife is granted clinical privileges for
8 out-of-hospital birth services by the clinical director of the
9 birth center.

10 (b) An advanced practice registered nurse certified as a
11 nurse midwife may provide out-of-hospital birth services in
12 all practice settings consistent with national certification
13 under a written collaborative agreement meeting the
14 requirements of Section 65-30 of this Act with an advanced
15 practice registered nurse with full practice authority if the
16 services are provided in a federal primary care health
17 professional shortage area with a Health Professional Shortage
18 Area score greater than or equal to 12, as determined by the
19 United States Department of Health and Human Services, or a
20 maternity care desert.

21 (c) The Department may adopt rules to administer this
22 Section, including, but not limited to, rules that require the
23 completion of forms and the payment of fees.

24 (d) Nothing in this Act shall be construed to authorize an
25 advanced practice registered nurse certified as a nurse
26 midwife to provide health care services required by law or

1 rule to be performed by a physician.

2 (225 ILCS 65/65-70 new)

3 Sec. 65-70. Collaborating physician liability.

4 (a) A physician shall not be liable for the acts or
5 omissions of an advanced practice registered nurse solely on
6 the basis of having signed a collaborative agreement, an
7 order, a standing medical order, a standing delegation order,
8 or another order or guideline authorizing the advanced
9 practice registered nurse to perform certain acts, unless the
10 physician has reason to believe that the advanced practice
11 registered nurse lacked the competency to perform the act or
12 acts or committed willful and wanton misconduct.

13 (b) No physician shall be liable for any act or omission
14 resulting from the provision of home birth services by a
15 certified nurse midwife solely on the basis that the physician
16 has entered a written collaborative agreement with the
17 certified nurse midwife. A physician providing care shall be
18 responsible for his or her own acts and omissions.