



## 104TH GENERAL ASSEMBLY

### State of Illinois

2025 and 2026

HB4369

Introduced 1/14/2026, by Rep. Yolonda Morris

#### SYNOPSIS AS INTRODUCED:

225 ILCS 65/50-26  
225 ILCS 65/Art. 85 heading new  
225 ILCS 65/85-5 new  
225 ILCS 65/85-10 new  
225 ILCS 65/85-15 new  
225 ILCS 65/85-20 new  
225 ILCS 65/85-25 new  
225 ILCS 65/85-30 new

Amends the Nurse Practice Act. Ratifies and approves the Nurse Licensure Compact, which allows for the issuance of multistate licenses that allow nurses to practice in their home state and other compact states. In provisions concerning an application for a license, provides that the Department of Financial and Professional Regulation may establish, by rule, fees to be charged for the purpose of implementing and enforcing the provisions of the Act, including the fees necessary to implement the Nurse Licensure Compact. Provides that, on or after the effective date of the Nurse Licensure Compact, the Department may set the required fees to apply for a multistate license, upgrade from a single state license to a multistate license, and renew a multistate license. Provides that the initial application fee for a multistate license shall be no less than \$150 and the biennial multistate license renewal fee shall be no less than \$125. Provides that the Nurse Licensure Compact does not supersede existing State labor laws. Provides that the State may not share with or disclose to the Interstate Commission of Nurse Licensure Compact Administrators or any other state any of the contents of a nationwide criminal history records check conducted for the purpose of multistate licensure under the Nurse Licensure Compact. Provides that an employer who employs nurses, as defined in the Article, shall provide the nurses under its employment with the opportunity to obtain the required continuing education hours. Requires that nurses subject to the Nurse Licensure Compact complete 20 hours of approved continuing education per every 2-year license renewal cycle. Provides that the Nurse Licensure Compact does not apply to an advanced practice registered nurse. Adds provisions concerning employer attestations.

LRB104 17213 AAS 30633 b

A BILL FOR

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 Nurse Practice Act is amended by changing  
5 Section 50-26 and by adding Article 85 as follows:

6 (225 ILCS 65/50-26)

7 (Section scheduled to be repealed on January 1, 2028)

8 Sec. 50-26. Application for license. Applications for  
9 licenses shall be made to the Department on forms prescribed  
10 by the Department and accompanied by the required fee. All  
11 applications shall contain the information that, in the  
12 judgment of the Department, will enable the Department to pass  
13 on the qualifications of the applicant for a license under  
14 this Act.

15 If an applicant fails to obtain a license under this Act  
16 within 3 years after filing his or her application, the  
17 application shall be denied. The applicant may make a new  
18 application, which shall be accompanied by the required  
19 nonrefundable fee. The applicant shall be required to meet the  
20 qualifications required for licensure at the time of  
21 reapplication.

22 The Department may establish, by rule, fees to be charged  
23 for the purpose of implementing and enforcing the provisions

1 of this Act, including the fees necessary to implement the  
2 Nurse Licensure Compact under Article 85. On or after the  
3 effective date of the Nurse Licensure Compact under Article  
4 85, the Department may set the required fees to apply for a  
5 multistate license, upgrade from a single state license to a  
6 multistate license, and renew a multistate license. The  
7 initial application fee for a multistate license issued under  
8 this Section shall be no less than \$150. The biennial  
9 multistate license renewal fee shall be no less than \$125.

10 (Source: P.A. 100-513, eff. 1-1-18.)".

11 (225 ILCS 65/Art. 85 heading new)

12 ARTICLE 85. NURSE LICENSURE COMPACT

13 (225 ILCS 65/85-5 new)

14 Sec. 85-5. Nurse Licensure Compact. The State of Illinois  
15 ratifies and approves the following Compact:

16 ARTICLE I

17 Findings and Declaration of Purpose

18 a. The party states find that:

19 1. The health and safety of the public are affected by  
20 the degree of compliance with and the effectiveness of  
21 enforcement activities related to state nurse licensure  
22 laws;

1           2. Violations of nurse licensure and other laws  
2 regulating the practice of nursing may result in injury or  
3 harm to the public;

4           3. The expanded mobility of nurses and the use of  
5 advanced communication technologies as part of our  
6 nation's health care delivery system require greater  
7 coordination and cooperation among states in the areas of  
8 nurse licensure and regulation;

9           4. New practice modalities and technology make  
10 compliance with individual state nurse licensure laws  
11 difficult and complex;

12           5. The current system of duplicative licensure for  
13 nurses practicing in multiple states is cumbersome and  
14 redundant for both nurses and states; and

15           6. Uniformity of nurse licensure requirements  
16 throughout the states promotes public safety and public  
17 health benefits.

18 b. The general purposes of this Compact are to:

19           1. Facilitate the states' responsibility to protect  
20 the public's health and safety;

21           2. Ensure and encourage the cooperation of party  
22 states in the areas of nurse licensure and regulation;

23           3. Facilitate the exchange of information between  
24 party states in the areas of nurse regulation,  
25 investigation and adverse actions;

26           4. Promote compliance with the laws governing the

1 practice of nursing in each jurisdiction;

2 5. Invest all party states with the authority to hold  
3 a nurse accountable for meeting all state practice laws in  
4 the state in which the patient is located at the time care  
5 is rendered through the mutual recognition of party state  
6 licenses;

7 6. Decrease redundancies in the consideration and  
8 issuance of nurse licenses; and

9 7. Provide opportunities for interstate practice by  
10 nurses who meet uniform licensure requirements.

11 ARTICLE II

12 Definitions

13 As used in this Compact:

14 a. "Adverse action" means any administrative, civil,  
15 equitable or criminal action permitted by a state's laws  
16 which is imposed by a licensing board or other authority  
17 against a nurse, including actions against an individual's  
18 license or multistate licensure privilege such as  
19 revocation, suspension, probation, monitoring of the  
20 licensee, limitation on the licensee's practice, or any  
21 other encumbrance on licensure affecting a nurse's  
22 authorization to practice, including issuance of a cease  
23 and desist action.

24 b. "Alternative program" means a non-disciplinary

1 monitoring program approved by a licensing board.

2 c. "Coordinated licensure information system" means an  
3 integrated process for collecting, storing and sharing  
4 information on nurse licensure and enforcement activities  
5 related to nurse licensure laws that is administered by a  
6 nonprofit organization composed of and controlled by  
7 licensing boards.

8 d. "Current significant investigative information"  
9 means:

10 1. Investigative information that a licensing  
11 board, after a preliminary inquiry that includes  
12 notification and an opportunity for the nurse to  
13 respond, if required by state law, has reason to  
14 believe is not groundless and, if proved true, would  
15 indicate more than a minor infraction; or

16 2. Investigative information that indicates that  
17 the nurse represents an immediate threat to public  
18 health and safety regardless of whether the nurse has  
19 been notified and had an opportunity to respond.

20 e. "Encumbrance" means a revocation or suspension of,  
21 or any limitation on, the full and unrestricted practice  
22 of nursing imposed by a licensing board.

23 f. "Home state" means the party state which is the  
24 nurse's primary state of residence.

25 g. "Licensing board" means a party state's regulatory  
26 body responsible for issuing nurse licenses.

1           h. "Multistate license" means a license to practice as  
2           a registered or a licensed practical/vocational nurse  
3           (LPN/VN) issued by a home state licensing board that  
4           authorizes the licensed nurse to practice in all party  
5           states under a multistate licensure privilege.

6           i. "Multistate licensure privilege" means a legal  
7           authorization associated with a multistate license  
8           permitting the practice of nursing as either a registered  
9           nurse (RN) or LPN/VN in a remote state.

10           j. "Nurse" means RN or LPN/VN, as those terms are  
11           defined by each party state's practice laws.

12           k. "Party state" means any state that has adopted this  
13           Compact.

14           l. "Remote state" means a party state, other than the  
15           home state.

16           m. "Single-state license" means a nurse license issued  
17           by a party state that authorizes practice only within the  
18           issuing state and does not include a multistate licensure  
19           privilege to practice in any other party state.

20           n. "State" means a state, territory or possession of  
21           the United States and the District of Columbia.

22           o. "State practice laws" means a party state's laws,  
23           rules and regulations that govern the practice of nursing,  
24           define the scope of nursing practice, and create the  
25           methods and grounds for imposing discipline. "State  
26           practice laws" do not include requirements necessary to

1 obtain and retain a license, except for qualifications or  
2 requirements of the home state.

3 ARTICLE III

4 General Provisions and Jurisdiction

5 a. A multistate license to practice registered or licensed  
6 practical/vocational nursing issued by a home state to a  
7 resident in that state will be recognized by each party state  
8 as authorizing a nurse to practice as a registered nurse (RN)  
9 or as a licensed practical/vocational nurse (LPN/VN), under a  
10 multistate licensure privilege, in each party state.

11 b. A state must implement procedures for considering the  
12 criminal history records of applicants for initial multistate  
13 license or licensure by endorsement. Such procedures shall  
14 include the submission of fingerprints or other  
15 biometric-based information by applicants for the purpose of  
16 obtaining an applicant's criminal history record information  
17 from the Federal Bureau of Investigation and the agency  
18 responsible for retaining that state's criminal records.

19 c. Each party state shall require the following for an  
20 applicant to obtain or retain a multistate license in the home  
21 state:

22 1. Meets the home state's qualifications for licensure  
23 or renewal of licensure, as well as, all other applicable  
24 state laws;

1           2. i. Has graduated or is eligible to graduate from a  
2           licensing board-approved RN or LPN/VN prelicensure  
3           education program; or

4           ii. Has graduated from a foreign RN or LPN/VN  
5           prelicensure education program that (a) has been approved  
6           by the authorized accrediting body in the applicable  
7           country and (b) has been verified by an independent  
8           credentials review agency to be comparable to a licensing  
9           board-approved prelicensure education program;

10          3. Has, if a graduate of a foreign prelicensure  
11          education program not taught in English or if English is  
12          not the individual's native language, successfully passed  
13          an English proficiency examination that includes the  
14          components of reading, speaking, writing and listening;

15          4. Has successfully passed an NCLEX-RN® or NCLEX-PN®  
16          Examination or recognized predecessor, as applicable;

17          5. Is eligible for or holds an active, unencumbered  
18          license;

19          6. Has submitted, in connection with an application  
20          for initial licensure or licensure by endorsement,  
21          fingerprints or other biometric data for the purpose of  
22          obtaining criminal history record information from the  
23          Federal Bureau of Investigation and the agency responsible  
24          for retaining that state's criminal records;

25          7. Has not been convicted or found guilty, or has  
26          entered into an agreed disposition, of a felony offense

1 under applicable state or federal criminal law;

2 8. Has not been convicted or found guilty, or has  
3 entered into an agreed disposition, of a misdemeanor  
4 offense related to the practice of nursing as determined  
5 on a case-by-case basis;

6 9. Is not currently enrolled in an alternative  
7 program;

8 10. Is subject to self-disclosure requirements  
9 regarding current participation in an alternative program;  
10 and

11 11. Has a valid United States Social Security number.

12 d. All party states shall be authorized, in accordance  
13 with existing state due process law, to take adverse action  
14 against a nurse's multistate licensure privilege such as  
15 revocation, suspension, probation or any other action that  
16 affects a nurse's authorization to practice under a multistate  
17 licensure privilege, including cease and desist actions. If a  
18 party state takes such action, it shall promptly notify the  
19 administrator of the coordinated licensure information system.  
20 The administrator of the coordinated licensure information  
21 system shall promptly notify the home state of any such  
22 actions by remote states.

23 e. A nurse practicing in a party state must comply with the  
24 state practice laws of the state in which the client is located  
25 at the time service is provided. The practice of nursing is not  
26 limited to patient care, but shall include all nursing

1 practice as defined by the state practice laws of the party  
2 state in which the client is located. The practice of nursing  
3 in a party state under a multistate licensure privilege will  
4 subject a nurse to the jurisdiction of the licensing board,  
5 the courts and the laws of the party state in which the client  
6 is located at the time service is provided.

7 f. Individuals not residing in a party state shall  
8 continue to be able to apply for a party state's single-state  
9 license as provided under the laws of each party state.  
10 However, the single-state license granted to these individuals  
11 will not be recognized as granting the privilege to practice  
12 nursing in any other party state. Nothing in this Compact  
13 shall affect the requirements established by a party state for  
14 the issuance of a single-state license.

15 g. Any nurse holding a home state multistate license, on  
16 the effective date of this Compact, may retain and renew the  
17 multistate license issued by the nurse's then-current home  
18 state, provided that:

19 1. A nurse, who changes primary state of residence  
20 after this Compact's effective date, must meet all  
21 applicable Article III.c. requirements to obtain a  
22 multistate license from a new home state.

23 2. A nurse who fails to satisfy the multistate  
24 licensure requirements in Article III.c. due to a  
25 disqualifying event occurring after this Compact's  
26 effective date shall be ineligible to retain or renew a

1 multistate license, and the nurse's multistate license  
2 shall be revoked or deactivated in accordance with  
3 applicable rules adopted by the Interstate Commission of  
4 Nurse Licensure Compact Administrators ("Commission").

5 ARTICLE IV

6 Applications for Licensure in a Party State

7 a. Upon application for a multistate license, the  
8 licensing board in the issuing party state shall ascertain,  
9 through the coordinated licensure information system, whether  
10 the applicant has ever held, or is the holder of, a license  
11 issued by any other state, whether there are any encumbrances  
12 on any license or multistate licensure privilege held by the  
13 applicant, whether any adverse action has been taken against  
14 any license or multistate licensure privilege held by the  
15 applicant and whether the applicant is currently participating  
16 in an alternative program.

17 b. A nurse may hold a multistate license, issued by the  
18 home state, in only one party state at a time.

19 c. If a nurse changes primary state of residence by moving  
20 between two party states, the nurse must apply for licensure  
21 in the new home state, and the multistate license issued by the  
22 prior home state will be deactivated in accordance with  
23 applicable rules adopted by the Commission.

24 1. The nurse may apply for licensure in advance of a

1 change in primary state of residence.

2 2. A multistate license shall not be issued by the new  
3 home state until the nurse provides satisfactory evidence  
4 of a change in primary state of residence to the new home  
5 state and satisfies all applicable requirements to obtain  
6 a multistate license from the new home state.

7 d. If a nurse changes primary state of residence by moving  
8 from a party state to a non-party state, the multistate  
9 license issued by the prior home state will convert to a  
10 single-state license, valid only in the former home state.

11 ARTICLE V

12 Additional Authorities Invested in Party State Licensing

13 Boards

14 a. In addition to the other powers conferred by state law,  
15 a licensing board shall have the authority to:

16 1. Take adverse action against a nurse's multistate  
17 licensure privilege to practice within that party state.

18 i. Only the home state shall have the power to take  
19 adverse action against a nurse's license issued by the  
20 home state.

21 ii. For purposes of taking adverse action, the  
22 home state licensing board shall give the same  
23 priority and effect to reported conduct received from  
24 a remote state as it would if such conduct had occurred

1           within the home state. In so doing, the home state  
2           shall apply its own state laws to determine  
3           appropriate action.

4           2. Issue cease and desist orders or impose an  
5           encumbrance on a nurse's authority to practice within that  
6           party state.

7           3. Complete any pending investigations of a nurse who  
8           changes primary state of residence during the course of  
9           such investigations. The licensing board shall also have  
10           the authority to take appropriate action(s) and shall  
11           promptly report the conclusions of such investigations to  
12           the administrator of the coordinated licensure information  
13           system. The administrator of the coordinated licensure  
14           information system shall promptly notify the new home  
15           state of any such actions.

16           4. Issue subpoenas for both hearings and  
17           investigations that require the attendance and testimony  
18           of witnesses, as well as, the production of evidence.  
19           Subpoenas issued by a licensing board in a party state for  
20           the attendance and testimony of witnesses or the  
21           production of evidence from another party state shall be  
22           enforced in the latter state by any court of competent  
23           jurisdiction, according to the practice and procedure of  
24           that court applicable to subpoenas issued in proceedings  
25           pending before it. The issuing authority shall pay any  
26           witness fees, travel expenses, mileage and other fees

1 required by the service statutes of the state in which the  
2 witnesses or evidence are located.

3 5. Obtain and submit, for each nurse licensure  
4 applicant, fingerprint or other biometric-based  
5 information to the Federal Bureau of Investigation for  
6 criminal background checks, receive the results of the  
7 Federal Bureau of Investigation record search on criminal  
8 background checks and use the results in making licensure  
9 decisions.

10 6. If otherwise permitted by state law, recover from  
11 the affected nurse the costs of investigations and  
12 disposition of cases resulting from any adverse action  
13 taken against that nurse.

14 7. Take adverse action based on the factual findings  
15 of the remote state, provided that the licensing board  
16 follows its own procedures for taking such adverse action.

17 b. If adverse action is taken by the home state against a  
18 nurse's multistate license, the nurse's multistate licensure  
19 privilege to practice in all other party states shall be  
20 deactivated until all encumbrances have been removed from the  
21 multistate license. All home state disciplinary orders that  
22 impose adverse action against a nurse's multistate license  
23 shall include a statement that the nurse's multistate  
24 licensure privilege is deactivated in all party states during  
25 the pendency of the order.

26 c. Nothing in this Compact shall override a party state's

1 decision that participation in an alternative program may be  
2 used in lieu of adverse action. The home state licensing board  
3 shall deactivate the multistate licensure privilege under the  
4 multistate license of any nurse for the duration of the  
5 nurse's participation in an alternative program.

6 ARTICLE VI

7 Coordinated Licensure Information System and Exchange of  
8 Information

9 a. All party states shall participate in a coordinated  
10 licensure information system of all licensed registered nurses  
11 (RNs) and licensed practical/vocational nurses (LPNs/VNs).  
12 This system will include information on the licensure and  
13 disciplinary history of each nurse, as submitted by party  
14 states, to assist in the coordination of nurse licensure and  
15 enforcement efforts.

16 b. The Commission, in consultation with the administrator  
17 of the coordinated licensure information system, shall  
18 formulate necessary and proper procedures for the  
19 identification, collection and exchange of information under  
20 this Compact.

21 c. All licensing boards shall promptly report to the  
22 coordinated licensure information system any adverse action,  
23 any current significant investigative information, denials of  
24 applications (with the reasons for such denials) and nurse

1 participation in alternative programs known to the licensing  
2 board regardless of whether such participation is deemed  
3 nonpublic or confidential under state law.

4 d. Current significant investigative information and  
5 participation in nonpublic or confidential alternative  
6 programs shall be transmitted through the coordinated  
7 licensure information system only to party state licensing  
8 boards.

9 e. Notwithstanding any other provision of law, all party  
10 state licensing boards contributing information to the  
11 coordinated licensure information system may designate  
12 information that may not be shared with non-party states or  
13 disclosed to other entities or individuals without the express  
14 permission of the contributing state.

15 f. Any personally identifiable information obtained from  
16 the coordinated licensure information system by a party state  
17 licensing board shall not be shared with non-party states or  
18 disclosed to other entities or individuals except to the  
19 extent permitted by the laws of the party state contributing  
20 the information.

21 g. Any information contributed to the coordinated  
22 licensure information system that is subsequently required to  
23 be expunged by the laws of the party state contributing that  
24 information shall also be expunged from the coordinated  
25 licensure information system.

26 h. The Compact administrator of each party state shall

1 furnish a uniform data set to the Compact administrator of  
2 each other party state, which shall include, at a minimum:

3 1. Identifying information;

4 2. Licensure data;

5 3. Information related to alternative program  
6 participation; and

7 4. Other information that may facilitate the  
8 administration of this Compact, as determined by  
9 Commission rules.

10 i. The Compact administrator of a party state shall  
11 provide all investigative documents and information requested  
12 by another party state.

13 ARTICLE VII

14 Establishment of the Interstate Commission of Nurse Licensure

15 Compact Administrators

16 a. The party states hereby create and establish a joint  
17 public entity known as the Interstate Commission of Nurse  
18 Licensure Compact Administrators.

19 1. The Commission is an instrumentality of the party  
20 states.

21 2. Venue is proper, and judicial proceedings by or  
22 against the Commission shall be brought solely and  
23 exclusively, in a court of competent jurisdiction where  
24 the principal office of the Commission is located. The

1 Commission may waive venue and jurisdictional defenses to  
2 the extent it adopts or consents to participate in  
3 alternative dispute resolution proceedings.

4 3. Nothing in this Compact shall be construed to be a  
5 waiver of sovereign immunity.

6 b. Membership, Voting and Meetings

7 1. Each party state shall have and be limited to one  
8 administrator. The head of the state licensing board or  
9 designee shall be the administrator of this Compact for  
10 each party state. Any administrator may be removed or  
11 suspended from office as provided by the law of the state  
12 from which the Administrator is appointed. Any vacancy  
13 occurring in the Commission shall be filled in accordance  
14 with the laws of the party state in which the vacancy  
15 exists.

16 2. Each administrator shall be entitled to one (1)  
17 vote with regard to the promulgation of rules and creation  
18 of bylaws and shall otherwise have an opportunity to  
19 participate in the business and affairs of the Commission.  
20 An administrator shall vote in person or by such other  
21 means as provided in the bylaws. The bylaws may provide  
22 for an administrator's participation in meetings by  
23 telephone or other means of communication.

24 3. The Commission shall meet at least once during each  
25 calendar year. Additional meetings shall be held as set  
26 forth in the bylaws or rules of the commission.

1           4. All meetings shall be open to the public, and  
2           public notice of meetings shall be given in the same  
3           manner as required under the rulemaking provisions in  
4           Article VIII.

5           5. The Commission may convene in a closed, nonpublic  
6           meeting if the Commission must discuss:

7                   i. Noncompliance of a party state with its  
8                   obligations under this Compact;

9                   ii. The employment, compensation, discipline or  
10                   other personnel matters, practices or procedures  
11                   related to specific employees or other matters related  
12                   to the Commission's internal personnel practices and  
13                   procedures;

14                   iii. Current, threatened or reasonably anticipated  
15                   litigation;

16                   iv. Negotiation of contracts for the purchase or  
17                   sale of goods, services or real estate;

18                   v. Accusing any person of a crime or formally  
19                   censuring any person;

20                   vi. Disclosure of trade secrets or commercial or  
21                   financial information that is privileged or  
22                   confidential;

23                   vii. Disclosure of information of a personal  
24                   nature where disclosure would constitute a clearly  
25                   unwarranted invasion of personal privacy;

26                   viii. Disclosure of investigatory records compiled

1 for law enforcement purposes;

2 ix. Disclosure of information related to any  
3 reports prepared by or on behalf of the Commission for  
4 the purpose of investigation of compliance with this  
5 Compact; or

6 x. Matters specifically exempted from disclosure  
7 by federal or state statute.

8 6. If a meeting, or portion of a meeting, is closed  
9 pursuant to this provision, the Commission's legal counsel  
10 or designee shall certify that the meeting may be closed  
11 and shall reference each relevant exempting provision. The  
12 Commission shall keep minutes that fully and clearly  
13 describe all matters discussed in a meeting and shall  
14 provide a full and accurate summary of actions taken, and  
15 the reasons therefor, including a description of the views  
16 expressed. All documents considered in connection with an  
17 action shall be identified in such minutes. All minutes  
18 and documents of a closed meeting shall remain under seal,  
19 subject to release by a majority vote of the Commission or  
20 order of a court of competent jurisdiction.

21 c. The Commission shall, by a majority vote of the  
22 administrators, prescribe bylaws or rules to govern its  
23 conduct as may be necessary or appropriate to carry out the  
24 purposes and exercise the powers of this Compact, including  
25 but not limited to:

26 1. Establishing the fiscal year of the Commission;

1           2. Providing reasonable standards and procedures:

2                 i. For the establishment and meetings of other  
3                 committees; and

4                 ii. Governing any general or specific delegation  
5                 of any authority or function of the Commission;

6           3. Providing reasonable procedures for calling and  
7           conducting meetings of the Commission, ensuring reasonable  
8           advance notice of all meetings and providing an  
9           opportunity for attendance of such meetings by interested  
10           parties, with enumerated exceptions designed to protect  
11           the public's interest, the privacy of individuals, and  
12           proprietary information, including trade secrets. The  
13           Commission may meet in closed session only after a  
14           majority of the administrators vote to close a meeting in  
15           whole or in part. As soon as practicable, the Commission  
16           must make public a copy of the vote to close the meeting  
17           revealing the vote of each administrator, with no proxy  
18           votes allowed;

19           4. Establishing the titles, duties and authority and  
20           reasonable procedures for the election of the officers of  
21           the Commission;

22           5. Providing reasonable standards and procedures for  
23           the establishment of the personnel policies and programs  
24           of the Commission. Notwithstanding any civil service or  
25           other similar laws of any party state, the bylaws shall  
26           exclusively govern the personnel policies and programs of

1 the Commission; and

2 6. Providing a mechanism for winding up the operations  
3 of the Commission and the equitable disposition of any  
4 surplus funds that may exist after the termination of this  
5 Compact after the payment or reserving of all of its debts  
6 and obligations;

7 d. The Commission shall publish its bylaws and rules, and  
8 any amendments thereto, in a convenient form on the website of  
9 the Commission.

10 e. The Commission shall maintain its financial records in  
11 accordance with the bylaws.

12 f. The Commission shall meet and take such actions as are  
13 consistent with the provisions of this Compact and the bylaws.

14 g. The Commission shall have the following powers:

15 1. To promulgate uniform rules to facilitate and  
16 coordinate implementation and administration of this  
17 Compact. The rules shall have the force and effect of law  
18 and shall be binding in all party states;

19 2. To bring and prosecute legal proceedings or actions  
20 in the name of the Commission, provided that the standing  
21 of any licensing board to sue or be sued under applicable  
22 law shall not be affected;

23 3. To purchase and maintain insurance and bonds;

24 4. To borrow, accept or contract for services of  
25 personnel, including, but not limited to, employees of a  
26 party state or nonprofit organizations;

1           5. To cooperate with other organizations that  
2           administer state compacts related to the regulation of  
3           nursing, including but not limited to sharing  
4           administrative or staff expenses, office space or other  
5           resources;

6           6. To hire employees, elect or appoint officers, fix  
7           compensation, define duties, grant such individuals  
8           appropriate authority to carry out the purposes of this  
9           Compact, and to establish the Commission's personnel  
10           policies and programs relating to conflicts of interest,  
11           qualifications of personnel and other related personnel  
12           matters;

13           7. To accept any and all appropriate donations, grants  
14           and gifts of money, equipment, supplies, materials and  
15           services, and to receive, utilize and dispose of the same;  
16           provided that at all times the Commission shall avoid any  
17           appearance of impropriety or conflict of interest;

18           8. To lease, purchase, accept appropriate gifts or  
19           donations of, or otherwise to own, hold, improve or use,  
20           any property, whether real, personal or mixed; provided  
21           that at all times the Commission shall avoid any  
22           appearance of impropriety;

23           9. To sell, convey, mortgage, pledge, lease, exchange,  
24           abandon or otherwise dispose of any property, whether  
25           real, personal or mixed;

26           10. To establish a budget and make expenditures;

1           11. To borrow money;

2           12. To appoint committees, including advisory  
3 committees comprised of administrators, state nursing  
4 regulators, state legislators or their representatives,  
5 and consumer representatives, and other such interested  
6 persons;

7           13. To provide and receive information from, and to  
8 cooperate with, law enforcement agencies;

9           14. To adopt and use an official seal; and

10          15. To perform such other functions as may be  
11 necessary or appropriate to achieve the purposes of this  
12 Compact consistent with the state regulation of nurse  
13 licensure and practice.

14          h. Financing of the Commission

15           1. The Commission shall pay, or provide for the  
16 payment of, the reasonable expenses of its establishment,  
17 organization and ongoing activities.

18           2. The Commission may also levy on and collect an  
19 annual assessment from each party state to cover the cost  
20 of its operations, activities and staff in its annual  
21 budget as approved each year. The aggregate annual  
22 assessment amount, if any, shall be allocated based upon a  
23 formula to be determined by the Commission, which shall  
24 promulgate a rule that is binding upon all party states.

25           3. The Commission shall not incur obligations of any  
26 kind prior to securing the funds adequate to meet the

1 same; nor shall the Commission pledge the credit of any of  
2 the party states, except by, and with the authority of,  
3 such party state.

4 4. The Commission shall keep accurate accounts of all  
5 receipts and disbursements. The receipts and disbursements  
6 of the Commission shall be subject to the audit and  
7 accounting procedures established under its bylaws.  
8 However, all receipts and disbursements of funds handled  
9 by the Commission shall be audited yearly by a certified  
10 or licensed public accountant, and the report of the audit  
11 shall be included in and become part of the annual report  
12 of the Commission.

13 i. Qualified Immunity, Defense and Indemnification

14 1. The administrators, officers, executive director,  
15 employees and representatives of the Commission shall be  
16 immune from suit and liability, either personally or in  
17 their official capacity, for any claim for damage to or  
18 loss of property or personal injury or other civil  
19 liability caused by or arising out of any actual or  
20 alleged act, error or omission that occurred, or that the  
21 person against whom the claim is made had a reasonable  
22 basis for believing occurred, within the scope of  
23 Commission employment, duties or responsibilities;  
24 provided that nothing in this paragraph shall be construed  
25 to protect any such person from suit or liability for any  
26 damage, loss, injury or liability caused by the

1 intentional, willful or wanton misconduct of that person.

2 2. The Commission shall defend any administrator,  
3 officer, executive director, employee or representative of  
4 the Commission in any civil action seeking to impose  
5 liability arising out of any actual or alleged act, error  
6 or omission that occurred within the scope of Commission  
7 employment, duties or responsibilities, or that the person  
8 against whom the claim is made had a reasonable basis for  
9 believing occurred within the scope of Commission  
10 employment, duties or responsibilities; provided that  
11 nothing herein shall be construed to prohibit that person  
12 from retaining his or her own counsel; and provided  
13 further that the actual or alleged act, error or omission  
14 did not result from that person's intentional, willful or  
15 wanton misconduct.

16 3. The Commission shall indemnify and hold harmless  
17 any administrator, officer, executive director, employee  
18 or representative of the Commission for the amount of any  
19 settlement or judgment obtained against that person  
20 arising out of any actual or alleged act, error or  
21 omission that occurred within the scope of Commission  
22 employment, duties or responsibilities, or that such  
23 person had a reasonable basis for believing occurred  
24 within the scope of Commission employment, duties or  
25 responsibilities, provided that the actual or alleged act,  
26 error or omission did not result from the intentional,

1 willful or wanton misconduct of that person.

2 ARTICLE VIII

3 Rulemaking

4 a. The Commission shall exercise its rulemaking powers  
5 pursuant to the criteria set forth in this Article and the  
6 rules adopted thereunder. Rules and amendments shall become  
7 binding as of the date specified in each rule or amendment and  
8 shall have the same force and effect as provisions of this  
9 Compact.

10 b. Rules or amendments to the rules shall be adopted at a  
11 regular or special meeting of the Commission.

12 c. Prior to promulgation and adoption of a final rule or  
13 rules by the Commission, and at least sixty (60) days in  
14 advance of the meeting at which the rule will be considered and  
15 voted upon, the Commission shall file a notice of proposed  
16 rulemaking:

17 1. On the website of the Commission; and

18 2. On the website of each licensing board or the  
19 publication in which each state would otherwise publish  
20 proposed rules.

21 d. The notice of proposed rulemaking shall include:

22 1. The proposed time, date and location of the meeting  
23 in which the rule will be considered and voted upon;

24 2. The text of the proposed rule or amendment, and the

1 reason for the proposed rule;

2 3. A request for comments on the proposed rule from  
3 any interested person; and

4 4. The manner in which interested persons may submit  
5 notice to the Commission of their intention to attend the  
6 public hearing and any written comments.

7 e. Prior to adoption of a proposed rule, the Commission  
8 shall allow persons to submit written data, facts, opinions  
9 and arguments, which shall be made available to the public.

10 f. The Commission shall grant an opportunity for a public  
11 hearing before it adopts a rule or amendment.

12 g. The Commission shall publish the place, time and date  
13 of the scheduled public hearing.

14 1. Hearings shall be conducted in a manner providing  
15 each person who wishes to comment a fair and reasonable  
16 opportunity to comment orally or in writing. All hearings  
17 will be recorded, and a copy will be made available upon  
18 request.

19 2. Nothing in this section shall be construed as  
20 requiring a separate hearing on each rule. Rules may be  
21 grouped for the convenience of the Commission at hearings  
22 required by this section.

23 h. If no one appears at the public hearing, the Commission  
24 may proceed with promulgation of the proposed rule.

25 i. Following the scheduled hearing date, or by the close  
26 of business on the scheduled hearing date if the hearing was

1 not held, the Commission shall consider all written and oral  
2 comments received.

3 j. The Commission shall, by majority vote of all  
4 administrators, take final action on the proposed rule and  
5 shall determine the effective date of the rule, if any, based  
6 on the rulemaking record and the full text of the rule.

7 k. Upon determination that an emergency exists, the  
8 Commission may consider and adopt an emergency rule without  
9 prior notice, opportunity for comment or hearing, provided  
10 that the usual rulemaking procedures provided in this Compact  
11 and in this section shall be retroactively applied to the rule  
12 as soon as reasonably possible, in no event later than ninety  
13 (90) days after the effective date of the rule. For the  
14 purposes of this provision, an emergency rule is one that must  
15 be adopted immediately in order to:

16 1. Meet an imminent threat to public health, safety or  
17 welfare;

18 2. Prevent a loss of Commission or party state funds;

19 or

20 3. Meet a deadline for the promulgation of an  
21 administrative rule that is required by federal law or  
22 rule.

23 1. The Commission may direct revisions to a previously  
24 adopted rule or amendment for purposes of correcting  
25 typographical errors, errors in format, errors in consistency  
26 or grammatical errors. Public notice of any revisions shall be

1 posted on the website of the Commission. The revision shall be  
2 subject to challenge by any person for a period of thirty (30)  
3 days after posting. The revision may be challenged only on  
4 grounds that the revision results in a material change to a  
5 rule. A challenge shall be made in writing, and delivered to  
6 the Commission, prior to the end of the notice period. If no  
7 challenge is made, the revision will take effect without  
8 further action. If the revision is challenged, the revision  
9 may not take effect without the approval of the Commission.

## 10 ARTICLE IX

### 11 Oversight, Dispute Resolution and Enforcement

#### 12 a. Oversight

13 1. Each party state shall enforce this Compact and  
14 take all actions necessary and appropriate to effectuate  
15 this Compact's purposes and intent.

16 2. The Commission shall be entitled to receive service  
17 of process in any proceeding that may affect the powers,  
18 responsibilities or actions of the Commission, and shall  
19 have standing to intervene in such a proceeding for all  
20 purposes. Failure to provide service of process in such  
21 proceeding to the Commission shall render a judgment or  
22 order void as to the Commission, this Compact or  
23 promulgated rules.

#### 24 b. Default, Technical Assistance and Termination

1           1. If the Commission determines that a party state has  
2           defaulted in the performance of its obligations or  
3           responsibilities under this Compact or the promulgated  
4           rules, the Commission shall:

5                   i. Provide written notice to the defaulting state  
6                   and other party states of the nature of the default,  
7                   the proposed means of curing the default or any other  
8                   action to be taken by the Commission; and

9                   ii. Provide remedial training and specific  
10                  technical assistance regarding the default.

11           2. If a state in default fails to cure the default, the  
12           defaulting state's membership in this Compact may be  
13           terminated upon an affirmative vote of a majority of the  
14           administrators, and all rights, privileges and benefits  
15           conferred by this Compact may be terminated on the  
16           effective date of termination. A cure of the default does  
17           not relieve the offending state of obligations or  
18           liabilities incurred during the period of default.

19           3. Termination of membership in this Compact shall be  
20           imposed only after all other means of securing compliance  
21           have been exhausted. Notice of intent to suspend or  
22           terminate shall be given by the Commission to the governor  
23           of the defaulting state and to the executive officer of  
24           the defaulting state's licensing board and each of the  
25           party states.

26           4. A state whose membership in this Compact has been

1 terminated is responsible for all assessments, obligations  
2 and liabilities incurred through the effective date of  
3 termination, including obligations that extend beyond the  
4 effective date of termination.

5 5. The Commission shall not bear any costs related to  
6 a state that is found to be in default or whose membership  
7 in this Compact has been terminated unless agreed upon in  
8 writing between the Commission and the defaulting state.

9 6. The defaulting state may appeal the action of the  
10 Commission by petitioning the U.S. District Court for the  
11 District of Columbia or the federal district in which the  
12 Commission has its principal offices. The prevailing party  
13 shall be awarded all costs of such litigation, including  
14 reasonable attorneys' fees.

15 c. Dispute Resolution

16 1. Upon request by a party state, the Commission shall  
17 attempt to resolve disputes related to the Compact that  
18 arise among party states and between party and non-party  
19 states.

20 2. The Commission shall promulgate a rule providing  
21 for both mediation and binding dispute resolution for  
22 disputes, as appropriate.

23 3. In the event the Commission cannot resolve disputes  
24 among party states arising under this Compact:

25 i. The party states may submit the issues in  
26 dispute to an arbitration panel, which will be

1 comprised of individuals appointed by the Compact  
2 administrator in each of the affected party states and  
3 an individual mutually agreed upon by the Compact  
4 administrators of all the party states involved in the  
5 dispute.

6 ii. The decision of a majority of the arbitrators  
7 shall be final and binding.

8 d. Enforcement

9 1. The Commission, in the reasonable exercise of its  
10 discretion, shall enforce the provisions and rules of this  
11 Compact.

12 2. By majority vote, the Commission may initiate legal  
13 action in the U.S. District Court for the District of  
14 Columbia or the federal district in which the Commission  
15 has its principal offices against a party state that is in  
16 default to enforce compliance with the provisions of this  
17 Compact and its promulgated rules and bylaws. The relief  
18 sought may include both injunctive relief and damages. In  
19 the event judicial enforcement is necessary, the  
20 prevailing party shall be awarded all costs of such  
21 litigation, including reasonable attorneys' fees.

22 3. The remedies herein shall not be the exclusive  
23 remedies of the Commission. The Commission may pursue any  
24 other remedies available under federal or state law.

25 ARTICLE X

1                   Effective Date, Withdrawal and Amendment

2           a. This Compact shall become effective and binding on the  
3 earlier of the date of legislative enactment of this Compact  
4 into law by no less than twenty-six (26) states or December 31,  
5 2018. All party states to this Compact, that also were parties  
6 to the prior Nurse Licensure Compact, superseded by this  
7 Compact, ("Prior Compact"), shall be deemed to have withdrawn  
8 from said Prior Compact within six (6) months after the  
9 effective date of this Compact.

10           b. Each party state to this Compact shall continue to  
11 recognize a nurse's multistate licensure privilege to practice  
12 in that party state issued under the Prior Compact until such  
13 party state has withdrawn from the Prior Compact.

14           c. Any party state may withdraw from this Compact by  
15 enacting a statute repealing the same. A party state's  
16 withdrawal shall not take effect until six (6) months after  
17 enactment of the repealing statute.

18           d. A party state's withdrawal or termination shall not  
19 affect the continuing requirement of the withdrawing or  
20 terminated state's licensing board to report adverse actions  
21 and significant investigations occurring prior to the  
22 effective date of such withdrawal or termination.

23           e. Nothing contained in this Compact shall be construed to  
24 invalidate or prevent any nurse licensure agreement or other  
25 cooperative arrangement between a party state and a non-party

1 state that is made in accordance with the other provisions of  
2 this Compact.

3 f. This Compact may be amended by the party states. No  
4 amendment to this Compact shall become effective and binding  
5 upon the party states unless and until it is enacted into the  
6 laws of all party states.

7 g. Representatives of non-party states to this Compact  
8 shall be invited to participate in the activities of the  
9 Commission, on a nonvoting basis, prior to the adoption of  
10 this Compact by all states.

11 ARTICLE XI

12 Construction and Severability

13 This Compact shall be liberally construed so as to effectuate  
14 the purposes thereof. The provisions of this Compact shall be  
15 severable, and if any phrase, clause, sentence or provision of  
16 this Compact is declared to be contrary to the constitution of  
17 any party state or of the United States, or if the  
18 applicability thereof to any government, agency, person or  
19 circumstance is held invalid, the validity of the remainder of  
20 this Compact and the applicability thereof to any government,  
21 agency, person or circumstance shall not be affected thereby.  
22 If this Compact shall be held to be contrary to the  
23 constitution of any party state, this Compact shall remain in  
24 full force and effect as to the remaining party states and in

1 full force and effect as to the party state affected as to all  
2 severable matters.

3 (225 ILCS 65/85-10 new)

4 Sec. 85-10. State labor laws. The Nurse Licensure Compact  
5 does not supersede existing State labor laws.

6 (225 ILCS 65/85-15 new)

7 Sec. 85-15. Criminal history record checks. The State may  
8 not share with or disclose to the Interstate Commission of  
9 Nurse Licensure Compact Administrators or any other state any  
10 of the contents of a nationwide criminal history records check  
11 conducted for the purpose of multistate licensure under the  
12 Nurse Licensure Compact.

13 (225 ILCS 65/85-20 new)

14 Sec. 85-20. Continuing education. Nurses subject to the  
15 Nurse Licensure Compact shall complete 20 hours of approved  
16 continuing education in every 2-year license renewal cycle.  
17 The continuing education hours shall include, but not be  
18 limited to, the completion of the following mandatory courses:  
19 mandated reporter training for abused and neglected children,  
20 Alzheimer's disease education, implicit bias training, and  
21 sexual harassment training. An employer who employs nurses who  
22 are subject to the Nurse Licensure Compact shall provide such  
23 nurses with the opportunity to obtain the required continuing

1 education hours.

2 (225 ILCS 65/85-25 new)

3 Sec. 85-25. Advanced practice registered nurses. The  
4 compact in this Article does not apply to an advanced practice  
5 registered nurse.

6 (225 ILCS 65/85-30 new)

7 Sec. 85-30. Employer attestation. On the effective date of  
8 the Nurse Licensure Compact, employers who intend to hire or  
9 who have hired a nurse with a multistate license issued from a  
10 state other than this State must attest to the following:

11 (1) The nurse has submitted the required demographic  
12 information. The required demographic information shall  
13 include the Illinois Nursing Workforce Center's supply  
14 survey or any other demographic data survey required by  
15 the Board as a condition of employment.

16 (2) The nurse has completed the required hours of  
17 continuing education for licensure renewal, as required in  
18 Section 85-20. The employer shall report its attestation  
19 of the nurse's completion of such hours on a form  
20 developed by the Department within 30 days after employing  
21 the nurse.