

SB0067



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB0067

Introduced 1/13/2025, by Sen. Robert Peters

SYNOPSIS AS INTRODUCED:

225 ILCS 510/14.1

Amends the Nurse Agency Licensing Act. Provides that any person who violates any provision of the Act or the rules adopted under the Act shall be subject to a civil penalty of up to \$10,000 per occurrence payable to the Department of Labor for the purpose of enforcing the Act (rather than a licensee or applicant who violates any provision of the Act or the rules adopted under the Act shall be subject to a civil penalty of \$10,000 per occurrence).

LRB104 06345 AAS 16381 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 Agency Licensing Act is amended by
5 changing Section 14.1 as follows:

6 (225 ILCS 510/14.1)

7 Sec. 14.1. Investigations; orders; civil penalties.

8 (a) The Department may at any time, and shall upon
9 receiving a complaint from any interested person, investigate
10 any person licensed or applying for a license under this Act
11 suspected of violating any provision of any Section except
12 Section 14.3. The Department shall investigate any person who
13 operates or advertises a nurse agency without being licensed
14 under this Act. The Department shall establish a system of
15 reporting complaints against a health care staffing agency.
16 The Department shall publish on its website how an interested
17 party may submit a complaint of a violation of this Act to the
18 Department. Complaints may be made by an interested party.
19 Complaints against a nurse agency shall be investigated by the
20 Department of Labor. The investigations shall take into
21 consideration the responsibility of health care facilities
22 under Section 12 for supervising nurse agency employees
23 assigned or referred to the facilities. For purposes of this

1 Section, "interested party" means a health care facility,
2 nurse staffing agency, or an employee of a health care
3 facility or nurse staffing agency.

4 The Director or his or her authorized representative may
5 examine the premises of any nurse agency, may compel by
6 subpoena, for examination or inspection, the attendance and
7 testimony of witnesses and the production of books, payrolls,
8 records, papers and other evidence in any investigation or
9 hearing, and may administer oaths or affirmations to
10 witnesses.

11 (b) After appropriate notice and hearing, and if supported
12 by the evidence, the Department may issue and cause to be
13 served on any person an order to cease and desist from
14 violation of this Act and to take any further action that is
15 reasonable to eliminate the effect of the violation of any
16 Section except Section 14.3.

17 Whenever it appears that any person has violated a valid
18 order of the Department issued under this Act, the Director
19 may commence an action and obtain from the court an order
20 directing the person to obey the order of the Department or be
21 subject to punishment for contempt of court.

22 The Department may petition the court for an order
23 enjoining any violation of any Section of this Act except
24 Section 14.3.

25 (c) Any person ~~licensee or applicant~~ who violates any
26 provision of this Act or the rules adopted under this Act shall

1 be subject to a civil penalty of up to \$10,000 per occurrence
2 payable to the Department for the purpose of enforcing this
3 Act. Civil penalties may be assessed by the Department in an
4 administrative action and may, if necessary, be recovered in a
5 civil action brought by the Director through the Attorney
6 General of the State of Illinois or the State's attorney of any
7 county in which the violation occurred. The court may order
8 that the civil penalties assessed for violation of this Act,
9 together with any costs or attorney's fees arising out of the
10 action to collect the penalties, be paid to the Department.
11 The fact that the violation has ceased does not excuse any
12 person from liability for civil penalties arising from the
13 violation.

14 (d) Any nurse staffing agency that has been found not to
15 have paid an employee 100% of the hourly wage rate identified
16 in the contract between such nurse staffing agency and health
17 care facility shall be liable to the employee for the actual
18 amount of the underpayment, plus damages of 5% of the amount of
19 the underpayment.

20 (Source: P.A. 102-946, eff. 7-1-22.)