



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB3238

Introduced 2/2/2026, by Sen. Omar Aquino

SYNOPSIS AS INTRODUCED:

225 ILCS 65/65-46 new

420 ILCS 40/5

420 ILCS 40/6

from Ch. 111 1/2, par. 210-5

from Ch. 111 1/2, par. 210-6

Amends the Nurse Practice Act. Provides that an advanced practice registered nurse licensed under the Act may administer radiation to a human being and may supervise the administration of radiation by a person accredited to administer radiation to a human being by the Illinois Emergency Management Agency and Office of Homeland Security. Amends the Radiation Protection Act of 1990. In provisions concerning the limitations on the application of radiation to human beings, adds advanced practice registered nurses licensed under the Nurse Practice Act to the professionals who may intentionally administer radiation to a human being and to the professionals who may supervise a physician assistant, a technologist, a nurse, or other assistant administering radiation. Makes conforming changes in provisions concerning the accreditation of administrators of radiation.

LRB104 19284 AAS 32730 b

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 adding
5 Section 65-46 as follows:

6 (225 ILCS 65/65-46 new)

7 Sec. 65-46. Use of radiation. Notwithstanding any
8 provision of this Act or the implementation of any rule of the
9 Department to the contrary, and pursuant to Section 5 of the
10 Radiation Protection Act of 1990, an advanced practice
11 registered nurse licensed under this Act may administer
12 radiation to a human being and may supervise the
13 administration of radiation by a person accredited to
14 administer radiation to a human being by the Illinois
15 Emergency Management Agency and Office of Homeland Security.

16 Section 10. The Radiation Protection Act of 1990 is
17 amended by changing Sections 5 and 6 as follows:

18 (420 ILCS 40/5) (from Ch. 111 1/2, par. 210-5)

19 (Section scheduled to be repealed on January 1, 2027)

20 Sec. 5. Limitations on application of radiation to human
21 beings and requirements for radiation installation operators

1 providing mammography services.

2 (a) No person shall intentionally administer radiation to
3 a human being unless such person is licensed to practice
4 treatment of human ailments by virtue of the ~~Illinois~~ Medical
5 Practice Act of 1987, Illinois Dental Practice Act, or
6 Podiatric Medical Practice Act of 1987, is an advanced
7 practice registered nurse licensed under the Nurse Practice
8 Act ~~Acts~~, or, as physician assistant, ~~advanced practice~~
9 ~~registered nurse~~, technologist, nurse, or other assistant, is
10 acting under the supervision, prescription, or direction of
11 such licensed person. However, no such physician assistant,
12 ~~advanced practice registered nurse~~, technologist, nurse, or
13 other assistant acting under the supervision of a person
14 licensed under the Medical Practice Act of 1987 or an advanced
15 practice registered nurse licensed under the Nurse Practice
16 Act, shall administer radiation to human beings unless
17 accredited by the Agency, except that persons enrolled in a
18 course of education approved by the Agency may apply ionizing
19 radiation to human beings as required by their course of study
20 when under the direct supervision of a person licensed under
21 the Medical Practice Act of 1987. No person authorized by this
22 Section to apply ionizing radiation shall apply such radiation
23 except to those parts of the human body specified in the Act
24 under which such person or his supervisor is licensed. No
25 person may operate a radiation installation where ionizing
26 radiation is administered to human beings unless all persons

1 who administer ionizing radiation in that radiation
2 installation are licensed, accredited, or exempted in
3 accordance with this Section. Nothing in this Section shall be
4 deemed to relieve a person from complying with the provisions
5 of Section 10.

6 (b) In addition, no person shall provide mammography
7 services unless all of the following requirements are met:

8 (1) the mammography procedures are performed using a
9 radiation machine that is specifically designed for
10 mammography;

11 (2) the mammography procedures are performed using a
12 radiation machine that is used solely for performing
13 mammography procedures;

14 (3) the mammography procedures are performed using
15 equipment that has been subjected to a quality assurance
16 program that satisfies quality assurance requirements
17 which the Agency shall establish by rule;

18 (4) beginning one year after the effective date of
19 this amendatory Act of 1991, if the mammography procedure
20 is performed by a radiologic technologist, that
21 technologist, in addition to being accredited by the
22 Agency to perform radiography, has satisfied training
23 requirements specific to mammography, which the Agency
24 shall establish by rule.

25 (c) Every operator of a radiation installation at which
26 mammography services are provided shall ensure and have

1 confirmed by each patient that the patient is provided with a
2 printed or digital pamphlet that has been prepared in
3 accordance with Section 2310-345 of the Department of Public
4 Health Powers and Duties Law of the Civil Administrative Code
5 of Illinois, which is orally reviewed with the patient.

6 (Source: P.A. 103-1012, eff. 8-9-24.)

7 (420 ILCS 40/6) (from Ch. 111 1/2, par. 210-6)

8 (Section scheduled to be repealed on January 1, 2027)

9 Sec. 6. Accreditation of administrators of radiation;
10 limited scope accreditation; rules and regulations; education.

11 (a) The Agency shall promulgate such rules and regulations
12 as are necessary to establish accreditation standards and
13 procedures, including a minimum course of education and
14 continuing education requirements in the administration of
15 radiation to human beings, which are appropriate to the
16 classification of accreditation and which are to be met by all
17 physician assistants, ~~advanced practice registered nurses,~~
18 nurses, technicians, or other assistants who administer
19 radiation to human beings under the supervision of a person
20 licensed under the Medical Practice Act of 1987 or an advanced
21 practice registered nurse licensed under the Nurse Practice
22 Act. Such rules and regulations may provide for different
23 classes of accreditation based on evidence of national
24 certification, clinical experience or community hardship as
25 conditions of initial and continuing accreditation. The rules

1 and regulations of the Agency shall be consistent with
2 national standards in regard to the protection of the health
3 and safety of the general public.

4 (b) The rules and regulations shall also provide that
5 persons who have been accredited by the Agency, in accordance
6 with the Radiation Protection Act of 1990, without passing an
7 examination, will remain accredited as provided in Section 43
8 of this Act and that those persons may be accredited, without
9 passing an examination, to use other equipment, procedures, or
10 supervision within the original category of accreditation if
11 the Agency receives written assurances from a person licensed
12 under the Medical Practice Act of 1987, that the person
13 accredited has the necessary skill and qualifications for such
14 additional equipment procedures or supervision. The Agency
15 shall, in accordance with subsection (c) of this Section,
16 provide for the accreditation of nurses, technicians, or other
17 assistants, unless exempted elsewhere in this Act, to perform
18 a limited scope of diagnostic radiography procedures of the
19 chest, the extremities, skull and sinuses, or the spine, while
20 under the supervision of a person licensed under the Medical
21 Practice Act of 1987 or an advanced practice registered nurse
22 licensed under the Nurse Practice Act.

23 (c) The rules or regulations promulgated by the Agency
24 pursuant to subsection (a) shall establish standards and
25 procedures for accrediting persons to perform a limited scope
26 of diagnostic radiography procedures. The rules or regulations

1 shall specify that an individual seeking accreditation for
2 limited diagnostic radiography shall not apply ionizing
3 radiation to human beings until the individual has passed an
4 Agency-approved examination and is accredited by the Agency.

5 For an individual to be accredited to perform a limited
6 scope of diagnostic radiography procedures, he or she must
7 pass an examination approved by the Agency. The examination
8 shall be consistent with national standards in regard to
9 protection of public health and safety. The examination shall
10 consist of a standardized component covering general
11 principles applicable to diagnostic radiography procedures and
12 a clinical component specific to the types of procedures for
13 which accreditation is being sought. The Agency may assess a
14 reasonable fee for such examinations to cover any costs
15 incurred by the Agency in conjunction with the examinations.

16 (d) The Agency shall by rule or regulation exempt from
17 accreditation physician assistants, ~~advanced practice~~
18 ~~registered nurses~~, nurses, technicians, or other assistants
19 who administer radiation to human beings under supervision of
20 a person licensed to practice under the Medical Practice Act
21 of 1987 or an advanced practice registered nurse licensed
22 under the Nurse Practice Act when the services are performed
23 on employees of a business at a medical facility owned and
24 operated by the business. Such exemption shall only apply to
25 the equipment, procedures, and supervision specific to the
26 medical facility owned and operated by the business.

1 (Source: P.A. 103-155, eff. 1-1-24; 103-605, eff. 7-1-24.)