**Section 690.20 Definitions**

In addition to those definitions found in Section 3 of the Act, the following definitions shall apply for the purpose of these regulations:

"Act" means the Nurse Agency Licensing Act (Ill. Rev. Stat. 1989, ch. 111, par. 951 et seq.).

"Applicant" means any nurse, licensed practical nurse or certified nurse aide who interviews for employment, assignment or referral to an Illinois health care facility by a nurse agency.

"Certified Nurse Aide" means a nursing assistant, including a nurse's aide, orderly, or nurse technician registered with the Department of Public Health in accordance with Section 3-206 of the Nursing Home Care Act (Ill. Rev. Stat. 1989, ch. 111½, par. 4153-206).

*"Department" means the Illinois Department of Labor.*

*"Director" means the Director of the Illinois Department of Labor* and/or his/her designated representative.

"Health care facility" means a facility as defined in Section 3 of the Illinois Health Facilities Planning Act (Ill. Rev. Stat. 1989, ch. 111½, par. 1153) and includes the following:

an ambulatory surgical treatment center required to be licensed pursuant to the Ambulatory Surgical Treatment Center Act (Ill. Rev. Stat. 1989, ch. 111½, par. 157-8.1 et seq.);

an institution, place, building or agency required to be licensed pursuant to the Hospital Licensing Act (Ill. Rev. Stat. 1989, ch. 111½, par. 142 et seq.);

any institution required to be licensed pursuant to the Nursing Home Care Reform Act of 1979 (Ill. Rev. Stat. 1989, ch. 111½, par. 4151-101 et seq.);

any kidney disease treatment center, including a free standing hemodialysis unit;

any health maintenance organization required to be operated pursuant to the Health Maintenance Organization Act (Ill. Rev. Stat. 1989, ch. 111½, par. 1401 et seq.) and which is a qualified health maintenance organization under Section 1320(d) of the Public Health Services Act (42 U.S.C. 300e-9) or provides or otherwise makes available to enrolled participants health care services, including at least the following basic health care services: usual physician services, hospitalization, laboratory, x-ray, emergency and preventive services, and out of area coverage; is compensated (except for co-payments) for the provision of the basic health care services listed in clause to enrolled participants by a payment which is paid on a periodic basis without regard to the date the health care services are provided and which is fixed without regard to the frequency, extent, or kind of health service actually provided; and provide physicians' services primarily directly through physicians who are either employees or partners of such organization, or through arrangements with individual physicians or one or more groups of physicians (organized on a group practice or individual practice basis);

any hospital, nursing home, ambulatory surgical treatment center, kidney disease treatment center, or health maintenance organizations maintained by the State or any department or agency thereof, but not a federally owned facility.

"Licensed practical nurse" means a person licensed under the Illinois Nursing Act of 1989 (Ill. Rev. Stat. 1989, ch. 111, par. 3501 et seq.) as a licensed practical nurse and practices practical nursing, which is the performance for compensation of acts in the care of the ill, injured, or infirmed, selected by and performed under the direction of a registered professional nurse, licensed physician, dentist, or podiatrist, requiring the basic nursing skill, judgment, and knowledge acquired by means of a completed course of study in an approved practical nursing education program.

*"Licensee" means any nurse agency which is properly licensed under this Act.*

"Manage" means to be in charge of the day to day operations of the agency.

*"Nurse" means a registered nurse or a licensed practical nurse as defined in the Illinois Nursing Act of 1989, as now or hereafter amended.*

*"Nurse Agency" means any individual, firm, corporation, partnership or other legal entity that employs, assigns or refers nurses or certified nurse aides to a Health Care Facility for a fee,* but does not include:

home health agencies licensed and operated under the Home Health Agency Licensing Act (Ill. Rev. Stat. 1989, ch. 111½, par. 2801); or

a licensed or certified individual who provides his own services to a health care facility; or

a subsidiary, division or other organizational entity or corporation that is wholly owned by a health care facility that provides the services of nonsalaried employees only in that facility.

"Registered nurse" means a person who is licensed as a professional nurse under the Illinois Nursing Act of 1987 and practices professional nursing, in all its specialties, which is the performance for compensation of any nursing act, in the nursing evaluation, observation, care and counsel of the ill, injured, or infirmed; in the maintenance of health or prevention of illness of others; the administration of medications and treatments as prescribed by a licensed physician, dentist, or podiatrist; or any act in the supervision or teaching of nursing, which requires substantial, specialized judgment and skill the proper performance of which is based on knowledge and application of the principles of biological, physical, and social science acquired by means of a completed course in an approved school of professional nursing, except those acts of medical diagnosis or prescription of therapeutic or corrective measures which are properly performed only by physicians licensed in the State of Illinois.

"Supervising Nurse" means a registered nurse who is responsible for overseeing the assignment of nurses and certified nurse aides to a health care facility.

"Transfer of Ownership" means a sale and/or transfer of a majority interest in the ownership of a nurse agency.