**Section 1300.90 Unethical or Unprofessional Conduct**

a) The Division may suspend or revoke a license, refuse to issue or renew a license or take other disciplinary or non-disciplinary action based upon its findings of unethical or unprofessional conduct (see Section 70-5(b)(7) of the Act), which is interpreted to include, but is not limited to, the following acts or practices:

1) Engaging in conduct likely to deceive, defraud or harm the public, or demonstrating a willful disregard for the health, welfare or safety of a patient. Actual injury need not be established.

2) A departure from or failure to conform to the standards of practice as set forth in the Act or this Part. Actual injury to a patient need not be established.

3) Engaging in behavior that crosses professional boundaries (such as signing wills or other documents not related to client health care).

4) Engaging in sexual conduct with a patient or conduct that may reasonably be interpreted by a patient as sexual, or in any verbal behavior that is sexually harassing to a patient.

5) Demonstrating actual or potential inability to practice nursing with reasonable skill, safety or judgment by reason of illness, use of alcohol, drugs, chemicals or any other material, or as a result of any mental or physical condition.

6) Engaging in activities that constitute a breach of the nurse's responsibility to a patient;

7) Engaging in activities that are violative of ethical standards of the profession (such as failing to safeguard patient confidentiality and records within the constraints of law; not respecting the rights of patients, colleagues and other health professionals; not observing requirements under the Act and any rules pertaining to any relevant specialty; and failing to provide service with compassion and respect for human dignity);

8) Engaging in activities that result in the assumption by the nurse of responsibility for delivery of patient care that the nurse was not properly qualified or competent to render;

9) Engaging in activities that result in a delegation of responsibility for delivery of patient care when the delegated intervention could not be monitored or the follow up and evaluation of outcomes is not possible;

10) Engaging in activities that cause actual harm to any member of the public; or

11) Misrepresenting educational background, training, credentials or competence.

b) The Division hereby incorporates by reference the "Code for Nurses with Interpretive Statements", July 2015, American Nurses Association, 8515 Georgia Avenue, Suite 400, Silver Spring MD 20910, with no later amendments or editions.

c) The Division hereby incorporates by reference the "Standards of Practice and Educational Competencies of Graduates of Practical/Vocational Nursing Programs", National Association for Practical Nurse Education and Service, Inc., May 6, 2007, 1940 Duke Street, Suite 200, Alexandria VA 22314, with no later amendments or editions.

(Source: Amended at 45 Ill. Reg. 228, effective January 4, 2021)