



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB5155

Introduced 2/9/2024, by Rep. Eva-Dina Delgado

SYNOPSIS AS INTRODUCED:

225 ILCS 65/60-5
225 ILCS 65/60-7 new
225 ILCS 65/60-10

Amends the Nurse Practice Act. Removes a measurement of program effectiveness based on a passage rate of all graduates over the 3 most recent calendar years without reference to first-time test takers. Sets forth provisions concerning how to measure a registered professional nurse education program's effectiveness based on the pass rates on a State-approved licensure examination. Provides that outliers may be removed when calculating State-approved licensure examination pass rates. Provides that a registered professional nurse education program is responsible for tracking outliers. Defines "outlier". Provides that a registered professional nurse education program is responsible for calculating the passage rate of the program's graduates. Provides that the registered professional nurse education program must submit a calculation of the passage rate of the program's graduates and supporting documentation to the Board of Nursing in an annual report due October 30 of every year. Provides that a registered professional nurse education program meeting one of the measurements of program effectiveness shall be deemed to be in good standing. Makes conforming changes.

LRB103 37838 RTM 67968 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 changing
5 Sections 60-5 and 60-10 and by adding Section 60-7 as follows:

6 (225 ILCS 65/60-5)

7 (Section scheduled to be repealed on January 1, 2028)

8 Sec. 60-5. RN education program requirements; out-of-State
9 programs.

10 (a) All registered professional nurse education programs
11 must be reviewed by the Board and approved by the Department
12 before the successful completion of such a program may be
13 applied toward meeting the requirements for registered
14 professional nurse licensure under this Act. Any program
15 changing the level of educational preparation or the
16 relationship with or to the parent institution or establishing
17 an extension of an existing program must request a review by
18 the Board and approval by the Department. The Board shall
19 review and make a recommendation for the approval or
20 disapproval of a program by the Department based on the
21 following criteria:

22 (1) a feasibility study that describes the need for
23 the program and the facilities used, the potential of the

1 program to recruit faculty and students, financial support
2 for the program, and other criteria, as established by
3 rule;

4 (2) program curriculum that meets all State
5 requirements;

6 (2.5) whether the program satisfies one of the
7 criteria for program effectiveness set forth in subsection
8 (a) of Section 60-7 measurement of program effectiveness
9 based on a passage rate of all graduates over the 3 most
10 recent calendar years without reference to first time test
11 takers;

12 (3) the administration of the program by a Nurse
13 Administrator and the involvement of a Nurse Administrator
14 in the development of the program;

15 (4) the occurrence of a site visit prior to approval;
16 and

17 (5) beginning December 31, 2022, obtaining and
18 maintaining programmatic accreditation by a national
19 accrediting body for nursing education recognized by the
20 United States Department of Education and approved by the
21 Department.

22 The Department and Board of Nursing shall be notified
23 within 30 days if the program loses its accreditation. The
24 Department may adopt rules regarding a warning process and
25 reaccreditation.

26 (b) In order to obtain initial Department approval and to

1 maintain Department approval, a registered professional
2 nursing program must meet all of the following requirements:

3 (1) The institution responsible for conducting the
4 program and the Nurse Administrator must ensure that
5 individual faculty members are academically and
6 professionally competent.

7 (2) The program curriculum must contain all applicable
8 requirements established by rule, including both theory
9 and clinical components.

10 (3) The passage rates of the program's graduating
11 classes on the State-approved licensure exam must meet one
12 of the measurements of program effectiveness set forth in
13 subsection (a) of Section 60-7 ~~be deemed satisfactory by~~
14 ~~the Department.~~

15 (c) Program site visits to an institution conducting or
16 hosting a professional nursing program may be made at the
17 discretion of the Nursing Coordinator or upon recommendation
18 of the Board. Full routine site visits may be conducted by the
19 Department for periodic evaluation. Such visits shall be used
20 to determine compliance with this Act. Full routine site
21 visits must be announced and may be waived at the discretion of
22 the Department if the program maintains accreditation with an
23 accrediting body recognized by the United States Department of
24 Education and approved by the Department.

25 (d) Any institution conducting a registered professional
26 nursing program that wishes to discontinue the program must do

1 each of the following:

2 (1) Notify the Department, in writing, of its intent
3 to discontinue the program.

4 (2) Continue to meet the requirements of this Act and
5 the rules adopted thereunder until the official date of
6 termination of the program.

7 (3) Notify the Department of the date on which the
8 last student shall graduate from the program and the
9 program shall terminate.

10 (4) Assist remaining students in the continuation of
11 their education in the event of program termination prior
12 to the graduation of the program's final student.

13 (5) Upon the closure of the program, notify the
14 Department, in writing, of the location of student and
15 graduate records' storage.

16 (e) Out-of-State registered professional nursing education
17 programs planning to offer clinical practice experiences in
18 this State must meet the requirements set forth in this
19 Section and must meet the clinical and faculty requirements
20 for institutions outside of this State, as established by
21 rule. The institution responsible for conducting an
22 out-of-State registered professional nursing education program
23 and the administrator of the program shall be responsible for
24 ensuring that the individual faculty and preceptors overseeing
25 the clinical experience are academically and professionally
26 competent.

1 (Source: P.A. 103-533, eff. 1-1-24.)

2 (225 ILCS 65/60-7 new)

3 Sec. 60-7. Registered professional nurse education program
4 effectiveness.

5 (a) The measurement of a registered professional nurse
6 education program's effectiveness is determined by whether the
7 program's:

8 (1) most recent annual pass rate on a State-approved
9 licensure examination is 75% or greater for all first-time
10 test-takers;

11 (2) average pass rate on a State-approved licensure
12 examination for the 3 most recent years is 75% or greater
13 for all first-time test-takers;

14 (3) most recent annual pass rate on a State-approved
15 licensure examination is 75% or greater for all
16 test-takers; or

17 (4) average pass rate on a State-approved licensure
18 examination for the 3 most recent years is 75% or greater
19 for all test-takers.

20 (b) Outliers may be removed when calculating
21 State-approved licensure examination pass rates. A registered
22 professional nurse education program is responsible for
23 tracking outliers.

24 In this subsection, "outlier" means a graduate of a
25 professional nurse education program who:

1 (1) does not take a State-approved licensure
2 examination within 180 days of graduating a professional
3 nurse education program; or

4 (2) fails the State-approved licensure examination a
5 second or subsequent time.

6 (c) A registered professional nurse education program is
7 responsible for calculating the passage rate of the program's
8 graduates. The registered professional nurse education program
9 must submit a calculation of the passage rate of the program's
10 graduates and supporting documentation to the Board in an
11 annual report due October 30 of every year.

12 (225 ILCS 65/60-10)

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

14 Sec. 60-10. RN licensure by examination.

15 (a) Each applicant who successfully meets the requirements
16 of this Section is eligible for licensure as a registered
17 professional nurse.

18 (b) An applicant for licensure by examination to practice
19 as a registered professional nurse is eligible for licensure
20 when the following requirements are met:

21 (1) the applicant has submitted a completed written
22 application, on forms provided by the Department, and
23 fees, as established by the Department;

24 (2) the applicant has graduated from a professional
25 nursing education program approved by the Department or

1 has been granted a certificate of completion of
2 pre-licensure requirements from another United States
3 jurisdiction;

4 (3) the applicant has successfully completed a
5 licensure examination approved by the Department;

6 (4) (blank);

7 (5) the applicant has submitted to the criminal
8 history records check required under Section 50-35 of this
9 Act;

10 (6) the applicant has submitted, either to the
11 Department or its designated testing service, a fee
12 covering the cost of providing the examination; failure to
13 appear for the examination on the scheduled date at the
14 time and place specified after the applicant's application
15 for examination has been received and acknowledged by the
16 Department or the designated testing service shall result
17 in the forfeiture of the examination fee; and

18 (7) the applicant has met all other requirements
19 established by the Department by rule.

20 An applicant for licensure by examination may take the
21 Department-approved examination in another jurisdiction.

22 (b-3) An applicant who graduates from a professional
23 nursing program in this State on or after January 1, 2024 (the
24 effective date of Public Act 103-533) ~~this amendatory Act of~~
25 ~~the 103rd General Assembly~~ and does not take the licensure
26 examination within 180 days after his or her degree is

1 conferred by the institution of higher education or fails the
2 licensure examination for a second time shall be required to
3 demonstrate proof of completion of a National Council
4 Licensure Examination preparatory class or a comparable test
5 preparatory program before taking a subsequent licensure
6 examination or the graduate may return to the institution of
7 higher education from which he or she graduated which shall
8 provide remedial educational resources to the graduate at no
9 cost to the graduate. Such an applicant must contact the
10 institution of higher education from which he or she graduated
11 prior to retesting.

12 (b-4) On and after the effective date of this amendatory
13 Act of the 103rd General Assembly, a registered professional
14 nurse education program meeting one of the measurements of
15 program effectiveness referenced in subsection (a) of Section
16 60-7 of this Act, as submitted to the Board in the program
17 annual report, shall be deemed to be in good standing. All
18 ~~professional nursing programs in probationary status on the~~
19 ~~effective date of this amendatory Act of the 103rd General~~
20 ~~Assembly and subject to a program revision plan shall be~~
21 ~~deemed in good standing for a period of 3 years beginning on~~
22 ~~the effective date of this amendatory Act of the 103rd General~~
23 ~~Assembly. Prior to September 1, 2026, no professional nursing~~
24 ~~program shall be placed on probationary status for failing to~~
25 ~~reach a passage rate of less than 75%.~~

26 (b-5) If an applicant for licensure by examination

1 neglects, fails, or refuses to take an examination or fails to
2 pass an examination for a license within 3 years of the date of
3 initial application, the application shall be denied. When an
4 applicant's application is denied due to the failure to pass
5 the examination within the 3-year period, that applicant must
6 undertake an additional course of education as defined by rule
7 prior to submitting a new application for licensure. Any new
8 application must be accompanied by the required fee, evidence
9 of meeting the requirements in force at the time of the new
10 application, and evidence of completion of the additional
11 course of education prescribed by rule.

12 (c) An applicant for licensure by examination shall have
13 one year after the date of notification of the successful
14 completion of the examination to apply to the Department for a
15 license. If an applicant fails to apply within one year, the
16 applicant shall be required to retake and pass the examination
17 unless licensed in another jurisdiction of the United States.

18 (d) An applicant for licensure by examination who passes
19 the Department-approved licensure examination for professional
20 nursing may obtain employment as a license-pending registered
21 nurse and practice under the direction of a registered
22 professional nurse or an advanced practice registered nurse
23 until such time as he or she receives his or her license to
24 practice or until the license is denied. In no instance shall
25 any such applicant practice or be employed in any management
26 capacity. An individual may be employed as a license-pending

1 registered nurse if all of the following criteria are met:

2 (1) He or she has completed and passed the
3 Department-approved licensure exam and presents to the
4 employer the official written notification indicating
5 successful passage of the licensure examination.

6 (2) He or she has completed and submitted to the
7 Department an application for licensure under this Section
8 as a registered professional nurse.

9 (3) He or she has submitted the required licensure
10 fee.

11 (4) He or she has met all other requirements
12 established by rule, including having submitted to a
13 criminal history records check.

14 (e) The privilege to practice as a license-pending
15 registered nurse shall terminate with the occurrence of any of
16 the following:

17 (1) Three months have passed since the official date
18 of passing the licensure exam as inscribed on the formal
19 written notification indicating passage of the exam. The
20 3-month license pending period may be extended if more
21 time is needed by the Department to process the licensure
22 application.

23 (2) Receipt of the registered professional nurse
24 license from the Department.

25 (3) Notification from the Department that the
26 application for licensure has been refused.

1 (4) A request by the Department that the individual
2 terminate practicing as a license-pending registered nurse
3 until an official decision is made by the Department to
4 grant or deny a registered professional nurse license.

5 (f) (Blank).

6 (g) (Blank).

7 (h) (Blank).

8 (i) (Blank).

9 (j) (Blank).

10 (k) All applicants for registered professional nurse
11 licensure have 3 years after the date of application to
12 complete the application process. If the process has not been
13 completed within 3 years after the date of application, the
14 application shall be denied, the fee forfeited, and the
15 applicant must reapply and meet the requirements in effect at
16 the time of reapplication.

17 (l) All applicants for registered nurse licensure by
18 examination who are graduates of practical nursing educational
19 programs in a country other than the United States and its
20 territories shall have their nursing education credentials
21 evaluated by a Department-approved nursing credentialing
22 evaluation service. No such applicant may be issued a license
23 under this Act unless the applicant's program is deemed by the
24 nursing credentialing evaluation service to be equivalent to a
25 professional nursing education program approved by the
26 Department. An applicant who has graduated from a nursing

1 educational program outside of the United States or its
2 territories and whose first language is not English shall
3 submit evidence of English proficiency, as defined by rule.

4 (m) (Blank).

5 (Source: P.A. 103-533, eff. 1-1-24.)