



94TH GENERAL ASSEMBLY
State of Illinois
2005 and 2006
SB2372

Introduced 1/18/2006, by Sen. John J. Millner

SYNOPSIS AS INTRODUCED:

225 ILCS 65/10-30

Amends the Nursing and Advanced Practice Nursing Act. Provides that the requirements of certain provisions concerning applicants for nursing licensure who are graduates of nursing educational programs in a country other than the United States or its territories or who are licensed in another state or territory and have received their education in a country other than the United States or its territories may be satisfied by the showing of proof of a certificate from the Certificate Program or the VisaScreen Program of the Commission on Graduates of Foreign Nursing Schools.

LRB094 15151 RAS 50331 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 Nursing and Advanced Practice Nursing Act is
5 amended by changing Section 10-30 as follows:

6 (225 ILCS 65/10-30)

7 (Section scheduled to be repealed on January 1, 2008)

8 Sec. 10-30. Qualifications for licensure.

9 (a) Each applicant who successfully meets the requirements
10 of this Section shall be entitled to licensure as a Registered
11 Nurse or Licensed Practical Nurse, whichever is applicable.

12 (b) An applicant for licensure by examination to practice
13 as a registered nurse or licensed practical nurse shall:

14 (1) submit a completed written application, on forms
15 provided by the Department and fees as established by the
16 Department;

17 (2) for registered nurse licensure, have graduated
18 from a professional nursing education program approved by
19 the Department;

20 (2.5) for licensed practical nurse licensure, have
21 graduated from a practical nursing education program
22 approved by the Department;

23 (3) have not violated the provisions of Section 10-45
24 of this Act. The Department may take into consideration any
25 felony conviction of the applicant, but such a conviction
26 shall not operate as an absolute bar to licensure;

27 (4) meet all other requirements as established by rule;

28 (5) pay, either to the Department or its designated
29 testing service, a fee covering the cost of providing the
30 examination. Failure to appear for the examination on the
31 scheduled date at the time and place specified after the
32 applicant's application for examination has been received

1 and acknowledged by the Department or the designated
2 testing service shall result in the forfeiture of the
3 examination fee.

4 If an applicant neglects, fails, or refuses to take an
5 examination or fails to pass an examination for a license under
6 this Act within 3 years after filing the application, the
7 application shall be denied. However, the applicant may make a
8 new application accompanied by the required fee and provide
9 evidence of meeting the requirements in force at the time of
10 the new application.

11 An applicant may take and successfully complete a
12 Department-approved examination in another jurisdiction.
13 However, an applicant who has never been licensed previously in
14 any jurisdiction that utilizes a Department-approved
15 examination and who has taken and failed to pass the
16 examination within 3 years after filing the application must
17 submit proof of successful completion of a
18 Department-authorized nursing education program or
19 recompletion of an approved registered nursing program or
20 licensed practical nursing program, as appropriate, prior to
21 re-application.

22 An applicant shall have one year from the date of
23 notification of successful completion of the examination to
24 apply to the Department for a license. If an applicant fails to
25 apply within one year, the applicant shall be required to again
26 take and pass the examination unless licensed in another
27 jurisdiction of the United States within one year of passing
28 the examination.

29 (c) An applicant for licensure by endorsement who is a
30 registered professional nurse or a licensed practical nurse
31 licensed by examination under the laws of another state or
32 territory of the United States or a foreign country,
33 jurisdiction, territory, or province shall:

34 (1) submit a completed written application, on forms
35 supplied by the Department, and fees as established by the
36 Department;

1 (2) for registered nurse licensure, have graduated
2 from a professional nursing education program approved by
3 the Department;

4 (2.5) for licensed practical nurse licensure, have
5 graduated from a practical nursing education program
6 approved by the Department;

7 (3) submit verification of licensure status directly
8 from the United States jurisdiction of licensure, if
9 applicable, as defined by rule;

10 (4) have passed the examination authorized by the
11 Department;

12 (5) meet all other requirements as established by rule.

13 (d) All applicants for registered nurse licensure pursuant
14 to item (2) of subsection (b) and item (2) of subsection (c) of
15 this Section who are graduates of nursing educational programs
16 in a country other than the United States or its territories
17 shall have their nursing education credentials evaluated by a
18 Department-approved nursing credentialing evaluation service.
19 No such applicant may be issued a license under this Act unless
20 the applicant's program is deemed by the nursing credentialing
21 evaluation service to be equivalent to a professional nursing
22 education program approved by the Department. An applicant who
23 has graduated from a nursing educational program outside of the
24 United States or its territories and whose first language is
25 not English shall submit certification of passage of the Test
26 of English as a Foreign Language (TOEFL), as defined by rule.
27 The Department may, upon recommendation from the nursing
28 evaluation service, waive the requirement that the applicant
29 pass the TOEFL examination if the applicant submits
30 verification of the successful completion of a nursing
31 education program conducted in English. The requirements of
32 this subsection (d) may be satisfied by the showing of proof of
33 a certificate from the Certificate Program or the VisaScreen
34 Program of the Commission on Graduates of Foreign Nursing
35 Schools.

36 (d-5) An applicant licensed in another state or territory

1 who is applying for licensure and has received her or his
2 education in a country other than the United States or its
3 territories shall have her or his nursing education credentials
4 evaluated by a Department-approved nursing credentialing
5 evaluation service. No such applicant may be issued a license
6 under this Act unless the applicant's program is deemed by the
7 nursing credentialing evaluation service to be equivalent to a
8 professional nursing education program approved by the
9 Department. An applicant who has graduated from a nursing
10 educational program outside of the United States or its
11 territories and whose first language is not English shall
12 submit certification of passage of the Test of English as a
13 Foreign Language (TOEFL), as defined by rule. The Department
14 may, upon recommendation from the nursing evaluation service,
15 waive the requirement that the applicant pass the TOEFL
16 examination if the applicant submits verification of the
17 successful completion of a nursing education program conducted
18 in English or the successful passage of an approved licensing
19 examination given in English. The requirements of this
20 subsection (d-5) may be satisfied by the showing of proof of a
21 certificate from the Certificate Program or the VisaScreen
22 Program of the Commission on Graduates of Foreign Nursing
23 Schools.

24 (e) (Blank).

25 (f) Pending the issuance of a license under subsection (c)
26 of this Section, the Department may grant an applicant a
27 temporary license to practice nursing as a registered nurse or
28 as a licensed practical nurse if the Department is satisfied
29 that the applicant holds an active, unencumbered license in
30 good standing in another jurisdiction. If the applicant holds
31 more than one current active license, or one or more active
32 temporary licenses from other jurisdictions, the Department
33 shall not issue a temporary license until it is satisfied that
34 each current active license held by the applicant is
35 unencumbered. The temporary license, which shall be issued no
36 later than 14 working days following receipt by the Department

1 of an application for the temporary license, shall be granted
2 upon the submission of the following to the Department:

3 (1) a signed and completed application for licensure
4 under subsection (a) of this Section as a registered nurse
5 or a licensed practical nurse;

6 (2) proof of a current, active license in at least one
7 other jurisdiction and proof that each current active
8 license or temporary license held by the applicant within
9 the last 5 years is unencumbered;

10 (3) a signed and completed application for a temporary
11 license; and

12 (4) the required temporary license fee.

13 (g) The Department may refuse to issue an applicant a
14 temporary license authorized pursuant to this Section if,
15 within 14 working days following its receipt of an application
16 for a temporary license, the Department determines that:

17 (1) the applicant has been convicted of a crime under
18 the laws of a jurisdiction of the United States: (i) which
19 is a felony; or (ii) which is a misdemeanor directly
20 related to the practice of the profession, within the last
21 5 years;

22 (2) within the last 5 years the applicant has had a
23 license or permit related to the practice of nursing
24 revoked, suspended, or placed on probation by another
25 jurisdiction, if at least one of the grounds for revoking,
26 suspending, or placing on probation is the same or
27 substantially equivalent to grounds in Illinois; or

28 (3) it intends to deny licensure by endorsement.

29 For purposes of this Section, an "unencumbered license"
30 means a license against which no disciplinary action has been
31 taken or is pending and for which all fees and charges are paid
32 and current.

33 (h) The Department may revoke a temporary license issued
34 pursuant to this Section if:

35 (1) it determines that the applicant has been convicted
36 of a crime under the law of any jurisdiction of the United

1 States that is (i) a felony or (ii) a misdemeanor directly
2 related to the practice of the profession, within the last
3 5 years;

4 (2) it determines that within the last 5 years the
5 applicant has had a license or permit related to the
6 practice of nursing revoked, suspended, or placed on
7 probation by another jurisdiction, if at least one of the
8 grounds for revoking, suspending, or placing on probation
9 is the same or substantially equivalent to grounds in
10 Illinois; or

11 (3) it determines that it intends to deny licensure by
12 endorsement.

13 A temporary license shall expire 6 months from the date of
14 issuance. Further renewal may be granted by the Department in
15 hardship cases, as defined by rule and upon approval of the
16 Director. However, a temporary license shall automatically
17 expire upon issuance of the Illinois license or upon
18 notification that the Department intends to deny licensure,
19 whichever occurs first.

20 (i) Applicants have 3 years from the date of application to
21 complete the application process. If the process has not been
22 completed within 3 years from the date of application, the
23 application shall be denied, the fee forfeited, and the
24 applicant must reapply and meet the requirements in effect at
25 the time of reapplication.

26 (Source: P.A. 94-352, eff. 7-28-05.)