

May 2, 2023

**ILLINOIS HEALTH AND HOSPITAL ASSOCIATION
M E M O R A N D U M**

SUBJECT: Legislation Enacted to Maintain Out-of-State Healthcare Temporary Licenses – Action Needed by May 11

On Apr. 27, Gov. JB Pritzker signed into law [P.A. 103-0001](#), the Health Care Workforce Reinforcement Act, an IHA-negotiated and supported piece of legislation that is critical to maintaining needed healthcare providers in Illinois. This omnibus legislation provides an important runway as the public health emergency (PHE) expires on May 11. This memo summarizes key provisions of the Act applicable to hospitals.

Extension of Temporary COVID-19 Healthcare Worker Permit Holders

Under the Act, any individual issued an out-of-state permit to practice pursuant to the COVID-19 PHE declared by the Governor and Secretary of the Illinois Dept. of Financial and Professional Regulation (IDFPR) may continue to practice under that temporary permit if the individual submits an application for permanent licensure by endorsement **on or before May 11, 2023**. If the permanent application is submitted, the individual may continue to practice under the temporary permit until they receive full licensure by IDFPR. The temporary permit becomes immediately invalid, however, upon either denial of permanent licensure by the Department or May 11, 2024, whichever comes first. The Act provides for the same procedure for those healthcare professionals working on a temporary reinstatement permit.

This flexibility has been extended to the following licensed professionals: physician; registered nurse; practical nurse; advanced practice registered nurse; full practice advanced practice registered nurse; pharmacist; occupational therapist; occupational therapy assistant; physical therapist; physical therapist assistant; clinical psychologist; physician assistant; clinical social worker; social worker; dietitian nutritionist; professional counsel; clinical professional counselor; and respiratory care practitioner.

Action Needed

Hospitals should engage with staff working on temporary COVID-19 permits to ensure they submit their applications for permanent license (either by endorsement or reinstatement) by the May 11 deadline. The Act does give the Secretary flexibility to extend the deadline an additional 60-days and IHA believes that extension will occur; however, it is critical that these workers submit their applications for full licensure **as soon as possible**. IHA will provide further communications on this critical issue as it becomes available.

Physician Delegation to International Physicians

The Act provides for a licensed Illinois physician to delegate any and all authority prescribed to that physician by law to an international medical graduate physician, as long as the tasks or duties are within the international physician's scope of practice, education, training, or experience. The international physician is subject to all Illinois laws and may only provide services under the supervision of a licensed Illinois physician. The Illinois physician or the employer must make available to IDFPR, upon request:

- Evidence of education certified by the Educational Commission for Foreign Medical Graduates;
- Evidence of passage of Step 1, Step 2 Clinical Knowledge, and Step 3 of the U.S. Medical Licensing Examination; and
- Evidence of an unencumbered license from another country.

Pharmacy Scope of Practice

The Act also provides for an expansion of scope of practice for the provision of certain vaccinations and medications. Specifically, the Act permits for:

- Vaccination of patients 7 years of age and older for COVID-19 or influenza;
- Ordering and administration of COVID-19 therapeutics with notification to the patient's physician and appropriate record retention; and
- Ordering and administration of tests and screenings for influenza, SARS-COV 2, and health conditions identified by a statewide public health emergency.

Pharmacists are permitted to delegate administrative and technical tasks to perform a test for these health conditions to a registered pharmacy technician or student pharmacist under supervision. Corresponding to these additions to a pharmacist's scope of practice, the Act also makes changes to the Insurance Code to provide coverage for these services to plans on or after Jan. 1, 2025.

[Contact us](#) with questions.