## STANDING ORDERS: Health Professionals & Immunization Practice

### ILLINOIS

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### NOTES:

1. **Immunization Practice**: Includes the assessment of patient status, the prescription of appropriate vaccines, and the administration of vaccines.

2. **Delegated Authority**: May include the following terms: standing orders, protocol, collaborative agreement, direct or indirect supervision, at the direction of another provider, as ordered by another provider, or as prescribed by another provider.

3. **Legal Interpretation—Nurses**: Registered Nurses retain all authority granted to Practical Nurses and Vocational Nurses. Nurses engaging in advanced practice (Advanced Practice, Clinical Nurse Spec., and Nurse Practitioner) retain all authority granted to Registered Nurses, Practical Nurses, and Vocational Nurses.

4. **Legal Interpretation—Midwives**: Because midwives are not nurses in all states, they are identified as a separate professional category. When midwives are nurses, the following interpretations apply: Midwives who are identified as Registered Nurses retain all authority granted to Practical Nurses and Vocational Nurses. Midwives who engage in advanced practice retain all authority granted to Registered Nurses, Practical Nurses, and Vocational Nurses.

5. **Gray box**: Provider practices within the state, however the state has no relevant law addressing this element.

### MEDICAL ASSISTANT

Dr. Kovacevic explained that, as a medical assistant, Stults performed immunizations, during which he supervised her. In explaining what he meant by “supervision,” Dr. Kovacevic stated that supervision meant that he filled the needle, told Stults what to do, and then was somewhere in the office while Stults gave the immunization. We find no Illinois statute that defines what a medical assistant is or designates what functions a medical assistant is able to perform. . . . Therefore, because no statute provides that medical assistants may perform some of the same functions as nurses, Stults' performing the various nursing duties, even as a medical assistant, was in violation of the Nursing Act. . . . A person without a nursing license may not evaluate, treat, or counsel the ill, infirmed, or injured and may not administer medication to others. *People v. Stults*, 683 N.E.2d 521 (Ill. App. Ct. 1997)

### NURSES

#### Advanced Practice

“Advanced Practice Nurse” or “APN” means a person who has met the qualifications for a: certified nurse midwife (CNM); certified nurse practitioner (CNP) . . . or clinical nurse specialist (CNS) and has been licensed by the Division. *[68 Ill. Admin. Code § 1300.10 (2012) Definitions]*
“Advanced practice nurse” or “APN” means a person who has met the qualifications for a (i) certified nurse midwife (CNM); (ii) certified nurse practitioner (CNP) . . . or (iv) clinical nurse specialist (CNS) and has been licensed by the Department. . . . 225 Ill. Compiled Stat. 65/50-10 (2012) Definitions

. . . (c) The scope of practice of an advanced practice nurse includes, but is not limited to, each of the following: (1) Advanced nursing patient assessment and diagnosis. . . . (6) Prescriptive authority as defined in Section 65-40 of this Act. . . . 225 Ill. Compiled Stat. 65/65-30 (2012) APN scope of practice

(a) An advanced practice nurse may provide services in a hospital or a hospital affiliate . . . or a licensed ambulatory surgical treatment center without a written collaborative agreement . . . Authority may also be granted when recommended by the hospital medical staff and granted by the hospital or recommended by the consulting medical staff committee and ambulatory surgical treatment center to individual advanced practice nurses to select, order, and administer medications . . . to provide delineated care. . . .

(a-2) An advanced practice nurse granted authority to order medications . . . may complete discharge prescriptions provided the prescription is in the name of the advanced practice nurse and the attending or discharging physician. . . . 225 Ill. Compiled Stat. 65/65-45 (2012) Advanced practice nursing in hospitals, hospital affiliates, or ambulatory surgical treatment centers

For a physician and an APN to collaborate, both the Medical Practice Act and the Nurse Practice Act require a written collaborative agreement for all APNs engaged in clinical practice. The collaborative agreement must describe the working relationship of the APN with the collaborating physician and authorize categories of care, treatment, or procedures to be performed by the APN. An APN's scope of practice expressly includes (but is not limited to) “[prescriptive authority[.]” A collaborating physician may delegate this authority pursuant to a written collaborative agreement. This authority includes “prescription of, selection of, orders for, administration of, storage of, acceptance of samples of, and dispensing over the counter medications, legend drugs . . . and other preparations[.]” As with PAs, APNs may dispense or prescribe drugs or medical supplies within the scope of practice of the supervising physician. 2009 WL 596125 Off. of the Atty. Gen. State of Ill., File No. 09-002 (2012) Authority of Advanced Practice Clinicians to Dispense and Administer Mifepristone (internal citations omitted)

. . . advanced practice nurse . . . will be responsible for administration of the remaining required immunizations. . . . 105 Ill. Compiled Stat. 5/27-8.1 (2012) Health examinations and immunizations

. . . (e) A physician shall not be liable for the acts or omissions of an advanced practice nurse solely on the basis of having signed a supervision agreement or guidelines or a collaborative agreement, an order, a standing medical order, a standing delegation order, or other order or guideline authorizing an advanced practice nurse to perform acts, unless the physician has reason to believe the advanced practice nurse lacked the competency to perform the act or acts or commits willful and wanton misconduct. (f) A collaborating physician may, but is not required to, delegate prescriptive authority to an advanced practice nurse as part of a written collaborative agreement, and the delegation of prescriptive authority shall conform to the requirements of Section 65-40 of the Nurse Practice Act. . . . 225 Ill. Compiled Stat. 60/54.5 (2012) Physician delegation of authority to physician assistants and advanced practice nurses

(a) A collaborating physician or podiatrist may, but is not required to, delegate prescriptive authority to an advanced practice nurse as part of a written collaborative agreement. This authority may, but is not required to, include prescription of, selection of, orders for, administration of, storage of, acceptance of samples of, and dispensing over the counter medications, legend drugs . . . and other preparations, including, but not limited to, botanical and herbal remedies. . . . 225 Ill. Compiled Stat. 65/65-40 (2012) Written collaborative agreement; prescriptive authority

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Practical Nurse
(a) Practice as a licensed practical nurse means a scope of basic nursing practice . . . as delegated by a registered professional nurse or an advanced practice nurse or as directed by a physician assistant, physician, dentist, or podiatrist, and includes, but is not limited to, all of the following: (1) Collecting data and collaborating in the assessment of the health status of a patient . . . .


(a) Practice as a registered professional nurse means . . . . (3) The . . . delegation of medication administration to licensed practical nurses . . . .

Registered Nurse
. . . A registered professional nurse provides . . . nursing care . . . that includes but is not limited to: (1) the assessment of healthcare needs, nursing diagnosis, planning, implementation, and nursing evaluation . . . (4) the administration of medications and treatments as prescribed by a physician licensed to practice medicine . . . a licensed dentist, a licensed podiatrist, or a licensed optometrist or as prescribed by a physician assistant . . . or by an advanced practice nurse . . . .


(a) Practice as a registered professional nurse . . . includes, but is not limited to, all of the following: (1) The comprehensive nursing assessment of the health status of patients that addresses changes to patient conditions . . . (3) The administration of medication or delegation of medication administration to licensed practical nurses . . . .


. . . registered nurse . . . will be responsible for administration of the remaining required immunizations . . . .


PHARMACIST
. . . (d) “Practice of pharmacy” means (1) the interpretation and the provision of assistance in the monitoring, evaluation, and implementation of prescription drug orders . . . (4) drug administration limited to the administration of oral, topical, injectable, and inhalation as follows: in the context of patient education on the proper use or delivery of medications; vaccination of patients 14 years of age and older pursuant to a valid prescription or standing order, by a physician licensed to practice medicine in all its branches, upon completion of appropriate training, including how to address contraindications and adverse reactions set forth by rule, with notification to the patient's physician and appropriate record retention, or pursuant to hospital pharmacy and therapeutics committee policies and procedures . . . .


PHYSICIAN ASSISTANT
. . . physician assistant . . . will be responsible for administration of the remaining required immunizations . . . .


. . . A physician assistant is only authorized to practice within the current scope of practice of the supervising physician/alternate supervising physician . . . .


a) A supervising physician may delegate limited prescriptive authority to a physician assistant. This authority may, but is not required to, include prescription and dispensing of legend drugs . . . . c) A physician assistant may only prescribe or dispense prescriptions or orders for drugs and medical supplies within the scope of practice of the supervising physician or alternate supervising physician . . . .

(a) A written supervision agreement is required for all physician assistants to practice in the State. . . . (b) A supervising physician may, but is not required to, delegate prescriptive authority to a physician assistant as part of a written supervision agreement. . . . 225 Ill. Compiled Stat. 95/7.5 (2012) Prescriptions; written supervision agreements; prescriptive authority

(a) Physicians licensed to practice medicine in all its branches may delegate care and treatment responsibilities to a physician assistant. . . . (e) A physician shall not be liable for the acts or omissions of a physician assistant . . . solely on the basis of having signed a supervision agreement or guidelines or a collaborative agreement, an order, a standing medical order, a standing delegation order, or other order or guideline authorizing a physician assistant . . . to perform acts, unless the physician has reason to believe the physician assistant . . . lacked the competency to perform the act or acts or commits willful and wanton misconduct. . . . (g) A supervising physician may, but is not required to, delegate prescriptive authority to a physician assistant as part of a written supervision agreement . . . . 225 Ill. Compiled Stat. 60/54.5 (2012) Physician delegation of authority to physician assistants and advanced practice nurses

. . . Specifically, the [Physician Assistant Practice Act] allows a PA to dispense or prescribe drugs or medical supplies within the scope of practice of the supervising physician. . . . 2009 WL 596125 Off. of the Atty. Gen. State of Ill., File No. 09-002 (2012) Authority of Advanced Practice Clinicians to Dispense and Administer Mifepristone (internal citations omitted)

. . . a physician's assistant administered the . . . vaccines . . . . Taylor v. Bi-County Health Dept., 956 N.E.2d 985 (Ill. App. Ct. 2011)
# PRACTICE SETTINGS

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<tr>
<th>Health Professional</th>
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<tr>
<td>Medical Assistant</td>
<td>Reviewed immunization practice laws did not address practice settings</td>
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<tr>
<td>Advanced Practice Nurse</td>
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<tr>
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## NURSES

### Advanced Practice

(a) An advanced practice nurse may provide services in a hospital or a hospital affiliate . . . or a licensed ambulatory surgical treatment center without a written collaborative agreement. . . . An advanced practice nurse must possess clinical privileges recommended by the hospital medical staff and granted by the hospital or the consulting medical staff committee and ambulatory surgical treatment center in order to provide services. . . . 225 Ill. Compiled Stat. 65/65-45 (2012) Advanced practice nursing in hospitals, hospital affiliates, or ambulatory surgical treatment centers

### Registered Nurse

(a) Practice as a registered professional nurse means the full scope of nursing, with or without compensation, that incorporates caring for all patients in all settings . . . . 225 Ill. Compiled Stat. 65/60-35 (2012) RN scope of practice

Source: GWU/SPHIS STANDING ORDERS: Health Professionals & Immunization Practice—Summer 2013


225 Ill. Compiled Stat. 60/54.5 (2012) Physician delegation of authority to physician assistants and advanced practice nurses


225 Ill. Compiled Stat. 95/7.5 (2012) Prescriptions; written supervision agreements; prescriptive authority