



# ILLINOIS DEPARTMENT OF LABOR

**JB PRITZKER**  
GOVERNOR

**JANE R. FLANAGAN**  
ACTING DIRECTOR

## NOTICE

### **UPDATED GUIDANCE FOR NURSE AGENCIES REQUIREMENTS EFFECTIVE JULY 1<sup>st</sup>, 2022**

Nurse Agency Administrators:

The Department of Labor (“Department”) is providing additional guidance involving the new amendments governing Nurse Agencies, made by Public Act 102-0946 (“Act”) and effective July 1<sup>st</sup>, 2022. The Department is also in the process of adopting rules interpreting the new requirements of the Act and, as such, this should be read as developing guidance subject to change.

#### **Engagement with Managed Service Providers (MSP)/Vendor Management Systems (VMS):**

- Any entity who engages in the employment, assignment, or referral of nurses or certified nurse aides (CNAs) to a healthcare facility is subject to the Act. Therefore, any contracts that facilitate, set terms and conditions for the assignment and referral of nurses or CNAs to a health facility must be submitted to the Department at the time of renewal for a license. Additionally, contracts must be submitted to the Department within **five business days** of the effective date of the contract between the entity who engages in such activities with other nurse agencies or with the health facility (end user). These contracts can be entered in the Department’s online Portal: <https://www2.illinois.gov/idol/Laws-Rules/FLS/Pages/Nurse-Agency-Licensing-Act-Portal.aspx>
- Furthermore, any nurse agency licensed by the Department that works with MSP/VMS should submit the contract involving the MSP/VMS who facilitates the referral and assignment of nurses and CNA’s employed by the nurse agency to the health care facility (end user). **If the agency is unable to obtain cooperation from the MSP/VMS, please contact the Department immediately.**

#### **Auto-Renewal Clauses in Contracts**

- If the contract in question has no termination date, the auto-renewal date will be considered the effective date. Contracts with auto-renewal provisions are deemed to begin a new contract term on the date of renewal.
- Any contracts that auto renew after July 1, 2022 must include the requirements as provided in Section 14.3 of the Act.

- Any contracts that do not have the new requirements must be submitted or re-submitted to the Department within 30 days and uploaded to the NALA portal on the Department's website.

**First Submission of Invoices Due Date is SEPTEMBER 15<sup>th</sup> 2022**

- After July 1, 2022, Agencies must provide invoice information through an on-line portal.
- Agencies must upload invoice data in a csv format covering invoices issued during **July 2022 and August 2022**. Excel can be used to create csv format files. A template is provided in excel form on the Department's website for your convenience.
- All original invoices must be maintained and, upon request from the Department, be submitted by any Agency who employs, assigns or refers nurses and certified nurse aides for the Department's review.

For a full text of Public Act 102-0946:

<https://ilga.gov/legislation/publicacts/fulltext.asp?Name=102-0946>

Illinois Department of Labor  
Fair Labor Standards Division  
160 N. LaSalle Street, Ste 1300  
Chicago, Illinois 60601  
[Dol.NurseAgency@illinois.gov](mailto:Dol.NurseAgency@illinois.gov)  
<http://labor.illinois.gov/>  
(312) 793-1804