



ILLINOIS DEPARTMENT OF LABOR

JB PRITZKER
GOVERNOR

JANE R. FLANAGAN
ACTING DIRECTOR

INTERIM GUIDANCE SUBMISSION OF NURSE AGENCY QUARTERLY REPORTS

Dear Nurse Agency Administrators,

Effective, July 1st, 2022, and subject Public Act 102-0946 (“Act”), all nurse agencies (“Agency” or “Agencies”), as defined in 225 ILCS 510/14, that employ, assign, or refer nurses or nurse aides to healthcare facilities for a fee are subject to requirements as provided in Section 14 (h):

(h) A nurse agency shall submit a report quarterly to the Department for each health care entity with whom the agency contracts that includes all of the following by provider type and county in which the work was performed:

- (1) A list of the average amount charged to the health care facility for each individual employee category.*
- (2) A list of the average amount paid by the agency to employees in each individual employee category.*
- (3) A list of the average amount of labor-related costs paid by the agency for each employee category, including payroll taxes, workers' compensation insurance, professional liability coverage, credentialing and testing, and other employee related costs.*

DEADLINES:

- A nurse agency in operation on or after the effective date of the Act must submit an initial quarterly report to the Department by **June 15, 2023, that covers** data for the reporting period from **March 1st – May 31st 2023. This initial reporting period and submission date applies to the 2022-2023 reporting period only, given the Department’s ongoing implementation of this Act and in the absence of finalized administrative rules.**
- After the initial report, Agencies shall follow the quarterly reporting schedule subject to Administrative Rules to be determined at a later date.

SUBMISSION METHOD:

- Reports must be submitted electronically through the Department's online portal, <https://labor.illinois.gov/laws-rules/fls/nurse-agency-licensing-act-portal.html> which is available through the Nurse Agency Licensing Act homepage. They must be submitted in.csv file format and in the format prescribed by the Department, which is attached to this guidance.
- Manage Service Providers, or other entities that act as intermediaries between an Agency and a facility, may submit data on behalf of an Agency it contracts with. The Department requests that, as part of such a data submission, the nurse agency be clearly identified (as provided by the template made available by the Department). For Agencies who contract directly with a facility or

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facilities, that Agency should submit data for all categories associated with each facility where it places nurses.

DESCRIPTION OF DATA:

An Agency must submit labor cost data for each health care facility in which the nurse agency has a current contract where employees have been assigned or referred to that health care facility by employee category (i.e., advanced practice registered nurse, registered nurse, licensed practical nurse, and certified nurse aide) during the specified time frame (**March 1st – May 31st 2023**):

- **Amounts charged to facility:** The average hourly amount charged to the health care facility for each individual employee category during the specified time frame. The amounts should include wages, any other administrative charges and fees the nurse agency bills to the facility in each employee category. The zip code of each the facility must be included.
- **Wages paid to employees:** The average base hourly rate paid by the Agency to employees in each individual employee category by facility. The Department is also requesting the total number of hours worked in each category.
- **Other payments to employees:** The average amount paid by the Agency during the specified time frame to employees in each individual employee category exclusive of the base hourly rate. (i.e., per diems, overtime compensation, expense reimbursements, mileage, lodging, bonuses, wage differentials).
- **Labor-Related Costs:** The average amount of labor-related costs paid by the nurse agency for each employee category that may include, but not limited to the following on a quarterly basis (total annual amount, divided by four):
 - **Administrative charges** (i.e., software, orientation cost, equipment & supplies, legal)
 - **Taxes/Insurance/liability** (i.e., payroll taxes, worker’s compensation, liability coverage)
 - **Fringe Benefits** (i.e., health/life insurance, retirement plans FMLA, employee discounts)
 - **Education and Training** (i.e., credentialing, testing, tuition assistance/reimbursement, training material)

The data is due to the Department on **JUNE 15, 2023** in order for the Department to prepare an initial quarterly report. Please note, failure to submit the quarterly report into the NALA portal to reflect compliance with the Act may result in a finding of a violation of the Act.

The Act can be referenced [here](#).

Sincerely,

Nurse Agency Licensing
Illinois Department of Labor