SIXTEENTH CONGRESS OF THE REPUBLIC OF THE PHILIPPINES Second Regular Session

SENATE

COMMITTEE REPORT NO: 124

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Submitted by the Committees on Civil Service and Government Reorganization; Health and Demography; and Finance on <u>APR 1 5 2015</u>.

Re : Senate Bill No. 2720

Recommending its approval in substitution of Senate Bill Nos. 622, 1009, 1237, 1264, 1840 and 2583

Sponsors: Senators Antonio F. Trillanes IV, Teofisto L. Guingona III and Francis G. Escudero

MR. PRESIDENT:

The Committees on Civil Service and Government Reorganization; Health and Demography; and Finance, to which were referred Senate Bill No. 622, introduced by Senators Ralph G. Recto and Cynthia A. Villar, entitled:

"AN ACT

INSTITUTING REFORMS TO FURTHER PROTECT AND DEVELOP THE NURSING PROFESSION, AMENDING FOR THE PURPOSE REPUBLIC ACT NUMBERED NINETY-ONE HUNDRED AND SEVENTY-THREE, OTHERWISE KNOWN AS THE "PHILIPPINE NURSING ACT OF 2002"

Senate Bill No. 1009, introduced by Senator Antonio F. Trillanes IV, entitled:

"AN ACT

INSTITUTING REFORMS TO FURTHER PROTECT AND DEVELOP THE NURSING PROFESSION, REPEALING FOR THE PURPOSE REPUBLIC ACT NUMBERED

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NINETY-ONE HUNDRED AND SEVENTY-THREE, OTHERWISE KNOWN AS THE "PHILIPPINE NURSING ACT OF 2002"

Senate Bill No. 1237, introduced by Senator Ferdinand R. Marcos Jr., entitled:

"AN ACT

INSTITUTING REFORMS TO FURTHER PROTECT AND DEVELOP THE NURSING PROFESSION, REPEALING FOR THE PURPOSE REPUBLIC ACT NUMBERED NINETY-ONE HUNDRED AND SEVENTY-THREE, OTHERWISE KNOWN AS THE "PHILIPPINE NURSING ACT OF 2002"

Senate Bill No. 1264, introduced by Senator Maria Lourdes Nancy S. Binay, entitled:

"AN ACT

PROVIDING FOR A COMPREHENSIVE NURSING LAW TOWARDS QUALITY HEALTH CARE SYSTEM, REPEALING FOR THIS PURPOSE REPUBLIC ACT NO. 9173 OTHERWISE KNOWN AS THE PHILIPPINE NURSING ACT OF 2002"

Senate Bill No. 1840, introduced by Senator Sonny Angara, entitled:

"AN ACT

INSTITUTING REFORMS TO FURTHER PROTECT AND DEVELOP THE NURSING PROFESSION, REPEALING FOR THE PURPOSE REPUBLIC ACT NUMBERED NINETY-ONE HUNDRED AND SEVENTY-THREE, OTHERWISE KNOWN AS THE "PHILIPPINE NURSING ACT OF 2002"

and Senate Bill No. 2583, introduced by Senator Teofisto "TG" Guingona III, entitled:

"AN ACT

PROVIDING FOR A COMPREHENSIVE NURSING LAW TOWARDS QUALITY HEALTH CARE SYSTEM, REPEALING FOR THIS PURPOSE RA 9173 OTHERWISE KNOWN AS THE PHILIPPINE NURSING ACT OF 2002, AND APPROPRIATING FUNDS THEREFOR" have considered the same and have the honor to report them back to the Senate with the recommendation that the attached bill, Senate Bill No. 2720 prepared by the Committees, entitled:

"AN ACT

PROVIDING FOR A COMPREHENSIVE NURSING LAW TOWARDS QUALITY HEALTH CARE SYSTEM AND APPROPRIATING FUNDS THEREFOR"

be approved in substitution of Senate Bill Nos. 622, 1009, 1237, 1264, 1840 and 2583 with Senators Recto, Trillanes IV, Marcos Jr., Binay, Angara, Guingona III, Escudero and Villar as authors thereof.

Respectfully submitted:

ANTONIO F\ TRILI ANES^VIV Chair, Committee on Civil Service

and Government Reorganization

TEOFISTO L. GUINGONA III Chair, formittee on Health and Demography

will interpellate amand

FRANCIS G. ESCUDERO Chair, Committee on Finance

Vice Chairpersons:

FERDINAND R. MARCOS JR Committee on Civil Service and Government Reorganization

PIA S. CAYETANO Committee on Health and Demography

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SERGIO R. OSMEÑA III Committee on Finance

Members:

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PAOLO BENIGNO "BAM" AQUINO IV

CYNTHIA A. VILLAR

SONNYANGARA

LOREN LEGARDA

MIRIAM DEFENSOR SANTIAGO

RAMON BONG REVILLA JR.

MANUEL "LITO" M. LAPID

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"KOKO" PIMENTEL III AQUILINO

DES NANCY S. BINAY MARIA

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JOSEPH VICTOR G. EJERCITO

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Ex-Officio Members:

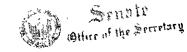
RALPH G. RECTO President Pro-Tempore

ALAN PETER S. CAYETANO Majority Leader

JUAN PONCE ENRILE Minority Leader

CENTE C. SÕTTÕ III Acting Minority Floor Leader

Hon. FRANKLIN M. DRILON President Senate of the Philippines Pasay City



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SENATE

s. No. <u>272</u>0

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Prepared by the Committees on Civil Service and Government Reorganization: Health and Demography; and Finance with Senators Recto, Trillanes IV, Marcos, Jr., Binay, Angara, Guingona III, Escudero and Villar as authors

AN ACT

PROVIDING FOR A COMPREHENSIVE NURSING LAW TOWARDS QUALITY HEALTH CARE SYSTEM, AND APPROPRIATING FUNDS THEREFOR

Be it enacted by the Senate and the House of Representatives of the Republic of the Philippines in Congress assembled:

ARTICLE I

General Provisions

- Section 1. Title. This Act shall be known as the "Comprehensive Nursing Law of
 2015."
- 6

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Sec. 2. Declaration of Policy. – It is hereby declared the policy of the state to uphold the dignity of the nurses and assume responsibility for the protection, respect, and improvement of the nursing profession by instituting measures towards competent and relevant nursing practice for health and safety of the public, just and humane conditions of work, and promotion of professional growth. Thus, the State recognizes nurses as prime movers of national development and contributors to international cooperation and understanding.

14

15 The State further guarantees the delivery of accessible, affordable, and available 16 quality health care to all the people through implementation of adequate and 17 competent Nursing Personnel System (NPS) throughout the country.

- 1 Sec. 3. Definition of Terms. The following terms when used in this act shall mean:
- 2 (a) Accredited Integrated Professional Organization (AIPO) refers to a
 3 professional organization of nurses duly accredited by the Professional
 4 Regulation Commission as per Republic Act No. 8981.
- 5 (b) Advanced Practice Nurse (APN) refers to a nurse who acquired substantial theoretical knowledge and decision making skills in the specialty area of 6 nursing practice and proficient clinical utilization of this knowledge in 7 implementing independent and inter-dependent nursing interventions. 8 Specialties can be differentiated in categories, according to function, disease, 9 pathology, systems, age, sex, acuity, setting, technology, and therapies. They 10 must be given certification/ credentialing by the Board. An APN must be a 11 12 master's degree holder in nursing.
- 13 (c) Bachelor of Science in Nursing (BSN) refers to the basic program for nursing
 14 education.
- (d) Certification/ Credentialing refers to the process undertaken by an individual
 nurse to be recognized to practice in a specifically defined professional tract
 i.e. General Nursing, Nursing Specialty/ Advanced Practice, Nursing
 Education, and Leadership and Governance. The Board confers the
 certification or credential after a validation process based on promulgated
 guidelines and mechanisms.
- (e) Commission on Higher Education (CHED) refers to the body created by law
 to promulgate policies, standards and guidelines in the implementation of
 basic and graduate program for nursing education.
- (f) *Health Facility* refers to an institution, establishment, clinic that offers health
 services and nursing care, such as hospitals, barangay health centers, and
 clinics.
- (g) *Nurse*, as provided for in this Act, refers to a person who passed the Philippine
 Nurse Licensure Exams (PNLE) and whose license has not been revoked by
 the law. Thus, it pertains to a Registered Nurse (RN). A nurse may append
 before his/ her name the title "Nurse", "Nars", or "Nrs." or after his/ her name
 the title R.N.

1 (h) Nursing Personnel System (NPS) refers to a system of human resource 2 management in an institution that classifies the structure, organization, and 3 coordination within the workforce both in private and public health care 4 facilities and nursing educational institutions to advance the welfare and 5 protect the rights of the nurses and to ensure the employer-employee 6 relationship, security of tenure, just compensation, humane conditions of 7 work, and professional growth.

8 (i) *Philippine Nurse Licensure Exams* (PNLE) refers to the written examination
9 given by the Board in order to obtain license to practice nursing.

- (i) Precarious Work is the term used to describe substandard employment 10 conditions, such as under-payment, absence of salary, no security of tenure, 11 lack of employer - employee relationship, no benefits, poor working 12 conditions; and, deviation from the standard employment relationships, such 13 as contractual, false volunteerism, job orders thru agencies, part time, self-14 15 employment, fixed term work, temporary, on call, home workers, call center jobs, few benefits, lack of collective bargaining representation, and no job 16 security. 17
- (k) Professional Regulation Commission (PRC) refers to the government agency
 pursuant to Republic Act No. 8981 or as may hereafter be amended or
 repealed. It shall be referred to in this law as the Commission.
- (1) Professional Regulatory Board of Nursing (PRBON) refers to the
 administrative body created by law to supervise and regulate the practice of
 the nursing profession in the Philippines. As such, the Board shall be the
 ultimate authority in the practice of the profession in the Philippines. It shall
 be referred to in this law as the Board.
- (m)Public Health Institution (PHI) refers to any government-led, owned or 26 controlled institutions which pursues and realizes the lofty goals and 27 objectives of providing and managing safe, efficient, effective and quality 28 29 public health programs and services and advocacies for health, in all levels of 30 the Health Care Delivery System (HCDS - national to local) which include among others: Rural Health Units (RHUs/ Barangay Health Centers); 31 32 Research Facilities e.g. Research Institute for Tropical Medicine, etc.; Training Resource Facilities e.g. the U.P. College of Public Health and State 33

1	or Local Colleges or Universities offering Health-Related Programs; the
2	Department of Health and all retained Health Facilities, and the like.
3	(n) Special Permit refers to the permit to practice nursing in the Philippines issued
4	by the Board to licensed nurses of foreign nationalities.
5	(o) Temporary Permit refers to the permit to practice nursing in the Philippines
6	issued by the Board to Filipino nurses, who does not have a professional
7	license from the Philippines or have not renewed their license for five (5)
8	years, but are licensed from foreign countries.
9	
10	ARTICLE II
11	Board of Nursing
12	
13	Sec. 4. Creation and Composition of the Board There shall be created a
14	Professional Regulatory Board of Nursing composed of seven (7) members who shall
15	elect among themselves a Chairperson to serve for one (1) term, without re-election.
16	The President of the Republic of the Philippines shall appoint the members of the
17	Board from among those recommended by the Commission and ranked from a list of
18	three (3) nominees, per vacancy, of the accredited integrated professional organization
19	of nurses in the Philippines and who possess the qualifications in this Act. Provided,
20	that the membership of the Board shall comprise the scope of nursing practice.
21	
22	Sec. 5. Qualifications of the Members of the Board The members of the Board
23	must possess the following qualifications:
24	(a) Must be a natural born citizen and resident of the Philippines for the past
25	five (5) consecutive years;
26	(b) Must be a Nurse in the Philippines and a holder of a valid and updated
27	certificate of registration and a current professional identification card;
28	(c) Must be a holder of a master's degree in nursing and preferably with a
29	doctorate degree conferred by a university duly recognized by the
30	government;
31	(d) Must have at least ten (10) years of continuous practice of the nursing
32	profession prior to appointment: Provided, however, That the last five (5)

- years of which must be in the Philippines; and
- (e) Must be of good moral character and has not been convicted of any offense involving moral turpitude.
- 3 4

Sec. 6. Prohibition as Member of the Board. – A member of the Board shall not
hold a position nor have pecuniary interest in any educational institution offering
BSN, any review or training center for PNLE, training hospitals and health facilities
with nursing affiliates.

9

Sec. 7. Term of Office. - The members of the Board shall hold office for a term of
three (3) years. Any member of the Board may serve for two (2) terms or a maximum
of six (6) years.

13

Sec. 8. Vacancy. - Any vacancy in the Board must be filled in the manner prescribed
in this Act and only for the unexpired portion of the term. Each member of the Board
shall take the proper oath of office prior to the performance of duties.

17

Sec. 9. Compensation. - The members of the Board shall receive compensation and
allowances comparable to the compensation and allowances received by the members
of other regulatory boards.

21

Sec. 10. Administrative Supervision of the Board, Custodian of its Records, Secretariat and Support Services. – The Board shall be under the administrative supervision of the Commission. All records of the Board, including applications for examinations, administrative and other investigative cases conducted by the Board must be under the custody of the Commission. The Commission shall designate the Secretary of the Board and shall provide the secretariat and other support services to implement the provisions of this Act.

29

Sec. 11. Powers and Duties of the Board. – The Board shall supervise and regulate
the practice of the nursing profession and shall have the following powers, duties and
functions:

(a) Ensure the proper conduct of the PNLE, which includes the application, test
 development, examination, correction and release of results. The use of

- appropriate technologies and modalities during the conduct of the PNLE is
 encouraged to enhance efficiency while upholding integrity;
- 3

(b) Issue, suspend, revoke or reissue certificates of registration for the practice of nursing and ensure the widest publication through electronic and written media;

5 6

7 (c) Enforce and monitor safe and quality standards of nursing practice, study the
8 conditions affecting the nursing practice in the Philippines, and exercise the
9 powers necessary to ensure the maintenance of efficient, ethico-moral, technical
10 and professional standards in the practice of mursing towards the optimal health
11 and common good of the nation;

12

(d) Ensure quality nursing education by examining and monitoring higher educational
institutions offering and seeking permission to open nursing education programs
and to ensure that standards of nursing education are properly complied with and
maintained at all times. *Provided*, that the Board and the CHED shall have joint
authority to open and close nursing education programs offered by higher
educational institutions;

19

(e) Conduct hearings and investigations to resolve complaints against actively
practicing nurses for unethical and unprofessional conduct and violations of this
Act, or its rules and regulations and in connection therewith, issue *subpoena duces tecum* and *subpoena ad testificandum* to require the appearance of respondents
and witnesses and the production of documents and penalize with contempt
persons obstructing, impeding or otherwise interfering with the conduct of such
proceedings, upon application with the Board of Nursing;

27

(f) Promulgate a Code of Ethics that is responsive to the needs of the nursing
profession in coordination with the AIPO of nurses within a year from the
effectivity of this Act;

31

(g) Prescribe and operationalize, via necessary infrastructures, a National Nursing
 Career Progression Program to ensure continuing professional development of
 Filipino nurses, create the Council for Nursing Advancement, Recognition, and
 Specialization as well as the various Nursing Specialty Boards to assist the Board

- 1 for this purpose;
- 2

(h) Ensure performance of mandated duties and functions with the provision of 3 operational resources including human, financial and spatial resources to ensure 4 5 the confidentiality and sanctity of their functions as provided through the annual budget of the Commission as promulgated in the General Appropriations Act; 6 7 (i) Source and utilize funds earmarked for national nursing development; and 8 9 10 (i) Prescribe, adopt, issue and promulgate guidelines, regulations, measures and influence authorities and agencies on decision-making as may be necessary for the 11 12 improvement of nursing practice, advancement of the profession, and for the proper and full enforcement of this Act, subject to review and approval by 13 Commission. 14 15 (k) Create a council for nursing recognition, accreditation and certification that will 16 assist the Board in: a. Recognizing organized nursing groups; 17 18 b. Setting standards for advanced nursing practice, education, research, and 19 20 management; 21 c. Accrediting specialty and advanced nursing programs based on established 22 mechanisms; 23 24 d. Credentialing individual registered nurse based on accepted criteria; and 25 26 e. Monitoring and evaluating specialty and advanced nursing practice, 27 28 education, research and management. 29 30 Sec. 12. Annual Report. - The Board shall, at the close of its calendar year, submit an annual report to the President and Congress of the Philippines through the 31 32 Commission giving a detailed account of its proceedings and the accomplishments 33 during the year and making recommendations for the adoption of measures that will

34 upgrade and improve the conditions affecting the practice of the nursing profession.

1	Sec. 13. Removal or Suspension of Board Members The President may remove			
2	or suspend any member of the Board, after due process, on the following grounds:			
3	(a) Continued neglect of duty or incompetence;			
4	(b) Commission or toleration of irregularities in the PNLE; and,			
5	(c) Unprofessional, immoral or dishonorable conduct.			
6				
7	ARTICLE III			
8 9	Examination and Registration			
10	Sec. 14. Philippine Nurse Licensure Examination (PNLE). – In order to obtain a			
11	certificate of registration, professional license, and professional identification card, all			
12	nursing graduates must take and pass the PNLE. The Board shall administer the			
13	PNLE in such place and date as designated by the Commission: <i>Provided</i> , That no			
14	nursing educational institution may withhold any requirement or documents, or both,			
15	of any nursing graduate for the purpose of preventing them to apply for the PNLE. All			
16	nursing educational institution must ensure that their nursing graduates will take the			
17	nearest scheduled PNLE after graduation. Any delay in taking the PNLE must be			
18	accordingly justified by the President, Registrar or Dean of the educational institution			
19	through a public instrument.			
20				
21	Sec. 15. Scope of Examination The Board shall determine the scope of the PNLE			
22	by taking into consideration the nursing core competencies, the nursing curriculum,			
23	the scope and areas of nursing practice, and other related disciplines.			
24				
25	Sec. 16. Qualifications for Admission to the PNLE In order to be admitted to the			
26	PNLE, an applicant:			
27	(a) Must be a holder of a Bachelor of Science in Nursing degree from a			
28	recognized educational institution that complies with the standards of			
2 9	nursing education duly recognized by CHED;			
30	(b) Must be of good moral character and have not been convicted, by final			
31	judgment, of any criminal offense involving moral turpitude or guilty of			
32	immoral or dishonorable conduct, or any person declared by the court to			

be of unsound mind; and,

(c) Must be a citizen of the Philippines, or a citizen or subject of a country
which permits Filipino nurses to practice within its territorial limits on the
same basis as the subject or citizen of such country; *Provided*, That the
requirements for the registration or licensing of nurses in said countries are
substantially the same as those prescribed in this Act.

Sec. 17. Fees for Examination and Registration. - Applicants for licensure and for
registration must pay the prescribed fees set by the Commission.

9 Sec. 18. Ratings. - In order to pass the PNLE, an examinee must obtain at least 10 seventy-five percent (75%) of tested areas of all competencies. An examinee who has 11 failed the PNLE three (3) times shall not be allowed to take any further PNLE, 12 without having undertaken a refresher program in a duly accredited institution. The 13 board shall issue guidelines on the refresher program requirement.

14

15 Sec. 19. Issuance of Certificate of Registration, Professional License and 16 Professional Identification Card. – A certificate of registration and professional 17 license shall be issued to all successful examinees, subject to Section 14 of this 18 Article. A certificate of registration and professional license shall show the full name 19 of the registrant, the signature of the Chairperson of the Commission, and the 20 members of the Board. The certificate shall bear the logo of the Board and the official 21 seal of the Commission.

The Commission shall likewise issue the professional identification card. The card must bear the following: full name of the registrant nurse, the serial number, the date of issuance and expiration, the signature of the Chairperson of the Commission; date of registration.

26

Sec. 20. Oath of Profession. - All successful examinees must take an oath of
profession before the Board or any government official authorized to administer oaths
prior to entering upon the nursing practice.

30

31 Sec. 21. Roster of Nurses. - The Commission shall maintain a roster of nurses 32 pursuant to the PRC Automated System. The Roster of Nurses shall serve as the 33 centralized database for nursing professionals for purposes of documentation,

- 1 verification of registrants, statistics, research, and development.
- 2

Sec. 22. Integration of the Nursing Profession. - The nursing profession shall be 3 integrated into one (1) national professional organization of nurses that is duly 4 registered with the Securities And Exchange Commission (SEC). The board, subject 5 6 to approval by the commission, shall accredit the said organization as the one and only Accredited Integrated Professional Organization (AIPO) of registered nurses. All 7 nurses whose names appear in the Registry Book of Nurses shall ipso facto or 8 9 automatically become members thereof and shall receive all the benefits and privileges appurtenant thereto upon payment of AIPO membership fees and dues. 10

11

Membership in the Accredited Integrated Professional Organization (AIPO) shall not
be a bar to membership in other nursing organizations.

14

Sec 23. – Foreign Reciprocity. No foreign nurse shall be given a certificate of registration/professional license and professional identification card or be entitled to any of the privileges under this act unless the country or state of which the foreign nurses is a subject or citizen permits Filipino nurses to practice within its territorial limits on the same basis as the subjects or citizens of said country or state.

Sec. 24. Practice through Special or Temporary Permit. – The Board may issue a
 special or temporary permit to the following persons based on qualification, and
 professional and moral standards as approved by the Commission: *Provided*, that a
 completion report will be submitted to the Commission after every mission, to wit:

- 24
- (a) Licensed nurses from foreign countries whose services are either for a fee or
 free if they are internationally well-known specialists or outstanding experts in
 any branch or specialty of nursing;
- (b) Licensed nurses from foreign countries on medical mission whose services
 shall be free in a particular hospital, center or clinic;
- 30 (c) Licensed nurses from foreign countries who are engaged by
 31 colleges/universities offering the nursing program as exchange professors in a
 32 branch or specialty of nursing; and,
- 33 (d) Licensed nurses from foreign countries who come to aid during declared

- disasters and calamities.
- 2

3 The special or temporary permit shall be effective only for the duration of the project,
4 medical mission or engagement contract.

5

6 Sec. 25. Non-registration and Non-issuance of Certificate of Registration, 7 Professional License, Professional Identification Card, Special Permit or 8 Temporary Permit. – No person convicted by final judgment of any criminal offense 9 involving moral turpitude or any person guilty of immoral or dishonorable conduct or 10 any person declared by the court to be of unsound mind may be registered and issued 11 a certificate of registration, professional license, professional identification card, or a 12 special or temporary permit.

13

14 The Board shall furnish the applicant a written statement setting forth the reasons for 15 the actions, which shall be incorporated in the records of the Board.

16

Sec. 26. Revocation and Suspension of Certificate of Registration, Professional License, and Professional Identification Card and Cancellation of Special or Temporary Permit. – The Board shall have the power to revoke or suspend the certificate of registration, professional license, professional identification card, or cancel the special or temporary permit of a nurse upon any of the following grounds:

- 22
- (a) Conviction, by final judgment, of any criminal offense involving moral
 turpitude or guilty of immoral or dishonorable conduct or any person
 declared by the court to be of unsound mind;
- 26 (b) Violation of this Act, its policies, rules and regulations, and of the
 27 Philippine Code of Ethics for Nurses;
- (c) Gross negligence, grave misconduct, ignorance, and incompetence in the
 nursing practice;
- 30 (d) Fraud, concealment, misrepresentation, or false statements in obtaining a
 31 certificate of registration, professional license, professional identification
 32 card, special permit or temporary permit
- 33 (e) Practice of the nursing profession pending suspension of license.

1 The suspension of the certificate of registration, professional license, and professional

2 identification card, shall be for a period not to exceed four (4) years.

3

4

Sec. 27. Reinstatement and Re-Issuance of Revoked Certificates of Registration,

Professional License, and Professional Identification Card. – The Board may, after the expiration of a maximum of four (4) years from the date of revocation of a certificate of registration, professional license, and professional identification card, for reasons of equity and justice, and when the cause for revocation has disappeared or has been cured and corrected, upon proper application thereof and the payment of the required fees, reinstate and re-issue the certificate of registration, professional license, and professional identification card.

- 12
- 13

14 15

ARTICLE IV

Nursing Practice

Sec. 28. Nursing Practice. – The administration of nursing care through the utilization of the nursing process: assessment, nursing diagnosis, planning, implementation, and evaluation. Nursing practice encompasses various stages of development towards the promotion of health, prevention of illness, health care techniques and procedures, restoration of health, alleviation of suffering, and end-oflife care, may it be performed independently or collaboratively.

22

Sec. 29. Scope of Nursing Practice. – The following are the scope of nursing
practice: (1) nursing education; (2) nursing service; (3) nursing research; and, (4)
nursing leadership and governance.

26

Sec. 30. Nursing Care. – Nursing Care includes, but is not limited to: the provision
of physiological, psychological, spiritual, social and emotional care; essential health
care, safety and comfort measures, health teachings; executing health care techniques
and procedures; and, traditional and innovative approaches to individuals, families,
population groups and communities from conception to death.

A nurse shall be deemed to be practicing nursing when he or she, for a fee, salary or
 compensation, singly or collaboratively, performs nursing care to individuals,
 families, population groups, and communities.

Sec. 31. Roles, Responsibilities, and Competencies of a Nurse. - A nurse shall 1 2 possess and exercise the core competencies in the performance of the roles and responsibilities, in accordance with the standards set by the Board. 3 4 SEC. 32. Continuing Professional Development (CPD). - All nurses shall abide by 5 the requirements, rules and regulation on continuing professional development to be 6 promulgated by the PRC Regulatory Board, subject to the approval of the 7 commission, in coordination with the AIPO for nurses or any duly accredited 8 education institutions. For the purpose, a CPD council is hereby created to implement 9 the CPD program. 10 11 Sec. 33. Requirement for Inactive Nurses Returning to Practice. - Nurses are 12 13 deemed to be inactive when: (a) They are not utilizing nursing competencies as defined in the scope of nursing 14 practice for five (5) consecutive years; 15 (b) They have not renewed their professional identification card for five (5) years; and 16 (c) They do not have proof of five (5) years of continuous nursing practice. 17 18 19 Inactive nurses are required to undergo one (1) month didactic training and three (3) months practicum in hospitals accredited by the Board. 20 21 22 ARTICLE V 23 **Nursing Education** 24 25 Sec. 34. Nursing Education. - Refers to the formal learning and training in the 26 science and art of nursing provided by higher educational institutions duly recognized 27 by the CHED. 28 29 There shall be a standard of Basic and Graduate Program for Nursing Education 30 which must be pursuant to the CHED Law (RA 7722). 31 32 33 Sec. 35. Basic Program for Nursing Education. - Refers to the nursing education program which envisions providing sound liberal and professional education and 34 13 1 equips basic nursing students with the necessary competencies for entry - level safe

2 and quality nursing practice.

- 3
- Admission to the Basic Program for Nursing Education requires passing a National
 Nursing Admission Test (NNAT).
- The curriculum and the Related Learning Experiences (RLE) must be in accordance
 with the National Nursing Core Competency Standards promulgated by the Board and
- 8 implemented through the Policies, Standards, and Guidelines of the CHED.
- 9

10 Sec. 36. Graduate Program for Nursing Education. – Refers to the post 11 baccalaureate nursing program, which builds on the experiences and skills of a nurse 12 towards mastery, expertise, and leadership in practice, research, and education. It 13 includes a master's degree and doctorate degree in nursing founded on the 14 philosophies, and the scientific body of knowledge and practice.

15

Graduate Program for Nursing Education shall be offered only in higher educational
institutions as prescribed by the prevailing CHED Policies, Standards and Guidelines
for Graduate Education.

19

Sec. 37. Qualifications of the Dean. - The Dean of the College of Nursing (Dean)
shall formulate policies, plans in collaboration with the administration/ school
officials and stakeholders. The Dean must adhere to the prescribed curriculum for the
advancement of nursing education.

24

25 The Dean:

- (a) Must be a holder of a certificate of registration and a current professional
 identification card issued by the Commission;
- (b) Must have the appropriate certificate of nursing proficiency, or its equivalent,
 to be issued by the PRBON;
- 31 (c) Must be a holder of a master's degree in nursing, conferred by a university
 32 duly recognized by the Government of the Republic of the Philippines;
- 33 (d) Must have at least five (5) years of experience in teaching and supervision in
 34 Nursing Education; and

(e) Must have at least three (3) years clinical experience in a general nursing
 service.

Sec. 38. Qualifications of the Faculty. -3 (1) Basic Program for Nursing Education. - A member of the faculty in a College of 4 Nursing teaching professional courses: 5 (a) Must be a registered nurse in the Philippines and holder of a certificate of 6 registration and a current professional identification card issued by the 7 Commission; 8 9 (b) Must have at least three (3) years of mursing practice; (c) Must be a holder of a master's degree in nursing, conferred by a university 10 duly recognized by the Government of the Republic of the Philippines; and 11 (d) Must have the appropriate certificate of nursing proficiency, or its 12 equivalent, to be issued by the PRBON. 13 (2) Graduate Program for Nursing Education. - A member of the faculty teaching 14 graduate professional courses: 15 (a) Must follow prescriptions 1 and 2 of basic nursing education; and 16 (b) Must be a holder of a doctoral degree in nursing conferred by a university 17 duly recognized by the Government of the Republic of the Philippines. 18 Sec. 39. Faculty-to-Student Ratio. - The faculty-to-student ratio must be in 19 20 accordance with the standard to be determined and prescribed by the CHED. 21 22 **ARTICLE VI** 23 **Nursing Service** 24 Sec. 40. Nursing Service. - Nursing Service is the promotion of health and 25 26 prevention of illness which includes, but not limited to, nursing care provided by a nurse, either independently or collaboratively, to any individual, family or group in 27 various health care settings. 28 29

Nursing Service shall include the following functions: (1) Provide health education to 1 individuals, families and communities; (2) Ensure that information on healthy 2 lifestyle are incorporated in his or her health teachings; (3) Seek opportunities to 3 promote a healthy lifestyle within his or her influence; (4) Accept that he or she is a 4 role model for a healthy lifestyle; (5) Enable people to increase control over their 5 health and to improve health; (6) Build healthy public policy; (7) Create supportive 6 7 environment; (8) Strengthen community action for health; and, (9) Establish linkages with community resources and coordination of services with the health team. 8

9

Sec. 41. Nursing Interventions. - Nursing interventions include, but is not limited to: 10 11 any or combination of essential primary health care, the application of traditional and innovative approaches, health counseling, and administration of written prescription 12 for treatment, therapies, oral, topical, and parenteral medications, perform peripartal 13 care covering pre-intra-postpartum care including the performance of internal 14 15 examination during labor in the absence of antenatal bleeding, attend to normal delivery and suturing of perineal laceration and immediate care of the newborn; 16 perform perioperative care covering pre-intra-post surgical care interventions; care 17 during emergency and disaster. 18

19

20 Sec. 42. Health Interventions in Collaboration with Other Members of the

Health Team. - In the various stages of nursing practice from promotion of health to
end-of-life care, Nurses shall collaborate with other members of the health team.

23

Sec. 43. Advanced Practice Nursing. – Advance Practice Nursing is the specialized and expanded nursing care pursuant to Sec. 46 hereof. Advanced Practice Nursing involves specialty training, through an Advanced Practice Nursing Program formulated by the concerned agencies with certification to be issued by the Board after passing the qualifying examination. A Registered Nurse (RN) who seeks to be an Advance Practice Nurse (APN) must have a master's degree in Nursing.

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ARTICLE VII

Nursing Research, Policy Development, and Planning

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Sec. 44. Nursing Research and Policy Development. – Nursing Research and Policy
 Development shall involve study and pursuit of murse related issues encompassing the

- 1 following areas:
- (a) Professional nursing practice such as advancing nursing knowledge to ensure
 quality nursing care for all and advocacy for sound health policies globally.
- 4 (b) Nursing regulation on credentialing, code of ethics, standards and competencies.
- (c) Socio-economic welfare for nurses like occupational health and safety, human
 resources planning and policy, remuneration, career development.
- 7

8 Sec. 45. Studies for Nursing Human Resource Needs, Production, Utilization and 9 Development. – The Board, in coordination with the accredited integrated 10 professional organization of registered nurses and the appropriate government or 11 private agencies shall initiate, undertake and conduct studies on healthcare human 12 resources production, utilization and development.

Sec. 46. Advanced Practice Nursing Program. - Within ninety (90) days from the 13 effectivity of this Act, the Board in coordination with the accredited integrated 14 professional organization of registered nurses, recognized specialty organizations, and 15 the Department of Health (DOH) is hereby mandated to formulate and develop an 16 Advanced Practice Nursing Program that would upgrade the level of skill and 17 competence of specialty nurse clinicians in the country, such as, but not limited to, the 18 areas of critical care, oncology, renal and such other areas as may be determined by 19 the Board: Provided, that the beneficiaries of this program are obliged to serve in any 20 Philippine hospital for a period of at least two (2) years continuous service. 21

22

Sec. 47. Salary. – The minimum base pay of nurses working in governmental health institutions, upon entry, shall not be lower than Salary Grade 15 (SG-15). This is to enhance the general welfare, commitment to service, and professionalism of nurses. In non – governmental and/or private health institutions, the minimum base pay for the nurses upon entry shall be equivalent to that of Salary Grade "15" in public hospitals and institutions.

29

30 Sec. 48. Incentives and Benefits. – The Board, in coordination with the DOH, other 31 concerned government and non-government institutions, association of hospitals and 32 the AIPO for registered nurses, shall establish an incentive and benefit system in the 33 form of free hospital care for nurses and their dependents, scholarship grants and 17

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ARTICLE VIII

Nursing Leadership and Governance

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Sec. 49. Nursing Leadership. - Nursing is a dynamic field that requires leaders who 5 will go through the changing aspects of the health sector as they are part of the 6 workforce that will toil and labor for the improvement of the health of the citizenry. 7 8 Nurses adopt specific roles in organizational structure, from being the policy makers 9 in health facilities and giving guidance to senior management on best practices in nursing and patient care. They work with healthcare leaders to establish compensation 10 and benefit programs and are involved in nurse recruitment, training and retention. 11 Thus, nurses in management positions shall develop patient-care programs, manage 12 13 nursing budgets, plan new patient services, establish nursing policies and procedures, 14 participate in cross-departmental decision making, conduct performance improvement 15 activities and represents the scope of nursing practices at Board of director meetings and other stakeholder. 16

17

Sec. 50. Nursing Governance. – Governance in nursing practice is shifting from the traditional view that nurses are subordinate and passive employees towards having more proactive involvement of taking charge of the organization to be the antecedent in decision making and implementation of plans and policies for the patients and communities. Governance in the practice of nursing shall empower each nurse in decision-making over their professional practice while extending their power and control over the administrative aspect of their practice.

ARTICLE IX

Nursing Personnel System

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Sec. 51. Nursing Personnel System. – The nursing personnel system covers the
following fields: nursing service administration in the hospital setting, community
health practice, and the academe.

There shall be a nursing service office in every health institution, may it be administrative or clinical, with at least ten nurses. The nursing service office must be under the control and management of a chief nursing officer. Sec. 52. Ratio. – The ratio of a staff nurse to a patient in a general nursing service or general ward of a hospital shall be set at at least 1:12, in order to effectuate the quality nursing care for patients. There shall be a nurse for every barangay and industrial establishment: *Provided*, that the nurse shall supervise other health workers in the work area.

6

7 There shall be a nurse for every school, whether private or public, primary, secondary
8 or tertiary, subject to the applicable ratio prescribed by the appropriate government
9 agency.

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Sec. 53. Beginning Registered Nurse. – A beginning registered nurse shall provide for safe and quality care to an individual, family, or group that is independent or provided as part of a team. The nurse must be able to assess, plan, implement, and evaluate the care provided to clients based on evidence derived from research.

15

16 A beginning registered nurse must have the following minimum qualifications:

- (1) Must be a Bachelor of Science in Nursing graduate from a higher educational
 institution recognized by the CHED;
- (2) Must be a registered nurse with current certificate of registration and
 professional identification card issued by the Commission;
- 21 (3) Must be physically, mentally and psychologically fit to practice nursing; and
- 22 (4) Must not be convicted of any crime involving moral turpitude.
- 23

Sec. 54. Nursing Service Management. – Nursing Service Management refers to the
 Management and Administration of Nursing Services by Nurses equipped with the
 necessary competencies on governance and leadership, to wit:

- 27
- (1) First Level Manager, is responsible directly for the physical set-up of the unit,
 structure and other human resources for health care provision.
- 30 (2) *Middle Level Manager*, is responsible for the department or section handling more
 31 than one (1) or two (2) units, taking care of the financial, logistic, operational
 32 functions and others.

(3) Top Level Manager, oversees all nursing units in terms of financial and human
 resources for health such as nurses and nursing assistants/ adjuncts.

Nursing Service Managers must have the following minimum qualifications in
addition to the requirements of a Beginning Registered Nurse:

5

6 (a) For first level managerial position in mursing, must have at least eighteen (18)
7 units of nursing management and clinical subjects in Master of Arts in Nursing or
8 Master of Science in Nursing, at least three (3) years of clinical work experience,
9 and must have participated in at least one (1) research project to improve quality
10 of care;

(b) For middle level managerial position in mursing, must have completed all
academic requirements in Master of Arts in Nursing or Master of Science in
Nursing and must have at least three (3) years of clinical work and two (2) years
of management experience, and must have initiated at least one (1) research
project to improve quality of care;

(c) For top level managerial position in mursing, must have a post-graduate degree in
 nursing or health management – related sciences and at least three (3) years of
 clinical work and three (3) years of management experience, and must have
 initiated at least two (2) research projects to improve quality of care; and

(d) For all managerial positions – Must present the appropriate Certificate of Nursing
 Proficiency, or its equivalent, from the Board in observance of the Nursing
 Leadership and Governance Certification Program (Nurse Administrator I, Nurse
 Administrator II, Nursing Administration Specialist).

The above qualifications shall apply to all murses occupying supervisory or
 managerial positions across all health facilities.

Sec. 55. Public Health Practice. – A nursing service shall be organized and operationalized in every local health agencies in order to ensure the nursing component of public health programs. Thus, an ideal of having at least one (1) nurse in every barangay shall be the thrust of public health in order to provide accessible, available, and affordable quality health care to all. More so, the ideal of having at least one (1) nurse in every school, whether private or public, shall be prioritized in every primary, secondary and tertiary educational institution in order to instill health 1 awareness at an early stage and to improve the health status of the students.

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Sec. 56. The Chief Nursing Officer (CNO). - The mursing service and delivery of 3 healthcare in a public health practice or community set-up must be under the control 4 and management of the Chief Nursing Officer or CNO. The CNO shall carry full 5 6 administrative responsibility and shall have the authority on planning, organizing, 7 directing, and controlling of public health nurses. A CNO must have a minimum of three (3) years practice in a community setting as a Public Health Nurse, and must 8 9 have at least five (5) years experience in relevant nursing practice setting. In addition, the CNO in public health agency must be a master's degree holder in relevant nursing 10 practice setting, conferred by an educational institution duly recognized by the 11 Government of the Philippines. 12

13

The CNO is responsible for the formulation of policies, strategic and operational planning, financial plan and resource allocation, policies and procedure development, professional and organizational involvement to address epidemiologic problems and provide statistical data, and shall exercise good governance and accountability of the nursing personnel in a public health setting. The CNO shall also act as the advocate for the rights and welfare of public health nurses.

20

Sec. 57. Nurse Supervisor (NS). – The Nurse Supervisor or NS shall be in charge of
planning, organizing, directing and controlling activities within a demographic unit. A
NS must have a minimum of three (3) years practice in a community setting as a
Public Health Nurse, and must be a master's degree holder in Public Health Nursing
or its equivalent.

26

Sec. 58. The Public Health Nurse (PHN). – The Public Health Nurse or PHN shall perform the functions and activities of health promotion, such as the prevention and treatment of various diseases and illnesses, in a particular public setting. The PHN shall exercise a supervisory role to the midwives and barangay health workers within her area. The PHN shall initiate and participate in developing policies and guidelines to promote basic nursing services.

1	ARTICLE X
2	Prohibited Acts and Penal
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4	Sec. 59. Prohibited Acts Any of the following shall constitute unlawful and illegal
5	acts:
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7	(a) Any person who is practicing the nursing profession in the Philippines:
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9	1. Without a certificate of registration, professional license, professional
10	identification card, special permit or temporary permit or without
11	having been declared exempt from examination in accordance with the
12	provision of this Act;
13	2. Who uses a certificate of registration, professional license, professional
14	identification card, special permit or temporary permit of another;
7.4	Mentilication card, special permit of temporary permit of another,
15	3. Who uses an invalid certificate of registration, professional license, a
16	suspended or revoked certificate of registration, professional license, or
17	an expired or cancelled special or temporary permits;
18	4. Who, by any means of misrepresentation, false evidence, or
19	concealment, obtained a certificate of registration, professional license,
20	professional identification card, special permit or temporary permit;
21	5. Who falsely poses or advertises as a registered and licensed nurse or
22	uses any other means that tend to convey the impression that he/she is
23	a registered and licensed nurse;
24	6. Who appends "Nurse", "Nars", or "Nrs." before his or her name or
25	B.S.N./R.N. (Bachelor of Science in Nursing/Registered Nurse) after
26	his or her name without having been conferred said degree or
27	registration; or
70	7 Who are a resistant and licensed some shots as equints to the illegal
28	7. Who, as a registered and licensed nurse, abets or assists to the illegal
29	practice of a person who is not lawfully qualified to practice nursing;
30	(b) Any natural or juridical person, educational institutions offering BSN without
31	full compliance with the requirements prescribed by law conducts Continuing

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- Professional Development for nurses without accreditation from the Board; or
 any natural or juridical person or health facility who undertakes or offers *inservice* training programs, for a fee and without permit/clearance from the
 Board and the Commission;
- 5 (c) Any natural or juridical person or health facility who subscribes to substandard quality of nursing care and/or nursing practice, such as noncompliance with the nurse-to-patient ratio;
- 8 (d) Any natural or juridical person or health facility who exercises and promotes
 9 precarious working conditions to nurses, such as, but not limited to, the
 10 following:
- Contracting or availing of the services of a nurse either without salary,
 for allowance, for salary below the applicable wage prescribed under
 this Act, whether or not under the pretext of a training, development
 program, certification course and /or seminar;
- Depriving or denying a nurse of the incentives and benefits as provided
 for by the existing laws;
- 17 3. Collecting any fees from a nurse or from any person or agent in his or
 18 her behalf in exchange for a nurse's voluntary services in a health
 19 facility;
- 4. Requiring or obliging a volunteer nurse to perform the regular work
 functions and/or regular work load expected from a regular staff nurse
 employed by the health facility without proper compensation, to render
 full-time service as a condition for the continued availment of his/her
 volunteer services, and/or to be the sole nurse on duty, except during
 disasters, calamities, public emergencies and war;
- 5. Contracting or availing of the services of a volunteer nurse, under the pretext of On-The-Job Training (OJT), contract of service, and/or job orders, in order to fill-up a vacant position that requires the hiring of a full-time regular employed nurse, or for free in exchange for any type of certification to be issued by the health facility for purposes of the nurse's employment application; or

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- Contracting or availing of the services of a nurse, under the pretext of
 training or certification course, but requiring the nurse to render the
 tasks and responsibilities expected of a regular staff or public health
 nurse, in violation of Section 48 hereof;
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(e) Any violation of the provisions of this Act.

Sec. 60. Sanctions. - A fine of not less than one hundred thousand pesos
(P100,000.00) nor more than three hundred thousand pesos (P300,000.00) or
imprisonment of not less than one (1) year nor more than six (6) years, or both, upon
the discretion of the court, shall be imposed upon violation of any prohibited acts
enumerated in Section 59 (a) hereof.

11

A fine of not less than three hundred thousand pesos (P300,000.00) nor more than five 12 hundred thousand pesos (P500,000.00) and/or imprisonment of not less than one (1) 13 year nor more than six (6) years shall be imposed upon violation of any prohibited 14 acts enumerated in Section 59 (b), (c), (d), and (e) hereof. In addition, suspension or 15 revocation of license to operate the health facility may be issued upon the discretion 16 of the court. In case the violation is committed by a partnership, corporation, 17 association, or any other juridical person, the managing partner, president, director/s, 18 or manager who has committed or consented such violation shall be held directly 19 liable and responsible for the acts, as principal or as co-principal/s with the other 20 participants, if any. 21

22

Sec. 61. Refund and Compensation. – Any nurse found to have been a victim of
Section 59 (d) hereof shall be entitled to a full refund of all fees illegally collected
fees and charges and the payment of unpaid salary, if any which should not be less
than the applicable wage for services rendered.

ARTICLE XI

Miscellaneous

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30 Sec. 62. Implementing Agencies. – The Department of Health (DOH) is hereby 31 designated as the agency tasked with monitoring the compliance with and 32 implementation of the provisions of this Act by public health facilities. The 33 Department of Labor and Employment (DOLE) is designated as the agency tasked with monitoring the compliance with and implementations of the provisions of this Act by private health facilities. The Commission and the Board are designated as the agencies tasked with monitoring the compliance with and implementations of the provisions of this Act by educational institutions, CPD providers and health facilities. The CHED is similarly designated as the agency tasked with monitoring the compliance with and implementations of the provisions of this Act by educational institutions of the provisions of this Act by educational institutions with regard to nursing education programs and curriculum.

8

9 Sec. 63. Appropriations. – The amount necessary to carry out the provisions of this 10 Act shall be charged to savings of the concerned agencies immediately upon 11 effectivity hereof. Every year thereafter, the amounts necessary to effectively 12 implement the provisions of this Act shall be included in the annual budget of the 13 concerned agencies to be incorporated in the General Appropriations Act (GAA).

14

15 In order to effectively carry out the advance practice of the nursing program, the annual financial requirement needed to train at least ten percent (10%) of the 16 nursing staff of the participating government hospitals and institutions shall be 17 chargeable against the income of the Philippine Charity Sweepstakes Office (PCSO) 18 19 and the Philippine Amusement And Gaming Corporation (PAGCOR), which shall equally share in the costs; the same shall be released to the Department of Health 20 21 subject to the usual accounting and auditing procedures. Provided, that the 22 Department of Health shall set the budget for, as well as the criteria for the availment 23 of this program.

24

Sec. 64. Implementing Rules and Regulations. - Within ninety days (90) after the 25 effectivity of this Act, the Commission, the Board, the AIPO for registered nurses, the 26 Civil Service Commission, the Department of Budget and Management, the 27 Department of Health and other concerned nursing organizations and government 28 29 agencies, shall formulate the implementing rules and regulations necessary to carryout the provisions of this Act. The implementing rules and regulations shall be 30 published in the Official Gazette or in at least two (2) newspapers of general 31 circulation. 32

33

34 Sec. 65. Separability Clause. – Should any provision of this Act be declared 35 unconstitutional, the remaining parts not affected thereby shall remain valid and

1 operational.

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Sec. 66. Repealing Clause. – Republic Act No. 9173, otherwise known as the
"Philippine Nursing Act of 2002" is hereby repealed. All other laws, decrees, orders,
circulars, issuances, rules and regulations and parts thereof which are
inconsistent with this Act are hereby repealed, amended or modified accordingly.

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8 Sec. 67. Effectivity. - This Act shall take effect fifteen (15) days after its publication

9 in the Official Gazette or in any two (2) newspapers of general circulation in the10 Philippines.

Approved,