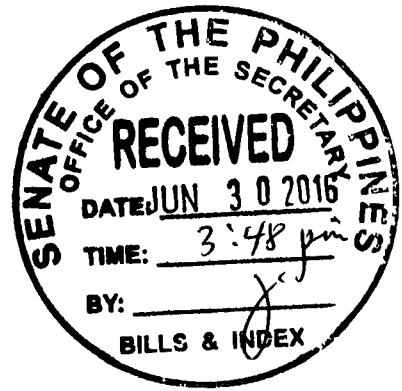


REPUBLIC OF THE PHILIPPINES)
SEVENTEENTH CONGRESS)
First Regular Session)



SENATE

S. No. 99

Introduced by Senator Antonio "Sonny" F. Trillanes IV

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

Professional nurses provide safe, humane, quality and holistic care to individuals of varying age, gender and health status, population groups and community. They do duties in the hospitals they preferred in an irregular time.

As of 15 June 2015, there are 869,612 registered nurses in the Philippines. A total of 71,289 or 8% of them are working abroad for better pay. Meanwhile, the remaining 92% are working here in the Philippines and receiving meager salaries. For hospital nurses, entry-level employment provides them with P17, 255.00 a month (SG-10). Meanwhile, for nurses working under the local government units, they receive a daily wage ranging from P191.00 to P295.00. Worse, they are not given benefits such as Pag-Ibig, PhilHealth, etc. because their type of employment is labeled as having 'no employer-employee relationship'. These amounts are not commensurate to the level of work that they do. This is one of the reasons why many of our nurses prefer to work abroad to provide for their families. Although, nurses are included in the salary increase under Executive Order No. 201, s. 2016, it is still not enough to cover for the everyday expenses as the cost of basic necessities are also increasing year after year.

Hence, this bill seeks to institutionalize the minimum base pay for nurses of not lower than Salary Grade 15 (SG 15) or its equivalent, including other incentives and benefits for entry level positions in government and private health institutions. Also, it seeks to strengthen the regulation of the nursing profession through empowering the Board of Nursing, allowing for the continuing education of nurse through open nursing education programs and a Code of Ethics and National Career Progression Program, adjudicating of administrative complaints against registered and licensed nurses, and through recognition, accreditation and certification of Advanced Nursing Practice, among others.

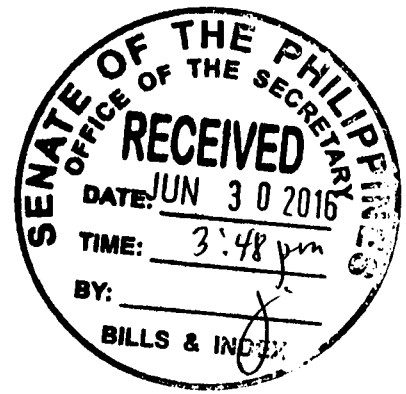
This measure was approved on 3rd Reading by both the Senate and the House of Representatives during the 16th Congress.

In view of the foregoing, the immediate approval of this bill is earnestly sought.


ANTONIO "SONNY" F. TRILLANES IV
Senator

REPUBLIC OF THE PHILIPPINES)
SEVENTEENTH CONGRESS)
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SENATE
S. No. 99



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

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

ARTICLE I
GENERAL PROVISIONS

SECTION 1. *Title.* – This Act shall be known as the “Comprehensive Nursing Law
of 2016.”

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.

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

SEC. 3. *Definition of Terms.* – The following terms when used in this act shall mean:

a) *Accredited Professional Organization (APO)* refers to a professional organization
of nurses duly accredited by the Professional Regulation Commission as per
Republic Act No. 8981.

b) *Advanced Practice Nurse (APN)* refers to a nurse who acquired substantial
theoretical knowledge and decision making skills in the specialty area of nursing
practice and proficient clinical utilization of this knowledge in implementing
independent and inter-dependent nursing interventions. Specialties can be
differentiated in categories, according to function, disease, pathology, systems,
age, sex, acuity, setting, technology, and therapies. They must be given
certification/credentialing by the Board. An APN must be a master’s degree
holder in nursing.

- 1 c) *Bachelor of Science in Nursing (BSN)* refers to the basic program for nursing
2 education.
3
- 4 d) *Certification/Credentialing* refers to the process undertaken by an individual nurse
5 to be recognized to practice in a specifically defined professional tract i.e. General
6 Nursing, Nursing Specialty/Advanced Practice, Nursing Education, and
7 Leadership and Governance. The Board confers the certification or credential after
8 a validation process based on promulgated guidelines and mechanisms.
9
- 10 e) *Commission on Higher Education (CHED)* refers to the body created by law to
11 promulgate policies, standards and guidelines in the implementation of basic and
12 graduate program for nursing education.
13
- 14 f) *Health Facility* refers to an institution, establishment, and a clinic that offers
15 health services and nursing care, such as hospitals, barangay health centers, and
16 clinics.
17
- 18 g) *Nurse*, as provided for in this Act, refers to a person who passed the Philippine
19 Nurse Licensure Exams (PNLE) and whose license has not been revoked by the
20 law. This, it pertains to a Registered Nurse (RN). A nurse may append before
21 his/her name the title "Nurse", "Nars", or "Nrs." Or after his/her name the title
22 R.N.
23
- 24 h) *Nursing Personnel System (NPS)* refers to a system of human resource
25 management in an institution that classifies the structure, organization, and
26 coordination within the workforce both in private and public health care facilities
27 and nursing education institutions to advance the welfare and protect the rights of
28 the nurses and to ensure the employer-employee relationship, security of tenure,
29 just compensation, humane conditions of work, and professional growth.
30
- 31 i) *Philippine Nurse Licensure Exam (PNLE)* refers to the written examination given
32 by the Board in order to obtain license to practice nursing.
33
- 34 j) *Precarious Work* is the term used to describe substandard employment conditions,
35 such as under-payment, absence of salary, no security of tenure, lack of
36 employer-employee relationship, no benefits, poor working conditions; and,
37 deviation from the standard employment relationships, such as contractual, false
38 volunteerism, job orders thru agencies, part time, self-employment, fixed term
39 work, temporary, on call, home workers, call center jobs, few benefits, lack of
40 collective bargaining representation, and no job security.
41
- 42 k) *Professional Regulation Commission (PRC)* refers to the government agency
43 pursuant to Republic Act No. 8981 or as may hereafter be amended or repealed. It
44 shall be referred to in this law as the Commission.
45
- 46 l) *Professional Regulatory Board of Nursing (PRBON)* refers to the administrative
47 body created by law to supervise and regulate the practice of the nursing
48 profession in the Philippines. It shall be referred to in this law as the Board.
49

1 m) *Public Health Institution (PHI)* refers to any government-led, owned or controlled
2 institutions which pursues and realized the lofty goals and objectives of providing
3 and managing safe, efficient, effective and quality public health programs and
4 services and advocacies for health, in all levels of the Health Care Delivery
5 System (HCDS – national to local) which include among others: Rural Health
6 Units (RHUs/ Barangay Health Centers); Research Facilities e.g. Research
7 Institute for Tropical Medicine, etc.; Training Resource Facilities e.g. the U.P.
8 College of Public Health and State or Local Colleges or Universities offering
9 Health-Related Programs; the Department of Health and all retained Health
10 Facilities, and the like.

11
12 n) *Special Permit* refers to the permit to practice nursing in the Philippines issued by
13 the Board to licensed nurses of foreign nationalities.

14
15 o) *Temporary Permit* refers to the permit to practice nursing in the Philippines issued
16 by the Board to Filipino nurses, who does not have a professional license from the
17 Philippines or have not renewed their license for five (5) years, but are licensed
18 from foreign countries.

19
20 **ARTICLE II**
21 **BOARD OF NURSING**
22

23 **SEC. 4. *Creation and Composition of the Board.*** – There shall be created a
24 Professional Regulatory Board of Nursing composed of seven (7) members who shall elect
25 among themselves a Chairperson to serve for one (1) term, without re-election. The President
26 of the Republic of the Philippines shall appoint the members of the Board from among those
27 recommended by the Commission and ranked from a list of three (3) nominee, per vacancy,
28 of the credited integrated professional organization of nurses in the Philippines and who
29 possess the qualifications in this Act: *Provided*, that the membership of the Board shall
30 comprise the scope of nursing practice.

31
32 **SEC. 5. *Qualifications of the Members of the Board.*** – The members of the Board
33 must possess the following qualifications:

34
35 a) Must be a natural born citizen and resident of the Philippines for the past five (5)
36 consecutive years;

37
38 b) Must be a Nurse in the Philippines and a holder of a valid and updated certificate
39 of registration and a current professional identification card;

40
41 c) Must be a holder of a master's degree in nursing and preferably with a doctorate
42 degree conferred by a university duly recognized by the government;

43
44 d) Must have at least ten (10) years of continuous practice of the nursing profession
45 prior to appointment: *Provided, however*, That the last five (5) years of which
46 must be in the Philippines; and

47
48 e) Must be of good moral character and has not been convicted of any offense
49 involving moral turpitude.
50

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

5
6 **SEC. 7. Term of Office.** – The members of the Board shall hold office for a term of
7 three (3) years. Any member of the Board may serve for two (2) terms or a maximum of six
8 (6) years.

9
10 **SEC. 8. Vacancy.** – Any vacancy in the Board must be filled in the manner prescribed
11 in this Act and only for the unexpired portion of the term. Each member of the Board shall
12 take the proper oath of office prior to the performance of duties.

13
14 **SEC. 9. Compensation.** – The members of the Board shall receive compensation and
15 allowances comparable to the compensation and allowances received by the members of
16 other regulatory boards.

17
18 **SEC. 10. Administrative Supervision of the Board, Custodian of its Records,**
19 **Secretariat and Support Services.** – The Board shall be under the administrative supervision
20 of the Commission. All records of the Board, including applications for examinations,
21 administrative and other investigative cases conducted by the Board must be under the
22 custody of the Commission. The Commission shall designate the Secretary of the Board and
23 shall provide the secretariat and other support services to implement the provisions of this
24 Act.

25
26 **SEC. 11. Powers and Duties of the Board.** – The Board shall supervise and regulate
27 the practice of the nursing profession and shall have the following powers, duties and
28 functions:

- 29
30 a) Ensure the proper conduct of the PNLE, which includes the application, test
31 development, examination, correction and release of results. The use of
32 appropriate technologies and modalities during the conduct of the PNLE is
33 encouraged to enhance efficiency while upholding integrity;
- 34
35 b) Issue, suspend, revoke or reissue certificates of registration for the practice of
36 nursing and ensure the widest publication through electronic and written media;
- 37
38 c) Enforce and monitor safe and quality standards of nursing practice, study the
39 conditions affecting the nursing practice in the Philippines, and exercise the
40 powers necessary to ensure the maintenance of efficient, ethico-moral, technical
41 and professional standards in the practice of nursing towards the optimal health
42 and common good of the nation;
- 43
44 d) Ensure quality nursing education by examining and monitoring higher educational
45 institutions offering and seeking permission to pen nursing education programs
46 and to ensure that standards of nursing education are properly complied with and
47 maintained at all times: *Provided*, That the Board and the CHED shall have joint
48 authority to open and close nursing education programs offered by higher
49 educational institutions;

- 1 e) Conduct hearings and investigations to resolve complaints against actively
2 practicing nurses for unethical and unprofessional conduct and violations of this
3 Act, or its rules and regulations and in connection therewith, issue subpoena *duces*
4 *tecum* and subpoena *ad testificandum* to require the appearance of respondents
5 and witnesses and the production of documents and penalize with contempt
6 persons obstructing, impeding or otherwise interfering with the conduct of such
7 proceedings, upon application with the Board of Nursing;
8
- 9 f) Promulgate a Code of Ethics that is responsive to the needs of the nursing
10 profession in coordination with the APO of nurses within a year from the
11 effectivity of this Act;
12
- 13 g) Prescribe and operationalize, via necessary infrastructures, a National Nursing
14 Career Progression Program to ensure continuing professional development of
15 Filipino nurses, create the Council for Nursing Advancement, Recognition, and
16 Specialization as well as the various Nursing Specialty Boards to assist the Board
17 for this purpose;
18
- 19 h) Ensure performance of mandated duties and functions with the provision of
20 operational resources including human, financial and special resources to ensure
21 the confidentiality and sanctity of their functions as provided through the annual
22 budget of the Commission as promulgated in the General Appropriations Act;
23
- 24 i) Source and utilize funds earmarked for national nursing development; and
25
- 26 j) Prescribe, adopt, issue and promulgate guidelines, regulations, measures and
27 influence authorities and agencies on decision-making as may be necessary for the
28 improvement of nursing practice, advancement of the profession, and for the
29 proper and full enforcement of this Act, subject to review and approval by
30 Commission.
31
- 32 k) Create a council for nursing recognition, accreditation and certification that will
33 assist the Board in:
34
- 35 1. Recognizing organized nursing groups;
 - 36
 - 37 2. Setting standards for advanced nursing practice, education, research, and
38 management;
 - 39
 - 40 3. Accrediting specialty and advanced nursing programs based on established
41 mechanisms;
 - 42
 - 43 4. Credentialing individual registered nurse based on accepted criteria; and
44
 - 45 5. Monitoring and evaluating specialty and advanced nursing practice,
46 education, research and management.
47

1
2 SEC. 17. *Fees for Examination and Registration.* – Applicants for licensure and for
3 registration must pay the prescribed fees set by the Commission.
4

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

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

18 The Commission shall likewise issue the professional identification card. The card
19 must bear the following: full name of the registrant nurse, the serial number, the date of
20 issuance and expiration, the signature of the Chairperson of the commission; date of
21 registration.
22

23 SEC. 20. *Oath of Profession.* – All successful examinees must take an oath of
24 profession before the Board or any government official authorized to administer oaths prior
25 to entering upon the nursing practice.
26

27 SEC. 21. *Roster of Nurses.* –The Commission shall maintain a roster of nurses
28 pursuant to the PRC Automated System. The Roster of Nurses shall serve as the centralized
29 database for nursing professionals for purposes of documentation, verification of registrants,
30 statistics, research, and development.
31

32 SEC. 22. *Accredited Professional Organization (APO).* – All Nurses whose names
33 appear in the Registry Book of Nurses shall automatically become members of the accredited
34 professional organization, thereof and shall receive thereto all the benefits and privileges
35 upon payment of APO membership fees and duties. Membership in other organizations of
36 nurses shall not be barred.
37

38 SEC. 23. *Foreign Reciprocity.* – No foreign nurse shall be given a certificate of
39 registration/professional license and professional identification card or be entitled to any of
40 the privileges under this Act unless the country or state of which the foreign nurses is a
41 subject or citizen permits Filipino nurses to practice within its territorial limits on the same
42 basis as the subjects or citizens of said country or state.
43

44 SEC. 24. *Practice Through Special or Temporary Permit.* – The Board may issue a
45 special or temporary permit to the following persons based on qualification, and professional
46 and moral standards as approved by the Commission: *Provided*, That a completion report will
47 be submitted to the commission after every mission, to wit:
48

- 1 a) Licensed nurses from foreign countries whose services are either for a fee or free
2 if they are internationally well-known specialists or outstanding experts in any
3 branch or specialty or nursing;
4
5 b) Licensed nurses from foreign countries on medical mission whose services shall
6 be free in particular hospital, center or clinic;
7
8 c) Licensed nurses from foreign countries who are engaged by colleges/universities
9 offering the nursing program as exchange professors in a branch or specialty of
10 nursing; and,
11
12 d) Licensed nurses from foreign countries who come to aid during declared disasters
13 and calamities.
14

15 The special or temporary permit shall be effective only for the duration of the project,
16 medical mission or engagement contract.
17

18 *SEC. 25. Non-registration and Non-issuance of Certificate of Registration,*
19 *Professional License, Professional Identification Card, Special Permit or Temporary Permit.*
20 – No person convicted by final judgment of any criminal offense involving moral turpitude or
21 any person guilty of immoral or dishonorable conduct or any person declared by the court to
22 be of unsound mind may be registered and issued a certificate of registration, professional
23 license, professional identification card, or a special or temporary permit.
24

25 The Board shall furnish the applicant a written statement setting forth the reasons for
26 the actions, which shall be incorporated in the records of the Board.
27

28 *SEC. 26. Revocation and Suspension of Certificate of Registration, Professional*
29 *License, and Professional Identification Card and Cancellation of Special or Temporary*
30 *Permit.* – The Board shall have the power to revoke or suspend the certificate of registration,
31 professional license, professional identification card, or cancel the special or temporary
32 permit of a nurse upon any of the following grounds:
33

- 34 a) Conviction, by final judgment, of any criminal offense involving moral turpitude
35 or guilty of immoral or dishonorable conduct or any person declared by the court
36 to be of unsound mind;
37
38 b) Violation of this Act, its policies, rules and regulations, and of the Philippine Code
39 of Ethics for Nurses;
40
41 c) Gross negligence, grave misconduct, ignorance, and incompetence in the nursing
42 practice;
43
44 d) Fraud, concealment, misinterpretation, or false statements in obtaining a
45 certificate of registration, professional license, professional identification card,
46 special permit or temporary permit; and
47
48 e) Practice of the nursing profession pending suspension of license.
49

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

12
13 **ARTICLE IV**
14 **NURSING PRACTICE**
15

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

22
23 *SEC. 29. Scope of Nursing Practice.* – The following are the scope of nursing
24 practice: (1) nursing education; (2) nursing service; (3) nursing research; and, (4) nursing
25 leadership and governance.

26
27 *SEC. 30. Nursing Care.* – Nursing Care includes, but is not limited to: the provision
28 of physiological, psychological, spiritual, social and emotional care; essential health care,
29 safety and comfort measures, health teachings; executing health care techniques and
30 procedures; and, traditional and innovative approaches to individuals, families, population
31 groups and communities from conception to death.

32
33 A nurse shall be deemed to be practicing nursing when he or she, for a free, salary or
34 compensation, singly or collaboratively, performs nursing care to individuals, families,
35 population groups, and communities.

36
37 *SEC. 31. Roles, Responsibilities, and Competencies of A Nurse.* – A nurse shall
38 possess and exercise the core competencies in the performance of the roles and
39 responsibilities, in accordance with the standards set by the Board.

40
41 *SEC. 32. Continuing Professional Development (CPD).* – All nurses abide by the
42 requirements, rules and regulation of continuing professional development to be promulgated
43 by the PRC Regulatory Board, subject to the approval of the commission, in coordination
44 with the APO for nurses or any duly accredited education institutions. For the purpose, a
45 CPD council is hereby created to accredit the CPD program.

46
47 *SEC. 33. Requirement for Inactive Nurses Returning to Practice.* – Nurses deemed to
48 be inactive when:
49

- 1 a) They are not utilizing nursing competencies as defined in the scope of nursing
2 practice for five (5) consecutive years;
3
4 b) They have not renewed their professional identification card for five (5) years; and
5
6 c) They do not have proof of five (5) years of continuous nursing practice
7

8 Inactive nurses are required to undergo one (1) month didactic training and three (3)
9 months practicum in hospitals accredited by the Board.
10

11 **ARTICLE V** 12 **NURSING EDUCATION** 13

14 SEC. 34. *Nursing Education.* – Refers to the formal learning and training in the
15 science and art of nursing provided by higher educational institutions duly recognized by the
16 CHED.
17

18 There shall be a standard of Basic and Graduate Program for Nursing Education
19 which must be pursuant to the CHED Law (RA 7722).
20

21 SEC. 35. *Basic Program for Nursing Education.* – Refers to the nursing education
22 program which envisions providing sound liberal and professional education and equips basic
23 nursing students with the necessary competencies for entry – level safe and quality nursing
24 practice.
25

26 Admission to the Basic Program for Nursing Education requires passing a National
27 Nursing Admission Test (NNAT).
28

29 The curriculum and the Related Learning Experiences (RLE) must be in accordance
30 with the National Nursing Core Competency Standards promulgated by the Board and
31 implemented through the Policies, Standards, and Guidelines of the CHED.
32

33 SEC. 36. *Graduate Program for Nursing Education.* – Refers to the post
34 baccalaureate nursing program, which building on the experiences and skills of a nurse
35 towards mastery, expertise, and leadership in practice, research, and education. It includes a
36 master's degree and doctorate degree in nursing founded on the philosophies, and the
37 scientific body of knowledge and practice.
38

39 Graduate Program for Nursing Education shall be offered only in higher educational
40 institutions as prescribed by the prevailing CHED Policies, Standards and Guidelines for
41 Graduate Education.
42

43 SEC. 37. *Qualifications of the Dean.* – The Dean of the College of Nursing (Dean)
44 shall formulate policies, plans in collaboration with the administration/ school officials and
45 stakeholders. The Dean must adhere to the prescribed curriculum for the advancement of
46 nursing education.
47
48
49

1 The Dean:

- 2
- 3 a) Must be a holder of a certificate of registration and a current professional
4 identification card issues by the Commission;
- 5
- 6 b) Must have the appropriate certificate of nursing proficiency, of its equivalent, to
7 be issued by PRBON;
- 8
- 9 c) Must be a holder of a master's degree in nursing, conferred by a university duly
10 recognized by the Government of the Republic of the Philippines;
- 11
- 12 d) Must have at least five (5) years of experience in teaching and supervision in
13 Nursing Education; and
- 14
- 15 e) Must have at least three (3) years clinical experience in a general nursing service.
16

17 SEC. 38. *Qualifications of the Faculty.* –

- 18
- 19 a) Basic Program for Nursing Education. – A member of the faculty in a College of
20 Nursing teaching professional courses:
- 21
- 22 1. Must be a registered nurse in the Philippines and holder of a certificate of
23 registration and a current professional identification card issues by the
24 Commission;
- 25
- 26 2. Must have at least three (3) years of nursing practice;
- 27
- 28 3. Must be a holder of a master's degree in nursing or related disciplines,
29 conferred by a university duly recognized by the Government of the
30 Republic of the Philippines; and
- 31
- 32 4. Must have the appropriate certificate of nursing proficiency, or its
33 equivalent, to be issued by the PRBON.
- 34
- 35 b) Graduate Program for Nursing Education. – A member of the faculty teaching
36 graduate professional courses:
- 37
- 38 1. Must follow prescriptions (a) and (b) of basic nursing education; and
- 39
- 40 2. Must be a holder of a doctoral degree in nursing conferred by a university
41 duly recognized by the Government of the Republic of the Philippines.
42

43 SEC. 39. *Faculty-to-Student-Ratio.* – The faculty-to-student ratio must be in
44 accordance with the Standard to be determined and prescribed by the CHED.
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**ARTICLE VI
NURSING SERVICE**

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SEC. 40. *Nursing Service.* – Nursing Service is the promotion of health and 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 various health care settings.

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Nursing Service shall include the following functions: (a) Provide health education to individuals, families and communities; (b) Ensure that information on healthy lifestyle are incorporated in his or her health teachings; (c) Seek opportunities to promote a healthy lifestyle within his or her influence; (d) Accept that he or she is a role model for healthy lifestyle; (e) Enable people to increase control over their health and to improve health; (f) Build healthy public policy; (g) Create supportive environment; and (h) Strengthen community resources and coordination of services within the health team.

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SEC. 41. *Nursing Interventions.* – Nursing interventions include, but is not limited to: any or combination of essential primary health care, the application of traditional and innovative approaches, health counseling, and administration of written prescription for treatment, therapies, oral, topical, and parenteral medications, perform peripartal care covering pre-intra-postpartum care including the performance of internal examination during labor in the absence of antenatal bleeding, attend to normal delivery and suturing of perineal laceration and immediate care of the newborn; perform preoperative care covering pre-intra-postoperative care interventions; care during emergency and disaster.

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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.

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SEC. 43. *Advanced Practice Nursing.* – Advance Practice nursing is the specialized and expanded nursing care pursuant to Sec. 46 hereof. Advances Practice Nursing involved 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.

**ARTICLE VII
NURSING RESEARCH, POLICY DEVELOPMENT, AND PLANNING**

SEC. 44. *Nursing Research and Policy Development.* – Nursing Research and Policy Development shall involve study and pursuit or nurse related issues encompassing the following areas:

- 44
45
46
47
48
- a) Professional nursing practice such as advancing nursing knowledge to ensure quality nursing care for all and advocacy for sound health policies globally.
 - b) Nursing regulation on credentialing, dose of ethics, standards and competencies.

1 c) Socio-economic welfare for nurses like occupational health and safety, human
2 resources planning and policy, remuneration, career development.
3

4 SEC. 45. *Studies for Nursing human Resource Needs, Production, Utilization and*
5 *Development.* - The Board, in coordination with the accredited integrated professional
6 organization of registered nurses and the appropriate government or private agencies shall
7 initiate, undertake and conduct studies on healthcare human resources production, utilization
8 and development.
9

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

20 SEC. 47. *Salary.* - The minimum base pay of nurses working in governmental health
21 institutions, upon entry, shall not be lower than Salary Grade 15 (SG-15). This is to enhance
22 the general welfare, commitment to service, and professionalism of nurses. In non-
23 governmental and/or private health institutions, the minimum base pay for the nurses upon
24 entry shall be equivalent to that of Salary Grade "15" in public hospitals and institutions.
25

26 SEC. 48. *Incentives and Benefits.* - The Board, in coordination with the DOH, other
27 concerned government and non-government institutions, association of hospitals and the
28 APO for registered nurses, shall establish an incentive and benefit system in the form of free
29 hospital care for nurses and their dependents, scholarship grants and other non-cash benefits.
30

31 **ARTICLE VIII**
32 **NURSING LEADERSHIP AND GOVERNANCE**
33

34 SEC. 49. *Nursing Leadership.* - Nursing is a dynamic field that requires leaders who
35 will go through the changing aspects of the health sector as they are part of the workforce that
36 will toil and labor for the improvement of the health of the citizenry. Nurses adopt specific
37 roles in organizational structure, from being the policy makers in health facilities and giving
38 guidance to senior management on best practices in nursing and patient care. They work with
39 healthcare leaders to establish compensation and benefit programs and are involved in nurse
40 recruitment, training and retention. Thus, nurses in management positions shall develop
41 patient-care programs, manage nursing budgets, plan new patient services, establish nursing
42 policies and procedures, participate in cross-departmental decision making conduct
43 performance improvement activities and represents the scope of nursing practices at Board of
44 director meetings and other stakeholder.
45

46 SEC. 50. *Nursing Governance.* - Governance on nursing practice is shifting from the
47 traditional view that nurses are subordinate and passive employees towards having more
48 proactive involvement of taking charge of the organization to be antecedent in decision
49 making and implementation of plans and policies for the patients and communities.

1 Governance in the practice of nursing shall empower each nurse in decision-making over
2 their professional practice while extending their power and control over the administrative
3 aspect of their practice.
4

5 **ARTICLE IX**
6 **NURSING PERSONNEL SYSTEM**
7

8 SEC. 51. *Nursing Personnel System.* – The nursing personnel system covers the
9 following fields: nursing service administration in the hospital setting, community health
10 practice, and the academe.
11

12 There shall be a nursing service office in every health institution, may it be
13 administrative or clinical, with at least ten nurses. The nursing service office must be under
14 the control and management of a chief nursing officer.
15

16 SEC. 52. *Ratio.* – The ration of a staff nurse to a patient in a general nursing service
17 or general ward of a hospital shall be set at least 1:12, in order to effectuate the quality
18 nursing care for patients. There shall be a nurse for every barangay and industrial
19 establishment: *Provided*, That the nurse shall supervise other health workers in the work area.
20

21 There shall be a nurse for every school, whether private or public, primary, secondary
22 or tertiary, subject to the applicable ratio prescribed by the appropriate government agency.
23

24 SEC. 53. *Beginning Registered Nurse.* – A beginning registered nurse shall provide
25 for safe and quality care to an individual, family, or group that is independent or provided as
26 part of a team. The nurse must be able to assess, plan, implement, and evaluate the care
27 provided to clients based on evidence derived from research.
28

29 A beginning registered nurse must have the following minimum qualifications:
30

- 31 a) Must be a Bachelor of Science in Nursing graduate from a higher educational
32 institution recognized by the CHED;
- 33
- 34 b) Must be a registered nurse with current certificate of registration and professional
35 identification card issued by the Commission;
- 36
- 37 c) Must be physically, mentally and psychologically fit to practice nursing; and
- 38
- 39 d) Must not be convicted of any crime involving moral turpitude
40

41 SEC. 54. *Nursing Service Management.* – Nursing Service Management refers to the
42 Management and Administration of Nursing Services by Nurses equipped with necessary
43 competencies on governance and leadership, to wit:
44

- 45 a) *First Level Manager*, is responsible directly for the physical set-up of the unit,
46 structure and other human resources for health care provision.
47

1 b) *Middle Level Manager*, is responsible for the department or section handling more
2 than one (1) or two (2) units, taking care of the financial, logistic, operational
3 functions and others.
4

5 c) *Top Level Manager*, oversees all nursing units in terms of financial and human
6 resources for health such as nurses and nursing assistants/ adjuncts.
7

8 Nursing Service Managers must have the following minimum qualifications in
9 addition to the requirement of a Beginning Registered Nurse:
10

- 11 1. *For first level managerial position in nursing*, must have at least eighteen (18)
12 units of nursing management and clinical subjects in Master of Arts in Nursing
13 or Master of Science in Nursing, at least three (3) years of clinical work
14 experience, and must have participated in at least one (1) research project to
15 improve quality of care;
16
- 17 2. *For middle level managerial position in nursing*, must have completed all
18 academic requirements in Master of Arts in Nursing or Master of Science in
19 Nursing and must have at least three (3) years of clinical work and two (2)
20 years of management experience, and must have initiated at least one (1)
21 research project to improve quality of care;
22
- 23 3. *For top level managerial position in nursing*, must have a post-graduate
24 degree in nursing or health management-related sciences and at least three (3)
25 years of clinical work and three (3) years of management experience, and must
26 have initiated at least two (2) research projects to improve quality of care; and
27
- 28 4. *For all managerial positions* – Must present the appropriate Certificate of
29 Nursing Proficiency, or its equivalent, from the Board in observance of the
30 Nursing Leadership and Governance Certification Program (Nurse
31 Administrator I, Nurse Administrator II, Nursing Administrator Specialist)
32

33 The above qualifications shall apply to all nurses occupying supervisory or
34 managerial positions across all health facilities.
35

36 SEC. 55. *Public Health Practice*. – A nursing service shall be organized and
37 operationalized in every local health agencies in order to ensure the nursing component of
38 public health programs. Thus, an ideal of having at least one (1) nurse in every barangay shall
39 be the thrust of public health in order to provide accessible, available, and affordable quality
40 health care to all. More so, the ideal of having at least one (1) nurse in every school, whether
41 private or public, shall be prioritized in every primary, secondary and tertiary educational
42 institution in order to instill health awareness at an early stage and to improve the health
43 status of the students.
44

45 SEC. 56. *The Chief Nursing Officer (CNO)*. – The nursing service and delivery of
46 healthcare in a public health practice or community set-up must be under the control and
47 management of the Chief Nursing Officer of CN. The CNO shall carry full administrative
48 responsibility and shall have the authority on planning, organizing, directing, and controlling
49 of public health nurses. A CNO must have a minimum of three (3) years practice in a

1 community setting as a Public Health Nurse, and must have at least five (5) years experience
2 in relevant nursing practice setting. In addition, the CNO in public health agency must be a
3 master's degree holder in relevant nursing practice setting, conferred by an educational
4 institution duly recognized by the Government of the Philippines.
5

6 The CNO is responsible for the formulation of policies, strategic and operational
7 planning, financial plan and resource allocation, policies and procedure development,
8 professional and organizational involvement to address epidemiologic problems and provide
9 statistical data, and shall exercise good governance and accountability of the nursing
10 personnel in a public health setting. The CNO shall also act as the advocate for the rights and
11 welfare of public health nurses.
12

13 **SEC. 57. Nurse Supervisor (NS).** – The Nurse Supervisor or NS shall be in charge of
14 planning, organizing, directing and controlling activities within a demographic unit. A NS
15 must have a minimum of three (3) years practice in a community setting as a Public Health
16 Nurse, and must be a master's degree holder in Public Health Nursing or its equivalent.
17

18 **SEC. 58. The Public Health Nurse (PHN).** – The Public Health Nurse of PHN shall
19 perform the functions and activities of health promotion, such as the prevention and treatment
20 of various diseases and illnesses, in a particular public setting. The PHN shall exercise a
21 supervisory role to the midwives and barangay health workers within her area. The PHN shall
22 initiate and participate in developing policies and guidelines to promote basic nursing
23 services.
24

25 **ARTICLE X**

26 **PROHIBITED ACTS AND PENAL**

27

28 **SEC. 59. Prohibited Acts.** – Any of the following shall constitute unlawful and illegal
29 acts:

- 30 a) Any person who is practicing the nursing profession in the Philippines:
- 31 1. Without a certificate of registration, professional license, professional
32 identification card, special permit or temporary permit or without having
33 been declared exempt from examination in accordance with the provision
34 of this Act;
35
 - 36 2. Who uses a certificate of registration, professional license, professional
37 identification card, special permit or temporary permit of another;
38
 - 39 3. Who uses an invalid certificate of registration, professional license, a
40 suspended or revoked certificate of registration, professional license, or an
41 expired or cancelled special or temporary permits;
42
 - 43 4. Who, by any means of misrepresentation, false evidence, or concealment,
44 obtained a certificate of registration, professional license, professional
45 identification card, special permit or temporary permit;
46
 - 47 5. Who falsely poses or advertises as a registered and licensed nurse or uses
48 any other means that tend to convey the impression that he/she is a
49 registered and licensed nurse;
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6. Who appends "Nurse", "Nars", or "Nrs." Before his or her name or B.S.N./R.N./ (Bachelor of Science in Nursing/Registered Nurse) after his or her name without having been conferred said degree or registration; or
 7. Who, as a registered and licensed nurse, abets or assists to the illegal practice of a person who is not lawfully qualified to practice nursing;

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b) Any natural or judicial person, educational institutions offering BSN without full compliance with the requirements prescribed by law conducts Continuing Professional Development for nurses without accreditation from the Board; or any natural or judicial person or health facility who undertakes or offers in-service training programs, for a fee and without permit/clearance from the Board and the Commission;

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c) Any natural or judicial person or health facility who subscribed to sub-standard quality of nursing care and/or nursing practice, such as non-compliance with the nurse-to-patient ratio;

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d) Any natural or judicial person or health facility who exercises and promotes precarious working conditions to nurses, such as, but not limited to, the following:

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1. 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 or course and/or seminar;

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2. Depriving or denying a nurse of the incentives and benefits as provided for by the existing laws;

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3. Collecting any fees from a nurse or from any person or agent in his or her behalf in exchange for a nurse's voluntary services in a health facility;

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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 her/her volunteer services, and/or to be the sole nurse on duty, except during disasters, calamities, public emergencies and war;

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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 ta 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

1 6. Contracting or availing of the services of a nurse, under the pretext of
2 training or certification course, but requiring the nurse to render the tasks
3 and responsibilities expected of a regular staff or public health nurse, in
4 violation of Section 48 hereof;

5
6 e) Any violation of the provisions of this Act.
7

8 SEC. 60. *Sanctions.* – A fine of not less than one hundred thousand pesos
9 (P100,000.00) nor more than three hundred thousand pesos (P300,000.00) or imprisonment
10 of not less than one (1) year nor more than six (6) years, or both, upon the discretion of the
11 court, shall be imposed upon violation of any prohibited acts enumerated in section 59(a)
12 hereof.
13

14 A fine of not less than three hundred thousand pesos (P300,000.00) nor more than
15 five hundred thousand pesos (P500,000.00) and/or imprisonment of not less than one (1) year
16 more than six (6) years shall be imposed upon violation of any prohibited acts enumerated in
17 Section 59(b), (c), (d) and (e) hereof. In addition, suspension or revocation of license to
18 operate the health facility may be issued upon the discretion of the court. In cases the
19 violation is committed by a partnership, corporation, association, or any other juridical
20 person, the managing partner, president, director/s, or manager who has committed or
21 consented such violation shall be held directly liable and responsible for the acts, as principal
22 or as co-principal/s with the other participants, if any.
23

24 SEC. 61. *Refund and Compensation.* – Any nurse found to have been a victim of
25 Section 59(d) hereof shall be entitled to a full refund of all fees illegally collected fees and
26 changes and the payment of unpaid salary, if any which should not be less than the applicable
27 wage for services rendered.
28

29 **ARTICLE XI**
30 **MISCELLANEOUS**
31

32 SEC. 62. *Implementing Agencies.* – The Department of Health (DOH) is hereby
33 designated as the agency tasked with monitoring the compliance with and implementation of
34 the provisions of this Act by public health facilities. The Department of Labor and
35 Employment (DOLE) is designated as the agency tasked with monitoring the compliance
36 with and implementations of the provisions of this Act by private health facilities. The
37 Commission and the Board are designated as the agencies tasked with monitoring the
38 compliance with and implementations of the provisions of this Act by educational
39 institutions, CPS providers and health facilities. The CHED is similarly designated as the
40 agency tasked with monitoring the compliance with and implementations of the provisions of
41 this Act by educational institutions with regard to nursing education programs and
42 curriculum.
43

44 SEC. 63. *Appropriations.* – The amount necessary to carry out the provisions of this
45 Act shall be changed to savings of the concerned agencies immediately upon effectivity
46 hereof. Every year thereafter, the amounts necessary to effectively implement the provisions
47 of this Act shall be included in the annual budget of the concerned agencies to be
48 incorporated in the General Appropriations Act (GAA).
49

1 In order to effectively carry out the advance practice of the nursing program, the
2 annual financial requirement needed to train at least ten percent (10%) of the nursing staff of
3 the participating government hospitals and institutions shall be chargeable against the income
4 of the Philippine Charity Sweepstakes Office (PCSO) and the Philippine Amusement And
5 Gaming Corporation (PAGCOR), which shall equally share in the costs; the same shall be
6 released to the Department of Health subject to the usual accounting and auditing procedures:
7 *Provided*, That the Department of Health shall set the budget for, as well as the criteria for
8 the availment of this program.

9
10 SEC. 64. *Implementing Rules and Regulations.* – Within ninety days (90) after the
11 effectivity of this Act, the Commission, the Board, the APO for registered nurses, the Civil
12 Service Commission, the Department of Budget and Management, the Department of Health
13 and other concerned nursing organizations and government agencies, shall formulate the
14 implementing rules and regulations necessary to carry-out the provisions of this Act. The
15 implementing rules and regulations shall be published in the *Official Gazette* of in at least
16 two (2) newspapers of general circulation.

17
18 SEC. 65. *Separability Clause.* – Should any provision of this Act be declared
19 unconstitutional, the remaining parts not affected thereby shall remain valid and operational.

20
21 SEC. 66. *Repealing Clause.* – Republic Act No. 9173, otherwise known as the
22 “Philippine Nursing Act if 2002” is hereby repealed. All other laws, decrees, orders,
23 circulars, issuances, rules and regulations and parts thereof which are inconsistent with this
24 Act are hereby repealed, amended or modified accordingly.

25
26 SEC. 67. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication
27 in the *Official Gazette* or in any two (2) newspapers of general circulation in the Philippines.

Approved,