

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



Senate
Office of the Secretary

'16 JUL 28 AM 11:21

SENATE
S.B. No. 916

REPORTED BY:

Introduced by: Senator Paolo Benigno "Bam" A. Aquino IV

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

EXPLANATORY NOTE

The Philippines is the largest exporter of nurses in the world and Filipino nurses have proven to be one of the most highly skilled assets of our country. Sadly, nurses continue to be undervalued at home and vulnerable to dangerously long working hours and exploitative employment arrangements. Further, despite there being 200,000 underemployed or unemployed nurses, healthcare is still lacking in many rural areas.

If we invested in harnessing the massive potential of our existing healthcare professionals, we can address this healthcare shortage with a strong, competent, and professionally-regulated nursing board.

This bill seeks the creation of a Professional Regulatory Board of Nursing (PRBN) that will be responsible for ensuring that all aspects of the nursing profession are held up to standards of excellence. The PRBN will be mandated to promulgate quality standards of nursing education, research, practice, and management.

Through this measure, we will set a standard for academic excellence for all nursing programs in line with the Policies, Standards and Guidelines of the Commission on Higher Education.

The PRBN shall also implement an Advanced Practice Nursing Program which will provide professional development opportunities to existing nurses. Through this program, nurses can expand their skill base, assume more responsibilities on the medical floor, and be better able to serve our countrymen.

Most importantly, this bill aims to protect the welfare of our nurses and uplift the nursing profession by initiating studies on how healthcare professionals should be trained, managed, and developed in an organization, ensuring that working conditions and compensation are compliant with the Code of Ethics for nursing.

Filipino nurses must be empowered with better education, a broader skill base, and more viable opportunities within the country. Ultimately this will uplift the nursing profession while providing better healthcare to all Filipinos.

In view of the foregoing and to ascertain our commitment to the Filipino people, the approval of this bill is earnestly sought.

A handwritten signature in black ink, reading "Ben Aquino". The signature is written in a cursive, flowing style.

Senator Paolo Benigno "Ben" A. Aquino IV

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

ARTICLE I
GENERAL PROVISIONS

1
2
3 SECTION 1. *Title.* - This Act shall be known as the "*Comprehensive Nursing*
4 *Act.*"

5 SEC. 2. *Declaration of Policy.* - It is hereby declared the policy of the Sate to
6 uphold the dignity of nurses and assume responsibility for the protection, respect,
7 and improvement of the nursing profession by instituting measures towards
8 competent and relevant nursing practice for the health and safety of the public, just
9 and humane conditions of work, and promotion of professional growth. Thus, the
10 State recognizes nurses as prime movers of national development and contributors
11 to international cooperation and understanding.

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

15 SEC. 3. *Definition of Terms.* - As used in this Act, the following terms shall
16 mean:

- 17 a) *Accredited Integrated Professional Organization (AIPO)* - a professional
18 organization of nurses duly accredited by the Professional Regulation
19 Commission (PRC) as per RA 8981 otherwise known as the PRC
20 Modernization Act of 2000.
21 b) *Advanced Practice Nurse (APN)* - a nurse who acquired substantial
22 theoretical knowledge and decision-making skills in the specialty area of

1 nursing practice and proficient clinical utilization of this knowledge in
2 implementing independent and interdependent nursing interventions.
3 Specialties can be differentiated in categories according to function,
4 disease, pathology, systems, age, sex, acuity, setting, technology, and
5 therapies. They must be given certification/credentialing by the Board. An
6 APN must be a master's degree holder in nursing.

- 7 c) *Bachelor of Science in Nursing (BSN)* – basic program for nursing education.
8 d) *Certification/Credentialing* – process undertaken by an individual nurse to
9 be recognized to practice in a specifically defined professional tract (i.e.
10 General Nursing, Nursing Specialty/Advanced Practice, Nursing Education,
11 and Leadership and Governance). The Board confers the certification or
12 credential after a validation process based on promulgated guidelines and
13 mechanisms.
14 e) *Commission on Higher Education (CHED)* – body created by law to
15 promulgate policies, standards, and guidelines in the implementation of
16 basic and graduate program for nursing education.
17 f) *Health Facility* – an institution, establishment, or clinic such as hospitals
18 and barangay health centers that offers health services and nursing care.
19 g) *Nurse* – a person who passed the Philippine Nurse Licensure Exam (PNLE)
20 and whose license has not been revoked by law. Thus, it pertains to a
21 Registered Nurse (RN). A nurse may append before his/her name the title,
22 “Nurse”, “Nars”, or “Nr.” or after his/her name the title R.N.
23 h) *Nursing Personnel System (NPS)* – a system of human resource
24 management in an institution that classifies the structure, organization,
25 and coordination within the workforce both in private and public health
26 care facilities and nursing educational institutions to advance the welfare
27 and protect the rights of the nurses and to ensure the employer-employee
28 relationship, security of tenure, just compensation, humane conditions of
29 work, and professional growth.
30 i) *Philippine Nurse Licensure Exam (PNLE)* – the written examination given by
31 the Board in order to obtain license to practice nursing.
32 j) *Precarious work* – substandard employment conditions, such as
33 underpayment, absence of salary, no security of tenure, or lack of
34 employer-employee relationship.
35 k) *Professional Regulation Commission (PRC)* – refers to the government
36 agency pursuant to Republic Act No. 8981 or as may hereafter be amended
37 or repealed. It shall be referred to in this law as the Commission.
38 l) *Professional Regulatory Board of Nursing (PRBON)* – refers to the
39 administrative body mandated to supervise and regulate the practice of
40 nursing profession in the Philippines. As such, the Board shall be the
41 ultimate authority in the practice of the profession in the Philippines. It
42 shall be referred to in this Act as the Board.
43 m) *Public Health Institution (PHI)* – refers to any government-led, owned or
44 controlled institution which pursues and realizes the lofty goals and
45 objective of providing and managing safe, efficient, effective, and quality
46 public health programs and services and advocacies for health, in all levels
47 of Health Care Delivery System (HCDS - national to local) which include

1 among others: Rural Health Units (RHUs/Barangay Health Centers);
2 Research Facilities e.g. Research Institute for Tropical Medicine, etc.;
3 Training Resource Facilities e.g. the U.P. College of Public Health and State
4 or Local Colleges or Universities offering Health-Related Programs; the
5 Department of Health and all retained Health Facilities, and the like.

6 n) *Special Permit* – refers to the permit to practice nursing in the Philippines
7 issued by the Board to licensed nurses of foreign nationalities.

o) *Temporary Permit* — refers to the permit to practice nursing in the
Philippines issued by the Board to Filipino nurses who does not have
professional license from the Philippines or have not renewed their license
from foreign countries for five (5) years.

8 **ARTICLE II**
9 **BOARD OF NURSING**

10 **SEC. 4. *Creation and Composition of the Board.*** - There shall be created a
11 Professional Regulatory Board of Nursing hereinafter referred to as the Board. It
12 shall be composed of seven (7) members who shall elect among themselves a
13 Chairperson to serve for one (1) term without re-election. The President of the
14 Republic of the Philippines shall appoint the members of the Board from among
15 those recommended by the Commission and ranked from a list of three (3)
16 nominees per vacancy of the credited integrated professional organization of nurses
17 in the Philippines and who possess the qualities in this Act. *Provided*, That the
18 membership of the Board shall comprise the scope of nursing practice.

19 **SEC. 5. *Qualification of the Members of the Board.*** - The members of the
20 Board must possess the following qualifications:

- 21 a) Must be a natural-born citizen and resident of the Philippines for the past
22 five (5) consecutive years;
- 23 b) Must be a Nurse in the Philippines and a holder of a valid and updated
24 certificate of registration and a current professional identification card;
- 25 c) Must be a holder of a master's degree in nursing and preferably with a
26 doctorate degree conferred by a university duly recognized by the
27 government;
- 28 d) Must have at least 10 years of continuous practice of the nursing
29 profession prior to appointment: *Provided*, however, That the last five (5)
30 years of which must be in the Philippines; and
- 31 e) Must be of good moral character and has not been convicted of any
32 offense involving moral turpitude.

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

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

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

7 **SEC. 9. Compensation.** - The members of the Board shall receive compensation
8 and allowance comparable to the compensation and allowances received by the
9 members of the other regulatory boards.

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

17 **SEC. 11. Powers and Duties of the Board.** - The Board shall supervise and
18 regulate the practice of the nursing profession and shall have the following powers,
19 duties, and functions:

- 20 a) Ensure the proper conduct of the PNLE including application, test
21 development, examination, correction, and release of results. The use of
22 appropriate technologies and modalities during the conduct of the PNLE is
23 encouraged to enhance efficiency while upholding integrity;
- 24 b) Issue, suspend, revoke, or reissue certificates of registration for the practice
25 of nursing and ensure the widest publication through electronic and written
26 media;
- 27 c) Enforce and monitor safe and quality standards of nursing practice, study the
28 conditions affecting the nursing practice in the Philippines, and exercise the
29 powers necessary to ensure the maintenance of efficient, ethico-moral,
30 technical, and professional standards in the practice of nursing towards the
31 optimal health and common good of the nation;
- 32 d) Ensure quality nursing education by examining and monitoring higher
33 educational institutions offering and seeking permission to open nursing
34 education programs and to ensure that standards of nursing education are
35 properly complied with and maintained at all times. *Provided*, That the Board
36 and the CHED shall have joint authority to open and close nursing education
37 programs offered by higher educational institutions;
- 38 e) Conduct hearings and investigations to resolve complaints against actively
39 practicing nurses for unethical and unprofessional conduct and violations of
40 this Act, or its rules and regulations and in connection therewith, issue
41 subpoena *duces tecum* and subpoena *ad testificandum* to require the
42 appearance of respondents and witnesses and the production of documents

1 and penalize with contempt persons obstructing, impeding, or otherwise
2 interfering with the conduct of such proceedings, upon application with the
3 Board of Nursing;

- 4 f) Promulgate a Code of Ethics that is responsive to the needs of the nursing
5 profession in coordination with the AIPO of nurses within one (1) year from
6 the effectivity of this Act;
- 7 g) Prescribe and operationalize, via necessary infrastructures, a National
8 Nursing Career Progression Program to ensure continuing professional
9 development of Filipino nurses, and create the council for Nursing
10 Advancement, Recognition, and Specialization as well as the various Nursing
11 Specialty Boards to assist the Board for this purpose;
- 12 h) Ensure performance of mandated duties and functions with the provision of
13 operational resources including human, financial, and spatial resources to
14 ensure the confidentiality and sanctity of their functions as provided through
15 the annual budget of the Commission as promulgated in the General
16 Appropriations Act;
- 17 i) Source and utilize funds earmarked for national nursing development;
- 18 j) Prescribe, adopt, issue, and promulgate guidelines, regulations, and
19 measures to influence authorities and agencies on decision-making as may be
20 necessary for the improvement of the nursing practice, advancement of the
21 profession, and for the proper and full enforcement of this Act, subject to
22 review and approval by Commission; and
- 23 k) Create a council for nursing recognition, accreditation and certification that
24 will assist the Board in:
- 25 a. Recognizing organized nursing groups;
 - 26 b. Setting standards for advanced nursing practice, education, research,
27 and management;
 - 28 c. Accrediting specialty and advanced nursing programs based on
29 established mechanisms;
 - 30 d. Credentialing individual registered nurse based on accepted criteria;
31 and
 - 32 e. Monitoring and evaluating specialty and advanced nursing practice,
33 education, research and management.

34 **SEC. 12. Annual Report.** - The Board shall, at the close of the calendar year,
35 submit an annual report to the President and Congress of the Philippines through
36 the Commission giving a detailed account of its proceedings and the
37 accomplishments during the year and making recommendations for the adoption of
38 measures that will upgrade and improve the conditions affecting the practice of the
39 nursing profession.

40 **SEC. 13. Removal or Suspension of Board Members.** - The President may
41 remove or suspend any member of the Board, after due process, on the following
42 grounds:

- 43 a) Continued neglect of duty or incompetence;
- 44 b) Commission or toleration of irregularities in the PNLE; and

1 c) Unprofessional, immoral, or dishonorable conduct.

2 **ARTICLE III**
3 **EXAMINATION AND REGISTRATION**

4 **SEC. 14. *Philippine Nursing Licensure Examination (PNLE)*.** - In order to obtain
5 a certificate of registration, professional license, and professional identification card,
6 all nursing graduates must take and pass the PNLE. The Board shall administer the
7 PNLE in such place and date as designated by the Commission: *Provided*, That no
8 nursing educational institution may withhold any requirement or document, or both,
9 of any nursing graduate for the purpose of preventing them to apply for the PNLE.
10 All nursing educational institution must ensure that their nursing graduates will take
11 the nearest scheduled PNLE after graduation. Any delay in taking the PNLE must be
12 accordingly justified by the President, Registrar, or Dean of the educational
13 institution through a public instrument.

14 **SEC. 15. *Scope of Examination*.** - The Board shall determine the scope of the
15 PNLE by taking into consideration the nursing core competencies, the nursing
16 curriculum, the scope and areas of nursing practice, and other related disciplines.

17 **SEC. 16. *Qualifications for Admission to the PNLE*.** - In order to be admitted to
18 the PNLE, an applicant:

- 19 a) Must be a holder of a Bachelor of Science in Nursing degree from a
20 recognized education duly recognized by CHED;
- 21 b) Must be of good moral character and have not been convicted, by final
22 judgment, of any criminal offense involving moral turpitude, guilty of
23 immoral or dishonorable conduct, or declared by the court to be of unsound
24 mind; and
- 25 c) Must be a citizen of the Philippines, or a citizen or subject of a country which
26 permits Filipino nurses to practice within its territorial limits on the same
27 basis as the subject or citizen of such country, *Provided*, That the
28 requirements for the registration or licensing of nurses in said countries are
29 substantially the same as those prescribed in this Act.

30 **SEC. 17. *Fees for Examination and Registration*.** - Applicants for licensure and
31 for registration must pay the prescribed fees set by the Commission.

32 **SEC. 18. *Ratings*.** - In order to pass the PNLE, an examinee must obtain at least
33 seventy-five percent (75%) of tested areas of all competencies. Any examinee who
34 has failed the PNLE three (3) times shall not be allowed to take any further PNLE,
35 without having undertaken a refresher program in a duly accredited institution. The
36 Board shall issue guidelines on the refresher program requirement.

37 **SEC. 19. *Issuance of Certificate of Registration, Professional License, and***
38 ***Professional Identification Card*.** - A certificate of registration and professional
39 license shall be issued to all successful examinees, subject to Section 12 of this Act. A

1 certificate of registration and professional license shall show the full name of the
2 registrant, and the signatures of the Chairperson of the Commission and the
3 members of the Board. The certificate shall bear the logo of the Board and the
4 official seal of the Commission.

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

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

12 **SEC. 21. Roster of Nurses.** - The Commission shall maintain a roster of nurse
13 pursuant to the PRC Automated System. The Roster or Nurses shall serve as the
14 centralized database for nursing professionals for purposes of documentation,
15 verification of registrants, statistics, research, and development.

16 **SEC. 22. Foreign Reciprocity.** - No foreign nurse shall be given a certificate of
17 registration/professional license and professional identification card or be entitled to
18 any of the privileges under this Act unless the country or state of which the foreign
19 nurses is a subject or citizen permits Filipino nurses to practice within its territorial
20 limits on the same basis as the subjects or citizens of said country or state.

21 **SEC. 23. Practice through Special or Temporary Permit.** - The Board may issue
22 a special or temporary permit to the following persons based on qualification and
23 professional and moral standards as approved by the Commission: *Provided*, That a
24 completion report will be submitted to the Commission after every mission, to wit:

- 25 a) License nurses from foreign countries whose services are either for a fee or
26 free if they are internationally well-known specialists or outstanding experts
27 in any branch or specialty of nursing;
- 28 b) Licensed nurses from foreign countries on medical mission whose services
29 shall be free in a particular hospital, center, or clinic;
- 30 c) Licensed nurses from foreign countries who are engaged by
31 college/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
34 disasters and calamities.

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

37 **SEC. 24. No registration and Non-issuance of Certificate of Registration,**
38 **Professional License, Professional Identification Card, Special Permit or Temporary**

1 **Permit.** - No person convicted by final judgment of any criminal offense involving
2 moral turpitude, found guilty of immoral or dishonorable conduct, or declared by the
3 court to be of unsound mind may be registered and issued a certificate of
4 registration, professional license, professional identification card, or a special or
5 temporary permit.

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

8 **SEC. 25. Revocation and Suspension of Certificate of Registration,**
9 **Professional License, and Professional Identification Card and Cancellation of**
10 **Special or Temporary Permit.** - The Board shall have the power to revoke or suspend
11 the certificate of registration, professional license, professional identification card,
12 or cancel the special or temporary permit of a nurse upon any of the following
13 grounds:

- 14 a) Conviction, by final judgment, of any criminal offense involving moral
15 turpitude or guilty of immoral or dishonorable conduct or any person
16 declared by the court to be of unsound mind;
17 b) Violation of this Act, its policies, rules and regulation, and of the Philippine
18 Code of Ethics for Nurses;
19 c) Gross negligence, grave misconduct, ignorance, and incompetence in the
20 nursing practice;
21 d) Fraud, concealment, misrepresentation, or false statements in obtaining a
22 certificate of registration, professional license, professional identification
23 card, special permit or temporary permit;
24 e) Practice of the nursing profession pending suspension of license.

25 The suspension of the certificate of registration, professional license, and
26 professional identification card, shall be for a period not to exceed four (4) years.

27 **SEC. 26. Reinstatement and Re-Issuance of Revoked Certificates of**
28 **Registration, Professional License, and Professional Identification Card.** - The Board
29 may, after the expiration of a maximum of four (4) years from the date of revocation
30 of a certificate of registration, professional license, and professional identification
31 card, for reasons of equity and justice, and when the cause for revocation has
32 disappeared or has been cured and corrected, upon proper application thereof and
33 the payment of the required fees, reinstate and re-issue the certificate of
34 registration, professional license, and professional identification card.

35 **ARTICLE IV**
36 **NURSING PRACTICE**

37 **SEC. 27. Nursing Practice.** - The administration of nursing care through the
38 utilization of the nursing process, assessment, nursing diagnosis, planning,
39 implementation, and evaluation. Nursing practice encompasses various stages of

1 development towards the promotion of health, alleviation of suffering, and end-of-
2 life care, may it be performed independently or collaboratively.

3 **SEC. 28. *Scope of Nursing Practice.*** - The following are the scope of nursing
4 practice: (1) nursing education; (2) nursing service; (3) nursing research; and (4)
5 nursing leadership and governance.

6 **SEC. 29. *Nursing Care.*** - Nursing Care includes, but is not limited to: the
7 provision of physiological, psychological, spiritual, social, and emotional care;
8 essential health care, safety and comfort measures, and health teachings; executing
9 health care techniques and procedures; and traditional and innovative approaches
10 to individuals, families, population groups, and communities from conception to
11 death.

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

15 **SEC. 30. *Roles, Responsibilities, and Competencies of a Nurse.*** - A nurse shall
16 possess and exercise the core competencies in the performance of the roles and
17 responsibilities, in accordance with the standards set by the Board.

18 **SEC. 31. *Continuing Professional Development (CPD).*** - All nurses shall abide
19 by the requirements, rules, and regulation on continuing professional development
20 to be promulgated by the PRC Regulatory Board, subject to the approval of the
21 Commission, in coordination with the AIPO for nurses or any duly accredited
22 education institutions. For the purpose, a CPD council is hereby created to
23 implement the CPD program.

24 **SEC. 32. *Requirement for Inactive Nurses Returning to Practice.*** - Nurses are
25 deemed to be inactive when:

- 26 a) They are not utilizing nursing competencies as defined in the scope of nursing
27 practice for five (5) consecutive years;
- 28 b) They have not renewed their professional identification card for five (5)
29 years; and
- 30 c) They do not have proof of five (5) years of continuous nursing practice.

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

33 **ARTICLE V**
34 **NURSING EDUCATION**

35 **SEC. 33. *Nursing Education.*** - Refers to the formal learning and training in the
36 science and act of nursing provided by higher educational institutions duly
37 recognized by the CHED.

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

3 **SEC. 34. *Basic Program for Nursing Education.*** - Refers to the nursing
4 education program which envisions providing sound liberal and professional
5 education and equips basic nursing students with the necessary competencies for
6 entry-level safe and quality nursing practice.

7 Admission to the Basic program for Nursing Education requires passing a
8 National Nursing Admission Test (NNAT).

9 The curriculum and the Related Learning Experiences (RLE) must be in
10 accordance with the National Nursing Core Competency Standards promulgated by
11 the Board and implemented through the Policies, Standards, and Guidelines of the
12 CHED.

13 **SEC. 35. *Graduate Program for Nursing Education.*** - Refers to the post-
14 baccalaureate nursing program, which builds on the experiences and skills of a nurse
15 towards mastery, expertise, and leadership in practice, research, and education. It
16 includes a master's degree and doctorate degree in nursing founded on the
17 philosophies and the scientific body of knowledge and practice.

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

21 **SEC. 36. *Qualification of the Dean.*** - The Dean of the College of Nursing (Dean)
22 shall formulate policies and plans in collaboration with the administration/school
23 officials and stakeholders. The Dean must adhere to the prescribed curriculum for
24 the advancement of nursing education.

25 The Dean:

- 26 a) Must be a holder of a certificate of registration and a current professional
27 identification card issued by the Commission;
28 b) Must have appropriate certificate of nursing proficiency, or its equivalent, to
29 be issued by the PRBON;
30 c) Must be a holder of a master's degree in nursing, conferred by a university
31 duly recognized by the Government of the Republic of the Philippines;
32 d) Must have at least five (5) years of experience in teaching and supervision in
33 Nursing Education; and
34 e) Must have at least three (3) years clinical experience in a general nursing
35 service.

36 **SEC. 37. *Qualifications of the Faculty.*** -

1) *Basic Program for Nursing Education.* - A member of the faculty in a College of Nursing teaching professional courses:

a) Must be a registered nurse in the Philippines and holder of a certificate of registration and a current professional identification card issued by the Commission;

b) Must have at least three (3) years of nursing practice;

c) Must be a holder of a master's degree in nursing, conferred by a university duly recognized by the Government of the Republic of the Philippines; and

d) Must have the appropriate certificate of nursing proficiency, or its equivalent, to be issued by the PRBON.

2) *Graduate Program for Nursing Education.* - A member of the faculty teaching graduate professional courses:

a) Must be a registered nurse in the Philippines and holder of a certificate of registration and a current professional identification card issued by the Commission;

b) Must have at least three (3) years of nursing practice;

c) Must be a holder of a doctoral degree in nursing conferred by university duly recognized by the Government of the Republic of the Philippines; and

d) Must have the appropriate certificate of nursing proficiency, or its equivalent, to be issued by the PRBON.

SEC. 38. Faculty-to-Student Ratio. - The faculty-to-student ratio must be in accordance with the standard to be determined and prescribed by the CHED.

ARTICLE VI NURSING SERVICE

SEC. 39. 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.

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

SEC. 40. Nursing Interventions. - Nursing interventions include, but is not limited to: any combination of essential primary health care, the application of traditional and innovative approaches, health counseling and administration of

1 written prescription for treatment, therapies, oral, topical, and parenteral
2 medications, perform perinatal care covering pre-intra-postpartum care including
3 the performance of internal examination during labor in the absence of antenatal
4 bleeding, attend to normal delivery and suturing of perinatal laceration and
5 immediate care of the newborn; perform perioperative care covering pre-intra-post
6 surgical care interventions; care during emergency and disaster.

7 **SEC. 41. Health Interventions in Collaboration with Other Members of the**
8 **Health Team.** - In the various stages of nursing practice from promotion of health to
9 end-of-life care, nurses shall collaborate with other members of the health team.

10 **SEC. 42. Advanced Practice Nursing.** - Advance Practice Nursing is the
11 specialized and expanded nursing care pursuant to Sec. 46 hereof. Advanced
12 Practice Nursing involves specialty training, through an Advanced Practice Nursing
13 Program formulated by the concerned agencies with certification to be issued by the
14 Board after passing the qualifying examination. A Registered Nurse (RN) who seeks
15 to be an Advance Practice Nurse (APN) must have a master's degree in nursing.

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

18 **SEC. 43. Nursing Research and Policy Development.** - Nursing Research and
19 Policy Development shall involve study and pursuit of nurse-related issues
20 encompassing the following areas:

- 21 a) Professional nursing practice such as advancing nursing knowledge to ensure
22 quality nursing care for all and advocacy for sound health policies globally;
23 b) Nursing regulation on credentialing, code of ethics, standards, and
24 competencies; and
25 c) Socio-economic welfare for nurse like occupational health and safety, human
26 resources planning and policy, remuneration, and career development.

27 **SEC. 44. Studies for Nursing Human Resource Needs, Production, Utilization,**
28 **and Development.** - The Board, in coordination with the accredited integrated
29 professional organization of registered nurses and the appropriate government or
30 private agencies, shall initiate, undertake, and conduct studies on healthcare human
31 resources production, utilization, and development.

32 **SEC. 45. Advanced Practice Nursing Program.** - Within ninety (90) days from
33 the effectivity of this Act, the Board in coordination with the accredited integrated
34 professional organization of registered nurses, recognized specialty organizations,
35 and the Department of Health (DOH) is hereby mandated to formulate and develop
36 an Advanced Practice Nursing Program that would upgrade the level of skill and
37 competence of specialty nurse clinicians in the country, such as, but not limited to,
38 the areas of critical care, oncology, renal, and such other areas as may be
39 determined by the Board: *Provided*, That the beneficiaries of this program are

1 obliged to serve in any Philippine hospital for a period of at least two (2) years
2 continuous service.

3 **SEC. 46. *Salary.*** - The minimum base pay of nurses working in governmental
4 health institutions, upon entry, shall not be lower than Salary Grade 15 (SG-15). This
5 is to enhance the general welfare, commitment to service, and professionalism of
6 nurses. In non-governmental and/or private health institutions, the minimum base
7 pay for the nurse upon entry shall be equivalent to that of Salary Grade 15 in public
8 hospitals and institutions.

9 **SEC. 47. *Incentives and Benefits.*** - The Board, in coordination with the DOH,
10 other concerned government and non-government institutions, association of
11 hospitals, and the AIPO for registered nurses, shall establish an incentive and benefit
12 system in the form of free hospital care for nurses and their dependents, scholarship
13 grants, and other non-cash benefits.

14 **ARTICLE VIII**
15 **NURSING LEADERSHIP AND GOVERNANCE**

16 **SEC. 48. *Nursing Leadership.*** - Nursing is a dynamic field that requires leaders
17 who will go through the changing aspects of the health sector as they are part of the
18 workforce that will toil and labor for the improvement of the health of the citizenry.
19 Nurses adopt specific roles in the organizational structure: from being the policy
20 makers in health facilities to giving guidance to senior management on best practices
21 in nursing and patient care. They work with healthcare leaders to establish
22 compensation and benefit programs and are involved in nurse recruitment, training,
23 and retention. Thus, nurses in management positions shall develop patient-care
24 programs, manage nursing budgets, plan new patient services, establish nursing
25 policies and procedures, participate in cross-departmental decision making, conduct
26 performance improvement activities, and represent the scope of nursing practices in
27 meetings of the Board of Directors and other stakeholders.

28 **SEC. 49. *Nursing Governance.*** - Governance in nursing practice is shifting from
29 the traditional view where nurses are subordinate and passive employees towards
30 their contemporary role of being more proactively involved in taking charge of the
31 organization to be the antecedent in decision-making and implementation of plans
32 and policies for the patients and communities. Governance in the practice of nursing
33 shall empower each nurse in decision-making over their professional practice while
34 extending their power and control over the administrative aspect of their practice.

35 **ARTICLE IX**
36 **NURSING PERSONNEL SYSTEM**

37 **SEC. 50. *Nursing Personnel System.*** - The nursing personnel system covers the
38 following fields: nursing service administration in the hospital setting, community
39 health practice, and the academe.

1 There shall be a nursing service office in every health institution, may it be
2 administrative or clinical, with at least ten (10) nurses. The nursing service office
3 must be under the control and management of a Chief Nursing Officer.

4 **SEC. 51. Ratio.** - The ratio of staff nurse to patient in a general nursing service
5 or general ward of a hospital shall be set to at least 1:12, in order to effectuate the
6 quality nursing care for patients. There shall be a nurse for every barangay and
7 industrial establishment: *Provided*, That the nurse shall supervise over other health
8 workers in the work area.

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

12 **SEC. 52. Beginning Registered Nurse.** - A beginning registered nurse shall
13 provide for safe and quality care to an individual, family, or group that is
14 independent or provided as part of a team. The nurse must be able to assess, plan,
15 implement, and evaluate the care provided to clients based on evidence derived
16 from research.

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

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

24 **SEC. 53. Nursing Service Management.** - Nursing Service Management refers
25 to the management and administration of nursing services by nurses equipped with
26 the necessary competencies on governance and leadership, to wit:

- 27 a) *First Level Manager* - responsible directly for the physical set-up of the unit,
28 structure, and other human resources for health care provision.
29 b) *Middle Level Manager* - responsible for the department or section handling
30 more than one (1) or two (2) units, taking care of the financial, logistic,
31 operational functions and others.
32 c) *Top Level Manager* - oversees all nursing units in terms of financial and
33 human resources for health such as nurses and nursing assistance/adjuncts.

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

- 36 a) For first level managerial position in nursing, must have at least eighteen (18)
37 units of nursing management and clinical subjects in Master of Arts in
38 Nursing or Master of Science in Nursing, at least three (3) years of clinical

- 1 work experience, and must have participated in at least one (1) research
2 project to improve quality of care;
- 3 b) For middle level managerial position in nursing, must have completed all
4 academic requirements in Master of Arts in Nursing or Master of Science in
5 Nursing and must have at least three (3) years of clinical work and two (2)
6 years of management experience, and must have initiated at least one (1)
7 research project to improve quality of care;
- 8 c) For top level managerial position in nursing, must have a post graduate
9 degree in nursing or health management-related sciences, at least three (3)
10 years of clinical work and three (3) years of management experience, and
11 must have initiated at least two (2) research projects to improve quality of
12 care; and
- 13 d) For all managerial positions, must present the appropriate Certificate of
14 Nursing Proficiency, or its equivalent, from the Board in observance of the
15 Nursing Leadership and Governance Certification Program (Nurse
16 Administrator I, Nurse Administrator II, Nursing Administrator Specialist).

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

19 **SEC. 54. Public Health Practice.** - A nursing service shall be organized and
20 operationalized in every local health unit in order to ensure the nursing component
21 of public health programs. Thus, an ideal of having at least one (1) nurse in every
22 barangay shall be the thrust of public health in order to provide accessible, available,
23 and affordable quality health care to all. More so, the ideal of having at least one (1)
24 nurse in every school, whether private or public, shall be prioritized in every primary,
25 secondary, and tertiary educational institution in order to instill health awareness at
26 an early stage and to improve the health status of the students.

27 **SEC. 55. The Chief Nursing Officer (CNO).** - The nursing service and delivery of
28 healthcare in a public health practice or community set-up must be under the
29 control and management of the Chief Nursing Officer or CNO. The CNO shall carry
30 full administrative responsibility and shall have the authority in the planning,
31 organization, direction, and control of public health nurses. A CNO must have a
32 minimum of three (3) years practice in a community setting as a Public Health Nurse,
33 and must have at least five (5) years of experience in relevant nursing practice
34 setting. In addition, the CNO in public health agency must be a master's degree
35 holder in relevant nursing practice setting, conferred by an educational institution
36 duly recognized by the Government of the Philippines.

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

1 **SEC. 56. *Nurse Supervisor (NS)*.** - The Nurse Supervisor or NS shall be in charge
2 of planning, organizing, directing and controlling activities within a demographic
3 unit. A NS must have a minimum of three (3) years practice in a community setting
4 as a Public Health Nurse, and must be a master's degree holder in Public Health
5 Nursing or its equivalent.

6 **SEC. 57. *The Public Health Nurse (PHN)*.** - The Public Health Nurse or PHN shall
7 perform the functions and activities of health promotion, such as the prevention and
8 treatment of carious diseases and illnesses, in a particular public setting. The PHN
9 shall exercise a supervisory role to the midwives and barangay health workers within
10 the area. The PHN shall initiate and participate in developing policies and guidelines
11 to promote basic nursing services.

12 **ARTICLE X**
13 **PROHIBITED ACTS AND PENALTIES**

14 **SEC. 58. *Prohibited Acts*.** - Any of the following shall constitute unlawful and
15 illegal acts:

- 16 a) Any person who is practicing the nursing profession in the Philippines:
- 17 1) Without a certificate of registration, professional license, professional
18 identification card, special permit or temporary permit, or without
19 having been declared exempt from examination in accordance with
20 the provision of this Act;
 - 21 2) Who uses a certificate of registration, professional license,
22 professional identification card, special permit or temporary permit
23 of another;
 - 24 3) Who uses an invalid certificate of registration, professional license, a
25 suspended or revoked certificate of registration, professional
26 licenses, or an expired or cancelled special or temporary permit;
 - 27 4) Who, by means of misrepresentation, false evidence, or
28 concealment, obtained a certificate of registration, professional
29 license, professional identification card, special permit or temporary
30 permit;
 - 31 5) Who falsely poses or advertises as a registered and licensed nurse or
32 uses any other means that tend to convey the impression that he/she
33 is a registered and licensed nurse;
 - 34 6) Who appends "Nurse", "Nars", or "Nrs." before his/her name or
35 B.S.N./R.N. (Bachelor of Science in Nursing/Registered Nurse) after
36 his/her name without having been conferred said degree or
37 registration; or
 - 38 7) Who, as a registered and licensed nurse, abets or assists the illegal
39 practice of a person who is not lawfully qualified to practice nursing.
- 40 b) Any natural or juridical person or educational institution offering BSN
41 without full compliance with the requirements prescribed by law
42 conducts Continuing Professional Development for nurses without

1 accreditation from the Board; or any natural or juridical person or health
2 facility who undertakes or offers in-service training programs, for a fee
3 and without permit/clearance from the Board and the Commission;

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

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

10 1. Contracting or availing of the services of a nurse either without
11 salary, for allowance, for salary below the applicable wage
12 prescribed under this Act, whether or not under the pretext of a
13 training, development program, certification course and/or
14 seminar;

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

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

20 4. Requiring or obliging a volunteer nurse to perform the regular
21 work functions and/or regular work load expected from regular
22 staff nurse employed by the health facility without proper
23 compensation, to render full-time service as a condition for the
24 continued availment of his/her volunteer services and/or to be
25 the sole nurse on duty, except during disasters, calamities, public
26 emergencies, and war;

27 5. Contracting or availing of the services of a volunteer nurse,
28 under the pretext of the On-The-Job Training (OJT), contract of
29 service, and/or job orders, in order to fill up a vacant position
30 that requires the hiring of a full-time regular employed nurse, or
31 for free charge in exchange for any type of certification to be
32 issued by the health facility for purposes of the nurse's
33 employment application; or

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

38 e) Any violation of the provisions of this Act.

39 **SEC. 59. Sanctions.** - A fine of not less than one hundred thousand pesos
40 (P100,000.00) but not more than three hundred thousand pesos (P300,000.00) or
41 imprisonment of not less than one (1) year but not more than six (6) years, or both,
42 upon the discretion of the court, shall be imposed upon violation of any prohibited
43 acts enumerated in Section 59 (a) hereof.

44 A fine of not less than three hundred thousand pesos (P300,000.00) but not
45 more than five hundred thousand pesos (P500,000.00) and/or imprisonment of not

1 less than one (1) year but not more than six (6) years shall be imposed upon
2 violation of any of the prohibited acts enumerated in Section 59 (b), (c), (d), and (e)
3 hereof. In addition, suspension or revocation of license to operate the health facility
4 may be issued upon the discretion of the court. In case the violation is committed by
5 a partnership, corporation, association, or any other juridical person, the managing
6 partner, president, director/s, or manager who has committed or consented such
7 violation shall be held directly liable and responsible for the acts, as principal or as
8 co-principal/s with the other participants, if any.

9 **SEC. 60. Refund and Compensation.** – Any nurse found to have been a victim
10 of Section 59 (d) hereof shall be entitled to a full refund of all illegally collected fees
11 and charges and the payment of unpaid salary, if any, which should not be less than
12 the applicable wage for services rendered.

13 **ARTICLE XI**
14 **MISCELLANEOUS**

15 **SEC. 61. Implementing Agencies.** - The Department of Health (DOH) is hereby
16 designated as the agency tasked with monitoring the compliance with and
17 implementation of the provisions of this Act by public health facilities. The
18 Department of Labor and Employment (DOLE) is designated as the agency tasked
19 with monitoring the compliance with the provisions of this Act by private health
20 facilities. The Commission and the Board are designated as the bodies tasked with
21 monitoring the compliance with the provisions of this Act by educational institutions,
22 CPD providers, and health facilities. The CHED is similarly designated as the agency
23 tasked with monitoring the compliance with the provisions of this Act by educational
24 institutions with regard to nursing education programs and curriculum.

25 **SEC. 62. Appropriations.** - The amount necessary to carry out the provisions of
26 this Act shall be charged to the savings of the concerned agencies immediately upon
27 effectivity hereof. Every year thereafter, the amounts necessary to effectively
28 implement the provisions of this Act shall be included in the annual budget of the
29 concerned agencies to be incorporated in the General Appropriations Act (GAA).

30 In order to effectively carry out the advanced practice of the nursing program,
31 the annual financial requirement needed to train at least ten percent (10%) of the
32 nursing staff of the participating government hospitals and institutions shall be
33 chargeable against the income of the Philippine Charity Sweepstakes Office (PCSO)
34 and the Philippine Amusement And Gaming Corporation (PAGCOR), which shall
35 equally share the costs; the same shall be released to the Department of Health
36 (DOH) subject to the usual accounting and auditing procedures. *Provided,* That the
37 DOH shall set the budget for, as well as the criteria for, the availment of this
38 program.

39 **SEC. 63. Implementing Rules and Regulations.** - Within sixty days (60) after
40 the effectivity of this Act, the Commission, the Board, the AIPO for registered nurses,
41 the Civil Service Commission, the Department of Budget and Management, the

1 Department of Health, and other concerned nursing organizations and government
2 agencies, shall promulgate the implementing rules and regulations necessary for the
3 implementation of this Act.

4 **SEC. 64. Separability Clause.** – Should any provision of this Act be declared
5 unconstitutional, the remaining parts not affected thereby shall remain valid and
6 operational.

7 **SEC. 65. Repealing Clause.** - Republic Act No. 9173, otherwise known as the
8 “Philippine Nursing Act of 2002” is hereby repealed. All other laws, decrees, order,
9 circulars, issuances, rules and regulations and parts thereof which are inconsistent
10 with this Act are hereby repealed, amended, or modified accordingly.

11 **SEC. 66. Effectivity.** This Act shall take effect fifteen (15) days after its
12 publication in the Official Gazette or in two (2) newspapers of general circulation in
13 the Philippines.

14 *Approved,*