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SENATE

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Introduced by Senator Ralph G. Recto

EXPLANATORY NOTE

Nursing is one of the top career choices of Filipinos as illustrated by the enrolment in 2000 at 30,000 and 450,000 in 2007 as reported by the Commission on Higher Education. From just 40 schools offering nursing courses in 1970, the country now has 481 schools offering nursing courses. In the 1990s, there were 170 schools; in June 2003: 251; in April 2004: 370; in June 2005: 441; and in June 2006: 470 schools. The rising enrolment mirrors the rising demand for the services of professional nurses in the Philippines and in other countries.

However, despite the large pool of nursing graduates, many nursing positions in public and private health facilities in the country remain unfilled due to many factors, not least of which are the low compensation and generally poorer working environment in the country. The ideal nurse to patient ratio of 1:4 per shift has yet to be realized in our country. The Philippine General Hospital has a nurse to patient ratio of 1:15-26 per shift while Davao del Sur has a province-wide ratio of 1:44-45 per shift.

Filipino nurses including doctors turned nurses continue to migrate in droves making the Philippines one of the top source country of nurses. The Philippine Overseas Employment Administration (POEA) reported that in 2007, nurse deployment at 12,263 was already double that of 6,410 nurse deployment in 2000. Deployments continued to grow in 2008, at 12,618; in 2009: 13,465; and in 2010: 12,082 nurses. Destination countries in 2010 were as follows: Saudi Arabia, 8513; Singapore, 722; United Arab Emirates, 473; Libya, 417; Kuwait, 409; United Kingdom, 350; United States, 83; and Canada, 58.

These actual deployment figures were vastly lower than the projected rates of deployment by the Department of Labor and Employment, as follows: 16,701 in 2006; 26,324, in 2007; 35,948 in 2008; 45,572 in 2009; and 55,195 in 2010.

Thus, the nursing profession had to contend with an expected tapering off of demand for nurses on the heels of rising demand for Filipino doctors. The problem was aggravated when some individuals and institutions in the nursing education sector were embroiled in the 2006 licensure examination controversy. The negative effect on Filipino nurses and nursing graduates caused the international employers to take a hard second look and impose stringent requirements.

Similarly, the CHED was forced to target the improvement of the quality of nursing education nationwide. It observed declining passing rates: 1970s to 80s: 80-90%; in 1991: below 81%; 2001 to 2003: 44-48%; in 2004: 55.9%; in 2005: 40.7%; and, in 2006: 42.42%. Last year, the low passing rate in July of 41.4% further declined in December to 35.26 % with 29,711 passers out of 84,287 examinees. Earlier in May 2010, the CHED recommended the closure of 147 schools for dismal performance in five successive years. Thereafter, the CHED issued a

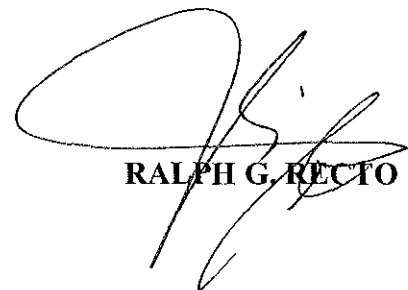
moratorium on nursing enrolments to stem the oversupply of nursing graduates now at 280,000, most of whom are presently unemployed or underemployed.

Since the enactment of RA 9173 almost a decade ago, these significant events critical to the development of nursing practice in the country have emerged. The Philippine Nursing Act of 2002 must remain responsive to the Filipinos' need for nursing care and to the demand of new destination-countries.

It is therefore imperative that reforms to further develop the nursing profession, increase protection for nursing professionals and raise the standard of nursing education be adopted by amending the Philippine Nursing Act of 2002 or Republic Act No. 9173. This Bill proposes to restructure the scope and practice of nursing by including specific mandates on certification, specialization and educational requirements of nursing graduates; to expand the powers of the Board of Nursing by strengthening its role in decision-making processes; to strengthen the nursing professionals including the faculty and administration of nursing schools; to upgrade the standards in nursing education, practice and guidelines for nursing career progression; and, to provide a better environment for nursing practice.

The Bill is envisioned to enhance the protection and welfare of Filipino nurses to make them responsive to the needs of their patients and the public and private health systems.

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



RALPH G. RECTO

1 improvement AND DEVELOPMENT of the nursing profession by instituting
2 measures that will result in relevant AND QUALITY nursing [education]
3 PRACTICE, humane working conditions, better career prospects, and a dignified
4 existence for [our] nurses TO ENSURE HIGH LEVEL OF WELLNESS AND
5 WELL-BEING.

6 The State hereby guarantees the delivery of quality basic health services
7 through an adequate nursing personnel system throughout the country.

8 **SEC. 3.** Section 28, Article VI of the same Act is hereby amended and renumbered as
9 Section 3 under Article III and succeeding Sections are hereby renumbered accordingly, to read
10 as follows:

11 “ARTICLE [VI] III

12 SCOPE OF Nursing Practice

13 SEC. [28] 3. Scope of Nursing PRACTICE. – A person shall be deemed to be
14 practicing nursing within the meaning of this Act when he/she singly or in collaboration
15 with another, initiates and performs nursing [services] CARE to individuals, families,
16 POPULATION GROUPS and communities in any health care setting. It includes, but
17 not limited to, nursing care during conception, labor, delivery, infancy, childhood,
18 toddler, preschool, school age, adolescence, adulthood and old age. [As independent
19 practitioners,] Nurses are primarily responsible for the promotion of health and
20 prevention of illness. As members of the health team, nurses shall collaborate with other
21 health care providers for the PROMOTIVE, PREVENTIVE, curative, [preventive] and
22 rehabilitative aspects of care, restoration of health, alleviation of suffering, and when
23 recovery is not possible, towards a peaceful death. IN PERFORMING INDEPENDENT
24 AND COLLABORATIVE FUNCTIONS SINGLY OR JOINTLY, it shall be the duty of
25 the nurse to:

26 a) Provide nursing care through the utilization of the nursing process.
27 BASIC nursing care includes, but not limited to, traditional and innovative
28 approaches, therapeutic use of self, executing health care techniques and
29 procedures, essential primary health care, comfort measures, health teachings, and

1 administration of written prescription for treatment, therapies, oral, topical and
2 parenteral medications, internal examination during labor in the absence of
3 antenatal bleeding and delivery[. In case of] AND suturing of perineal laceration
4 [special training shall be provided according to protocol established].

5 B) PROVIDE ADVANCED NURSING CARE THROUGH
6 EXPANDED AND SPECIALIZED ROLES WITHIN THE PROTOCOL OF
7 ADVANCED NURSING PRACTICE. CERTIFICATION BY AN
8 ACCREDITED CERTIFICATION BODY IS REQUIRED.

9 [b] C) [Establish linkages] COLLABORATE with community resources
10 and [coordination] COORDINATE with THE MEMBERS OF the health
11 team IN ANY HEALTH CARE SETTING;

12 [c] D) Provide health education to AND COLLABORATE WITH
13 individuals, families, POPULATION GROUPS and communities TO
14 MAINTAIN, ATTAIN, RESTORE AND SUSTAIN OPTIMAL
15 HEALTH AND QUALITY OF LIFE;

16 [d] E) "XXX; and

17 [e] F) Undertake nursing and health human resource development
18 training and research, which shall include, but not limited to, the
19 development of advanceD nursing practice:

20 *Provided,* That this section shall not apply to nursing students who
21 perform nursing functions under the direct supervision of a qualified faculty:

22 *Provided, further,* That in the practice of nursing in all settings, the nurse is [duty-
23 bound] MANDATED to observe the Code of Ethics for Nurses and uphold the
24 standards of safe AND QUALITY nursing practice. The nurse is required to
25 maintain competence by continual [learning through continuing] professional
26 education to be provided] DEVELOPMENT AS PRESCRIBED by the
27 [accredited professional organization or any recognized professional] BOARD OF
28 Nursing [organization]: *Provided, finally,* That the program and activity for the

1 [continuing] CONTINUAL PROFESSIONAL [education] DEVELOPMENT
2 shall be submitted to and approved by the Board.”

3
4 **SEC. 4.** Article III of the same Act is hereby amended to read as follows:

5 “ARTICLE [III] IV

6 Organization of the Board of Nursing

7 SEC. [3] 4. *Creation and Composition of the Board.* – There shall be
8 created a Professional Regulatory Board of Nursing, hereinafter referred to as the
9 Board, to be composed of a chairperson and six (6) members. They shall be
10 appointed by the President of the Republic of the Philippines from among two (2)
11 recommendees, per vacancy, of the Professional Regulation Commission,
12 hereinafter referred to as the Commission, chosen and ranked from a list of three
13 (3) nominees, per vacancy, of the accredited professional organization of nurses
14 in the Philippines who possess the qualifications prescribed in SEC. [4] 5 of this
15 Act.

16 SEC. [4] 5. *Qualifications of the Chairperson and Members of the Board.*
17 – The Chairperson and Members of the Board shall, at the time of their
18 appointment, possess the following qualifications:

19 (a) Be a natural born citizen and resident of the Philippines FOR THE
20 LAST THREE YEARS;

21 (b) “XXX;

22 (c) Be a registered nurse IN THE PHILIPPINES, and holder of a
23 CURRENT VALID PRC ID; [and holder of a master’s degree in
24 nursing, education or other allied medical profession conferred by a
25 college or university duly recognized by the government:

26 *Provided,* That the majority of the members of the Board shall be
27 holders of a master's degree in nursing: *Provided, further,* That the
28 Chairperson shall be a holder of a master's degree in nursing;]

1 (D) BE A HOLDER OF A MASTER'S DEGREE IN NURSING AND
2 OTHER RELATED HEALTH SCIENCE PROGRAMS CONFERRED
3 BY AN ACCREDITED UNIVERSITY;

4 [d] (E) Have at least ten (10) years of continuous practice of the NURSING
5 profession prior to appointment.

6 [e] (F) [Not have been convicted of any offense involving moral turpitude]
7 MUST BE OF PROVEN HONESTY AND INTEGRITY:

8 *Provided*, That the membership to the Board shall represent the three (3)
9 areas of nursing, namely: nursing education, nursing service and community
10 health nursing.

11 SEC. [5] 6. *Requirements Upon Qualification as Member of the Board of*
12 *Nursing.* – “XXX.

13 SEC. [6] 7. *Term of Office.* – “XXX.

14 SEC. [7] 8. *Compensation of the Board Members.* – “XXX.

15 SEC. [8] 9. *Administrative Supervision of the Board, Custodian of its*
16 *Records, Secretariat and Support Services.* – “XXX.

17 SEC. [9] 10. *Powers and Duties of the Board.* – “XXX:

18 a) ENSURE THE PROPER conduct OF the PHILIPPINE NURSE
19 Licensure Examination [for nurses] (PNLE) CONSIDERING THE
20 PROCESS AND SYSTEMS OF THE COMMISSION, WHICH
21 INCLUDE BUT NOT LIMITED TO APPLICATION, TEST
22 DEVELOPMENT, EXAMINATION, CORRECTION AND
23 RELEASE OF RESULTS. THE USE OF APPROPRIATE
24 TECHNOLOGY/MODALITIES DURING THE CONDUCT OF THE
25 PNLE IS ENCOURAGED TO ENHANCE EFFICIENCY WHILE
26 UPHOLDING INTEGRITY;

27 b) Issue, suspend, [or] revoke OR REISSUE certificates of registration for
28 the practice of nursing AND ENSURE WIDEST PUBLICATION
29 THRU ELECTRONIC AND WRITTEN MEDIA;

- 1 c) [Monitor] ENFORCE and MONITOR SAFE AND quality standards of
2 nursing practice in the Philippines and exercise the powers necessary to
3 ensure the maintenance of efficient, [ethical] ETHICO-MORAL, [and]
4 technical, [moral] AND professional standards in the practice of
5 nursing [taking into account the] TOWARDS OPTIMAL health
6 [needs] AND THE COMMON GOOD of the nation;
- 7 d) Ensure quality nursing education by examining [the prescribed facilities
8 of universities or colleges of nursing or departments of] AND
9 MONITORING HIGHER EDUCATION INSTITUTIONS (HEI)
10 OFFERING nursing [education] PROGRAM and those seeking
11 permission to open nursing courses to ensure that standards of nursing
12 education are properly complied with and maintained at all times. The
13 authority to open and close [colleges of nursing and/or] nursing
14 education programs OFFERED BY HEI, shall be vested on the
15 Commission on Higher Education, ONLY upon the written AND
16 FAVORABLE recommendation of the Board;
- 17 e) "XXX;
- 18 f) Promulgate a Code of Ethics THAT IS RESPONSIVE TO THE
19 NEEDS OF THE NURSING PROFESSION, in coordination and
20 consultation with the accredited professional organization of nurses
21 within one (1) year from the effectivity of this Act;
- 22 g) [Recognize nursing specialty organizations in coordination with the
23 accredited professional organization] INSTITUTE A NATIONAL
24 NURSING CAREER PROGRESSION PROGRAM (NNCPP) FOR
25 THE CONTINUING PROFESSIONAL DEVELOPMENT OF
26 FILIPINO NURSES;
- 27 H) CREATE A COUNCIL FOR NURSING RECOGNITION,
28 ACCREDITATION AND CERTIFICATION THAT WILL ASSIST
29 THE BOARD OF NURSING IN:

- 1) RECOGNIZING ORGANIZED NURSING GROUPS;
 - 2) SETTING STANDARDS FOR ADVANCED NURSING PRACTICE, EDUCATION, RESEARCH AND MANAGEMENT;
 - 3) ACCREDITING SPECIALTY PROGRAMS AND ADVANCED NURSING PROGRAMS BASED ON ESTABLISHED MECHANISMS;
 - 4) CREDENTIALING INDIVIDUAL REGISTERED NURSES BASED ON ACCEPTED CRITERIA;
 - 5) MONITORING AND EVALUATION OF ADVANCED NURSING PRACTICE, EDUCATION, RESEARCH AND MANAGEMENT TO ENSURE SAFETY AND QUALITY OF NURSING PRACTICE IN THE PHILIPPINES;
- I) MAKE DECISIONS TO INFLUENCE AUTHORITIES/AGENCIES ON MATTERS THAT DIRECTLY AFFECT NURSES' WELFARE;
 - J) ENSURE PERFORMANCE OF MANDATED DUTIES AND FUNCTIONS WITH THE PROVISION OF OPERATIONAL RESOURCES INCLUDING HUMAN RESOURCE, PHYSICAL SPACE AND BUDGET TO ENSURE THE CONFIDENTIALITY AND SANCTITY OF THEIR FUNCTIONS AS PROVIDED THROUGH THE ANNUAL BUDGET OF THE PROFESSIONAL REGULATION COMMISSION AS PROMULGATED IN THE GENERAL APPROPRIATIONS ACT; and

[h] K) "XXX.

SEC. [10] 11. *Annual Report.* – "XXX.

SEC. [11] 12. *Removal or Suspension of Board Members.* – "XXX.

SEC. 5. Article IV of the same Act is hereby amended to read as follows:

ARTICLE [IV] V

Examination and Registration

1 SEC. [12] 13. PHILIPPINE NURSE Licensure Examination. - All
2 applicants for license to practice nursing shall be required to pass a written
3 examination, which shall be given by the Board in such places and dates as may be
4 designated by the Commission: *Provided*, That it shall be in accordance with
5 Republic Act No. 8981, otherwise known as the "PRC Modernization Act of
6 2000."

7 "SEC. [13] 14. *Qualifications for Admission to the PHILIPPINE NURSE*
8 *Licensure Examination.* - In order to be admitted to the examination for nurses, an
9 applicant [must], [at] FROM the time of [filing] his/her GRADUATION MUST
10 FILE IMMEDIATELY HIS/HER APPLICATION[,] AND establish to the
11 satisfaction of the Board that:

12 a) "XXX;

13 b) "XXX;

14 c) He/she is a holder of a Bachelor[’s Degree in] OF SCIENCE IN
15 NURSING DEGREE from a college or university that complies with
16 the standards of nursing education duly recognized by the proper
17 government agency.

18 "SEC. [14] 15. *Scope of Examination.* - The scope of the examination for
19 the practice of nursing in the Philippines shall be determined by the Board [. The
20 Board shall take] OF NURSING TAKING into consideration the CORE
21 COMPETENCIES REQUIRED OF BEGINNING NURSE PRACTITIONERS
22 CONSIDERING THE objectives of the nursing curriculum[, the broad areas of
23 nursing, and other related disciplines and competencies in determining the subjects
24 of examinations] IN RESPONSE TO THE NEEDS OF THE SOCIETY AND THE
25 DEMANDS OF INDUSTRY.

26 THE PHILIPPINE NURSE LICENSURE EXAMINATION SHALL BE
27 BASED ON A COMPETENCY-BASED TEST FRAMEWORK.

28

1 “SEC. [15] 16. *Ratings.* – In order to pass the examination, an examinee
2 must obtain a general average of at least seventy-five percent (75%) with a rating
3 of not below [sixty percent (60%)] SEVENTY PERCENT (70%) in any subject.
4 An examinee who obtains an average rating of seventy-five percent (75%) or
5 higher but gets a rating below [sixty percent (60%)] SEVENTY PERCENT (70%)
6 in any subject must take the examination again but only in the subject or subjects
7 where he/she is rated below [sixty percent (60%)] SEVENTY PERCENT (70%).
8 In order to pass the succeeding examination, an examinee must obtain a rating of
9 at least seventy-five percent (75%) in the subject or subjects repeated. AN
10 EXAMINEE SHALL BE GIVEN A CHANCE TO REPEAT THE PNLE WITH
11 A MAXIMUM OF THREE (3) EXAMINATIONS.”

12 SEC. [16] 17. *Oath.* – “XXX.

13 SEC. [17] 18. *Issuance of Certificate of Registration/Professional License*
14 *and Professional Identification Card.* A certificate of registration/professional
15 license as a nurse shall be issued to an applicant who passes the examination upon
16 payment of the prescribed fees. Every certificate of registration/professional
17 license shall show the full name of the registrant, the serial number, the signature
18 of the Chairperson of the Commission and of the Members of the Board[.]. THE
19 CERTIFICATE SHALL BEAR THE LOGO OF THE BOARD OF NURSING
20 and the official seal of the Commission.

21 A professional identification card, duly signed by the Chairperson of the
22 Commission, bearing the date of registration, license number, and the date of
23 issuance and expiration thereof shall likewise be issued to every registrant upon
24 payment of the required fees.

25 SEC. [18] 19. *Fees for Examination and Registration.* - Applicants for
26 licensure and for registration shall pay the prescribed fees set by THE
27 Commission.

28 SEC. [19] 20. *Automatic Registration of Nurses.* -All nurses whose names
29 appear at the roster of nurses shall [be automatically or] *ipso facto* BE registered

1 as nurses AND AS MEMBERS OF THE PRC ACCREDITED PROFESSIONAL
2 ORGANIZATION (APO) [under this Act] UPON [its] THE effectivity OF THIS
3 ACT.

4 SEC. [20] 21. *Registration by Reciprocity.* – “XXX.

5 SEC. [21] 22. *Practice Through Special/Temporary Permit.* -A
6 special/temporary permit may be issued [by the Board] to the following persons
7 [subject to the approval of] BASED ON QUALIFICATION STANDARDS AS
8 DETERMINED BY THE BOARD OF NURSING AND APPROVED BY the
9 Commission [and upon payment of the prescribed fees]:

10 (a) “XXX;

11 (b) Licensed nurses from foreign countries/states on medical mission
12 whose services shall be free in a particular hospital, center or clinic;
13 [and]

14 (c) Licensed nurses from foreign countries/states [employed] ENGAGED
15 by schools/colleges of nursing as exchange professors in a branch or
16 specialty of nursing; AND IN EMERGENCY SITUATIONS OF
17 GROSS DISASTERS AND CALAMITIES:

18 *Provided, however,* That the special/temporary permit shall be effective
19 only for the duration of the project, medical mission or [employment]
20 ENGAGEMENT contract.

21 SEC. [22] 23. *Non-registration and Non-issuance of Certificates of*
22 *Registration/Professional License or Special/Temporary Permit.* – “XXX.

23 SEC. [23] 24. *Revocation and suspension of Certificate of*
24 *Registration/Professional License and Cancellation of Special/Temporary Permit.*
25 – “XXX.

26 SEC. [24] 25. *Re-issuance of Revoked Certificates and Replacement of Lost*
27 *Certificates.* – “XXX.

28 **SEC. 6.** Articles V and VI of the same Act are hereby amended to read as
29 follows:

1 ARTICLE [V] VI

2 Nursing Education

3 SEC. [25] 26. *Nursing Education [Program]*. – NURSING EDUCATION IS THE
4 FORMAL LEARNING AND TRAINING IN THE SCIENCE AND ART OF
5 NURSING PROVIDED BY HIGHER EDUCATION INSTITUTIONS DULY
6 ACCREDITED BY THE CHED.

7 (A) *BASIC NURSING EDUCATION PROGRAM*. – The BASIC nursing education
8 program [shall] IS A COMPETENCY-BASED CURRICULUM WHICH
9 WILL provide sound general and professional foundation for [the practice of]
10 nursing SERVICE TO BE ABLE TO IMPLEMENT THE NECESSARY
11 SAFE QUALITY NURSING PRACTICE. ADMISSION TO THE
12 BACCALAUREATE NURSING PROGRAM SHALL REQUIRE PASSING
13 A NATIONAL NURSING ADMISSION TEST (NNAT).

14 The learning experiences shall adhere strictly to specific requirements
15 embodied in the prescribed curriculum as promulgated by the Commission on
16 Higher Education's policies and standards of nursing education.

17 (B) *GRADUATE NURSING EDUCATION PROGRAM*. – THE GRADUATE
18 NURSING EDUCATION PROGRAM BUILDS ON THE EXPERIENCES
19 AND SKILLS OF A REGISTERED NURSE TOWARDS MASTERY,
20 EXPERTISE AND LEADERSHIP IN PRACTICE, RESEARCH AND
21 EDUCATION. IT INCLUDES A MASTER'S DEGREE AND
22 DOCTORATE DEGREE IN NURSING FOUNDED ON SCIENTIFIC
23 BODY OF KNOWLEDGE AND PRACTICE.

24 GRADUATE AND POST-GRADUATE NURSING PROGRAMS
25 SHALL BE OFFERED ONLY BY LEVEL THREE (3) ACCREDITED
26 HIGHER EDUCATION INSTITUTIONS BASED ON RELEVANT CHED
27 POLICIES AND GUIDELINES.

28 [SEC. 27] (C) *Qualifications of [the] Faculty MEMBERS*. –

1 1. *BASIC NURSING EDUCATION.* A member of the faculty in a college of
2 nursing teaching professional courses must:

3 a. Be a registered nurse in the Philippines AND A HOLDER
4 OF A CURRENT VALID PRC ID;

5 b. Have at least [one (1)] THREE (3) yearS of clinical practice
6 in a field of specialization;

7 [(c). Be a member of good standing in the accredited professional
8 organization of nurses; and]

9 [[d)] c. Be a holder of a master's degree in nursing, education, or
10 other allied health sciences conferred by a college of university
11 duly recognized by the Government of the Republic of the
12 Philippines;

13 D. UNDERGO TEACHER TRAINING FOR NURSING
14 EDUCATION PRIOR TO TEACHING EMPLOYMENT; AND

15 E. UNDERGO CLINICAL SKILLS COMPETENCY
16 ENHANCEMENT EVERY TWO (2) YEARS, AS
17 PRESCRIBED AND ACCREDITED BY THE BOARD.

18 [In addition to the aforementioned qualifications, the dean of a college
19 must have a master's degree in nursing. He/She must have at least five (5)
20 years of experience in nursing.]

21 2. *GRADUATE NURSING EDUCATION.* A MEMBER OF THE
22 FACULTY TEACHING GRADUATE PROFESSIONAL COURSES
23 MUST:

24 a. FOLLOW PRESCRIPTIONS 1 AND 2 OF BASIC
25 NURSING EDUCATION; AND

26 b. BE A HOLDER OF A DOCTORAL DEGREE IN
27 NURSING, EDUCATION, OR OTHER ALLIED HEALTH
28 SCIENCES CONFERRED BY A COLLEGE OF
29 UNIVERSITY DULY RECOGNIZED BY THE

1 GOVERNMENT OF THE REPUBLIC OF THE
2 PHILIPPINES:

3 *PROVIDED, FURTHER,* THAT HIGHER EDUCATION
4 INSTITUTIONS OFFERING BOTH BASIC AND GRADUATE
5 NURSING EDUCATION PROGRAMS SHALL BE GIVEN THREE
6 (3) YEARS WITHIN WHICH TO COMPLY WITH
7 QUALIFICATION REQUIREMENTS OF FACULTY MEMBERS
8 FROM THE EFFECTIVITY OF THIS ACT.

9 (D) *QUALIFICATIONS OF THE DEAN.* – THE DEAN OF A COLLEGE OF
10 NURSING MUST:

- 11 1) BE A REGISTERED NURSE IN THE PHILIPPINES AND A
12 HOLDER OF A CURRENT VALID PRC ID;
- 13 2) HAVE AT LEAST THREE (3) YEARS OF CLINICAL PRACTICE
14 IN A FIELD OF SPECIALIZATION;
- 15 3) HAVE AT LEAST THREE (3) YEARS OF NURSING EDUCATION
16 PROGRAM MANAGEMENT EXPERIENCE OR THREE (3) YEARS
17 OF MANAGEMENT IN ANY HEALTH-RELATED INSTITUTION;
- 18 4) BE A HOLDER OF A MASTER’S DEGREE IN NURSING FOR
19 BACCALAUREATE PROGRAM AND PREFERABLY A DOCTORAL
20 DEGREE IN NURSING FOR DOCTORAL PROGRAM CONFERRED
21 BY AN ACCREDITED COLLEGE OR UNIVERSITY IN THE
22 PHILIPPINES OR ITS EQUIVALENT;
- 23 5) MUST UNDERGO PROGRESSIVE TRAINING FOR DEANS
24 ACCORDING TO PROGRAM PRESCRIBED BY THE BOARD.

25 [ARTICLE VI

26 [Nursing Practice]

27 *SEC. 27. NURSING SERVICE.* - NURSING SERVICES INCLUDE, BUT ARE
28 NOT LIMITED TO, NURSING CARE PROVIDED TO INDIVIDUAL,
29 FAMILY OR GROUP IN ANY HEALTH CARE SETTING SUCH AS

1 HOSPITALS, PUBLIC HEALTH INSTITUTIONS OR COMMUNITIES,
2 CLINICS AND OTHERS BY A REGISTERED NURSE. THE NURSE SHALL
3 POSSESS THE CORE COMPETENCIES PRESCRIBED BY THE BOARD OF
4 NURSING. NURSING SERVICE INCLUDES THE PROVISION OF
5 SPECIALIZED, EXPANDED AND ADVANCED PRACTICE SERVICES AS
6 WELL AS NURSING MANAGEMENT.

7 (A) *BEGINNING NURSE PRACTITIONER.* – BEGINNING NURSE
8 PRACTITIONER PROVIDES FOR SAFE AND QUALITY CARE TO AN
9 INDIVIDUAL, FAMILY OR GROUP THAT IS INDEPENDENT OR
10 PROVIDED AS PART OF A TEAM BY A NURSE OR A GROUP OF
11 NURSES WHO WILL BE ABLE TO ASSESS, PLAN, IMPLEMENT AND
12 EVALUATE CARE PROVIDED TO CLIENTS BASED ON EVIDENCE
13 DERIVED FROM RESEARCH.

14 A BEGINNING NURSE PRACTITIONER MUST HAVE THE
15 FOLLOWING MINIMUM QUALIFICATIONS:

- 16 1) BACHELOR OF SCIENCE IN NURSING GRADUATE
- 17 2) REGISTERED NURSE WITH CURRENT PRC ID
- 18 3) MUST BE A MEMBER OF THE ACCREDITED PROFESSIONAL
19 ORGANIZATION (APO)
- 20 4) MUST NOT BE CONVICTED OF ANY MORAL TURPITUDE

21 (B) *ADVANCED NURSE PRACTITIONER.* – ADVANCED NURSE
22 PRACTITIONER IS A REGISTERED NURSE WHO HAS ACQUIRED
23 EXPERT KNOWLEDGE BASE, COMPLEX DECISION-MAKING SKILLS
24 AND CLINICAL COMPETENCIES FOR EXPANDED PRACTICE (ICN, 2002)
25 BASED ON EVIDENCE DERIVED FROM RESEARCH. ADVANCED
26 PRACTICE OF NURSING REQUIRES SUBSTANTIAL THEORETICAL
27 KNOWLEDGE IN THE SPECIALTY AREA OF NURSING PRACTICE AND
28 PROFICIENT CLINICAL UTILIZATION OF THIS KNOWLEDGE IN
29 IMPLEMENTING INDEPENDENT AND INTERDEPENDENT NURSING

1 INTERVENTIONS. SPECIALTIES CAN BE DIFFERENTIATED IN
2 DIFFERENT CATEGORIES: ACCORDING TO FUNCTIONS,
3 DISEASE/PATHOLOGY, SYSTEMS, AGE, SEX, ACUITY, SETTINGS,
4 TECHNOLOGY/THERAPIES. THIS PRACTICE INCLUDES THE
5 ACQUISITION OF NEW KNOWLEDGE AND SKILLS THAT LEGITIMIZE
6 ROLE AUTONOMY WITHIN SPECIFIC AREAS OF PRACTICE (ICN, 1992
7 AND HAMRIC, 2002). A MASTERS DEGREE IS REQUIRED FOR ENTRY
8 LEVEL. THIS INCLUDES BUT IS NOT LIMITED TO THOSE WHO ARE IN
9 EDUCATION, MANAGEMENT AND CLINICAL PRACTICE.

10 AN ADVANCED NURSE PRACTITIONER MUST HAVE THE
11 FOLLOWING MINIMUM QUALIFICATIONS IN ADDITION TO THE
12 REQUIREMENTS OF A BEGINNING NURSE PRACTITIONER:

- 13 1) RELEVANT MASTERS DEGREE GRADUATE FROM A
14 RECOGNIZED UNIVERSITY-BASED PROGRAM;
- 15 2) MUST BE CERTIFIED BASED ON THE BOARD OF NURSING
16 PROTOCOL; AND
- 17 3) MUST BE A MEMBER OF THE ACCREDITED PROFESSIONAL
18 ORGANIZATION (APO) AND THE CORRESPONDING
19 SPECIALTY ORGANIZATION.

20 [SEC. 29] (C) *[Qualification of a] NURSING SERVICE*
21 *[Administrators]MANAGER.* – A [person] NURSING SERVICE MANAGER IS
22 A PRACTITIONER occupying supervisory or managerial positions requiring
23 LEADERSHIP AND knowledge of nursing [must:] MANAGEMENT.

24 [(a) Be a registered nurse in the Philippines;

25 (b) Have at least two (2) years experience in general nursing service
26 administration;

27 (c) Possess a degree of Bachelor of Science in Nursing, with at least nine
28 (9) units in management and administration courses at the graduate level; and]

1 1) THE FIRST LEVEL MANAGER IS RESPONSIBLE DIRECTLY WITH
2 THE PHYSICAL SET-UP OF THE UNIT, STRUCTURE AND OTHER
3 HUMAN RESOURCES FOR HEALTH.

4 2) THE MIDDLE LEVEL MANAGER IS RESPONSIBLE FOR THE
5 DEPARTMENT OR SECTION HANDLING MORE THAN ONE (1) OR
6 TWO (2) UNITS, TAKES CARE OF THE FINANCIAL, LOGISTIC,
7 OPERATIONAL FUNCTIONS AND OTHERS.

8 3) THE TOP LEVEL MANAGER OVERSEES THAT ALL NURSING
9 UNITS IN TERMS OF THE FINANCIAL, HUMAN RESOURCES FOR
10 HEALTH (NOT JUST OF THE NURSES BUT INCLUDING THE
11 NURSING ASSISTANTS/ADJUNCTS) AND OTHERS.

12 A NURSING SERVICE MANAGER MUST HAVE THE FOLLOWING
13 MINIMUM QUALIFICATIONS IN ADDITION TO THE REQUIREMENTS
14 OF A BEGINNING NURSE PRACTITIONER:

15 a) FOR FIRST LEVEL MANAGERIAL POSITION IN NURSING,
16 EIGHTEEN (18) UNITS OF NURSING MANAGEMENT AND
17 CLINICAL SUBJECTS IN MASTER OF ARTS IN NURSING/MASTER
18 OF SCIENCE IN NURSING AND AT LEAST THREE (3) YEARS OF
19 CLINICAL WORK EXPERIENCE.

20 b) FOR MIDDLE LEVEL MANAGERIAL POSITION IN NURSING,
21 COMPLETED ALL ACADEMIC REQUIREMENTS IN MASTER OF
22 ARTS IN NURSING/MASTER OF SCIENCE IN NURSING AND AT
23 LEAST THREE (3) YEARS OF CLINICAL AND TWO (2) YEARS OF
24 MANAGEMENT EXPERIENCE.

25 c) FOR TOP LEVEL MANAGERIAL POSITION IN NURSING,
26 MASTERS DEGREE IN NURSING OR HEALTH MANAGEMENT-
27 RELATED SCIENCES AND AT LEAST THREE (3) YEARS OF
28 CLINICAL AND THREE (3) YEARS OF MANAGEMENT
29 EXPERIENCE.

1 d) MUST be a member of good standing of the accredited professional
2 organization [of nurses] AND RELEVANT NURSING
3 ORGANIZATIONS:

4 [*Provided*, That a person occupying the position of chief nurse or director of
5 nursing service shall, in addition to the foregoing qualifications, possess:

6 1. At least five (5) years of experience in a supervisory or managerial
7 position in nursing; and

8 2. A master's degree major in nursing;

9 *Provided further*, That for primary hospitals, the maximum academic
10 qualifications and experiences for a chief nurse shall be as specified in
11 subsections (a), (b) and (c) of this section: *Provided furthermore*, That for chief
12 nurses in the public health nursing shall be given priority. *Provided*, even further,
13 That for chief nurses in military hospitals, priority to those who have finished a
14 master's degree in nursing and the completion of the General Staff Course (GSC):
15 *Provided finally*, That those occupying such positions before the effectivity of this
16 Act shall be given a period of five (5) years within which to qualify.]

17 *PROVIDED, THAT THE ABOVE QUALIFICATIONS SHALL APPLY TO*
18 *ALL NURSES OCCUPYING SUPERVISORY OR MANAGERIAL*
19 *POSITIONS ACROSS ALL HEALTH FACILITIES SUCH AS, BUT NOT*
20 *LIMITED TO PRIMARY OR MILITARY HEALTH FACILITIES, FOR TOP*
21 *LEVEL MANAGERIAL POSITION OF FIRST AND SECOND LEVELS, AS*
22 *WELL AS MEDICAL CENTERS NATIONWIDE.*

23 *SEC. 28. NURSE-PATIENT RATIO.* -THE GOVERNMENT AND PRIVATE
24 HOSPITALS ARE HEREBY MANDATED TO MAINTAIN THE STANDARD
25 NURSE-PATIENT RATIO SET BY THE DEPARTMENT OF HEALTH:

- 26 • IN HOSPITALS BASED ON ACUITY AND AUTHORIZED BED
27 CAPACITY (ABC);
- 28 • IN COMMUNITY BASED ON NEED, POPULATION AND
29 GEOGRAPHY;

- IN OCCUPATIONAL OR SCHOOL SETTINGS BASED ON RELEVANT LEGAL INSTRUMENTS (AO, EO, RA).

SEC. [26] 29. *Requirement for Inactive Nurses Returning to Practice.* – Nurses [who have not actively practiced the profession] ARE DEEMED TO BE INACTIVE WHEN:

- 1) THEY ARE NOT UTILIZING NURSING COMPETENCIES AS DEFINED IN THE SCOPE OF NURSING PRACTICE for five (5) consecutive years.
- 2) THERE IS NON-RENEWAL OF PRC ID FOR FIVE (5) YEARS.
- 3) THEY DO NOT HAVE PROOF OF FIVE (5) YEARS OF CONTINUOUS NURSING PRACTICE.

INACTIVE NURSES are required to undergo one (1) month of didactic training and three (3) months of practicum. ONLY the Board shall accredit hospitals AND HEALTH CARE AGENCIES to conduct the said training program.

SEC. 7. Article VII of the same Act is hereby amended to read as follows:

“ARTICLE VII

[Health] HUMAN RESOURCES FOR HEALTH (HRH) Production,

Utilization and Development

SEC. 30. *Studies for Nursing Manpower Needs, Production, Utilization and Development.* – The Board in coordination with [the accredited professional organization] RELEVANT NURSING AND OTHER GOVERNMENT AND NON-GOVERNMENT AGENCIES shall initiate, undertake and conduct studies on health human resources production, utilization and development. THE BOARD SHALL LIKEWISE ENSURE THE EFFECTIVE IMPLEMENTATION OF HRH DEVELOPMENT STRATEGIES FOR NURSES AND OTHER RELATED PERSONNEL TO ATTAIN A HIGHLY MOTIVATED AND PRODUCTIVE NURSING PERSONNEL SYSTEM AND WORKFORCE.”

1 “SEC. 31. [Comprehensive] NATIONAL Nursing [Specialty]
2 CAREER PROGRESSION Program (NNCPP). – THERE SHALL BE AN
3 INSTITUTIONALIZED NATIONAL NURSING CAREER PROGRESSION
4 PROGRAM (NNCPP) AS PRESCRIBED IN ARTICLE IV, SEC. 10, LETTER
5 G & H. IN THE IMPLEMENTATION OF THE NNCPP, THE BOARD SHALL
6 COORDINATE WITH THE DEPARTMENT OF HEALTH AND OTHER
7 RELEVANT GOVERNMENT AND PRIVATE AGENCIES.

8 Within ninety (90) days from the effectivity of this Act, the Board, in
9 coordination with the accredited professional organization, recognized specialty
10 organizations and the Department of Health is hereby mandated to formulate and
11 develop a comprehensive nursing specialty program that would upgrade the level
12 of skill and competence of specialty nurse clinicians in the country, such as but
13 not limited to the areas of critical care, oncology, renal and such other areas as
14 may be determined by the Board[.]:

15 PROVIDED, THAT ANY REGISTERED NURSE, BEFORE BEING
16 ALLOWED TO WORK IN SPECIALTY AREAS TO PERFORM BEYOND
17 GENERALIST FUNCTION OR HAVE SPECIFIC SPECIALTIES, MUST
18 FINISH THE FORMAL EDUCATION AND TRAINING TOWARDS
19 SPECIALIZATION, POSSESS RECOGNIZED ADVANCED PRACTICE
20 COMPETENCIES AND MUST BE CERTIFIED BY THE BOARD TO BE AN
21 ADVANCED PRACTICE NURSE AND MUST BE A MEMBER OF A
22 RELEVANT AND ACCREDITED NURSING SPECIALTY ORGANIZATION:
23 PROVIDED, FURTHER, THAT NURSING SPECIALTY ORGANIZATIONS
24 WITH ADVANCED PRACTICE SHALL BE RECOGNIZED AND CERTIFIED
25 BY THE BOARD, IN COORDINATION WITH THE ACCREDITED
26 PROFESSIONAL ORGANIZATION.

27 The beneficiaries of this program are obliged to serve in any Philippine
28 hospital for a period of at least two (2) years of continuous service.

1 “SEC. 32. *[Salary] COMPENSATION.* – In order to enhance the general
2 welfare, commitment to service and professionalism of nurses, the minimum base
3 pay of nurses working in the public AND PRIVATE health and HEALTH-
4 RELATED institutions shall BE IN ACCORDANCE WITH PREVAILING
5 SALARY STANDARDS SET BY LAW FOR PROFESSIONALS AND SHALL
6 not be lower than salary grade 15 [prescribed under Republic Act No. 6758,
7 otherwise known as the “Compensation and Classification Act of 1989”:]
8 FOLLOWING THE PROVISIONS OF THE SALARY STANDARDIZATION
9 LAW: [Provided, That for nurses working in local government units, adjustment
10 to their salaries shall be in accordance with Sec. 10 of the said law.] *PROVIDED,*
11 *FURTHER,* THAT ADVANCED PRACTICE NURSES IN PUBLIC AND
12 PRIVATE HEALTH AND HEALTH-RELATED INSTITUTIONS SHALL BE
13 ENTITLED TO ADDITIONAL REMUNERATION. GOVERNMENT AND
14 NON-GOVERNMENT FINANCIAL INSTITUTIONS SHALL PROVIDE
15 MECHANISM FOR REIMBURSEMENTS FOR SPECIALTY AND
16 ADVANCED PRACTICE NURSING SERVICES BASED ON
17 QUALIFICATIONS PRESCRIBED BY THE BOARD ADHERING TO THE
18 NATIONAL NURSING CAREER PROGRESSION PROGRAM (NNCPP). IN
19 ADDITION, NURSING PROFESSIONAL FEES MAY BE EXACTED
20 DIRECTLY FROM THE CLIENTELE AND PATIENTS WITHIN THE
21 PROVISIONS OF ADVANCED PRACTICE NURSING OR
22 COLLABORATIVELY WITH EXPERT NURSES.”

23 “SEC. 33. *Funding for the [Comprehensive] DEVELOPMENT OF THE*
24 *NATIONAL Nursing [Specialty] CAREER PROGRESSION PROGRAM (NNCPP)*
25 *AND TRAINING.* – The annual financial requirement needed to [train at least ten
26 percent (10%) of the nursing staff of the participating government hospital]
27 IMPLEMENT THE NNCPP IN THE TRAINING OF GOVERNMENT AND
28 PRIVATE NURSES FOR CONTINUAL LIFE-LONG LEARNING shall be
29 [chargeable against] SOURCED FROM:

1 A. TEN PERCENT (10%) OF THE ANNUAL BUDGET OF THE
2 DEPARTMENT OF HEALTH AS SPECIFIED UNDER THE ANNUAL
3 GENERAL APPROPRIATIONS ACT; and

4 B. TEN PERCENT (10%) OF the income of the Philippine Charity
5 Sweepstakes Office and the Philippine Amusement and Games
6 Corporation which [shall equally share in the costs and] shall be released
7 to the Department of Health subject to accounting and auditing
8 procedures: *Provided*, That the Department of Health shall set the criteria
9 for the availment of this program; AND

10 C. TWENTY PERCENT (20%) OF THE PROFESSIONAL REGULATION
11 COMMISSION'S INCOME FROM THE REGULATION OF THE
12 NURSING PROFESSION."

13 SEC. 34. *Incentives and Benefits*. – [The Board of Nursing in coordination
14 with the Department of Health and other concerned government agencies,
15 associating of hospitals and the accredited professional organization] TO THE
16 EXTENT POSSIBLE AS PROVIDED BY LAW, A MECHANISM shall BE
17 established BY THE BOARD OF NURSING TO PROVIDE [an] incentiveS and
18 benefitS [system in the form of free hospital care for nurses and their dependents,
19 scholarship grants and other non-cash benefits. The government and private
20 hospitals are hereby mandated to maintain the standard nurse-patient ratio set by
21 the Department of Health.] FOR NURSES IN BOTH GOVERNMENT AND
22 PRIVATE SECTORS.

23 SEC. 8. Article VIII of the same Act is hereby amended to read as follows:

24 "ARTICLE VIII

25 Penal and Miscellaneous Provisions

26 SEC. 35. *Prohibitions in the Practice of Nursing*. – A fine of not less
27 than [Fifty thousand pesos (P50,000.00)] ONE HUNDRED THOUSAND PESOS
28 (P100,000.00) nor more than [One hundred thousand pesos (P100,000.00)]
29 THREE HUNDRED THOUSAND PESOS (P300,000.00) or imprisonment of not

1 less than one (1) year nor more than six (6) years, or both, upon the discretion of
2 the court, shall be imposed upon THE FOLLOWING CLASSIFICATION OF
3 OFFENSES:

- 4 1) VIOLATIONS AGAINST CODE OF ETHICS AND PUBLIC
5 MORALS;
- 6 2) VIOLATIONS AGAINST PROFESSIONAL STANDARDS;
- 7 3) VIOLATIONS AGAINST HUMAN/PATIENT'S RIGHTS; AND
- 8 4) OTHER OFFENSES

9 [(a) any person practicing nursing in the Philippines within the meaning of this Act:

10 (1) without a certificate of registration/professional license and professional
11 identification card or special temporary permit or without having been declared
12 exempt from examination in accordance with the provision of this Act; or

13 (2) who uses as his/her own certificate of registration/professional license and
14 professional identification card or special temporary permit of another; or

15 (3) who uses an invalid certificate of registration/professional license, a
16 suspended or revoked certificate of registration/professional license, or an expired or
17 cancelled special/temporary permits; or

18 (4) who gives any false evidence to the Board in order to obtain a certificate of
19 registration/professional license, a professional identification card or special permit;
20 or

21 (5) who falsely poses or advertises as a registered and licensed nurse or uses any
22 other means that tend to convey the impression that he/she is a registered and licensed
23 nurse; or

24 (6) who appends B.S.N./R.N. (Bachelor of Science in Nursing/Registered Nurse)
25 or any similar appendage to his/her name without having been conferred said degree
26 or registration; or

27 (7) who, as a registered and licensed nurse, abets or assists the illegal practice of a
28 person who is not lawfully qualified to practice nursing.

1 (b) any person or the chief executive officer of a judicial entity who undertakes in-
2 service educational programs or who conducts review classes for both local and foreign
3 examination without permit/clearance from the Board and the Commission; or

4 (c) any person or employer of nurses who violate the minimum base pay of nurses
5 and the incentives and benefits that should be accorded them as specified in Sections 32
6 and 34; or

7 (d) any person or the chief executive officer of a juridical entity violating any
8 provision of this Act and its rules and regulations.]

9 **SEC. 9.** Article IX of the same Act is hereby amended to read as follows:

10 ARTICLE IX

11 FINAL PROVISIONS

12 SEC. 36. *Enforcement of this Act.* – “XXX.

13 SEC. 37. *Appropriations.* – “XXX.

14 SEC. 38. *Rules and Regulations.* – Within ninety days (90) after the
15 effectivity of this Act, the Board and the Commission, in coordination with the
16 accredited professional organization AND OTHER NURSING PROFESSIONAL
17 ORGANIZATIONS, the Department of Health, the Department of Budget and
18 Management and other concerned government agencies, shall formulate rules and
19 regulations necessary to carry out the provisions of this Act. The implementing
20 rules and regulations shall be published in the Official Gazette or newspaper of
21 general circulation.

22 SEC. 39. *Separability Clause.* – “XXX.

23 SEC. 40. *Repealing Clause.* REPUBLIC ACT NO. 9173, OTHERWISE
24 KNOWN AS THE “PHILIPPINE NURSING ACT OF 2002” IS HEREBY AMENDED.
25 All other laws, decrees, orders, circulars, issuances, rules and regulations and parts
26 thereof which are inconsistent with THE AMENDATORY PROVISIONS OF this Act
27 are hereby repealed, amended or modified accordingly.

1 SEC. 41. *Effectivity.* This Act shall take effect fifteen (15) days after its
2 publication in the Official Gazette or in any two (2) national newspapers of general
3 circulation [in the Philippines].

4 *Approved,*