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INTRODUCED BY SENATOR SONNY ANGARA

EXPLANATORY NOTE

The Professional Nursing in the Philippines is currently guided by Republic Act No. 9173, otherwise known as The Philippine Nursing Act of 2002. During the time of its enactment, there were only 251 schools offering nursing courses. A decade after, we now have 491 Colleges of Nursing. From year 2000-2010, data show a total of 2,668,046 enrollees in nursing programs, nationwide with 491,900 graduates - 365,625 of which, including "repeaters," passed the nursing licensure examinations. Over the same period of time, there were only 130,703 nurses deployed overseas while the local positions remained at 65,000. The inadequacies of the system in determining and projecting human resource needs in and out of the country produced an oversupply of registered nurses from 150,000 - 180,000 in 2007-2008 to 280,000 in 2008-2009.

Unfortunately, the number of Filipino nurses has been inversely proportional to the quality of education provided by our nursing schools. The Nurse Licensure Exam (NLE) results show an alarming decline in the national passing percentage year after year. It reached an all-time low of 35.26% in the December 2010 NLE with only 29,711 passers out of 84,287 examinees. Citing the decline in the quality of graduates, the Commission on Higher Education (CHED) issued Memorandum Order 32-2010 promulgating a moratorium on the opening of all undergraduate and graduate programs in Business Administration, *Nursing*, Teacher Education, Hotel and Restaurant Management, and Information Technology effective School Year 2010-2011.

While we have an oversupply of nurses, we are still far from achieving the ideal nurse to patient ratio of 1:4 per shift in our hospitals. 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. Clearly, there is an urgent need for reforms.

This bill proposes to expand the role and responsibilities of Filipino nurses and equip them towards independent practice - from primary health care, to the more specialized and advanced practice of nursing development through the expansion of the scope of nursing practice to encompass not only nursing education and services but also include, leadership and governance as inherent areas of practice.

Philippine Nursing must extend beyond institution and employment-based care services to help realize access to Universal Health Care. The Nursing Practice must be proactively responsive to both local and global demands and developments.

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


SENATOR SONNY ANGARA

1 (g) **Commission on Higher Education (CHED)** - the government agency created to
2 lead, promote, and regulate higher/tertiary education in the Philippines created
3 under Republic Act No. 7722, hereinafter referred to as CHED.

4 (h) **Bachelor of Science in Nursing (BSN)** - refers to the tertiary or higher education
5 program which provides graduates with a Baccalaureate Nursing Degree and
6 shall hereinafter be referred to as BSN. This program is effectively promulgated
7 under enabling Policies, Standards, and Guidelines (PSG) issued by the
8 Commission on Higher Education (CHED).

9
10 **ARTICLE IV - Scope of Nursing**

11
12 **Section 4. Scope of Nursing Practice.** A person shall be deemed to be practicing
13 nursing within the meaning of this Act, when singly or in collaboration with another,
14 with compensation or for a fee, when the person assumes any or all of the three roles:

15 (1) as a provider of direct client care, (2) as a manager of health programs and health
16 services, and (3) as a researcher, that requires the use of nursing knowledge and
17 contributes to the development of the profession. Clients include individuals with
18 varying age groups, gender and with varied health-illness status, families, population
19 groups, and communities in any health care setting. Nursing encompasses care of
20 clients in the various stages of human growth and development which covers
21 conception, labor, delivery, infancy, childhood, toddler, preschool, school age,
22 adolescence, adulthood, and old age.

23
24 Nurses are primarily responsible for the promotion of health and prevention of illness.
25 As members of the health team, nurses shall collaborate with other health care
26 providers for the promotive, preventive, curative and rehabilitative aspects of care,
27 restoration of health, alleviation of suffering, and when recovery is not possible,
28 provide end-of-life care.

29
30 In performing independent and collaborative functions, it shall be the duty of the nurse
31 to:

32 (a) provide nursing care through the utilization of the nursing process. Basic nursing
33 care is holistic care which includes but not limited to the provision of physiologic,
34 psycho-social, emotional, and spiritual care. This shall comprise any or combination
35 of essential primary health care, the application of traditional and innovative

- 1 approaches, therapeutic use of self, rendering health care techniques and procedures,
2 safety and comfort measures, health education, health counseling, and
3 administration of written prescription for treatment, therapies, oral, topical and
4 parenteral medications, perform peripartal care covering pre-intra-postpartum care
5 including the performance of internal examination during labor in the absence of
6 antenatal bleeding, attend to normal delivery and suturing of perineal laceration and
7 immediate care of the newborn; perform perioperative care covering pre-intra-post
8 surgical care interventions; care during emergency and disasters; and end-of-life care;
- 9 (b) provide specialized, expanded, and advanced nursing care based on standards
10 promulgated by the Board;
- 11 (c) establish linkages, collaborate with community resources and coordinate with the
12 health team in any health care setting;
- 13 (d) provide health education and health counseling to empower individuals, families,
14 population groups and communities to maintain, attain, restore and sustain optimal
15 health and quality of life;
- 16 (e) teach, guide and supervise students in nursing education programs including the
17 administration of nursing services in varied settings such as hospitals, clinics, and
18 other health industry settings where the practice of the nursing profession exists;
- 19 (f) undertake consultation services and engage in such services that require the
20 utilization of knowledge and decision-making skills of a Nurse;
- 21 (g) supervise nursing and ancillary nursing personnel in the delivery of safe and quality
22 healthcare services in varied settings;
- 23 (h) maintain competence by adhering to the national nursing core competency
24 standards (NNCCS) and engaging in Continuing Professional Development (CPD)
25 and lifelong learning within the context of the national nursing career progression
26 program (NNCPP);
- 27 (i) observe at all times, the Code of Ethics for Nurses promulgated by the Board, uphold
28 the standards of safe and quality nursing practice, and demonstrate responsible
29 citizenship;
- 30 (j) Undertake nursing and health human resource development, training, and research
31 for continuous quality improvement and evidence-based practice.

32

33 **Section 4-A. Nursing Service** – refers to the healthcare services provided by nurses in
34 accordance with Article IV, Section 4 hereof and adheres to the core competency
35 standards prescribed by the Board. Nursing Services include provision of beginning,

1 specialized, expanded, and/or advanced practice of nursing including nursing
2 management in various healthcare industry settings such as institutions (hospitals,
3 clinics, schools, or companies, public health institutions, etc.) or communities where the
4 competencies of a nurse are required.

5

6 **(A) General Nursing Practice** - is the provision, by nurses, of safe, holistic, and
7 quality care to individuals, families, population groups, or communities,
8 independently, or collaboratively or as part of the healthcare team, who will
9 assess, plan, implement, and evaluate evidence-based care provided to
10 clients:

11

12 The nurse shall possess the following minimum qualifications:

- 13 (1) Graduated from a Bachelor of Science in Nursing from a college or
14 university duly recognized by the CHED;
- 15 (2) Possess a certificate of registration and current professional
16 identification card issued by the Commission;
- 17 (3) Physically, mentally, and psychologically fit to practice nursing;
- 18 (4) Not convicted of any crime involving moral turpitude; and
- 19 (5) A member of the APO for nurses.

20

21 **(B) Advanced Nursing Practice** - is the provision, by nurses, of safe, holistic, and
22 quality care to individuals, families, population groups, or communities
23 requiring advanced or higher level competencies in the delivery of
24 healthcare services independently or collaboratively or as part of the
25 healthcare team.

26

27 Advanced Practice Nurses (APN) are nurses with the following
28 qualifications over and above the General Practice Nurse requirements:

- 29 (1) A graduate with relevant master's degree from a university duly
30 recognized by the CHED;
- 31 (2) Certified/credentialed based on standards promulgated by the Board;
- 32 (3) Demonstrate the requisite experience in the field of
33 specialization/advance practice.
- 34 (4) Member of the APO and the appropriate PRBON-Recognized Specialty
35 Nursing Organization relevant to one's specialty/advance practice;

1
2 (C) *Nursing Service Management* - refers to the Management and
3 Administration of Nursing Services by Nurses equipped with the necessary
4 competencies on governance and leadership characterized to wit:

5
6 (1) *First Level Manager*, who takes responsibility directly for the physical
7 set-up of the unit, structure, and other human resources for healthcare
8 provision;

9 (2) *Middle Level Manager*, is responsible for the department or section
10 handling more than one or two units, takes care of the financial, logistics,
11 operational functions and others;

12 (3) *Top Level Manager*, oversees all nursing units in terms of financial and
13 human resource-requirements for health such as nurses and nursing
14 assistances/adjuncts.

15
16 Nursing Service Managers are nurses with the following qualifications over
17 and above the General Practice Nurse requirements:

18
19 (1) For *first level managerial position in nursing* - 18 units of nursing
20 management and clinical subjects in the Master of Arts/Master of Science
21 in Nursing, at least three (3) years of clinical/work experience, and
22 participated in at least one (1) research project to improve quality of care.;

23 (2) For *middle level managerial position in nursing* - Masters Degree in
24 Nursing and at least three (3) years of clinical/work experience, two (2)
25 years of management experience, and initiated at least one (1) research
26 project to improve quality of care;

27 (3) For *top level managerial position in nursing* - Masters Degree in Nursing
28 and at least three (3) years of clinical/work experience and five (5) years
29 of management experience; and initiated at least two (2) research projects
30 to improve quality of care;

31 (4) In all managerial positions - present the necessary Certificate of
32 Proficiency (COP) from the Board in observance of the Nursing
33 Leadership and Governance Certification Program (Nurse Administrator
34 I, Nurse Administrator II, Nursing Administration Specialist);

1 (5) Must be a member of good standing of the Accredited Professional
2 Organization

3 (APO) and the appropriate PRBON-Recognized Nursing organization
4 relevant to one's Nursing Management and Leadership Practice.

5
6 The above qualifications shall apply to all nurses occupying managerial
7 positions across all health facilities.

8
9 **Section 4-B. Nursing Education** - refers to the formal learning and training in the
10 science and art of nursing provided by higher education institutions (HEIs) duly
11 recognized by the Commission on Higher Education (CHED).

12 (A) *Baccalaureate Nursing Program*-refers to the nursing education program
13 which envisions providing sound liberal and professional education and
14 equips basic nursing students with the necessary competencies for entry-
15 level safe and quality nursing practice.

16
17 Admission to the baccalaureate nursing program shall require passing a
18 National Nursing Admission Test (NNAT).

19
20 The Curriculum and the Related Learning Experiences (RLE) shall be in
21 accordance with the National Nursing Core Competency Standards
22 promulgated by the Board and implemented through the Policies, Standards
23 and Guidelines (PSG) of the Commission on Higher Education (CHED).

24
25 (B) *Graduate Nursing Education Program*-refers to the post baccalaureate
26 nursing program which builds on the experiences and skills of a nurse
27 towards mastery, expertise, and leadership in practice, research, and
28 education. It includes a master's degree and doctorate degree in nursing
29 founded on the philosophies, scientific body of knowledge and practice.

30
31 Graduate Nursing Education Programs and post-graduate courses shall be
32 offered only in colleges with Level III Accredited Baccalaureate Nursing
33 Programs in accordance with Commission on Higher Education (CHED)
34 Policies, Standards and Guidelines (PSG) on Graduate Education.

1 **(C) *Qualification of Faculty Members.***

2 (1) For Baccalaureate Nursing Education - A faculty member in a college of
3 nursing,

4 teaching professional courses must:

5 (a) be a holder of a certificate of registration and a current professional
6 identification card issued by the Commission;

7 (b) have at least three (3) years of clinical practice in a field of
8 specialization;

9 (c) a member of good standing in the APO of nurses;

10 (d) a holder of a master's degree in nursing education or other allied
11 health sciences conferred by a college or university duly recognized by the
12 Commission on Higher Education;

13 (e) present the necessary Certificate of Proficiency (COP) from the Board
14 in observance of the Nursing Education Certification Program.

15
16 (2) For Post-Baccalaureate Nursing Education

17 (a) a faculty member teaching Post-Baccalaureate courses must follow
18 prescriptions (a), (b), (c), (d), and (e) above; and

19 (b) a nurse teaching "professional courses" should preferably be one (1)
20 academic degree higher conferred by a college or university duly
21 recognized by the Commission on Higher Education.

22
23 **(D) *Qualification of the Dean-*** the Dean of the Baccalaureate Nursing Program
24 must:

25 (1) a holder of a master's degree in nursing.

26 (2) a nurse in the Philippines and a holder of a certificate of registration and
27 a current professional identification card issued by the Commission .

28 (3) have at least three (3) years of clinical practice in a field of specialization.

29 (4) have at least three (3) years of nursing education program management
30 experience or three (3) years of management in any health-related
31 institution.

32 (5) undergo progressive training for deans according to set standards and
33 possess the necessary COP by the Board in keeping with a Nursing
34 Education Certification Program.

35

1 In addition to the requirements for the dean of the Baccalaureate Nursing
2 Program, the dean of a Graduate Nursing Program must be a holder of a
3 doctorate degree in nursing conferred by a College or University duly
4 recognized by the CHED.

5
6 **ARTICLE V**

7 **Organization of the Professional Regulatory Board of Nursing**

8
9 **Section 5. *Creation and Composition of the Board.*** There shall be created a
10 Professional Regulatory Board of Nursing (PRBON), referred to as the Board, to be
11 composed of a Chairperson and six (6) members. They shall be appointed by the
12 President of the Republic of the Philippines from among three (3) recommendees per
13 vacancy by the Commission, chosen and ranked from a list of five (5) nominees per
14 vacancy by the APO of nurses in the Philippines and who possess the qualifications
15 prescribed in Section 6 of this Act.

16
17 **Section 6. *Qualifications of the Chairperson and Members of the Board.*** The
18 Chairperson and members of the Board shall, at the time of their appointment possess
19 the following qualifications:

- 20
21 (1) Be a natural born citizen and resident of the Philippines for the last five (5) years;
22 (2) Be a member of good standing of the APO of nurses;
23 (3) Be a nurse in the Philippines and a holder of a certificate of registration and a
24 current professional identification card issued by the Commission;
25 (4) Be a holder of a master's degree in nursing and preferably with a doctorate degree
26 conferred by a college or university duly recognized by the CHED;
27 (5) Have at least ten (10) years of continuous practice of the nursing profession prior to
28 appointment, Provided, however, that the last five (5) years shall be in the
29 Philippines; and
30 (6) Not convicted of any offense involving moral turpitude;

31
32 The membership to the Board shall represent the three (3) major areas of nursing,
33 namely: Nursing Education, Nursing Service, and Community Health Nursing.

1 **Section 7. Requirements Upon Qualification as Member of the Board of Nursing.** Any
2 person appointed as Chairperson or member of the Board shall immediately resign
3 from any position in any school, college, university or institutions offering Bachelor of
4 Science in Nursing and/or review program for the Philippine Nurse Licensure
5 Examination or training hospitals or health facilities with nursing affiliates. An
6 appointee shall not have any pecuniary interest in or administrative supervision over
7 any institutions offering Bachelor of Science in Nursing including review classes.

8
9 **Section 8. Term of Office.** The Chairperson and members of the board shall hold office
10 for a term of three (3) years and until their successors shall have been appointed and
11 qualified: *Provided,* That the Chairperson and members of the board may be
12 reappointed for another term or a maximum of six (6) years.

13
14 Any vacancy in the Board occurring within the term of a member shall be filled for the
15 unexpired portion of the term only. Each member of the Board shall take the proper
16 oath of office prior to the performance of duties.

17
18 The incumbent chairperson and members of the Board shall continue to serve for the
19 remainder of their term under Republic Act No. 9173 or the "Philippine Nursing Act of
20 2002" until their replacements have been appointed by the President and shall have
21 been duly qualified.

22
23 **Section 9. Compensation.** The chairperson and members of the Board shall receive
24 compensation and allowances comparable to the compensation and allowances
25 received by the chairperson and members of other professional regulatory boards.

26
27 **Section 10. Administrative Supervision of the Board, Custodian of its Records,**
28 **Secretariat and Support Services.** The Board shall be under the administrative
29 supervision of the Commission. All records of the Board, including applications for
30 examinations, administrative and other investigative cases conducted by the Board shall
31 be under the custody of the Commission. The Commission shall designate the
32 Secretary of the Board and shall provide the secretariat and other support services to
33 implement the provisions of this Act.

34

1 **Section 11. Powers and Duties of the Board.** The Board shall supervise and regulate the
2 practice of the nursing profession and shall have the following powers, duties and
3 functions:

4

5 (a) Ensure the proper conduct of the Philippine Nurse Licensure Examination
6 (PNLE) considering the processes and systems of the PRC, which include, but
7 not limited to application, test development, examination, correction and release
8 of results. The use of appropriate technology/modalities during the conduct of
9 the PNLE is encouraged to enhance efficiency while upholding integrity;

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

12 (c) Enforce and monitor safe and quality standards of nursing practice in the
13 Philippines and exercise the powers necessary to ensure the maintenance of
14 efficient, ethico-moral, technical and professional standards in the practice of
15 nursing towards optimal health and the common good of the nation;

16 (d) Ensure quality nursing education by examining and monitoring higher
17 education institutions (HEIs) offering nursing programs and those seeking
18 permission to open nursing courses to ensure that the NNCCS are properly
19 complied with and maintained at all times. The authority to open and close
20 nursing education programs offered by HEI^s shall be vested on the CHED,
21 subject to nursing practice standards set by the Board;

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

29 (f) Promulgate a Code of Ethics that is responsive to the needs of the nursing
30 profession in coordination with the APO of nurses within one (1) year from the
31 effectivity of this Act;

32 (g) Institute and regulate the National Nursing Career Progression Program
33 (NNCCP) in nursing to ensure quality continuing professional development of
34 Filipino nurses, recognize specialty nursing organizations, create the Council for

1 Nursing Advancement, Recognition, and Specialization as well as the various
2 Nursing Specialty Boards to assist the Board for this purpose;

3 (h) Make decisions to influence authorities/agencies on matters that directly affect
4 nurses' welfare;

5 (i) Ensure performance of mandated duties and functions with the provision of
6 operational resources including human resource, physical space and budget to
7 ensure the confidentiality and sanctity of their functions as provided through the
8 annual budget of the Commission as promulgated in the General Appropriations
9 Act;

10 (j) Source and utilize funds earmarked for national nursing development; and

11 (k) Prescribe, adopt, issue and promulgate guidelines, regulations, measures and
12 decisions as may be necessary for the improvement of nursing practice,
13 advancement of the profession, and for the proper and full enforcement of this
14 Act subject to the review and approval by Commission.

15
16 **Section 12. *Annual Report.*** The Board shall, at the close of its calendar year, submit an
17 annual report to the President of the Philippines through the Commission giving a
18 detailed account of its proceedings and the accomplishments during the year and
19 making recommendations for the adoption of measures that will upgrade and improve
20 the conditions affecting the practice of the nursing profession.

21
22 **Section 13. *Removal or Suspension of Board Members.*** The President may remove or
23 suspend any member of the Board, after due process, on the following grounds:

24 (a) continued neglect of duty or incompetence;

25 (b) commission or toleration of irregularities in the licensure examination; and

26 (c) unprofessional, immoral or dishonorable conduct.

27 28 **Article VI**

29 **Examination and Registration**

30
31 **Section 14. *Philippine Nurse Licensure Examination (PNLE).*** All applicants for
32 certification of registration to practice nursing shall be required to pass a written
33 examination, which shall be given by the Board in such places and dates as may be
34 designated by the Commission: *Provided*, That it shall be in accordance with existing
35 PRC law.

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Section 15. *Qualifications for Admission to the PNLE.* In order to be admitted to the examination for nurses, an applicant, from the time of graduation, must file immediately an application and establish to the satisfaction of the Board that the applicant is:

- (a) a citizen of the Philippines, or a citizen or subject of a country which permits Filipino nurses to practice within its territorial limits on the same basis as the subject or citizen of such country; *Provided,* That the requirements for the registration or licensing of nurses in said country are substantially the same as those prescribed in this Act;
- (b) of good moral character; and
- (c) a holder of a Bachelor of Science in Nursing degree from a college or university that complies with the standards of nursing education duly recognized by the CHED.

Section 16. *Scope of Examination.* The scope of examination for the practice of nursing shall be determined by the Board taking into consideration the core competencies required of nurses considering the objectives of the nursing curriculum in response to the needs of society and health industry demands. The PNLE shall be based on a competency-based test framework.

Section 17. *Ratings.* In order to pass the PNLE, an examinee must obtain a rating of at least seventy-five (75%) in all of the tested areas of competencies. If an examinee has a rating of less than seventy-five (75%) in any tested area of competency, he/she shall retake the entire PNLE. An examinee shall be given a chance to take the PNLE only for a maximum of three (3) times.

Section 18. *Oath of Profession.* All successful examinees shall be required to take an oath of profession before the Board or any government official authorized to administer oaths prior to registration and actual practice of the profession.

Section 19. *Issuance of Certificate of Registration/Professional License and Professional Identification Card.* A certificate of registration/professional license as a nurse shall be issued to an applicant who passes the examination and upon payment of the prescribed fees. Every certificate of registration/professional license shall show the

1 full name of the registrant, the serial number, the signature of the Chairperson of the
2 Commission, and the members of the Board. The certificate shall bear the logo of the
3 Board and the official seal of the Commission.

4

5 A professional identification card is proof that the holder possesses a valid professional
6 license. It is duly signed by the Chairperson of the Commission, bearing the date of
7 registration, number and the date of issuance and expiration thereof shall likewise be
8 issued to every registrant upon payment of the required fees.

9

10 Only upon satisfaction of all registration requirements shall a registrant be allowed to
11 affix the initials R.N. after one's name whenever and wherever the signature as nurse is
12 required, indicating official performance of duties and functions as a nurse.

13

14 **Section 20. Fees for Examination and Registration.** Applicants for licensure and for
15 registration shall pay the prescribed fees set by the Commission.

16

17 **Section 21. Automatic Registration of Nurses.** All those whose names appear in the
18 roster of "passed examinees" under the PRC Computer Automated System (CAS) and
19 procedures shall *ipso facto* be registered as professional nurses. Same roster of nurses
20 may automatically be used by the APO as basis for enlistment of members following
21 APO-specific membership procedures.

22

23 **Section 22. Registration by Reciprocity.** A certificate of registration/professional
24 license may be issued without examination to nurses registered under the laws of a
25 foreign state or country: *Provided*, That the requirements for registration or licensing of
26 nurses in said country are substantially the same as those prescribed under this Act:
27 *Provided, further*, That the laws of such country grant the same privileges to nurses of the
28 Philippines on the same basis as the subjects or citizens of such foreign state or country.

29

30 **Section 23. Practice Through Special/Temporary Permit.** A special/temporary permit
31 may be issued to the following persons based on qualification standards as determined
32 by the Board and approved by the Commission:

33

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

11
12 Provided, however, that the special/temporary permit shall be effective only for the
13 duration of the project, medical mission or engagement contract.

14
15 **Section 24. *Non-registration and Non-Issuance of Certificates of***
16 ***Registration/Professional License or Special/Temporary Permit.*** No person convicted
17 by final judgment of any criminal offense involving moral turpitude or any person
18 guilty of immoral or dishonorable conduct or any person declared by the court to be of
19 unsound mind shall be registered and be issued a certificate of registration/professional
20 license or a special/temporary permit.

21
22 The Board shall furnish the applicant a written statement setting forth the reasons for its
23 actions, which shall be incorporated in the records of the Board.

24
25 **Section 25. *Revocation and Suspension of Certificate of Registration/Professional***
26 ***License and Cancellation of Special/Temporary Permit.*** The Board shall have the power
27 to revoke or suspend the certificate of registration/professional license or cancel the
28 special/temporary permit of a nurse upon any of the following grounds:

- 29
30 (a) for any of the applicable causes mentioned in the preceding section;
- 31 (b) for unprofessional and unethical conduct;
- 32 (c) for gross incompetence or serious ignorance;
- 33 (d) for malpractice or negligence in the practice of nursing;
- 34 (e) for the use of fraud, deceit or false statements in obtaining a certificate of
35 registration/professional license or a temporary/special permit;

- 1 (f) for violation of this Act, the rules and regulations, the Code of Ethics for
2 nurses and technical standards for nursing practice, the Policies of the Board
3 and the Commission, or the conditions and limitations for the issuance of the
4 temporary/special permit; or
5 (g) for practicing the profession during one's suspension from such practice.
6

7 Provided, however, that the suspension of the certificate of registration/professional
8 license shall be for a period not exceeding four (4) years. Provided, further, that in cases
9 when a certificate of registration/professional license has been revoked, appeal to the
10 Board may be undertaken after four (4) years from the date of revocation.
11

12 **Section 26. *Re-Issuance of Revoked Certificates and Replacement of Lost Certificates.***

13 The Board may, after the expiration of four (4) years from the date of revocation of a
14 certificate of registration/professional license and upon review of the appeal, for
15 reasons of equity and justice, and when the cause for revocation has disappeared or has
16 been cured and corrected, upon proper application thereof and the payment of the
17 required fees, issue another copy of the certificate of registration/professional license.
18

19 A new certificate of registration/professional license to replace the certificate that has
20 been lost, destroyed, or mutilated may be issued, subject to the rules of the Board.
21

22 **Article VII**

23 **HUMAN RESOURCES FOR HEALTH (HRH) PRODUCTION, UTILIZATION AND**
24 **DEVELOPMENT**
25

26 **Section 27. *Studies and Interventions for Nursing Human Resource Needs, Production,***
27 ***Utilization, and Development.*** The Board shall, in coordination with relevant nursing
28 and other government and non-government agencies:
29

- 30 (a) conduct studies on health human resource production, utilization and
31 development; and
32 (b) cause the implementation of HRH development strategies for nurses to
33 achieve highly motivated and productive nursing workforce for the
34 Philippines.
35

1 **Section 28. Nurse-Patient Ratio** - Both government and private healthcare institutions
2 are hereby mandated to maintain the nurse-patient ratio standard set by the
3 Department of Health (DOH) in close collaboration with the Board:

- 4 (1) In hospitals - based on the acuity and authorized bed capacity
- 5 (2) In community health - based on need, population, and geography
- 6 (3) In Occupational Setting - based on relevant legal instruments
- 7 (4) In School Health Settings - based on relevant legal instruments

8
9 The basis for the ratio of nurse-to-patient shall be regularly reviewed and updated
10 based on current and rational health human resource needs with the end view of
11 providing safe and quality care to recipients of healthcare.

12
13 Provided, that the general nurse-patient ratio referred to in this provision does not
14 apply to special needs areas, including the ICU, that require a better nurse-patient ratio.

15
16 **Section 29. Institutionalization of a National Nursing Career Progression Program**
17 **(NNCPP).** There shall be an institutionalized National Nursing Career Progression
18 Program as prescribed in Article V, Section 11 (g) of this Act. In the implementation of
19 the NNCPP, the Board shall coordinate with the Civil Service Commission (CSC),
20 Department of Labor and Employment (DOLE), Department of Health (DOH),
21 Department of Budget and Management (DBM), and [any or all] OTHER RELEVANT
22 government and non-government agencies for the effective and efficient
23 implementation of this program, allowing Filipino nurses to move up to varying levels
24 of professional nursing practice according to the following progression-tracks: *General*
25 *Nursing Practice Track, Nursing Specialty/Advanced Practice Track, Nursing*
26 *Education Track, and Leadership and Governance Track*, all geared towards obtaining
27 the highest level of standards for the Philippine Nursing workforce for in-country and
28 global responsiveness and relevance. Towards this end, Nursing Specialty
29 Organizations and organized Advanced Practice Nursing groups shall be recognized
30 and professional practitioners certified/credentialed by the Board considering national
31 and internationally benchmarked standards of education and practice.

32
33 For purposes of certification/credentialing specialized and advanced practice nurses,
34 assessment mechanisms, including administration of specialty and advance Board
35 Examinations, may be required. The Council referred to in Article V, Section 11 (g) and

1 the various Nursing Specialty Boards (NSB) shall be an integral arm of the Board in our
2 country's effort to upgrade and continuously upscale the knowledge, skills, and
3 professional attitudes and values of our Nurses for domestic and global comparability
4 and competitiveness.

5
6 **Section 30. *Compensation.*** In order to enhance the general welfare, commitment and
7 highest form of professional service to country and people, the minimum base pay of
8 nurses working in both public and private health and health-related institutions shall be
9 in accordance with prevailing salary standards set by law and shall be regularly
10 appraised by Congress of the Republic of the Philippines, cognizant of the professional
11 nature and significant national health services contribution rendered by Filipino
12 Nurses.

13
14 **Section 31. *Incentives and Benefits.*** To the extent possible and as may be provided by
15 law, mechanisms shall continuously be explored and systems developed by the proper
16 government and non-government agencies and instrumentalities, to provide incentives
17 and benefits to Filipino Nurses serving in both government and private sector. The
18 Magna Carta for Public Health Workers and the Philippine Labor Code shall also be
19 regularly appraised by Congress of the Republic of the Philippines to respond to work
20 and life conditions of nurses in the country.

21
22 **Section 32. *Requirements for Inactive Nurses Returning to Practice.*** Nurses are deemed
23 to be inactive when they are not utilizing nursing competencies as defined in the scope
24 of practice hereof for five (5) consecutive years.

25
26 Inactive nurses shall be required to undertake appropriate "assessment mechanisms" to
27 determine level of competencies and undergo, as necessary, a refresher course
28 following the established mechanisms by the Board for accreditation of the provider
29 and the refresher course.

30 31 ARTICLE VIII

32 PENAL AND MISCELLANEOUS PROVISIONS

33
34 **Section 33. *Prohibition in the Practice of Nursing.*** A fine of not less than One Hundred
35 Thousand Pesos (Php100,00.00) nor more than Three Hundred Thousand Pesos

1 (Php300,0000.00) or imprisonment of not less than one (1) year nor more than six (6)
2 years, or both, upon the discretion of the court, shall be imposed upon the following
3 classification of offenses:

4

5 (a) Acts prejudicial to the Practice of Professional Nursing:

- 6 1. violations of the Code of Ethics;
- 7 2. violations of the Professional Standards; and
- 8 3. violations of human/patient's rights.

9

10 (b) Acts by any person practicing nursing in the Philippines within the meaning of
11 this Act:

- 12 1. without a certificate of registration/professional license and professional
13 identification card or special/temporary permit or without having been
14 declared exempt from examination in accordance with the provision of this
15 Act; or
- 16 2. whouses a certificate of registration/professional license and professional
17 Identification Card or special/temporary permit of another, as his/her own;
18 or
- 19 3. who uses an invalid, suspended, or revoked certificate of
20 registration/professional license, or an expired or cancelled
21 special/temporary permit; or
- 22 4. who gives any false evidence to the Board in order to obtain a certificate of
23 registration/professional license, a professional Identification Card or
24 special/temporary permit; or
- 25 5. who falsely poses or advertises as a registered/licensed nurse or uses any
26 other means that tend to convey the impression that he/she is a
27 registered/licensed nurse; or
- 28 6. who appends B.S.N., R.N., or any similar appendage to his/her name without
29 having been conferred said degree or registration; or
- 30 7. who, as a registered/licensed nurse, abets or assists the illegal practice of a
31 person who is not lawfully qualified to practice nursing;

32

33 (c) Any person or chief executive officer of a juridical entity who undertakes in-
34 service educational program or who conducts review classes for both local and

1 foreign examination without permit/clearance from the Board and the
2 Commission; or

3 (d) Any person or employer of nurses who violate the minimum base pay of nurses
4 and the incentives and benefits that should be accorded them as specified in
5 Sections 30 and 31, Article VII of this Act;

6 (e) Any person or the Chief Executive Officer of a juridical entity violating any
7 provisions of this Act.

8
9 **Section 34. Prohibition from Collecting Fees from Volunteer Nurses.** All medical
10 institutions, government and private, are prohibited from collecting fees in whatever
11 form from a volunteer nurse in the course of rendering voluntary health services.

12 13 **ARTICLE IX**

14 **Final Provisions**

15
16 **Section 35. Enforcement of this Act.** It shall be the primary duty of the Commission and
17 the Board to effectively implement this Act. Law enforcement agencies and officers of
18 national, provincial, city or municipal governments shall, upon the call or request of the
19 Commission or the Board, shall render assistance in enforcing the provisions of this Act
20 and to prosecute any persons violating the same.

21
22 **Section 36. Appropriations.** The chairman of the Commission shall immediately
23 include in its program and issue such rules and regulations to implement the provisions
24 of this Act, the funding of which shall be included in the annual General
25 Appropriations Act.

26
27 **Section 37. Implementing Rules and Regulations.** Within ninety (90) days after the
28 effectivity of this Act, the Board and the Commission, in coordination with the
29 Accredited Professional Organization (APO) and other Professional Nursing
30 Organizations, the Department of Health (DOH), the Department of Budget and
31 Management (DBM), the Civil Service Commission (CSC), and other concerned
32 government agencies, shall formulate the implementing rules and regulations necessary
33 to carry out the provisions of this Act. The implementing rules and regulations shall be
34 published in the *Official Gazette* or in a newspaper of general circulation.

1 **Section 38. Separability Clause.** If any part of this Act is declared unconstitutional, the
2 remaining parts not affected thereby shall continue to be valid and operational.

3
4 **Section 39. Repealing Clause.** Republic Act no. 9173, otherwise known as the
5 "Philippine Nursing Act of 2002" is hereby repealed. All other laws, decrees, orders,
6 circulars, issuances, rules and regulations and parts thereof which are inconsistent with
7 the amendatory or repealing provisions of this Act are hereby amended, repealed, or
8 modified accordingly.

9
10 **Section 40. Effectivity Clause.** This Act shall take effective fifteen (15) days after its
11 publication in the *Official Gazette* or in two (2) national newspapers of general
12 circulation.

13

14 Approved,