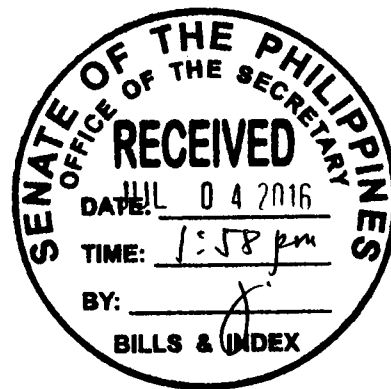


SEVENTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)

SENATE
SENATE BILL NO. 335



INTRODUCED BY SENATOR JOSEPH VICTOR G. EJERCITO

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

EXPLANATORY NOTE

The 1987 Philippine Constitution, Article XIII, Section 11 thereof, states that:

The State shall adopt an integrated and comprehensive approach to health development which shall endeavor to make essential goods, health and other social services available to all the people at affordable cost. There shall be priority for the needs of the under-privileged, sick, elderly, disabled, women, and children. The State shall endeavor to provide free medical care to paupers.

The nursing profession in the Philippines had undergone a lot of difficulties in the last decades. Filipino nurses received low salary, whether they are in private or public employment. As a result, they opt to work abroad because of much higher wages.

Correspondingly, a diminishing health care service in the country is seen as a result. With our population growing every year, there is a need to improve the healthcare sector and prevent the mass exodus of nurses.

This bill proposes to increase the entry-level salary for nurses and intends to broaden the scope of the nursing practice to comprise not only nursing education and nursing service but also research and leadership and governance, as inherent areas of the practice.

Furthermore, this proposed legislation aims to enhance the powers of the Board of Nursing by including the power to create task forces or committees and offices to better organize itself and facilitate its functions and pursue its programs.

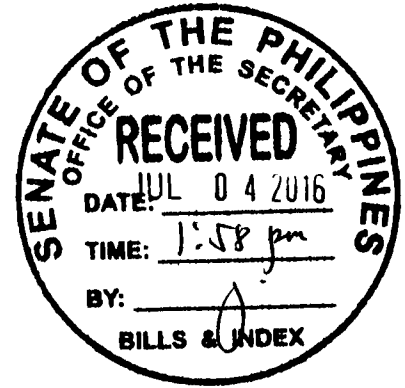
The State cannot guaranty the delivery of accessible, affordable, and available quality healthcare to all the people without assuming responsibility for the protection and improvement of the healthcare providers and the nursing profession.

In view of this, swift passage of this bill is earnestly sought.

A handwritten signature in black ink, consisting of a stylized 'J' and 'E' followed by a horizontal line and a small dot.

JOSEPH VICTOR G. EJERCITO
SENATOR

SEVENTEENTH CONGRESS OF THE)
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SENATE

SENATE BILL NO. 335

INTRODUCED BY SENATOR JOSEPH VICTOR G. EJERCITO

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

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

**ARTICLE I
General Provisions**

Section 1. Title. - This Act shall be known as the "*Comprehensive
Nursing Law of 2016.*"

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

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

Sec. 3. Definition of Terms. - The following terms when used in this act shall mean:

- 1 (a) *Accredited Integrated Professional Organization (AIPO)* refers to a
2 professional organization of nurses duly accredited by the Professional
3 Regulation Commission as per Republic Act No. 8981.
4
- 5 (b) *Advanced Practice Nurse (APN)* refers to a nurse who acquired
6 substantial theoretical knowledge and decision making skills in the
7 specialty area of nursing practice and proficient clinical utilization of
8 this knowledge in implementing independent and inter-dependent
9 nursing interventions. Specialties can be differentiated in categories,
10 according to function, disease, pathology, systems, age, sex, acuity,
11 setting, technology, and therapies. They must be given
12 certification/credentialing by the Board. An APN must be a master's
13 degree holder in nursing.
14
- 15 (c) *Bachelor of Science in Nursing (BSN)* refers to the basic program for
16 nursing education.
17
- 18 (d) *Certification Credentialing* refers to the process undertaken by an
19 individual nurse to be recognized to practice in a specifically defined
20 professional tract i.e. General Nursing, Nursing Specialty/Advanced
21 Practice, Nursing Education, and Leadership and Governance. The
22 Board confers the certification or credential after a validation process
23 based on promulgated guidelines and mechanisms.
24
- 25 (e) *Commission on Higher Education (CHED)* refers to the body created
26 by law to promulgate policies, standards and guidelines in the
27 implementation of basic and graduate program for nursing education.
28
- 29 (f) *Health Facility* refers to an institution, establishment, clinic that offers
30 health services and nursing care, such as hospitals, barangay health
31 centers, and clinics.
32
- 33 (g) *Nurse*, as provided for in this Act, refers to a person who passed the
34 Philippine Nurse Licensure Exams (PNLE) and whose license has not
35 been revoked by the law. Thus, it pertains to a Registered Nurse (RN).
36 A nurse may append before his/her name the title "Nurse", "Nars", or
37 "Nrs." or after his/her name the title R.N.
38
- 39 (h) *Nursing Personnel System (NPS)* refers to a system of human resource
40 management in an institution that classifies the structure, organization,
41 and coordination within the workforce both in private and public health
42 care facilities and nursing educational institutions to advance the
43 welfare and protect the rights of the nurses and to ensure the employer-

1 employee relationship, security of tenure, just compensation, humane
2 conditions of work, and professional growth.

- 3
- 4 (i) *Philippine Nurse Licensure Exams* (PNLE) refers to the written
5 examination given by the Board in order to obtain license to practice
6 nursing.
- 7
- 8 (j) *Precarious Work* is the term used to describe substandard employment
9 conditions. such as under-payment, absence of salary, no security of
10 tenure, lack of employer-employee relationship, no benefits, poor
11 working conditions; and, deviation from the standard employment
12 relationships, such as contractual, false volunteerism, job orders thru
13 agencies, part time, self- employment, fixed term work, temporary, on
14 call, home workers, call center jobs, few benefits, lack of collective
15 bargaining representation, and no job security.
- 16
- 17 (k) *Professional Regulation Commission* (PRC) refers to the government
18 agency pursuant to Republic Act No. 8981 or as may hereafter be
19 amended or repealed. It shall be referred to in this law as the
20 Commission.
- 21
- 22 (l) *Professional Regulatory Board of Nursing* (PRBON) refers to the
23 administrative body created by law to supervise and regulate the
24 practice of the nursing profession in the Philippines. As such, the
25 Board shall be the ultimate authority in the practice of the profession in
26 the Philippines. It shall be referred to in this law as the Board.
- 27
- 28 (m) *Public Health Institution* (PHI) refers to any government-led, owned or
29 controlled institutions which pursues and realizes the lofty goals and
30 objectives of providing and managing safe, efficient, effective and
31 quality public health programs and services and advocacies for health,
32 in all levels of the Health Care Delivery System (HCDS - national to
33 local) which include among others: Rural Health Units (RHUs/
34 Barangay Health Centers); Research Facilities e.g. Research Institute
35 for Tropical Medicine, etc.; Training Resource Facilities e.g. the U.P.
36 College of Public Health and State or Local Colleges or Universities
37 offering Health-Related Programs; the Department of Health and all
38 retained Health Facilities, and the like.
- 39
- 40 (n) *Special Permit* refers to the permit to practice nursing in the
41 Philippines issued by the Board to licensed nurses of foreign
42 nationalities.
- 43

- 1 (o) *Temporary Permit* refers to the permit to practice nursing in the
2 Philippines issued by the Board to Filipino nurses, who does not have
3 a professional license from the Philippines or have not renewed their
4 license for five (5) 8 years, but are licensed from foreign countries.
5

6 ARTICLE II

7 Board of Nursing

8
9 **Sec. 4. *Creation and Composition of the Board.*** - There shall be created a
10 Professional Regulatory Board of Nursing composed of seven (7) members who
11 shall elect among themselves a Chairperson to serve full" one (1) term, without re-
12 election. The President of the Republic of the Philippines shall appoint the
13 members of the Board from among those recommended by the Commission and
14 ranked from a list of three (3) nominees, per vacancy, of the accredited integrated
15 professional organization of nurses in the Philippines and who possess the
16 qualifications in this Act. Provided, That the membership of the Board shall
17 comprise the scope of nursing practice.
18

19 **Sec. 5. *Qualifications of the Members of the Board.*** - The members of the
20 Board must possess the following qualifications:
21

- 22 (a) Must be a natural born citizen and resident of the Philippines for the
23 past five (5) consecutive years;
24
25 (b) Must be a Nurse in the Philippines and a holder of a valid and updated
26 certificate of registration and a current professional identification card;
27
28 (c) Must be a holder of a master's degree in nursing and preferably with a
29 doctorate degree conferred by a university duly recognized by the
30 government;
31
32 (d) Must have at least ten (10) years of continuous practice of the nursing
33 profession prior to appointment: *Provided*, however, that the last five
34 (5) years of which must be in the Philippines; and
35
36 (e) Must be of good moral character and has not been convicted of any
37 offense involving moral turpitude.
38

39 **Sec. 6. *Prohibition as Member of the Board.*** - A member of the Board
40 shall not hold a position nor have pecuniary interest in any educational institution

1 offering BSN, any review or training center for PNLE, training hospitals and
2 health facilities with nursing affiliates.

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

7
8 **Sec. 8. Vacancy.** - Any vacancy in the Board must be filled in the manner
9 prescribed in this Act and only for the unexpired portion of the term. Each
10 member of the Board shall take the proper oath of office prior to the performance
11 of duties.

12
13 **Sec. 9. Compensation.** - The members of the Board shall receive
14 compensation and allowances comparable to the compensation and allowances
15 received by the members of other regulatory boards.

16
17 **Sec. 10. Administrative Supervision of the Board, Custodian of its**
18 **Records, Secretariat and Support Services.** - The Board shall be under the
19 administrative supervision of the Commission. All records of the Board, including
20 applications for examinations, administrative and other investigative cases
21 conducted by the Board must be under the custody of the Commission. The
22 Commission shall designate the Secretary of the Board and shall provide the
23 secretariat and other support services to implement the provisions of this Act.

24
25 **Sec. 11. Powers and Duties of the Board.** - The Board shall supervise and
26 regulate the practice of the nursing profession and shall have the following
27 powers, duties and functions:

- 28
29 (a) Ensure the proper conduct of the PNLE, which includes the
30 application, test development, examination, correction and release
31 of results. The use of appropriate technologies and modalities
32 during the conduct of the PNLE is encouraged to enhance
33 efficiency while upholding integrity;
34
35 (b) Issue, suspend, revoke or reissue certificates of registration for the
36 practice of nursing and ensure the widest publication through
37 electronic and written media;
38
39 (c) Enforce and monitor safe and quality standards of nursing practice,
40 study the conditions affecting the nursing practice in the
41 Philippines, and exercise the powers necessary to ensure the

1 maintenance of efficient, ethico-moral, technical and professional
2 standards in the practice of nursing towards the optimal health and
3 common good of the nation;
4

5 (d) Ensure quality nursing education by examining and monitoring
6 higher educational institutions offering and seeking permission to
7 open nursing education programs and to ensure that standards of
8 nursing education are properly complied with and maintained at all
9 times. *Provided*, That the Board and the CHED shall have joint
10 authority to open and close nursing education programs offered by
11 higher educational institutions;
12

13 (e) Conduct hearings and investigations to resolve complaints against
14 actively practicing nurses for unethical and unprofessional conduct
15 and violations of this Act, or its rules and regulations and in
16 connection therewith, issue *subpoena duces tecum* and *subpoena*
17 *ad testificandum* to require the appearance of respondents and
18 witnesses and the production of documents and penalize with
19 contempt persons obstructing, impeding or otherwise interfering
20 with the conduct of such proceedings, upon application with the
21 Board of Nursing;
22

23 (f) Promulgate a Code of Ethics that is responsive to the needs of the
24 nursing profession in coordination with the AIPO of nurses within
25 a year from the effectivity of this Act;
26

27 (g) Prescribe and operationalize, via necessary infrastructures, a
28 National Nursing Career Progression Program to ensure continuing
29 professional development of Filipino nurses, create the Council for
30 Nursing Advancement, Recognition, and Specialization as well as
31 the various Nursing Specialty Boards to assist the Board for this
32 purpose;
33

34 (h) Ensure performance of mandated duties and functions with the
35 provision of operational resources including human, financial and
36 spatial resources to ensure the confidentiality and sanctity of their
37 functions as provided through the annual budget of the
38 Commission as promulgated in the General Appropriations Act;
39

40 (i) Source and utilize funds earmarked for national nursing
41 development; and
42

43 (j) Prescribe, adopt, issue and promulgate guidelines, regulations,
44 measures and influence authorities and agencies on decision-

1 making as may be necessary for the improvement of nursing
2 practice, advancement of the profession, and for the proper and full
3 enforcement of this Act, subject to review and approval by
4 Commission.

5
6 (k) Create a council for nursing recognition, accreditation and
7 certification that will assist the Board in:

8
9 a. Recognizing organized nursing groups;

10
11 b. Setting standards for advanced nursing practice, education,
12 research, and management;

13
14 c. Accrediting specialty and advanced nursing programs based on
15 established mechanisms;

16
17
18 d. Credentialing individual registered nurse based on accepted
19 criteria; and

20
21 e. Monitoring and evaluating specialty and advanced nursing
22 practice, education, research and management.
23

24 **Sec. 12. *Annual Report.*** - The Board shall, at the close of its calendar
25 year, submit an annual report to the President and Congress of the Philippines
26 through the Commission giving a detailed account of its proceedings and the
27 accomplishments during the year and making recommendations for the adoption
28 of measures that will upgrade and improve the conditions affecting the practice of
29 the nursing profession.

30
31 **Sec. 13. *Removal or Suspension of Board Members.*** - The President may
32 remove or suspend any member of the Board, after due process, on the following
33 grounds:

34 (a) Continued neglect of duty or incompetence;

35 (b) Commission or toleration of irregularities in the PNLE; and,

36 (c) Unprofessional, immoral or dishonorable conduct.
37

38 **ARTICLE III**

Examination and Registration

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

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

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

- (a) Must be a holder of a Bachelor of Science in Nursing degree from a recognized educational institution that complies with the standards of nursing education duly recognized by CHED;
- (b) Must be of good moral character and have not been convicted, by final judgment, of any criminal offense involving moral turpitude or guilty of immoral or dishonorable conduct, or any person declared by the court to be of unsound mind; and,
- (c) Must be a citizen of the Philippines, or a citizen or subject of a country which permits Filipino nurses to practice within its territorial limits on the same basis as the subject or citizen of such country; *Provided*, That the s requirements for the registration or licensing of nurses in said countries are substantially the same as those prescribed in this Act.

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

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

6
7 **Sec. 19. Issuance of Certificate of Registration, Professional License and**
8 **Professional Identification Card.** - A certificate of registration and professional
9 license shall be issued to all successful examinees, subject to Section 14 of this
10 Article. A certificate of registration and professional license shall show the full
11 name of the registrant, the signature of the Chairperson of the Commission, and
12 the members of the Board. The certificate shall bear the logo of the Board and the
13 official seal of the Commission.

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

18
19 **Sec. 20. Oath of Profession.** - All successful examinees must take an oath
20 of profession before the Board or any government official authorized to
21 administer oaths prior to entering upon the nursing practice.

22
23 **Sec. 21. Roster of Nurses.** - The Commission shall maintain a roster of
24 nurses pursuant to the PRC Automated System. The Roster of Nurses shall serve
25 as the centralized database for nursing professionals for purposes of
26 documentation, verification of registrants, statistics, research, and development.

27
28 **Sec. 22. Integration of the Nursing Profession.** - The nursing profession
29 shall be integrated into one (1) national professional organization of nurses that is
30 duly registered with the Securities And Exchange Commission (SEC). The board,
31 subject to approval by the commission, shall accredit the said organization as the
32 one and only Accredited Integrated Professional Organization (AIPO) of
33 registered nurses. All nurses whose names appear in the Registry Book of Nurses
34 shall ipso facto or automatically become members thereof and shall receive all the
35 benefits and privileges appurtenant thereto upon payment of AIPO membership
36 fees and dues. Membership in the Accredited Integrated Professional Organization
37 (AIPO) shall not be a bar to membership in other nursing organizations.

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

7
8 **Sec. 24. Practice through Special or Temporary Permit.** - The Board may
9 issue a special or temporary permit to the following persons based on
10 qualification, and professional and moral standards as approved by the
11 Commission: Provided, that a completion report will be submitted to the
12 Commission after every mission, to wit:

- 13
14 (a) Licensed nurses from foreign countries whose services are either for a
15 fee or free if they are internationally well-known specialists or
16 outstanding experts in any branch or specialty of nursing;
17
18 (b) Licensed nurses from foreign countries on medical mission whose
19 services shall be free in a particular hospital, center or clinic;
20
21 (c) Licensed nurses from foreign countries who are engaged by
22 colleges/universities offering the nursing program as exchange
23 professors in a branch or specialty of nursing; and,
24
25 (d) Licensed nurses from foreign countries who come to aid during
26 declared disasters and calamities.
27

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

30
31 **Sec. 25. Non-registration and Non-issuance of Certificate of**
32 **Registration, Professional License, Professional Identification Card, Special**
33 **Permit or Temporary Permit.** - No person convicted by final judgment of any
34 criminal offense involving moral turpitude or any person guilty of immoral or
35 dishonorable conduct or any person declared by the court to be of unsound mind
36 may be registered and issued a certificate of registration, professional license,
37 professional identification card, or a special or temporary permit.
38

39 The Board shall furnish the applicant a written statement setting forth the
40 reasons for the actions, which shall be incorporated in the records of the Board.
41

1 **Sec. 26. Revocation and Suspension of Certificate of Registration,**
2 **Professional 18 License, and Professional Identification Card and Cancellation**
3 **of Special or 19 Temporary Permit.** - The Board shall have the power to revoke
4 or suspend the certificate of registration, professional license, professional
5 identification card, or cancel the special or temporary permit of a nurse upon any
6 of the following grounds:

7
8 (a) Conviction, by final judgment, of any criminal offense involving moral
9 turpitude or guilty of immoral or dishonorable conduct or any person
10 declared by the court to be of unsound mind;

11
12 (b) Violation of this Act, its policies, rules and regulations, and of the,
13 Philippine Code of Ethics for Nurses;

14
15 (c) Gross negligence, grave misconduct, ignorance, and incompetence in
16 the 29 nursing practice;

17
18 (d) Fraud, concealment, misrepresentation, or false statements in
19 obtaining a certificate of registration, professional license, professional
20 identification card, special permit or temporary permit

21
22 (e) Practice of the nursing profession pending suspension of license.
23

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

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

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1 (b) They have not renewed their professional identification card for five
2 (5) years; and
3

4 (c) They do not have proof of five (5) years of continuous nursing
5 practice.
6

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

10 **ARTICLE V Nursing Education**

11

12 **Sec. 34. *Nursing Education.*** - Refers to the formal learning and training in
13 the science and art of nursing provided by higher educational institutions duly
14 recognized by the CRED.

15 There shall be a standard of Basic and Graduate Program for Nursing
16 Education which must be pursuant to the CHED Law (RA 7722).
17

18 **Sec. 35. *Basic Program for Nursing Education.*** - Refers to the nursing
19 education program which envisions providing sound liberal and professional
20 education and equips basic nursing students with the necessary competencies for
21 entry - level safe 2 and quality nursing practice.
22

23 Admission to the Basic Program for Nursing Education requires passing a
24 National Nursing Admission Test (NNAT).
25

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

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

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

4
5 **Sec. 37. *Qualifications of the Dean.*** - The Dean of the College of Nursing
6 (Dean) shall formulate policies, plans in collaboration with the
7 administration/school officials and stakeholders. The Dean must adhere to the
8 prescribed curriculum for the advancement of nursing education.

9
10 The Dean:

- 11
- 12 (a) Must be a holder of a certificate of registration and a current
13 professional identification card issued by the Commission;
14
 - 15 (b) Must have the appropriate certificate of nursing proficiency, or its
16 equivalent, to be issued by the PRBON;
17
 - 18 (c) Must be a holder of a master's degree in nursing, conferred by a
19 university duly recognized by the Government of the Republic of the
20 Philippines;
21
 - 22 (d) Must have at least five (5) years of experience in teaching and
23 supervision in Nursing Education; and
24
 - 25 (e) Must have at least three (3) years clinical. experience in a general
26 nursing service.
27

28 **Sec. 38. *Qualifications of the Faculty.*** -
29

30 **(1) Basic Program for Nursing Education.** - A member of the
31 faculty in a College of Nursing teaching professional courses:
32

- 33 (a) Must be a registered nurse in the Philippines and
34 holder of a certificate of registration and a current
35 professional identification card issued by the
36 Commission;
37
- 38 (b) Must have at least three (3) years of nursing practice;
39

1 (c) Must be a holder of a master's degree in nursing,
2 conferred by a university duly recognized by the
3 Government of the Republic of the Philippines; and
4

5 (d) Must have the appropriate certificate of nursing
6 proficiency, or its equivalent, to be issued by the
7 PRBON.
8

9 (2) **Graduate Program for Nursing Education.** - A member
10 of the faculty teaching graduate professional courses:
11

12 (a) Must follow prescriptions 1 and 2 of basic nursing
13 education; and
14

15 (b) Must be a holder of a doctoral degree in nursing
16 conferred by a university duly recognized by the
17 Government of the Republic of the Philippines.
18

19 **Sec. 39. Faculty-to-Student Ratio.** - The faculty-to-student ratio must be
20 in accordance with the standard to be determined and prescribed by the CHED.
21

22 **ARTICLE VI**

23 **Nursing Service** 24

25 **Sec. 40. Nursing Service.** - Nursing Service is the promotion of health and
26 prevention of illness which includes, but not limited to, nursing care provided by a
27 nurse, either independently or collaboratively, to any individual, family or group
28 in various health care settings.
29

30 Nursing Service shall include the following functions: (1) Provide health
31 education to individuals, families and communities; (2) Ensure that information
32 on healthy lifestyle are incorporated in his or her health teachings; (3) Seek
33 opportunities to promote a healthy lifestyle within his or her influence; (4) Accept
34 that he or she is a role model for a healthy lifestyle; (5) Enable people to increase
35 control over their health and to improve health; (6) Build healthy public policy;
36 (7) Create supportive environment; (8) Strengthen community action for health;
37 and, (9) Establish linkages with community resources and coordination of services
38 with the health team.
39

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

Sec. 42. Health Interventions in Collaboration with Other Members of the Health Team. - In the various stages of nursing practice from promotion of health to end-of-life care, Nurses shall collaborate with other members of the health team.

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

ARTICLE VII

Nursing Research, Policy Development, and Planning

Sec. 44. *Nursing Research and Policy Development.* - Nursing Research and Policy Development shall involve study and pursuit of nurse related issues encompassing the following areas:

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

1 (c) Socio-economic welfare for nurses like occupational health and
2 safety, human resources planning and policy, remuneration,
3 career development.
4

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

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

22 **Sec. 47. *Salary.*** - The minimum base pay of nurses working in
23 governmental health institutions, upon entry, shall not be lower than Salary Grade
24 15 (SG-15). This is to enhance the general welfare, commitment to service, and
25 professionalism of nurses. In non-governmental and/or private health institutions,
26 the minimum base pay for the nurses upon entry shall be equivalent to that of
27 Salary Grade "15" in public hospitals and institutions.
28

29 **Sec. 48. *Incentives and Benefits.*** - The Board, in coordination with the
30 DOH, other concerned government and non-government institutions, association
31 of hospitals and the AIPO for registered nurses, shall establish an incentive and
32 benefit system in the form of free hospital care for nurses and their dependents,
33 scholarship grants and other non-cash benefits.
34

35 **ARTICLE VIII**

36 **Nursing Leadership and Governance**

37

38 **Sec. 49. *Nursing Leadership.*** - Nursing is a dynamic field that requires
39 leaders who will go through the changing aspects of the health sector as they are

1 part of the workforce that will toil and labor for the improvement of the health of
2 the citizenry. Nurses adopt specific roles in organizational structure, from being
3 the policy makers in health facilities and giving guidance to senior management
4 on best practices in nursing and patient care. They work with healthcare leaders to
5 establish compensation and benefit programs and are involved in nurse
6 recruitment, training and retention. Thus, nurses in management positions shall
7 develop patient-care programs, manage nursing budgets, plan new patient
8 services, establish nursing policies and procedures, participate in cross-
9 departmental decision making, conduct performance improvement activities and
10 represents the scope of nursing practices at Board of director meetings and other
11 stakeholder.

12

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

20

21

ARTICLE IX

22

Nursing Personnel System

23

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

27

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

31

32 **Sec. 52. Ratio.** - The ratio of a staff nurse to a patient in a general nursing
33 service or general ward of a hospital shall be set at at least 1:12, in order to
34 effectuate the quality nursing care for patients. There shall be a nurse fur every
35 barangay and industrial establishment: *Provided*, that the nurse shall supervise
36 other health workers in the work area.

37

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

4
5 **Sec. 53. *Beginning Registered Nurse.*** - A beginning registered nurse shall
6 provide for safe and quality care to an individual, family, or group that is
7 independent or provided as part of a team. The nurse must be able to assess, plan,
8 implement, and evaluate the care provided to clients based on evidence derived
9 from research.

10
11 A beginning registered nurse must have the following minimum
12 qualifications:

- 13
14 (1) Must be a Bachelor of Science in Nursing graduate from a
15 higher educational institution recognized by the CHED;
16
17 (2) Must be a registered nurse with current certificate of
18 registration and professional identification card issued by the
19 Commission;
20
21 (3) Must be physically, mentally and psychologically fit to practice
22 nursing; and
23
24 (4) Must not be convicted of any crime involving moral turpitude.
25

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

- 29
30 (1) *First Level Manager*, is responsible directly fur the physical
31 set-up of the unit, structure and other human resources for
32 health care provision.
33
34 (2) *Middle Level Manager*, is responsible for the department or
35 section handling more than one (1) or two (2) units, taking care
36 of the financial, logistic, operational 32 functions and others.
37
38 (3) *Top Level Manager*, oversees all nursing units in terms of
39 financial and human resources for health such as nurses and
40 nursing assistants/adjuncts.

1
2 Nursing Service Managers must have the following minimum
3 qualifications in addition to the requirements of a Beginning
4 Registered Nurse:
5

6 (a) *For first level managerial position in nursing*, must
7 have at least eighteen (18) units of nursing management
8 and clinical subjects in Master of Arts in Nursing or
9 Master of Science in Nursing, at least three (3) years of
10 clinical work experience, and must have participated in
11 at least one (1) research project to improve quality of
12 care;
13

14 (b) *For middle level managerial position in nursing*, must
15 have completed all academic requirements in Master of
16 Arts in Nursing or Master of Science in Nursing and
17 must have at least three (3) years of clinical work and
18 two (2) years of management experience, and must have
19 initiated at least one (1) research project to improve
20 quality of care;
21

22 (c) *For top level managerial position in nursing*, must have
23 a post-graduate degree in nursing or health
24 management- related sciences and at least three (3)
25 years of clinical work and three (3) years of
26 management experience, and must have initiated at least
27 two (2) research projects to improve quality of care; and
28

29 (d) *For all managerial positions*, Must present the
30 appropriate Certificate of Nursing Proficiency, or its
31 equivalent, from the Board in observance of the Nursing
32 Leadership and Governance Certification Program
33 (Nurse Administrator I, Nurse Administrator II, Nursing
34 Administration Specialist). The above qualifications
35 shall apply to all nurses occupying supervisory or
36 managerial positions across all health facilities.
37

38 **Sec. 55. Public Health Practice.** - A nursing service shall be organized
39 and operationalized in every local health agencies in order to ensure the nursing
40 component of public health programs. Thus, an ideal of having at least one (1)
41 nurse in every barangay shall be the thrust of public health in order to provide
42 accessible, available, and affordable quality health care to all More so, the ideal
43 of having at least one (1) nurse in every school, whether private or public, shall be

prioritized in every primary, secondary and tertiary educational institution in order to instill health awareness at an early stage and to improve the health status of the students.

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

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

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

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

ARTICLE X

Prohibited Acts and Penal

1 **Sec. 59. Prohibited Acts.** - Any of the following shall constitute unlawful
2 and illegal acts:

3 (a) Any person who is practicing the nursing profession in the
4 Philippines:

- 5
6 1. Without a certificate of registration, professional
7 license, professional identification card, special
8 permit or temporary permit or without having been
9 declared exempt from examination in accordance
10 with the provision of this Act;
- 11
12 2. Who uses a certificate of registration, professional
13 license, professional identification card, special
14 permit or temporary permit of another;
- 15
16 3. Who uses an invalid certificate of registration,
17 professional license, a suspended or revoked
18 certificate of registration, professional license, or an
19 expired or cancelled special or temporary permits;
- 20
21 4. Who, by any means of misrepresentation, false
22 evidence, or concealment, obtained a certificate of
23 registration, professional license, professional
24 identification card, special permit or temporary
25 permit;
- 26
27 5. Who falsely poses or advertises as a registered and
28 licensed nurse or uses any other means that tend to
29 convey the impression that he/she is a registered and
30 licensed nurse;
- 31
32 6. Who appends "Nurse", "Nars", or "Nrs." before his
33 or her name or B.S.N./R.N. (Bachelor of Science in
34 Nursing/Registered Nurse) after his or her name
35 without having been conferred said degree or
36 registration; or
- 37
38 7. Who, as a registered and licensed nurse, abets or
39 assists to the illegal practice of a person who is not
40 lawfully qualified to practice nursing;

41
42 (b) Any natural or juridical person, educational institutions offering
43 BSN without full compliance with the requirements prescribed

1 by law conducts Continuing Professional Development for
2 nurses without accreditation from the Board; or any natural or
3 juridical person or health facility who undertakes or offers in-
4 service training programs, for a fee and without
5 permit/clearance from the Board and the Commission;
6

7 (c) Any natural or juridical person or health facility who subscribes
8 to sub-standard quality of nursing care and/or nursing practice,
9 such as non-compliance with the nurse-to-patient ratio;
10

11 (d) Any natural or juridical person or health facility who exercises
12 and promotes precarious working conditions to nurses., such as,
13 but not limited to, the following:
14

- 15 1. Contracting or availing of the services of a nurse
16 either without salary, for allowance, for salary
17 below the applicable wage prescribed under this
18 Act, whether or not under the pretext of a training,
19 development 14 program, certification course and/or
20 seminar;
21
- 22 2. Depriving or denying a nurse of the incentives and
23 benefits as provided for by the existing laws;
24
- 25 3. Collecting any fees from a nurse or from any person
26 or agent in his or her behalf in exchange for a
27 nurse's voluntary services in a health facility;
28
- 29 4. Requiring or obliging a volunteer nurse to perform
30 the regular work functions and/or regular work load
31 expected from a regular staff nurse employed by the
32 health facility without proper compensation, to
33 render full-time service as a condition for the
34 continued ailment of his/her volunteer services,
35 and/or to be the sole nurse on duty, except during
36 disasters, calamities., public emergencies and war;
37
- 38 5. Contracting or availing of the services of a volunteer
39 nurse, under the pretext of On-The-Job Training
40 (OJT), contract of service, and/or job orders, in
41 order to fill-up a vacant position that requires the
42 hiring of a full-time regular employed nurse, or for
43 free in exchange for any type of certification to be

1 issued by the health facility for purposes of the
2 nurse's employment application; or
3

- 4 6. Contracting or availing of the services of a nurse,
5 under the pretext of training or certification course,
6 but requiring the nurse to render the, tasks and
7 responsibilities expected of a regular staff or public
8 health nurse, in violation of Section 48 hereof;
9

10 (e) Any violation of the provisions of this Act.
11

12 **Sec. 60. Sanctions.** - A fine of not less than one hundred thousand pesos
13 (P100,000.00) nor more than three hundred thousand pesos (P300,000.00) or
14 imprisonment of not less than one (1) year nor more than six (6) years, or both,
15 upon the discretion of the court, shall be imposed upon violation of any prohibited
16 acts enumerated in Section 59 (a) hereof.
17

18 A fine of not less than three hundred thousand pesos (P300,000.00) nor
19 more than five hundred thousand pesos (P500,000.00) and/or imprisonment of not
20 less than one (1) year nor more than six (6) years shall be imposed upon violation
21 of any prohibited acts enumerated in Section 59 (b), (c), (d), and (e) hereof. In
22 addition, suspension or revocation of license to operate the health facility may be
23 issued upon the discretion of the court. In case the violation is committed by a
24 partnership, corporation, association, or any other juridical person, the managing
25 partner, president, director/s, or manager who has committed or consented such
26 violation shall be held directly liable and responsible for the acts, as principal or
27 as co-principals with the other participants, if any.
28

29 **Sec. 61. Refund and Compensation.** - Any nurse found to have been a
30 victim of Section 59 (d) hereof shall be entitled to a full refund of all fees illegally
31 collected fees and charges and the payment of unpaid salary, if any which should
32 not be less than the applicable wage for services rendered.
33

34 **ARTICLE XI**

35 **Miscellaneous**

36

37 **Sec. 62. Implementing Agencies.** - The Department of Health (DOH) is
38 hereby designated as the agency tasked with monitoring the compliance with and
39 implementation of the provisions of this Act by public health facilities. The

1 Department of Labor and Employment (DOLE) is designated as the agency tasked
2 with monitoring the compliance with and implementations of the provisions of
3 this Act by private health facilities. The Commission and the Board are designated
4 as the agencies tasked with monitoring the compliance with and implementations
5 of the provisions of this Act by educational institutions, CPD providers and health
6 facilities. The CHED is similarly designated as the agency tasked with monitoring
7 the compliance with and implementations of the provisions of this Act by
8 educational institutions with regard to nursing education programs and
9 curriculum.

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

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

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

36
37 **Sec. 65. Separability Clause.** - Should any provision of this Act be
38 declared unconstitutional, the remaining parts not affected thereby shall remain
39 valid and operational.

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

5

6 **Sec. 67. *Effectivity.*** - This Act shall take effect fifteen (15) days after its
7 publication in the Official Gazette or in any two (2) newspapers of general
8 circulation in the Philippines.

9

10 Approved,