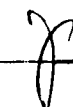


SEVENTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



'16 AUG -1 P1:59

SENATE
S.B. No. 965

RECEIVED BY: 

Introduced by Senator Francis N. Pangilinan

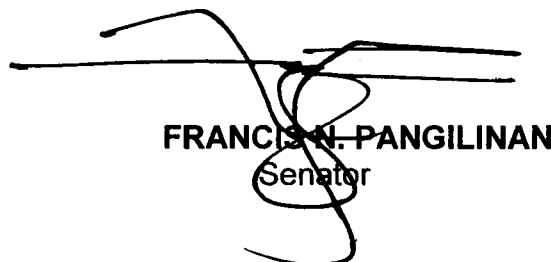
**AN ACT PROVIDING FOR A COMPREHENSIVE NURSING LAW TOWARDS
QUALITY HEALTH CARE SYSTEM, AND APPROPRIATING FUNDS THEREFOR**

EXPLANATORY NOTE

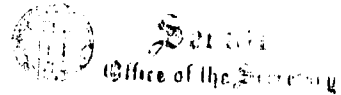
The World Health Organization (WHO) estimated around 22,000 health professionals leave the Philippines annually to work abroad. It also confirmed the Philippines as the world's largest exporter of nurses. As stated in an article published in the "International Nursing Review", eighty five percent (85%) of Filipino nurses work overseas due to unemployment, low salaries, unjust working conditions, and increasing cost of basic commodities and services. As health professionals leave the country, the Philippine health system suffers. Hence, of the seventy percent (70%) of Filipinos living in rural areas, only ten percent (10%) benefit from the services of medical professionals.

To address this concern, this bill proposes to put in place mechanisms towards relevant nursing practices, just and humane working conditions, and the promotion of professional growth of nurses to enhance their general welfare and commitment to service. It further provides that the entry level of nurses working in governmental health institutions shall not be lower than Salary Grade 15 (SG-15). Ultimately, the goal of this measure is to improve the plight of the nursing profession and to promote quality health care for all Filipinos.

The approval of this bill is earnestly sought.


FRANCIS N. PANGILINAN
Senator

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



16 AUG -1 P2:00

SENATE

S.B. No. 965

RECEIVED BY:

Introduced by Senator Francis N. Pangilinan

**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
2015.*"

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

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

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

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

- 1 b) *Advanced Practice Nurse (APN)* refers to a nurse who acquired substantial
2 theoretical knowledge and decision making skills in the specialty area of nursing
3 practice and proficient clinical utilization of this knowledge in implementing
4 independent and interdependent nursing interventions. Specialties can be
5 differentiated in categories, according to function, disease, pathology, systems, age,
6 sex, acuity, setting, technology, and therapies. They must be given certification
7 credentialing by the Board. An APN must be a master's degree holder in nursing;
- 8 c) *Bachelor of Science in Nursing (BSN)* refers to the basic program for nursing
9 education;
- 10 d) *Certification/Credentialing* refers to the process undertaken by an individual nurse to
11 be recognized to practice in a specifically defined professional tract *i.e.* General
12 Nursing, Nursing Specialty/ Advanced Practice, Nursing Education, and Leadership
13 and Governance. The Board confers the certification or credential after a validation
14 process based on promulgated guidelines and mechanisms;
- 15 e) *Commission on Higher Education (CHED)* refers to the body created by law to
16 promulgate policies, standards and guidelines in the implementation of basic and
17 graduate program for nursing education;
- 18 f) *Health Facility* refers to an institution, establishment, clinic that offers health services
19 and nursing care, such as hospitals, barangay health centers, and clinics.
- 20 g) *Nurse*, as provided for in this Act, refers to a person who passed the Philippine
21 Nurse Licensure Exams (PNLE) and whose license has not been revoked by the
22 law. Thus, it pertains to a Registered Nurse (RN). A nurse may append before his/
23 her name the title "Nurse", "Nars", or "Nrs." or after his/her name the title R.N.;
- 24 h) *Nursing Personnel System (NPS)* refers to a system of human resource
25 management in an institution that classifies the structure, organization, and
26 coordination within the workforce both in private and public health care facilities and
27 nursing educational institutions to advance the welfare and protect the rights of the
28 nurses and to ensure the employer-employee relationship, security of tenure, just
29 compensation, humane conditions of work, and professional growth;
- 30 i) *Philippine Nurse Licensure Exams (PNLE)* refers to the written examination given by
31 the Board in order to obtain license to practice nursing;
- 32 j) *Precarious Work* is the term used to describe substandard employment conditions
33 such as under-payment, absence of salary, no security of tenure, lack of employer -
34 employee relationship, no benefits, poor working conditions; and, deviation from the
35 standard employment relationships, such as contractual, false volunteerism, job
36 orders through agencies, part time, self-employment, fixed term work, temporary, on
37 call, home workers, call center jobs, few benefits, lack of collective bargaining
38 representation, and no job security;

- 1 k) *Professional Regulation Commission (PRC)* refers to the government agency
2 pursuant to Republic Act No. 8981 or as may hereafter be amended or repealed. It
3 shall be referred to in this law as the Commission;
- 4 l) *Professional Regulatory Board of Nursing (PRBON)* refers to the administrative body
5 created by law to supervise and regulate the practice of the nursing profession in the
6 Philippines. As such, the Board shall be the ultimate authority in the practice of the
7 profession in the Philippines. It shall be referred to in this law as the Board;
- 8 m) *Public Health Institution (PHI)* refers to any government-led, owned or controlled
9 institutions which pursues and realizes the lofty goals and objectives of providing
10 and managing safe, efficient, effective and quality public health programs and
11 services and advocacies for health, in all levels of the Health Care Delivery System
12 (HCDS - national to local) which include among others: Rural Health Units (RHUs/
13 Barangay Health Centers); Research Facilities e.g. Research Institute for Tropical
14 Medicine, etc.; Training Resource Facilities e.g. the U.P. College of Public Health
15 and State or Local Colleges or Universities offering Health-Related Programs; the
16 Department of Health and all retained Health Facilities, and the like;
- 17 n) *Special Permit* refers to the permit to practice nursing in the Philippines issued by
18 the Board to licensed nurses of foreign nationalities;
- 19 o) *Temporary Permit* refers to the permit to practice nursing in the Philippines issued by
20 the Board to Filipino nurses, who does not have a professional license from the
21 Philippines or have not renewed their license for five (5) years, but are licensed from
22 foreign countries;

23 ARTICLE II

24 BOARD OF NURSING

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

33 **SEC. 5. *Qualifications of the Members of the Board.*** - The members of the Board
34 must possess the following qualifications:

- 1 a) A natural born citizen and resident of the Philippines for the past five (5)
2 consecutive years;
- 3 b) A nurse in the Philippines and a holder of a valid and updated certificate of
4 registration and a current professional identification card;
- 5 c) A holder of a master's degree in nursing and preferably with a doctorate degree
6 conferred by a university duly recognized by the government;
- 7 d) Have at least ten (10) years of continuous practice of the nursing profession prior
8 to appointment: *Provided*, however, That the last five (5) years of which must be
9 in the Philippines; and
- 10 e) Possess good moral character and have not been convicted of any offense
11 involving moral turpitude.

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

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

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

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

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

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

- 4 a) Ensure the proper conduct of the PNLE, which includes the application, test
5 development, examination, correction and release of results. The use of
6 appropriate technologies and modalities during the conduct of the PNLE is
7 encouraged to enhance efficiency while upholding integrity;
- 8 b) Issue, suspend, revoke or reissue certificates of registration for the practice of
9 nursing and ensure the widest publication through electronic and written media;
- 10 c) Enforce and monitor safe and quality standards of nursing practice, study the
11 conditions affecting the nursing practice in the Philippines, and exercise the
12 powers necessary to ensure the maintenance of efficient, ethico-moral, technical
13 and professional standards in the practice of nursing towards the optimal health
14 and common good of the nation;
- 15 d) Ensure quality nursing education by examining and monitoring higher
16 educational institutions offering and seeking permission to open nursing
17 education programs and to ensure that standards of nursing education are
18 properly complied with and maintained at all times. *Provided*, that the Board and
19 the CHED shall have joint authority to open and close nursing education
20 programs offered by higher educational institutions;
- 21 e) Conduct hearings and investigations to resolve complaints against actively
22 practicing nurses for unethical and unprofessional conduct and violations of this
23 Act, or its rules and regulations and in connection therewith, issue *subpoena*
24 *duces tecum* and *subpoena ad testificandum* to require the appearance of
25 respondents and witnesses and the production of documents and penalize with
26 contempt persons obstructing, impeding or otherwise interfering with the conduct
27 of such proceedings, upon application with the Board of Nursing;
- 28 f) Promulgate a Code of Ethics that is responsive to the needs of the nursing
29 profession in coordination with the AIPO of nurses within a year from the
30 effectivity of this Act;
- 31 g) Prescribe and operationalize, via necessary infrastructures, a National Nursing
32 Career Progression Program to ensure continuing professional development of
33 Filipino nurses, create the Council for Nursing Advancement, Recognition, and
34 Specialization as well as the various Nursing Specialty Boards to assist the
35 Board for this purpose;
- 36 h) Ensure performance of mandated duties and functions with the provision of
37 operational resources including human, financial and spatial resources to ensure

1 the confidentiality and sanctity of their functions as provided through the annual
2 budget of the Commission as promulgated in the General Appropriations Act;

- 3 i) Source and utilize funds earmarked for national nursing development;
- 4 j) Prescribe, adopt, issue and promulgate guidelines, regulations, measures and
5 influence authorities and agencies on decision-making as may be necessary for
6 the improvement of nursing practice, advancement of the profession, and for the
7 proper and full enforcement of this Act, subject to review and approval by
8 Commission; and
- 9 k) Create a council for nursing recognition, accreditation and certification that will
10 assist the Board in:
- 11 a. Recognizing organized nursing groups;
- 12 b. Setting standards for advanced nursing practice, education, research, and
13 management;
- 14 c. Accrediting specialty and advanced nursing programs based on
15 established mechanisms;
- 16 d. Credentialing individual registered nurse based on accepted criteria; and
17 e. Monitoring and evaluating specialty and advanced nursing practice,
18 education, research and management.

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

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

- 27 (a) Continued neglect of duty or incompetence;
- 28 (b) Commission or toleration of irregularities in the PNLE; and,
29 (c) Unprofessional, immoral or dishonorable conduct.

30 **ARTICLE III**
31 **EXAMINATION AND REGISTRATION**

32 **SEC. 14. Philippine Nurse Licensure Examination (PNLE).** - In order to obtain a
33 certificate of registration, professional license, and professional identification card, all
34 nursing graduates must take and pass the PNLE. The Board shall administer the PNLE

1 in such place and date as designated by the Commission: *Provided*, That no nursing
2 educational institution may withhold any requirement or documents, or both, of any
3 nursing graduate for the purpose of preventing them to apply for the PNLE. All nursing
4 educational institutions must ensure that their nursing graduates will take the nearest
5 scheduled PNLE after graduation. Any delay in taking the PNLE must be accordingly
6 justified by the President, Registrar or Dean of the educational institution through a
7 public instrument.

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

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

13 (a) Must be a holder of a Bachelor of Science in Nursing degree from a recognized
14 educational institution that complies with the standards of nursing education duly
15 recognized by CHED;

16 (b) Must be of good moral character and have not been convicted, by final judgment,
17 of any criminal offense involving moral turpitude or guilty of immoral or dishonorable
18 conduct, or any person declared by the court to be of unsound mind; and,

19 (c) Must be a citizen of the Philippines, or a citizen or subject of a country which
20 permits Filipino nurses to practice within its territorial limits on the same basis as the
21 subject or citizen of such country; *Provided*, That the requirements for the registration
22 or licensing of nurses in said countries are substantially the same as those prescribed
23 in this Act.

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

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

31 **SEC. 19. *Issuance of Certificate of Registration, Professional License and***
32 ***Professional Identification Card.*** - A certificate of registration and professional license

1 shall be issued to all successful examinees, subject to Section 14 of this Act. A
2 certificate of registration and professional license shall show the full name of the
3 registrant, the signature of the Chairperson of the Commission, and the members of the
4 Board. The certificate shall bear the logo of the Board and the official seal of the
5 Commission. The Commission shall likewise issue the professional identification card.
6 The card must bear the following: full name of the registrant nurse, the serial number,
7 the date of issuance and expiration, the signature of the Chairperson of the
8 Commission; date of registration.

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

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

16 **SEC. 22. Integration of the Nursing Profession.** - The nursing profession shall be
17 integrated into one (1) national professional organization of nurses that is duly
18 registered with the Securities and Exchange Commission (SEC). The board, subject to
19 approval by the commission, shall accredit the said organization as the one and only
20 Accredited Integrated Professional Organization (AIPO) of registered nurses. All nurses
21 whose names appear in the Registry Book of Nurses shall *ipso facto* or automatically
22 become members thereof and shall receive all the benefits and privileges appurtenant
23 thereto upon payment of AIPO membership fees and dues.

24 Membership in the Accredited Integrated Professional Organization (AIPO) shall not
25 be a bar to membership in other nursing organizations.

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

31 **SEC. 24. Practice through Special or Temporary Permit.** - The Board may issue a
32 special or temporary permit to the following persons based on qualification, and

1 professional and moral standards as approved by the Commission: *Provided*, that a
2 completion report will be submitted to the Commission after every mission, to wit:

3 (a) Licensed nurses from foreign countries whose services are either for a fee or free
4 if they are internationally well-known specialists or outstanding experts in any branch
5 or specialty of nursing;

6 (b) Licensed nurses from foreign countries on medical mission whose services shall
7 be free in a particular hospital, center or clinic;

8 (c) Licensed nurses from foreign countries who are engaged by colleges/universities
9 offering the nursing program as exchange professors in a branch or specialty of
10 nursing; and,

11 (d) Licensed nurses from foreign countries who come to aid during declared
12 disasters and calamities.

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

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

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

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

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

- 1 (b) Violation of this Act, its policies, rules and regulations, and of the Philippine
2 Code of Ethics for Nurses;
- 3 (c) Gross negligence, grave misconduct, ignorance, and incompetence in the
4 nursing practice;
- 5 (d) Fraud, concealment, misrepresentation, or false statements in obtaining a
6 certificate of registration, professional license, professional identification card,
7 special permit or temporary permit
- 8 (e) Practice of the nursing profession pending suspension of license.

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

11 **SEC. 27. Reinstatement and Re-Issuance of Revoked Certificates of**
12 **Registration, Professional License, and Professional Identification Card.** - The
13 Board may, after the expiration of a maximum of four (4) years from the date of
14 revocation of a certificate of registration, professional license, and professional
15 identification card, for reasons of equity and justice, and when the cause for revocation
16 has disappeared or has been cured and corrected, upon proper application thereof and
17 the payment of the required fees, reinstate and re-issue the certificate of registration,
18 professional license, and professional identification card.

19 **ARTICLE IV**
20 **NURSING PRACTICE**

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

27 **SEC. 29. Scope of Nursing Practice.** - The following are the scope of nursing
28 practice: (1) nursing education; (2) nursing service; (3) nursing research; and, (4)
29 nursing leadership and governance.

30 **SEC. 30. Nursing Care.** - Nursing Care includes, but is not limited to: the provision
31 of physiological, psychological, spiritual, social and emotional care; essential health
32 care, safety and comfort measures, health teachings; executing health care techniques

1 and procedures; and, traditional and innovative approaches to individuals, families,
2 population groups and communities from conception to death.

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

6 **SEC. 31. Roles, Responsibilities, and Competencies of a Nurse.** - A nurse shall
7 possess and exercise the core competencies in the performance of the roles and
8 responsibilities, in accordance with the standards set by the Board.

9 **SEC. 32. Continuing Professional Development (CPD).** - All nurses shall abide by
10 the requirements, rules and regulation on continuing professional development to be
11 promulgated by the PRC Regulatory Board, subject to' the approval of the commission,
12 in coordination with the A1PO for nurses or any duly accredited education institutions.

13 For the purpose, a CPD council is hereby created to implement the CPD program.

14 **SEC. 33. Requirement for Inactive Nurses Returning to Practice.** - Nurses are
15 deemed to be inactive when:

- 16 (a) They are not utilizing nursing competencies as defined in the scope of nursing
17 practice for five (5) consecutive years;
18 (b) They have not renewed their professional identification card for five (5) years;
19 and
20 (c) They do not have proof of five (5) years of continuous nursing practice.

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

23 **ARTICLE V**
24 **NURSING EDUCATION**

25 **SEC. 34. Nursing Education.** - Refers to the formal learning and training in the
26 science and art of nursing provided by higher educational institutions duly recognized by
27 the CHED.

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

3 **SEC. 35. Basic Program for Nursing Education.** - Refers to the nursing education
4 program which envisions providing sound liberal and professional education and equips
5 basic nursing students with the necessary competencies for entry-level safe and quality
6 nursing practice.

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

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

12 **SEC. 36. Graduate Program for Nursing Education.** - Refers to the post
13 baccalaureate nursing program, which builds on the experiences and skills of a nurse
14 towards mastery, expertise, and leadership in practice, research, and education. It
15 includes a master's degree and doctorate degree in nursing founded on the
16 philosophies, and the scientific body of knowledge and practice.

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

20 **SEC. 37. Qualifications of the Dean.** - The Dean of the College of Nursing (Dean)
21 shall formulate policies, plans in collaboration with the administration/school officials
22 and stakeholders. The Dean must adhere to the prescribed curriculum for the
23 advancement of nursing education.

24 The Dean shall meet the following qualifications:

- 25 a) A holder of a certificate of registration and a current professional identification
26 card issued by the Commission;
- 27 b) Have the appropriate certificate of nursing proficiency, or its equivalent, to be
28 issued by the PRBON;
- 29 c) A holder of a master's degree in nursing, conferred by a university duly
30 recognized by the Government of the Republic of the Philippines;

- 1 d) Have at least five (5) years of experience in teaching and supervision in Nursing
2 Education; and
3 e) Have at least three (3) years clinical. experience in a general nursing service.

4 **SEC. 38. *Qualifications of the Faculty.* -**

5 (1) Basic Program for Nursing Education. - A member of the faculty in a College of
6 Nursing teaching professional courses shall possess the following qualifications:

- 7 a) A registered nurse in the Philippines and holder of a certificate of registration
8 and a current professional identification card issued by the Commission;
9 b) Have at least three (3) years of nursing practice;
10 c) A holder of a master's degree in nursing. conferred by a university duly
11 recognized by the Government of the Republic of the Philippines; and
12 d) Have the appropriate certificate of nursing proficiency, or its equivalent, to be
13 issued by the PRBON.

14 (2) Graduate Program for Nursing Education. - A member of the faculty teaching
15 graduate professional courses shall meet the following qualifications:

- 16 a) Follow prescriptions 1 and 2 of basic nursing education; and
17 b) A holder of a doctoral degree in nursing conferred by a university duly
18 recognized by the Government of the Republic of the Philippines.

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

21 **ARTICLE VI**
22 **NURSING SERVICE**

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

27 Nursing Service shall include the following functions: (1) Provide health education to
28 individuals, families and communities; (2) Ensure that information on healthy lifestyle
29 are incorporated in his or her health teachings; (3) Seek opportunities to promote a

1 healthy lifestyle within his or her influence; (4) Accept that he or she is a role model for a
2 healthy lifestyle; (5) Enable people to increase control over their health and to improve
3 health; (6) Build healthy public policy; (7) Create a supportive environment; (8)
4 Strengthen community action for health; and, (9) Establish linkages with community
5 resources and coordination of services with the health team.

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

14 **SEC. 42. *Health Interventions in Collaboration with Other Members of the***
15 ***Health Team.*** - In the various stages of nursing practice from promotion of health to
16 end-of-life care, nurses shall collaborate with other members of the health team.

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

23 **ARTICLE VII**

24 **NURSING RESEARCH, POLICY DEVELOPMENT, AND PLANNING**

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

- 28 a) Professional nursing practice such as advancing nursing knowledge to ensure
29 quality nursing care for all and advocacy for sound health policies globally;
- 30 b) Nursing regulation on credentialing, code of ethics, standards and competencies;
- 31 c) Socio-economic welfare for nurses like occupational health and safety, human
32 resources planning and policy, remuneration, career development.

1 benefit programs and are involved in nurse recruitment, training and retention. Thus,
2 nurses in management positions shall develop patient-care programs, manage nursing
3 budgets, plan new patient services, establish nursing policies and procedures,
4 participate in cross-departmental decision making, conduct performance improvement
5 activities and represents the scope of nursing practices at Board of director meetings
6 and other stakeholder.

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

14 **ARTICLE IX**
15 **NURSING PERSONNEL SYSTEM**

16 **SEC. 51. Nursing Personnel System.** - The nursing personnel system covers the
17 following fields: nursing service administration in the hospital setting, community health
18 practice, and the academe.

19 There shall be a nursing service office in every health institution, may it be
20 administrative or clinical, with at least ten (10) nurses. The nursing service office must
21 be under the control and management of a chief nursing officer.

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

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

30 **SEC. 53. Beginning Registered Nurse.** - A beginning registered nurse shall provide
31 for safe and quality care to an individual, family or group that is independent or provided

1 as part of a team. The nurse must be able to assess, plan, implement, and evaluate the
2 care provided to clients based on evidence derived from research.

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

- 4 1) A Bachelor of Science in Nursing graduate from a higher educational institution
5 recognized by the CHED;
- 6 2) Must be a registered nurse with current certificate of registration and professional
7 identification card issued by the Commission;
- 8 3) Must be physically, mentally and psychologically fit to practice nursing; and
- 9 4) Must not be convicted of any crime involving moral turpitude.

10 **SEC. 54. Nursing Service Management.** - Nursing Service Management refers to
11 the Management and Administration of Nursing Services by Nurses equipped with the
12 necessary competencies on governance and leadership, to wit:

- 13 1) *First Level Manager* is responsible directly for the physical set-up of the unit,
14 structure and other human resources for health care provision.
- 15 2) *Middle Level Manager* is responsible for the department or section handling more
16 than one (1) or two (2) units, taking care of the financial, logistic, operational
17 functions and others.
- 18 3) *Top Level Manager* oversees all nursing units in terms of financial and human
19 resources for health such as nurses and nursing assistant/adjuncts.

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

- 22 a. *For first level managerial position in nursing* – He or she must have at least
23 eighteen (18) units of nursing management and clinical subjects in Master of Arts
24 in Nursing or Master of Science in Nursing, at least three (3) years of clinical
25 work experience, and must have participated in at least one (1) research project
26 to improve quality of care;
- 27 b. *For middle level managerial position in nursing* – He or she must have completed
28 all academic requirements in Master of Arts in Nursing or Master of Science in
29 Nursing and must have at least three (3) years of clinical work and two (2) years
30 of management experience, and must have initiated at least one (1) research
31 project to improve quality of care;

- 1 c. *For top level managerial position in nursing* – He or she must have a post-
2 graduate degree in nursing or health management-related sciences and at least
3 three (3) years of clinical work and three (3) years of management experience,
4 and must have initiated at least two (2) research projects to improve quality of
5 care; and
- 6 d. *For all managerial positions* – He or she must present the appropriate Certificate
7 of Nursing Proficiency, or its equivalent, from the Board in observance of the
8 Nursing Leadership and Governance Certification Program (Nurse Administrator
9 I, Nurse Administrator II, Nursing Administration Specialist).

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

12 **SEC. 55. *Public Health Practice.*** - A nursing service shall be organized and
13 operationalized in every local health agency in order to ensure the nursing component
14 of public health programs. Thus, an ideal of having at least one (1) nurse in every
15 barangay shall be the thrust of public health in order to provide accessible, available,
16 and affordable quality health care to all. More so, the ideal of having at least one (1)
17 nurse in every school, whether private or public, shall be prioritized in every primary,
18 secondary and tertiary educational institution in order to instill health awareness at an
19 early stage and to improve the health status of the students.

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

30 The CNO is responsible for the formulation of policies, strategic and operational
31 planning, financial plan and resource allocation, policies and procedure development,
32 professional and organizational involvement to address epidemiologic problems and
33 provide statistical data, and shall exercise good governance and accountability of the

1 nursing personnel in a public health setting. The CNO shall also act as the advocate for
2 the rights and welfare of public health nurses.

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

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

14 **ARTICLE X**

15 **PROHIBITED ACTS AND PENALTIES**

16 **SEC. 59. Prohibited Acts.** - Any of the following shall constitute unlawful and illegal
17 acts:

- 18 a. Any person who is practicing the nursing profession in the Philippines:
- 19 1. Without a certificate of registration, professional license, professional
20 identification card, special permit or temporary permit or without having been
21 declared exempt from examination in accordance with the provision of this
22 Act;
 - 23 2. Who uses a certificate of registration, professional license, professional
24 identification card, special permit or temporary permit of another;
 - 25 3. Who uses an invalid certificate of registration, professional license, a
26 suspended or revoked certificate of registration, professional license, or an
27 expired or cancelled special or temporary permit;
 - 28 4. Who, by any means of misrepresentation, false evidence, or concealment,
29 obtained a certificate of registration, professional license, professional
30 identification card, special permit or temporary permit;
 - 31 5. Who falsely poses or advertises as a registered and licensed nurse or uses
32 any other means that tend to convey the impression that he/she is a
33 registered and licensed nurse;

- 1 6. Who appends "Nurse", "Nars", or "Nrs." before his or her name or
2 B.S.N./RN. (Bachelor of Science in Nursing/Registered Nurse) after his or
3 her name without having been conferred said degree or registration; or
4 7. Who, as a registered and licensed nurse, abets or assists to the illegal
5 practice of a person who is not lawfully qualified to practice nursing;

- 6 b. Any natural or juridical person, educational institutions offering BSN without full
7 compliance with the requirements prescribed by law conducts Continuing
8 Professional Development for nurses without accreditation from the Board; or
9 any natural or juridical person or health facility who undertakes or offers *in-*
10 *service* training programs, for a fee and without permit/clearance from the Board
11 and the Commission;
- 12 c. Any natural or juridical person or health facility who subscribes to sub-standard
13 quality of nursing care and/or nursing practice, such as non-compliance with the
14 nurse-to-patient ratio;
- 15 d. Any natural or juridical person or health facility who exercises and promotes
16 precarious working conditions to nurses, such as, but not limited to, the following:
- 17 1. Contracting or availing of the services of a nurse either without salary,
18 for allowance, for salary below the applicable wage prescribed under
19 this Act, whether or not under the pretext of a training, development
20 program, certification course and/or seminar;
- 21 2. Depriving or denying a nurse of the incentives and benefits as provided
22 for by the existing laws;
- 23 3. Collecting any fees from a nurse or from any person or agent in his or
24 her behalf in exchange for a nurse's voluntary services in a health
25 facility;
- 26 4. Requiring or obliging a volunteer nurse to perform the regular work
27 functions and/or regular work load expected from a regular staff nurse
28 employed by the health facility without proper compensation, to render
29 full-time service as a condition for the continued availment of his/her
30 volunteer services, and/or to be the sole nurse on duty, except during
31 disasters, calamities., public emergencies and war;
- 32 5. Contracting or availing of the services of a volunteer nurse, under the
33 pretext of On-The-Job Training (OJT), contract of service, and/or job
34 orders, in order to fill-up a vacant position that requires the hiring of a
35 full-time regular employed nurse, or for free in exchange for any type of
36 certification to be issued by the health facility for purposes of the
37 nurse's employment application; or

1 monitoring the compliance with and implementation of the provisions of this Act by
2 educational institutions, CPD providers and health facilities. The CHED is similarly
3 designated as the agency tasked with monitoring the compliance with and
4 implementations of the provisions of this Act by educational institutions with regard to
5 nursing education programs and curriculum.

6 **SEC. 63. Appropriations.** - The amount necessary to carry out the provisions of this
7 Act shall be charged to the savings of the concerned agencies immediately upon
8 effectivity hereof. Every year thereafter, the amounts necessary to effectively implement
9 the provisions of this Act shall be included in the annual budget of the concerned
10 agencies to be incorporated in the General Appropriations Act (GAA).

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

19 **SEC. 64. Implementing Rules and Regulations.** - Within ninety days (90) after the
20 effectivity of this Act, the Commission, the Board, the AIPO for registered nurses, the
21 Civil Service Commission, the Department of Budget and Management, the Department
22 of Health and other concerned nursing organizations and government agencies, shall
23 formulate the implementing rules and regulations necessary to carry-out the provisions
24 of this Act. The implementing rules and regulations shall be published in the Official
25 Gazette or in at least two (2) newspapers of general circulation.

26 **SEC. 65. Separability Clause.** - Should any provision of this Act be declared
27 unconstitutional, the remaining parts not affected thereby shall remain valid and
28 operational.

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

1 **SEC. 67. Effectivity Clause.** - This Act shall take effect fifteen (15) days after its
2 publication in the Official Gazette or in any two (2) newspapers of general circulation in
3 the Philippines.

Approved,