

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
First Regular Session

H. B. No. **5780**



Introduced by HONORABLE JUAN EDGARDO "SONNY" M. ANGARA

EXPLANATORY NOTE

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

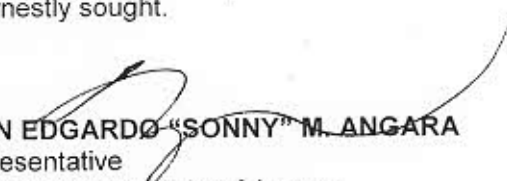
Unfortunately, the quantity of Filipino nurses has been inversely proportional to the quality of education provided by our nursing schools. The Nurse Licensure Exam (NLE) results show an alarming decline in the national passing percentage year after year. It reached an all-time low of 35.26% in the December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

We have an oversupply of nurses and yet we are still far from achieving the ideal nurse to patient ratio of 1:4 per shift. The Philippine General Hospital has a nurse to patient ratio of 1:15-26 per shift while Davao del Sur has a province-wide ratio of 1:44-45 per shift. Clearly, there is an urgent need for reforms.

This bill proposes to expand the roles and responsibilities of Filipino nurses and equip them towards independent practice – from primary health care, to the more specialized and advanced practice of nursing in various health care settings. Also, it aims to ensure proper professional nursing development through the expansion of the scope of nursing practice to encompass not only nursing education and services but also include research, leadership and governance as inherent areas of practice.

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

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


JUAN EDGARDO "SONNY" M. ANGARA
Representative
Lone District, Province of Aurora

1 Republic of the Philippines
2 HOUSE OF THE REPRESENTATIVES
3 Quezon City

4 FIFTEENTH CONGRESS

5 First Regular Session

6 HOUSE BILL NO. **5780**

7
8 Introduced by: **HONORABLE JUAN EDGARDO M. ANGARA**
9

10
11
12 AN ACT
13 INSTITUTING REFORMS TO FURTHER PROTECT AND DEVELOP THE NURSING
14 PROFESSION, AMENDING FOR THE PURPOSE REPUBLIC ACT NUMBERED NINETY-ONE
15 HUNDRED AND SEVENTY-THREE, OTHERWISE KNOWN AS THE "PHILIPPINE NURSING
16 ACT OF 2002"

17
18 *Be it enacted by the Senate and House of Representatives of the Philippines in Congress*
19 *Assembled:*

20 SECTION 1. Section 1 of Republic Act No. 9173 is hereby amended to read as follows:

21 ARTICLE I

22 Title

23 Section 1. *Short Title.* – This Act shall be known as the "Philippine
24 Nursing Practice Reform Act of 2011".

25
26 SEC. 2. Section 2 of the same Republic Act is also hereby amended to read as follows:

27 ARTICLE II

28 Declaration of Policy

29 *Sec. 2. Declaration of Policy.* – Public health safety demands a high level
30 of competency among Filipino nurses. It is hereby declared the policy of the

State to guarantee universal access to the delivery of basic quality health services through an adequate nursing personnel system throughout the country. The State recognizes nurses as prime movers of national development and contributors to international cooperation and understanding. As such, the State assumes responsibility for the protection, improvement and development of the nursing profession by instituting measures that will result in relevant and quality nursing practice, humane working conditions, better career prospects, and a dignified existence for nurses to ensure high level of wellness and well-being.

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

ARTICLE III

Scope of Nursing Practice

The practice of the profession of nursing includes the performance of functions in nursing service, education, research, leadership and governance.

Sec. 3. *Scope of Nursing Service.* – A person shall be deemed to be practicing nursing within the meaning of this Act when he/she singly or in collaboration with another, initiates and performs nursing care to individuals, families, population groups and communities in any health care setting. It includes, but not limited to, nursing care during conception, labor, delivery, infancy, childhood, toddler, preschool, school age, adolescence, adulthood and old age. Nurses are primarily responsible for the promotion of health and prevention of illness. As members of the health team, nurses shall collaborate with other health care providers for the promotive, preventive, curative, and

rehabilitative aspects of care, restoration of health, alleviation of suffering, and when recovery is not possible, towards a peaceful death. In performing independent and collaborative functions singly or jointly, it shall be the duty of the nurse to:

a) Provide nursing care through the utilization of the nursing process.

Basic nursing care includes, but not limited to, traditional and innovative approaches, therapeutic use of self, executing health care techniques and procedures, essential primary health care, comfort measures, health teachings, and administration of written prescription for treatment, therapies, oral, topical and parenteral medications, internal examination during labor in the absence of antenatal bleeding and delivery, and suturing of perineal laceration.

Provide advanced nursing care through specialized and expanded roles within the protocol of advanced nursing practice. Certification by an accredited certification body is required.

b) Collaborate with community resources and coordinate with the members of the health team in any health care setting;

c) Provide health education to empower individuals, families, population groups and communities to maintain, attain, restore and sustain optimal health and quality of life;

d) Teach, guide and supervise students in nursing education programs including the administration of nursing services in varied settings such as hospitals and clinics; undertake consultation services; engage in such activities that require the utilization of knowledge and decision-making skills of a registered nurse; and

e) Undertake nursing and health human resource development training and research, which shall include, but not limited to, the development of advanced practice nursing;

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

Provided, further, That in the practice of nursing in all settings, the nurse is mandated to observe the Code of Ethics for Nurses and uphold the standards of safe and quality nursing practice. The nurse is required to maintain competence by continual professional development as prescribed by the Board of Nursing;

Provided, finally, That the program and activity for the continual professional development shall be submitted to and approved by the Board.

Nursing services include, but are not limited to, nursing care provided to individual, family or group in any health care setting such as hospitals, public health institutions or communities, clinics and others by a registered nurse. The nurse shall possess the core competencies prescribed by the Board of Nursing. Nursing service includes the provision of specialized, expanded and advanced practice services as well as nursing management.

(A) *Beginning Registered Nurse*. – Beginning registered nurse provides for safe and quality care to an individual, family or group that is independent or provided as part of a team by a nurse or a group of nurses who will be able to assess, plan, implement and evaluate care provided to clients based on evidence derived from research.

A beginning registered nurse must have the following minimum qualifications:

- 1) Bachelor of Science in Nursing graduate

- 2) Registered nurse with current PRC ID
- 3) Must be physically, mentally and psychologically fit to practice nursing
- 4) Must not be convicted of any moral turpitude
- 5) Must be a member of the accredited professional organization (APO)

(B) *Advanced Practice Nurse*. – Advanced practice nurse is a registered nurse who has acquired expert knowledge base, complex decision-making skills and clinical competencies for expanded practice¹ based on evidence derived from research. Advanced practice of nursing requires substantial theoretical knowledge in the specialty area of nursing practice and proficient clinical utilization of this knowledge in implementing independent and interdependent nursing interventions. Specialties can be differentiated in different categories: according to functions, disease/pathology, systems, age, sex, acuity, settings, technology/therapies². This practice includes the acquisition of new knowledge and skills that legitimize role autonomy within specific areas of practice³. A master's degree is required for entry level. This includes but is not limited to those who are in education, management and clinical practice.

An advanced practice nurse must have the following minimum qualifications in addition to the requirements of a beginning registered nurse:

- 1) Relevant master's degree graduate from a recognized university-based program
- 2) Must be certified based on the Board of Nursing protocol

¹ International Council of Nurses, 2002

² International Council of Nurses, 1992

³ Hamric, 2002

- 130 3) Must be a member of the accredited professional organization (APO)
131 and the corresponding specialty organization.

132
133 (C) *Nursing Service Manager*. – Nursing service manager is a registered nurse
134 occupying supervisory or managerial positions requiring leadership and
135 knowledge of nursing management.

- 136 1) The first level manager is responsible directly with the physical set-up of
137 the unit, structure and other human resources for health.
138 2) The middle level manager is responsible for the department or section
139 handling more than one (1) or two (2) units, takes care of the financial,
140 logistic, operational functions and others.
141 3) The top level manager oversees that all nursing units in terms of the
142 financial, human resources for health (not just of the nurses but including
143 the nursing assistants/adjuncts) and others.

144
145 A nursing service manager must have the following minimum qualifications in
146 addition to the requirements of a beginning registered nurse:

- 147 a) For first level managerial position in nursing, eighteen (18) units of
148 nursing management and clinical subjects in Master of Arts in
149 Nursing/Master of Science in Nursing and at least three (3) years of
150 clinical work experience.
151 b) For middle level managerial position in nursing, completed all academic
152 requirements in Master of Arts in Nursing/Master of Science in Nursing
153 and at least three (3) years of clinical and two (2) years of management
154 experience.

- 155 c) For top level managerial position in nursing, master's degree in nursing or
156 health management-related sciences and at least three (3) years of
157 clinical and three (3) years of management experience.
- 158 d) Must be a member of good standing of the accredited professional
159 organization and relevant nursing organizations.
- 160

161 *Provided that the above qualifications shall apply to all nurses occupying*
162 *supervisory or managerial positions across all health facilities such as, but not*
163 *limited to primary or military health facilities, for top level managerial position of*
164 *first and second levels, as well as medical centers nationwide.*

165

166 (D) *Nurse-patient Ratio.* – The government and private hospitals are hereby
167 mandated to maintain the standard nurse-patient ratio set by the department of
168 health:

- 169 • In hospitals based on acuity and authorized bed capacity (ABC)
 - 170 • In community based on need, population and geography
 - 171 • In occupational or school settings based on relevant legal instruments
172 (AO, EO, RA)
- 173

174 *Sec. 4. Scope of Nursing Education.* – Nursing education is the formal
175 learning and training in the science and art of nursing provided by Higher
176 Education Institutions duly accredited by CHED.

177

178 (A) *Basic Nursing Education Program.* – The basic nursing education
179 program is a competency-based curriculum which will provide sound

180 liberal and professional education to implement the necessary safe
181 quality nursing practice.

182 Admission to the baccalaureate nursing program shall require
183 passing a National Nursing Admission Test (NNAT).

184 The curriculum and the related learning experiences shall adhere
185 strictly to specific requirements embodied as promulgated by the
186 Commission on Higher Education's policies and standards of nursing
187 education.

188
189 (B) *Graduate Nursing Education Program.* – The graduate nursing education
190 program builds on the experiences and skills of a registered nurse towards
191 mastery, expertise and leadership in practice, research and education. It
192 includes a master's degree and doctorate degree in nursing founded on the
193 philosophical, scientific body of knowledge and practice.

194 Graduate and post-graduate nursing programs shall be offered only by
195 level three (3) accredited higher education institutions as promulgated by
196 the CHED policies and standards on graduate education.

197
198 (C) *Qualifications of Faculty Members.*

199 1. *Basic Nursing Education.* A member of the faculty in a college of
200 nursing teaching professional courses must:

- 201 a. Be a registered nurse in the Philippines and a holder of a
202 current valid PRC ID;
203 b. Have at least three (3) years of clinical practice in a field of
204 specialization;

- c. Be a member of good standing in the accredited professional organization of nurses;
- d. Be a holder of a master's degree in nursing, education, or other allied medical and health sciences conferred by a college of university duly recognized by the Government of the Republic of the Philippines.
- e. Must undergo teacher training program for nursing education prior to employment
- f. Must undergo an accredited clinical skills competency enhancement every two (2) years, as prescribed and accredited by the continuing professional education/development council for nursing.

2. *Graduate Nursing Education.* A member of the faculty teaching graduate professional courses must:

- a. Follow prescriptions 1 and 2 of basic nursing education; and
- b. Be a holder of a doctoral degree in nursing, education, or other allied health sciences conferred by a college of university duly recognized by the Government of the Republic of the Philippines.

Provided, further, that Higher Education Institutions offering both basic and graduate nursing education programs shall be given three (3) years within which to comply with qualification requirements of faculty members from the effectivity of this Act.

231 (D) *Qualifications of the Dean.* – The dean of a college of nursing must:

- 232 1) Be a registered nurse in the Philippines and a holder of current
233 valid PRC ID;
- 234 2) Have at least three (3) years of clinical practice in a field of
235 specialization;
- 236 3) Have at least three (3) years of nursing education program
237 management experience or three (3) years of management in
238 any health-related institution;
- 239 4) Be a holder of a master's degree in nursing for baccalaureate
240 program and preferably a doctoral degree in nursing for
241 doctoral program conferred by an accredited college or
242 university in the Philippines or its equivalent;
- 243 5) Must undergo progressive training for deans according to
244 program prescribed by the Board.

245
246 (E) *Faculty-student Ratio.* – The ratio of faculty to student is based on the
247 CHED Memorandum Order (CMO) No. 14 Series of 2009, Policies and
248 Standards for Bachelor of Science in Nursing (BSN) Program.

249
250 *Sec. 5. Requirement for inactive nurses returning to practice.* – Nurses
251 are deemed to be inactive when:

- 252 1) They are not utilizing nursing competencies as defined in the scope of
253 nursing practice for five (5) consecutive years.
- 254 2) There is non-renewal of PRC ID for five (5) years.
- 255 3) They do not have proof of five (5) years of continuous nursing practice.

Inactive nurses are required to undergo one (1) month of didactic training and three (3) months of practicum. Only the Board shall accredit hospitals and health care agencies to conduct the said training program.

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

ARTICLE IV

Organization of the Board of Nursing

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

Sec. 7. Qualifications of the Chairperson and Members of the Board. – The Chairperson and Members of the Board shall, at the time of their appointment, possess the following qualifications:

- (a) Be natural born citizen and resident of the Philippines for the last five (5) years;
- (b) Be a member of good standing of the accredited professional organization of nurses;
- (c) Be a registered nurse in the Philippines, and a holder of a current valid PRC ID;
- (d) Be a holder of a master's degree in nursing and preferably with a doctorate degree conferred by an accredited university;

- (e) Have at least ten (10) years of continuous practice of the nursing profession prior to appointment; *Provided*, however, That the last five (5) years of which shall be in the Philippines; and
- (f) Must be of proven honesty and integrity; *Provided*, That the membership to the Board shall represent the three (3) areas of nursing, namely: nursing education, nursing service and community health nursing.

Sec. 8. *Requirements Upon Qualification as Member of the Board of Nursing.* -Any person appointed as Chairperson or Member of the Board shall immediately resign from any teaching position in any school, college, university or institution offering Bachelor of Science in Nursing and/or review program for the local nursing board examinations or in any office or employment in the government or any subdivision, agency or instrumentality thereof, including government-owned or controlled corporations or their subsidiaries as well as these employed in the private sector. He/she shall not have any pecuniary interest in or administrative supervision over any institution offering Bachelor of Science in Nursing including review classes.

Sec. 9. *Term of Office.* -The Chairperson and Members of the Board shall hold office for a term of three (3) years and until their successors shall have been appointed and qualified; *Provided*, That the Chairperson and members of the Board may be re-appointed for another term.

Any vacancy in the Board occurring within the term of a Member shall be filled for the unexpired portion of the term only. Each Member of the Board shall take the proper oath of office prior to the performance of his/her duties.

308 The incumbent Chairperson and Members of the Board shall continue to
309 serve for the remainder of their term under Republic Act No. 9173 until their
310 replacements have been appointed by the President and shall have been duly
311 qualified.

312
313 *Sec. 10. Compensation of the Board Members.* -The Chairperson and
314 Members of the Board shall receive compensation and allowances comparable to
315 the compensation and allowances received by the Chairperson and members of
316 other professional regulatory boards.

317
318 *Sec. 11. Administrative Supervision of the Board, Custodian of its*
319 *Records, Secretariat and Support Services.* -The Board shall be under the
320 administrative supervision of the Commission. All records of the Board, including
321 applications for examinations, administrative and other investigative cases
322 conducted by the Board shall be under the custody of the Commission. The
323 Commission shall designate the Secretary of the Board and shall provide the
324 secretariat and other support services to implement the provisions of this Act.

325
326 *Sec. 12. Powers and Duties of the Board.* – The Board shall supervise
327 and regulate the practice of the nursing profession and shall have the following
328 powers, duties and functions:

- 329 a) Ensure the proper conduct of the Philippine Nurse Licensure
330 Examination (PNLE) considering the process and systems of the
331 Commission, which include but not limited to application, test
332 development, examination, correction and release of results. The use

of appropriate technology/modalities during the conduct of the PNLE is encouraged to enhance efficiency while upholding integrity;

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

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

d) Ensure quality nursing education by examining and monitoring Higher Education Institutions (HEI) offering nursing programs and those seeking permission to open nursing courses to ensure that standards of nursing education are properly complied with and maintained at all times. The authority to open and close nursing education programs offered by HEI, shall be vested on the Commission on Higher Education, only upon the written recommendation of the Board;

e) Conduct hearings and investigations to resolve complaints against active practicing nurses for unethical and unprofessional conduct and violations of this Act, or its rules and regulations and in connection therewith, issue *subpoena ad testificandum* and *subpoena duces tecum* to secure the appearance of respondents and witnesses and the production of documents and punish with contempt persons obstructing, impeding and/or otherwise interfering with the conduct of such proceedings, upon application with the court;

- 358 f) Promulgate a Code of Ethics that is responsive to the needs of the
359 nursing profession, in coordination and consultation with the accredited
360 professional organization of nurses within one (1) year from the
361 effectivity of this Act;
- 362 g) Institute a mechanism for career progression in nursing for the
363 continuing professional development of Filipino nurses;
- 364 h) Create a council for nursing recognition, accreditation and certification
365 that will assist the Board of Nursing in:
- 366 1) Recognizing organized nursing groups.
- 367 2) Setting standards for advanced nursing practice, education,
368 research and management.
- 369 3) Accrediting specialty and advanced nursing programs based on
370 established mechanisms.
- 371 4) Credentialing individual registered nurses based on accepted
372 criteria.
- 373 5) Monitoring and evaluating specialty and advanced nursing practice,
374 education, research and management.
- 375 i) Make decisions to influence authorities/agencies on matters that directly
376 affect nurses' welfare;
- 377 j) Ensure performance of mandated duties and functions with the
378 provision of operational resources including human resource, physical
379 space and budget to ensure the confidentiality and sanctity of their
380 functions as provided through the annual budget of the Professional
381 Regulation Commission as promulgated in the General Appropriations
382 Act;
- 383 k) Utilize funds designated for nursing development; and

384 l) Prescribe, adopt, issue and promulgate guidelines, regulations,
385 measures and decisions as may be necessary for the improvement of
386 the nursing practice, advancement of the profession and for the proper
387 and full enforcement of this Act subject to the review and approval by
388 the Commission.

389
390 Sec. 13. *Annual Report.* -The Board shall at the close of its calendar year
391 submit an annual report to the President of the Philippines through the
392 Commission giving a detailed account of its proceedings and the
393 accomplishments during the year and making recommendations for the adoption
394 of measures that will upgrade and improve the conditions affecting the practice of
395 the nursing profession.

396
397 Sec. 14. *Removal or Suspension of Board Members.* -The president may
398 remove or suspend any member of the Board after having been given the
399 opportunity to defend himself/herself in a proper administrative investigation, on
400 the following grounds:

- 401 (a) Continued neglect of duty or incompetence;
402 (b) Commission or toleration of irregularities in the licensure examination;
403 and
404 (c) Unprofessional immoral or dishonorable conduct.

405
406 ARTICLE V

407 Examination and Registration

408 Sec. 15. *Philippine Nurse Licensure Examination.* -All applicants for
409 license to practice nursing shall be required to pass a written examination, which

shall be given by the Board in such places and dates as may be designated by the Commission; *Provided*, That it shall be in accordance with existing PRC Law.

SEC. 5. Section 13 of the same Act is hereby amended to read as follows:

Sec. 16. *Qualifications for Admission to the Philippine Nurse Licensure Examination.* – In order to be admitted to the examination for nurses, an applicant, from the time of his/her graduation must file immediately his/her application and establish to the satisfaction of the Board that:

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

SEC. 6. Section 14 of the same Act is hereby amended to read as follows:

Sec. 17. *Scope of Examination.* – The scope of the examination for the practice of nursing shall be determined by the Board of Nursing taking into consideration the core competencies required of beginning registered nurses considering the objectives of the nursing curriculum in response to the needs of the society and the demands of industry.

The Philippine Nurse Licensure Examination shall be based on a competency-based test framework.

SEC. 7. Section 15 of the same Act is hereby amended to read as follows:

Sec. 18. *Ratings.* – In order to pass the examination, an examinee must obtain at least seventy-five percent (75%) of tested areas of competencies. An examinee shall be given a chance to repeat the PNLE with a maximum of three (3) examinations.

Sec. 19. *Oath.* -All successful candidates in the examination shall be required to take an oath of profession before the Board or any government official authorized to administer oaths prior to entering upon the nursing practice.

Sec. 20. *Issuance of Certificate of Registration/Professional License and Professional Identification Card.* - A certificate of registration/professional license as a nurse shall be issued to an applicant who passes the examination upon payment of the prescribed fees. Every certificate of registration/professional license shall show the full name of the registrant, the serial number, the signature of the Chairperson of the Commission and of the Members of the Board. The certificate shall bear the logo of the Board of Nursing and the official seal of the Commission.

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

461 Sec. 21. *Fees for Examination and Registration.* -Applicants for licensure
462 and for registration shall pay the prescribed fees set by Commission.

463
464 Sec. 22. *Automatic Registration of Nurses.* -All nurses whose names
465 appear at the roster of nurses shall *ipso facto* be registered as nurses and as
466 members of the PRC Accredited Professional Organization (APO) upon the
467 effectivity of this Act.

468
469 Sec. 23. *Registration by Reciprocity.* -A certificate of
470 registration/professional license may be issued without examination to nurses
471 registered under the laws of a foreign state or country; *Provided*, That the
472 requirements for registration or licensing of nurses in said country are
473 substantially the same as those prescribed under this Act; *Provided, further*, That
474 the laws of such state or country grant the same privileges to registered nurses of
475 the Philippines on the same basis as the subjects or citizens of such foreign state
476 or country.

477
478 Sec. 24. *Practice Through Special/Temporary Permit.* -A
479 special/temporary permit may be issued to the following persons based on
480 qualification standards as determined by the Board of Nursing and approved by
481 the Commission:

482 (a) Licensed nurses from foreign countries/states whose service are either
483 for a fee or free if they are internationally well-known specialists or
484 outstanding experts in any branch or specialty of nursing;

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

(c) Licensed nurses from foreign countries/states engaged by colleges/universities offering nursing as exchange professors in a branch or specialty of nursing; and

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

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

Sec. 25. Non-registration and Non-issuance of Certificates of Registration/Professional License or Special/Temporary Permit. -No person convicted by final judgment of any criminal offense involving moral turpitude or any person guilty of immoral or dishonorable conduct or any person declared by the court to be of unsound mind shall be registered and be issued a certificate of registration/professional license or a special/temporary permit.

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

Sec. 26. Revocation and suspension of Certificate of Registration/Professional License and Cancellation of Special/Temporary Permit.

-The Board shall have the power to revoke or suspend the certificate of registration/professional license or cancel the special/temporary permit of a nurse upon any of the following grounds:

(a) For any of the causes mentioned in the preceding section;

(b) For unprofessional and unethical conduct;

(c) For gross incompetence or serious ignorance;

- 513 (d) For malpractice or negligence in the practice of nursing;
- 514 (e) For the use of fraud, deceit, or false statements in obtaining a
- 515 certificate of registration/professional license or a temporary/special
- 516 permit;
- 517 (f) For violation of this Act, the rules and regulations, Code of Ethics for
- 518 nurses and technical standards for nursing practice, policies of the
- 519 Board and the Commission, or the conditions and limitations for the
- 520 issuance of the temporarily/special permit; or
- 521 (g) For practicing his/her profession during his/her suspension from such
- 522 practice;

523 *Provided, however, That the suspension of the certificate of*

524 *registration/professional license shall be for a period not to exceed four (4) years.*

525

526 *Sec. 27. Re-issuance of Revoked Certificates and Replacement of Lost*

527 *Certificates.* -The Board may, after the expiration of a maximum of four (4) years

528 from the date of revocation of a certificate, for reasons of equity and justice and

529 when the cause for revocation has disappeared or has been cured and corrected,

530 upon proper application therefore and the payment of the required fees, issue

531 another copy of the certificate of registration/professional license.

532 A new certificate of registration/professional license to replace the

533 certificate that has been lost, destroyed or mutilated may be issued, subject to the

534 rules of the Board.

535

536 SEC. 10. Section 30 of the same Act is hereby amended to read as follows:

537

538 ARTICLE VI

Human Resources for Health (HRH) Production, Utilization and Development

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

- a) conduct studies on health human resource production, utilization and development.
- b) implement HRH development strategies for nurses to attain a highly motivated and productive nursing workforce.

SEC. 11. Section 31 of the same Act is hereby amended to read as follows:

Sec. 29. *National nursing career progression program.* – There shall be an institutionalized national nursing career progression program as prescribed in Article IV, Sec. 12, letter g & h. In the implementation of the national nursing career progression program, the Board shall coordinate with the Department of Health and other relevant government and private agencies.

Provided, that any registered nurse, before being allowed to work in specialty areas to perform beyond generalist function or have specific specialties, must finish the formal education and training towards specialization, possess recognized advanced practice competencies and must be certified by the Board to be an advanced practice nurse and must be a member of a relevant and accredited nursing specialty organization; *Provided further*, that nursing specialty

organizations with advanced practice shall be recognized and certified by the Board.

SEC. 12. Section 32 of the same Act is hereby amended to read as follows:

Sec. 30. *Compensation.* – In order to enhance the general welfare, commitment to service and professionalism of nurses, the minimum base pay of nurses working in the public and private health and health-related institutions shall be in accordance with prevailing salary standards set by law for professionals and shall not be lower than salary grade 15 following the provisions of the salary standardization law. *Provided, further,* that advanced practice nurses in public and private health and health-related institutions shall be entitled to additional remuneration. Government and non-government financial institutions shall provide mechanism for reimbursements for specialty and advanced practice nursing services based on qualifications prescribed by the Board adhering to the national nursing career progression program. In addition, nursing professional fees may be exacted directly from the clientele and patients in the context of the beginning registered nurses and/or advanced practice nurses.

SEC. 13. Section 33 of the same Act is hereby amended to read as follows:

Sec. 31. *Funding for the development of the national nursing career progression program and training.* – The annual financial requirement needed to implement the national nursing career progression program in the training of government and private nurses for continual life-long learning shall be sourced from:

- 589 A. Ten percent (10%) of the annual budget of the Department of Health as
590 specified under the annual General Appropriations Act; and
591 B. Ten percent (10%) of the income of the Philippine Charity Sweepstakes
592 Office and the Philippine Amusement and Games Corporation which shall
593 be released to the Department of Health subject to accounting and
594 auditing procedures: *Provided*, That the Department of Health shall set
595 the criteria for the availment of this program; and
596 C. Twenty percent (20%) of the Professional Regulation Commission's
597 income from the regulation of the nursing profession.
598

599 Sec. 32. *Incentives and Benefits*. – To the extent possible as provided by
600 law, mechanism shall be established by the Board of Nursing to provide
601 incentives and benefits for nurses in both government and private sectors.
602

603 SEC. 14. Section 35 of the same Act is hereby amended to read as follows:

604 ARTICLE VII

605 Penal and Miscellaneous Provisions

606 Sec. 33. *Prohibitions in the Practice of Nursing*. – A fine of not less
607 than one hundred thousand pesos (P100,000.00) nor more than three hundred
608 thousand pesos (P300,000.00) or imprisonment of not less than one (1) year nor
609 more than six (6) years, or both, upon the discretion of the court, shall be
610 imposed upon the following classification of offenses:

- 611 1) Violations against code of ethics and public morals
- 612 2) Violations against professional standards
- 613 3) Violations against human/patient's rights
- 614 4) Other offenses

615 ARTICLE VIII

616 Final Provisions

617 Sec. 34. *Enforcement of this Act.* -It shall be the primary duty of the Commission
618 and the Board to effectively implement this Act. Any duly law enforcement agencies and
619 officers of national, provincial, city or municipal governments shall, upon the call or
620 request of the Commission or the Board, render assistance in enforcing the provisions of
621 this Act and to prosecute any persons violating the same.

622 Sec. 35. *Appropriations.* -The Chairperson of the Professional Regulation
623 Commission shall immediately include in its program and issue such rules and
624 regulations to implement the provisions of this Act, the funding of which shall be included
625 in the Annual General Appropriations Act.

626 Sec. 36. *Rules and Regulations.* - Within ninety days (90) after the effectivity of
627 this Act, the Board and the Commission, in coordination with the accredited professional
628 organization and other nursing professional organizations, the Department of Health, the
629 Department of Budget and Management and other concerned government agencies,
630 shall formulate rules and regulations necessary to carry out the provisions of this Act.
631 The implementing rules and regulations shall be published in the Official Gazette or
632 newspaper of general circulation.

633
634 Sec. 37. *Reparability Clause.* -If any part of this Act is declared unconstitutional,
635 the remaining parts not affected thereby shall continue to be valid and operational.

636
637 Sec. 38. *Repealing Clause.* Republic Act No. 9173, otherwise known as the
638 "Philippine Nursing Act of 2002" is hereby amended. All other laws, decrees, orders,
639 circulars, issuances, rules and regulations and parts thereof which are inconsistent with
640 the amendatory provisions of this Act are hereby repealed, amended or modified
641 accordingly.

642

643

Sec. 39. *Effectivity.* This Act shall take effect fifteen (15) days after its publication

644

in the Official (2) national newspapers of general circulation.

645

646

Approved,