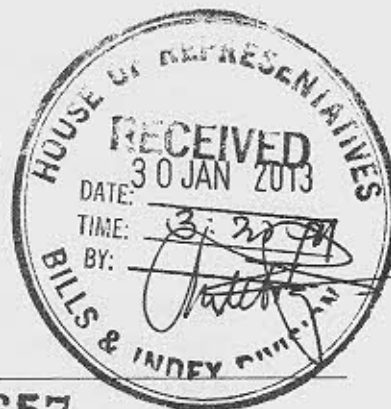


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

Fifteenth Congress
Third Regular Session



COMMITTEE REPORT NO. **2657**

Submitted by the ~~Committee~~ **30 JAN 2013** on Civil Service and Professional Regulation and Appropriations on

Re: House Bill No. **6878**

Recommending its approval in substitution of House Bill Nos. 4567, 5592 and 5780

Sponsors: Representatives Andres D. Salvacion, Jr., Jocelyn S. Limkaichong, Rufus B. Rodriguez, Maximo B. Rodriguez, Jr., Juan Edgardo M. Angara and Carlos M. Padilla

Mr. Speaker:

The Committees on Civil Service and Professional Regulation and Appropriations to which were referred House Bill No. 4567 introduced by Rep. Carlos M. Padilla, entitled:

AN ACT

INSTITUTING REFORMS TO FURTHER PROTECT AND DEVELOP THE NURSING PROFESSION, AMENDING FOR THE PURPOSE REPUBLIC ACT NUMBERED NINETY-ONE HUNDRED AND SEVENTY-THREE, OTHERWISE KNOWN AS THE "PHILIPPINE NURSING ACT OF 2002"

House Bill No. 5592 introduced by Rep. Rufus B. Rodriguez and Maximo B. Rodriguez, Jr., entitled:

AN ACT

INSTITUTING REFORMS TO FURTHER PROTECT AND DEVELOP THE NURSING PROFESSION, AMENDING FOR THE PURPOSE REPUBLIC ACT NUMBERED NINETY-ONE HUNDRED AND SEVENTY-THREE, OTHERWISE KNOWN AS THE "PHILIPPINE NURSING ACT OF 2002"

and House Bill No. 5780 introduced by Rep. Juan Edgardo M. Angara, entitled:

AN ACT

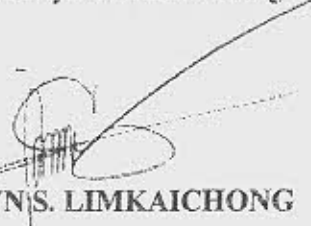
INSTITUTING REFORMS TO FURTHER PROTECT AND DEVELOP THE NURSING PROFESSION, AMENDING FOR THE PURPOSE REPUBLIC ACT NUMBERED NINETY-ONE HUNDRED AND

SEVENTY-THREE, OTHERWISE KNOWN AS THE "PHILIPPINE
NURSING ACT OF 2002"

have considered the same and recommend that the attached House Bill No. 6878,
entitled:

AN ACT
INSTITUTING REFORMS TO FURTHER PROTECT AND DEVELOP
THE NURSING PROFESSION, REPEALING FOR THE PURPOSE
REPUBLIC ACT NUMBERED NINETY-ONE HUNDRED AND
SEVENTY-THREE, OTHERWISE KNOWN AS THE "PHILIPPINE
NURSING ACT OF 2002"

be approved in substitution of House Bill Nos. 4567, 5592 and 5780 with Reps., Rufus B. Rodriguez, Maximo B. Rodriguez, Jr., Juan Edgardo M. Angara, Carlos M. Padilla, Andres T. Salvacion, Jr. and Jocelyn S. Limkaichong as authors thereof.



HON. JOCELYN S. LIMKAICHONG
Chairperson
Committee on Appropriations

Respectfully submitted,



HON. ANDRES D. SALVACION, JR.
Chairman
Committee on Civil Service and
Professional Regulation

THE HONORABLE SPEAKER
HOUSE OF REPRESENTATIVES
QUEZON CITY

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
Third Regular Session

HOUSE BILL NO. 6878

Introduced by Representatives, Rufus B. Rodriguez, Maximo B. Rodriguez, Jr.,
Juan Edgardo M. Angara, Carlos M. Padilla, Andres D. Salvacion, Jr. and Jocelyn
S. Limkaichong

AN ACT

INSTITUTING REFORMS TO FURTHER PROTECT AND DEVELOP THE
NURSING PROFESSION, REPEALING FOR THE PURPOSE REPUBLIC ACT
NUMBERED NINETY-ONE HUNDRED AND SEVENTY-THREE, OTHERWISE
KNOWN AS THE "PHILIPPINE NURSING ACT OF 2002"

ARTICLE I

Title

Section 1. Short Title. – This Act shall be known as the "**Philippine
Nursing Practice Reform Act of 2013**".

ARTICLE II

Declaration of Policy

Sec. 2. Declaration of Policy. – Public health safety demands a high
level 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.

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 singly or in collaboration with another, the person 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, attending to normal delivery, and suturing of perineal laceration;

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

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

d. Provide health education to empower individuals, families, population

groups and communities to maintain, attain, restore and sustain optimal health and quality of life;

e. 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

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

This section shall not apply to nursing students who perform nursing functions under the direct supervision of a qualified faculty;

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, 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 certificate of registration;
- 3) Must be physically, mentally and psychologically fit to practice nursing;
- 4) Must not be convicted of any crime involving moral turpitude; and
- 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 practice 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/therapies. This practice includes the acquisition of new knowledge and skills that legitimize role autonomy within specific areas of practice. 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 protocol as approved by the Board of Nursing and recommended by the specialty certification council;
- 3) Must be a member of the Accredited Professional Organization (APO) and the corresponding specialty organization; and
- 4) Must have at least three (3) years of experience and demonstrate requisite competencies.

(C) *Nursing Service Manager.* – Nursing service manager is a practitioner occupying supervisory or managerial positions requiring leadership and knowledge of nursing management.

- 1) The first level manager is responsible directly for the physical set-up of the

1 unit, structure and other human resources for health.

2 2) The middle level manager is responsible for the department or section
3 handling more than one (1) or two (2) units, takes care of the financial, logistic,
4 operational functions and others.

5 3) The top level manager oversees all nursing units in terms of the financial and
6 human resources for health such as the nurses and nursing assistants/adjuncts.

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

9 a) For first level managerial position in nursing, eighteen (18) units of
10 nursing management and clinical subjects in master of arts in nursing/master of
11 science in nursing and at least three (3) years of clinical work experience.

12 b) For middle level managerial position in nursing, completed all academic
13 requirements in Master of Arts in nursing/master of science in nursing and at
14 least three (3) years of clinical work and two (2) years of management
15 experience.

16 c) For top level managerial position in nursing, a post-graduate degree in
17 nursing or health management-related sciences and at least three (3) years of
18 clinical work and three (3) years of management experience.

19 d) Must be a member of good standing of the accredited professional
20 organization and relevant nursing organizations.

21 The above qualifications shall apply to all nurses occupying supervisory or
22 managerial positions across all health facilities such as, but not limited to primary
23 or military health facilities, for top level managerial position of first and second
24 levels, as well as medical centers nationwide.

25 (D) *Nurse-patient Ratio*. – The government and private hospitals are hereby
26 mandated to maintain the standard nurse-patient ratio set by the Department of
27 Health (DOH):

- 28 • In hospitals based on acuity and authorized bed capacity (ABC)
29 • In the community based on need, population and geography
30 • In occupational or school settings based on relevant legal instruments (AO,
31 EO, RA)

(e) *Prohibition on the acceptance of volunteer nurses.* – all medical institutions both government and private are hereby prohibited from accepting volunteer nurses.

Sec. 4. Scope of Nursing Education. – Nursing education is the formal learning and training in the science and art of nursing provided by Higher Education Institutions duly accredited by the Commission on Higher Education (CHED).

A. *Basic Nursing Education Program.* – The basic nursing education program is a competency-based curriculum which will provide sound liberal and professional education to implement the necessary safe quality nursing practice.

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

A registered nurse may move up to the next levels of career progression and tracks according demonstrated competencies, education and clinical experience.

The curriculum and the related learning experiences shall adhere strictly to specific requirements according to the policies, standards and guidelines of the CHED in consultation with the Board of Nursing and the Association of Deans of Philippine Colleges of Nursing.

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

Graduate and post-graduate nursing programs shall be offered only in schools with level three (3) accredited basic nursing programs as promulgated by the CHED policies and standards on graduate education.

C. *Qualifications of Faculty Members.*

1. *Basic Nursing Education.* A member of the faculty in a College of Nursing teaching professional courses must:

a. Be a registered nurse in the Philippines and a holder of a valid

1 certificate of registration and a valid professional identification card;

2 b. Have at least three (3) years of clinical practice in a field of
3 specialization;

4 c. Be a member of good standing in the accredited professional
5 organization of nurses;

6 d. Be a holder of a master's degree in nursing, education, or other
7 allied medical and health sciences conferred by a college or university duly
8 recognized by the Government of the Republic of the Philippines.

9 e. Present a certificate of teacher training program for nursing education
10 prior to employment

11 f. Present a certificate of clinical skills competency enhancement from an
12 accredited nursing organization.

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

15 a. Follow prescriptions 1 and 2 of basic nursing education; and

16 b. Be a holder of a doctoral degree in nursing, education, or other
17 allied health sciences conferred by a college or university duly recognized by the
18 Government of the Republic of the Philippines.

19 D. *Qualifications of the Dean.* – The dean of a college of nursing must:

20 1) Be a registered nurse in the Philippines and a holder of a valid
21 certificate of registration and a valid professional identification card;

22 2) Have at least three (3) years of clinical practice in a field of
23 specialization;

24 3) Have at least three (3) years of nursing education program
25 management experience or three (3) years of management in any health-related
26 institution;

27 4) Be a holder of a master's degree in nursing for baccalaureate program
28 and preferably a doctoral degree in nursing for masters and doctoral program
29 conferred by a duly recognized higher education institution by CHED.

5) Undergo progressive training for deans according to the protocol approved
by the Board of Nursing in consultation with the Association of Deans of

1 Philippine Colleges of Nursing.

2 E. *Faculty-student ratio.* – the ratio of faculty to student is based on the CHED
3 Memorandum Order (CMO), policies and standards for Bachelor of Science in
4 Nursing (BSN) program.

5 ARTICLE IV

6 Organization of the Board of Nursing

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

15 **Sec. 6. *Qualifications of the Chairperson and Members of the Board.***
16 – The Chairperson and Members of the Board shall, at the time of their
17 appointment, possess the following qualifications:

18 (a) Be natural born citizen and resident of the Philippines for the last five (5)
19 years;

20 (b) Be a member of good standing of the accredited professional
21 organization of nurses;

22 (c) Be a registered nurse in the Philippines, and a holder of a current valid
23 certificate of registration;

24 (d) Be a holder of a post-graduate degree in nursing and preferably with a
25 doctorate degree conferred by an accredited university;

26 (e) Have at least ten (10) years of continuous practice of the nursing
27 profession prior to appointment: *Provided, however,* That the last five (5) years of
28 which shall be in the Philippines; and

29 (f) Must be of proven honesty and integrity.

30 The membership to the Board shall represent the three (3) areas of
31 nursing, namely: nursing education, nursing service and community health

nursing.

Sec. 7. 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 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 training hospitals or health facilities with nursing affiliates and shall not have any pecuniary interest in or administrative supervision over any institution offering Bachelor of Science in Nursing including review classes.

Sec. 8. 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 duties.

The incumbent Chairperson and Members of the Board shall continue to serve for the remainder of their term under Republic Act No. 9173 or the Philippine Nursing Act of 2002 until their replacements have been appointed by the President and shall have been duly qualified.

Sec. 9. Compensation of the Board Members. - The Chairperson and Members of the Board shall receive compensation and allowances comparable to the compensation and allowances received by the Chairperson and members of other professional regulatory boards.

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

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

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

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

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

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

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

31 f) Promulgate a Code of Ethics that is responsive to the needs of the

nursing profession, in coordination and consultation with the accredited professional organization of nurses within one (1) year from the effectivity of this Act;

g) Institute a mechanism for career progression in nursing for the continuing professional development of Filipino nurses;

h) Create a council for nursing recognition, accreditation and certification that will assist the Board of Nursing in:

1) Recognizing organized nursing groups;

2) Setting standards for advanced nursing practice, education, research and management;

3) Accrediting specialty and advanced nursing programs based on established mechanisms;

4) Credentialing individual registered nurses based on accepted criteria; and

5) Monitoring and evaluating specialty and advanced nursing practice, education, research and management.

i) Make decisions to influence authorities/agencies on matters that directly affect nurses' welfare;

j) Ensure performance of mandated duties and functions with the provision of operational resources including human resource, physical space and budget to ensure the confidentiality and sanctity of their functions as provided through the annual budget of the Professional Regulation Commission as promulgated in the General Appropriations Act;

k) Utilize funds designated for nursing development; and

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

Sec. 12. Annual Report. -The Board shall at the close of its calendar year submit an annual report to the President of the Philippines through the Commission giving a detailed account of its proceedings and the

1 accomplishments during the year and making recommendations for the adoption
2 of measures that will upgrade and improve the conditions affecting the practice of
3 the nursing profession.

4 **Sec. 13. Removal or Suspension of Board Members.** -The President
5 may remove or suspend any member of the Board after due process, on the
6 following grounds

7 (a) Continued neglect of duty or incompetence;

8 (b) Commission or toleration of irregularities in the licensure examination;

9 and

10 (c) Unprofessional immoral or dishonorable conduct

11 **ARTICLE V**

12 **Examination and Registration**

13 **Sec. 14. Philippine Nurse Licensure Examination.** -All applicants for
14 certificate of registration to practice nursing shall be required to pass a written
15 examination, which shall be given by the Board in such places and dates as may
16 be designated by the Commission: *Provided*, That it shall be in accordance with
17 existing PRC Law

18 **Sec. 15. Qualifications for Admission to the Philippine Nurse**
19 **Licensure Examination.** – In order to be admitted to the examination for nurses,
20 an applicant, from the time of graduation must file immediately an application and
21 establish to the satisfaction of the Board that the applicant is:

22 a) a citizen of the Philippines, or a citizen or subject of a country which
23 permits Filipino nurses to practice within its territorial limits on the same basis as
24 the subject or citizen of such country; *Provided*, That the requirements for the
25 registration or licensing of nurses in said country are substantially the same as
26 those prescribed in this Act;

27 b) of good moral character; and

28 c) a holder of a Bachelor of Science in Nursing degree from a college or
29 university that complies with the standards of nursing education duly recognized
30 by the proper government agency.

31 **Sec. 16. Scope of Examination.** – The scope of the examination for the

1 practice of nursing shall be determined by the Board of Nursing taking into
2 consideration the core competencies required of beginning registered nurses
3 considering the objectives of the nursing curriculum in response to the needs of
4 the society and the demands of industry.

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

7 **Sec. 17. Ratings.** – In order to pass the examination, an examinee must
8 obtain at least seventy-five percent (75%) of tested areas of competencies. An
9 examinee shall be given a chance to repeat the PNLE with a maximum of three
10 (3) examinations.

11 **Sec. 18. Oath.** -All successful candidates in the examination shall be
12 required to take an oath of profession before the Board or any government
13 official authorized to administer oaths prior to entering upon the nursing practice.

14 **Sec. 19. Issuance of Certificate of Registration/Professional License**
15 **and Professional Identification Card.** - A certificate of registration/professional
16 license as a nurse shall be issued to an applicant who passes the examination
17 and upon payment of the prescribed fees. Every certificate of
18 registration/professional license shall show the full name of the registrant, the
19 serial number, the signature of the Chairperson of the Commission and of the
20 Members of the Board. The certificate shall bear the logo of the Board of Nursing
21 and the official seal of the Commission.

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

26 **Sec. 20. Fees for Examination and Registration.** -Applicants for licensure
27 and for registration shall pay the prescribed fees set by Commission.

28 **Sec. 21. Automatic Registration of Nurses.** -All nurses whose names
29 appear at the roster of nurses shall *ipso facto* be registered as nurses and as
30 members of the PRC Accredited Professional Organization (APO) upon the
31 effectivity of this Act.

1 **Sec. 22. Registration by Reciprocity.** -A certificate of
2 registration/professional license may be issued without examination to nurses
3 registered under the laws of a foreign state or country: *Provided*, That the
4 requirements for registration or licensing of nurses in said country are
5 substantially the same as those prescribed under this Act: *Provided, further*, That
6 the laws of such state or country grant the same privileges to registered nurses
7 of the Philippines on the same basis as the subjects or citizens of such foreign
8 state or country.

9 **Sec. 23. Practice Through Special/Temporary Permit.** - A
10 special/temporary permit may be issued to the following persons based on
11 qualification standards as determined by the Board of Nursing and approved by
12 the Commission. The special/temporary permit shall be effective only for the
13 duration of the project, medical mission or engagement contract:

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

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

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

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

24 **Sec. 24. Non-registration and Non-issuance of Certificates of**
25 **Registration/Professional License or Special/Temporary Permit.** -No person
26 convicted by final judgment of any criminal offense involving moral turpitude or
27 any person guilty of immoral or dishonorable conduct or any person declared by
28 the court to be of unsound mind shall be registered and be issued a certificate of
29 registration/professional license or a special/temporary permit.

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

1 **Sec. 27. Studies and Interventions for Nursing Human Resource**
2 **Needs, Production, Utilization and Development.** – The Board shall in
3 coordination with relevant nursing and other government and non-government
4 agencies:

5 a) conduct studies on health human resource production, utilization and
6 development; and

7 b) implement HRH development strategies for nurses to attain a highly
8 motivated and productive nursing workforce.

9 **Sec. 28. National Nursing Career Progression Program.** – There shall
10 be an institutionalized national nursing career progression program as prescribed
11 in Article IV, Sec. 11, (g) and (h). In the implementation of the national nursing
12 career progression program, the Board shall coordinate with the Department of
13 Health and other relevant government and private agencies; *Provided*, That any
14 registered nurse, before being allowed to work in specialty areas to perform
15 beyond generalist function or have specific specialties, must finish the formal
16 education and training towards specialization, possess recognized advanced
17 practice competencies and must be certified by the Board to be an advanced
18 practice nurse and must be a member of a relevant and accredited nursing
19 specialty organization; *Provided*, further, That nursing specialty organizations
20 with advanced practice shall be recognized and certified by the Board.

21 **Sec. 29. Compensation.** – In order to enhance the general welfare,
22 commitment to service and professionalism of nurses, the minimum base pay of
23 nurses working in the public and private health and health-related institutions
24 shall be in accordance with prevailing salary standards set by law for
25 professionals.

26 **Sec. 30. Incentives and Benefits.** – To the extent possible as provided
27 by law, mechanism shall be established by the Board of Nursing to provide
28 incentives and benefits for nurses in both government and private sectors.

29 **Sec. 31. Requirement for inactive nurses returning to practice.** –
30 Nurses are deemed to be inactive when:

31 1) They are not utilizing nursing competencies as defined in the scope of

nursing practice for five (5) consecutive years.

2) There is non-renewal of certificate of registration for five (5) years.

3) They do not have proof of five (5) years of continuous nursing practice.

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

ARTICLE VII

Penal and Miscellaneous Provisions

Sec. 32. Prohibited Acts in the Practice of Nursing. – A fine of not less than One Hundred Thousand Pesos (P100,000.00) nor more than Three Hundred Thousand Pesos (P300,000.00) or imprisonment of not less than one (1) year nor more than six (6) years, or both, upon the discretion of the court, shall be imposed upon the following classification of offenses:

1) Violations against code of ethics and public morals;

2) Violations against professional standards;

3) Violations against human/patient's rights; and

4) Other offenses.

ARTICLE VIII

Final Provisions

Sec. 33. Enforcement of this Act. -It shall be the primary duty of the Commission and the Board to effectively implement this Act. Law enforcement agencies and officers of national, provincial, city or municipal governments shall, upon the call or request of the Commission or the Board, render assistance in enforcing the provisions of this Act and to prosecute any persons violating the same.

Sec. 34. Appropriations. -The Chairperson of the Professional Regulation Commission shall immediately include in its program and issue such rules and regulations to implement the provisions of this Act, the funding of which shall be included in the annual General Appropriations Act.

Sec. 35. Implementing Rules and Regulations. – Within ninety days (90) after the effectivity of this Act, the Board and the Commission, in

1 coordination with the accredited professional organization and other nursing
2 professional organizations, the Department of Health, the Department of Budget
3 and Management and other concerned government agencies, shall formulate the
4 implementing rules and regulations necessary to carry out the provisions of this
5 Act. The implementing rules and regulations shall be published in the Official
6 Gazette or newspaper of general circulation.

7 **Sec. 36. *Separability Clause.*** -If any part of this Act is declared
8 unconstitutional, the remaining parts not affected thereby shall continue to be
9 valid and operational.

10 **Sec. 37. *Repealing Clause.*** - Republic Act No. 9173, otherwise known as
11 the "Philippine Nursing Act of 2002" is hereby repealed. All other laws, decrees,
12 orders, circulars, issuances, rules and regulations and parts thereof which are
13 inconsistent with the amendatory provisions of this Act are hereby repealed,
14 amended or modified accordingly.

15 **Sec. 38. *Effectivity Clause.*** - This Act shall take effect fifteen (15) days
16 after its publication in the Official Gazette or two (2) national newspapers of
17 general circulation.

Approved

FACT SHEET

H. B. No. 4567 by Rep. Carlos M. Padilla
H.B. No. 5592 by Reps. Rufus B. Rodriguez and Maximo B.
Rodriguez
H.B. No. 5780 by Rep. Juan Edgardo M. Angara

AN ACT
INSTITUTING REFORMS TO FURTHER PROTECT AND
DEVELOP THE NURSING PROFESSION, REPEALING FOR
THE PURPOSE REPUBLIC ACT NUMBERED NINETY-
ONE HUNDRED AND SEVENTY-THREE, OTHERWISE
KNOWN AS THE "PHILIPPINE NURSING ACT OF 2002"

*Committee Referral: COMMITTEE ON CIVIL SERVICE AND
PROFESSIONAL REGULATION (Primary)*

Committee Chairperson: REP. ANDRES D. SALVACION, JR.

Committee Referral: COMMITTEE ON APPROPRIATIONS (Secondary)

Committee Chairperson: REP. JOSEPH EMILIO A. ABAYA

OBJECTIVES:

- To institute reforms to further protect and develop the nursing profession, repealing for the purpose Republic Act No. 9173, otherwise known as the "Philippine Nursing Act of 2002".
- To restructure the scope and practice of Nursing, ensure competitiveness, provide a better practice environment and strengthen the Nursing profession.

KEY PROVISIONS:

- Restructures the scope and practice of nursing by including certification, specialization and educational requirements;
- Expands the powers of the Board of Nursing to strengthen its role in decision-making processes concerning the nursing practice;
- Provides additional educational requirements for different levels of the nursing practice.
- Creates the Professional Regulatory Board of Nursing to oversee, regulate and develop the nursing profession.

RELATED LAW:

- R.A. No. 9173, The Philippine Nursing Act of 2002