

HOUSE BILL \_\_\_\_\_  
SENATE BILL \_\_\_\_\_

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Introduced by \_\_\_\_\_

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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"

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

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

ARTICLE I

Title

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

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

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

33 system throughout the country. The State recognizes nurses as prime  
34 movers of national development and contributors to international  
35 cooperation and understanding. As such, the State assumes responsibility  
36 for the protection, improvement and development of the nursing  
37 profession by instituting measures that will result in relevant and quality  
38 nursing practice, humane working conditions, better career prospects, and  
39 a dignified existence for nurses to ensure high level of wellness and well-  
40 being.

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

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### ARTICLE III

46

#### Scope of Nursing Practice

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

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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,

56 labor, delivery, infancy, childhood, toddler, preschool, school age,  
57 adolescence, adulthood and old age. Nurses are primarily responsible for  
58 the promotion of health and prevention of illness. As members of the  
59 health team, nurses shall collaborate with other health care providers for  
60 the promotive, preventive, curative, and rehabilitative aspects of care,  
61 restoration of health, alleviation of suffering, and when recovery is not  
62 possible, towards a peaceful death. In performing independent and  
63 collaborative functions singly or jointly, it shall be the duty of the nurse to:

64 a) Provide nursing care through the utilization of the  
65 nursing process. Basic nursing care includes, but not limited to, traditional  
66 and innovative approaches, therapeutic use of self, executing health care  
67 techniques and procedures, essential primary health care, comfort  
68 measures, health teachings, and administration of written prescription for  
69 treatment, therapies, oral, topical and parenteral medications, internal  
70 examination during labor in the absence of antenatal bleeding and  
71 delivery, and suturing of perineal laceration.

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

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

77 c) Provide health education to empower individuals,  
78 families, population groups and communities to maintain, attain, restore

79 and sustain optimal health and quality of life;

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

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

88 *Provided*, That this section shall not apply to nursing students who  
89 perform nursing functions under the direct supervision of a qualified  
90 faculty; *Provided, further*, That in the practice of nursing in all settings, the  
91 nurse is mandated to observe the Code of Ethics for Nurses and uphold  
92 the standards of safe and quality nursing practice. The nurse is required to  
93 maintain competence by continual professional development as  
94 prescribed by the Board of Nursing; *Provided, finally*, That the program  
95 and activity for the continual professional development shall be submitted  
96 to and approved by the Board.

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98 Nursing services include, but are not limited to, nursing care  
99 provided to individual, family or group in any health care setting such as  
100 hospitals, public health institutions or communities, clinics and others by a  
101 registered nurse. The nurse shall possess the core competencies

102 prescribed by the Board of Nursing. Nursing service includes the provision  
103 of specialized, expanded and advanced practice services as well as  
104 nursing management.

105

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

111 A beginning registered nurse must have the following minimum  
112 qualifications:

- 113 1) Bachelor of Science in Nursing graduate
- 114 2) Registered nurse with current PRC ID
- 115 3) Must be physically, mentally and psychologically fit to practice nursing
- 116 4) Must not be convicted of any moral turpitude
- 117 5) Must be a member of the accredited professional organization (APO)

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119 (B) *Advanced Practice Nurse*. – Advanced practice nurse is a registered  
120 nurse who has acquired expert knowledge base, complex decision-making  
121 skills and clinical competencies for expanded practice<sup>1</sup> based on evidence  
122 derived from research. Advanced practice of nursing requires substantial  
123 theoretical knowledge in the specialty area of nursing practice and

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1 <sup>1</sup> International Council of Nurses, 2002

124 proficient clinical utilization of this knowledge in implementing independent  
125 and interdependent nursing interventions. Specialties can be differentiated  
126 in different categories: according to functions, disease/pathology, systems,  
127 age, sex, acuity, settings, technology/therapies<sup>2</sup>. This practice includes the  
128 acquisition of new knowledge and skills that legitimize role autonomy  
129 within specific areas of practice<sup>3</sup>. A master's degree is required for entry  
130 level. This includes but is not limited to those who are in education,  
131 management and clinical practice.

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

- 136 1) Relevant master's degree graduate from a recognized university-based  
137 program
- 138 2) Must be certified based on the Board of Nursing protocol
- 139 3) Must be a member of the accredited professional organization (APO) and  
140 the corresponding specialty organization.

141

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

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2 International Council of Nurses, 1992

3 Hamric, 2002

145 1) The first level manager is responsible directly with the physical set-up of  
146 the unit, structure and other human resources for health.

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

150 3) The top level manager oversees that all nursing units in terms of the  
151 financial, human resources for health (not just of the nurses but including the  
152 nursing assistants/adjuncts) and others.

153

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

156 a) For first level managerial position in nursing, eighteen (18) units of nursing  
157 management and clinical subjects in Master of Arts in Nursing/Master of Science  
158 in Nursing and at least three (3) years of clinical work experience.

159 b) For middle level managerial position in nursing, completed all academic  
160 requirements in Master of Arts in Nursing/Master of Science in Nursing and at  
161 least three (3) years of clinical and two (2) years of management experience.

162 c) For top level managerial position in nursing, master's degree in nursing or  
163 health management-related sciences and at least three (3) years of clinical and  
164 three (3) years of management experience.

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

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

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

- 177            • In hospitals based on acuity and authorized bed capacity  
178            (ABC)
- 179            • In community based on need, population and geography
- 180            • In occupational or school settings based on relevant legal  
181            instruments (AO, EO, RA)

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

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

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

193 The curriculum and the related learning experiences shall  
194 adhere strictly to specific requirements embodied as promulgated  
195 by the Commission on Higher Education's policies and standards of  
196 nursing education.

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

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

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209 (C) *Qualifications of Faculty Members.*

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

212 a.a. Be a registered nurse in the Philippines and a holder  
213 of a current valid PRC ID;

- 214 a.b. Have at least three (3) years of clinical practice in a  
215 field of specialization;
- 216 a.c. Be a member of good standing in the accredited  
217 professional organization of nurses;
- 218 a.d. Be a holder of a master's degree in nursing,  
219 education, or other allied medical and health sciences  
220 conferred by a college of university duly recognized by  
221 the Government of the Republic of the Philippines.
- 222 e. Must undergo teacher training program for nursing  
223 education prior to employment
- 224 f. Must undergo an accredited clinical skills competency  
225 enhancement every two (2) years, as prescribed and  
226 accredited by the continuing professional  
227 education/development council for nursing.

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

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

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

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

242                    1) Be a registered nurse in the Philippines and a holder of  
243                    current valid PRC ID;

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

246                    3) Have at least three (3) years of nursing education  
247                    program management experience or three (3) years of  
248                    management in any health-related institution;

249                    4) Be a holder of a master’s degree in nursing for  
250                    baccalaureate program and preferably a doctoral degree  
251                    in nursing for doctoral program conferred by an accredited  
252                    college or university in the Philippines or its equivalent;

253                    5) Must undergo progressive training for deans according to  
254                    program prescribed by the Board.

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

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260                   Sec. 5. *Requirement for inactive nurses returning to practice.* –

261           Nurses are deemed to be inactive when:

262 1)     They are not utilizing nursing competencies as defined in the scope of  
263 nursing practice for five (5) consecutive years.

264 2)     There is non-renewal of PRC ID for five (5) years.

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

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

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

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#### ARTICLE IV

272

#### Organization of the Board of Nursing

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274                   Sec. 6. *Creation and Composition of the Board.* – There shall be  
275 created a Professional Regulatory Board of Nursing, hereinafter referred  
276 to as the Board, to be composed of a chairperson and six (6) members.

276 They shall be appointed by the President of the Republic of the Philippines

277 from among two (2) recommendees, per vacancy, of the Professional

278 Regulation Commission, hereinafter referred to as the Commission,

279 chosen and ranked from a list of three (3) nominees, per vacancy, of the

280 accredited professional organization of nurses in the Philippines who

281 possess the qualifications prescribed in Sec. 7 of this Act.

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

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

287                    (b)    Be a member of good standing of the accredited professional organization of  
288                    nurses;

289                    (c) Be a registered nurse in the Philippines, and a holder of a  
290                    current valid PRC ID;

291                    (d)    Be a holder of a master’s degree in nursing and preferably  
292                    with a doctorate degree conferred by an accredited university;

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

296                    (f) Must be of proven honesty and integrity; *Provided*, That the  
297                    membership to the Board shall represent the three (3) areas of  
298                    nursing, namely: nursing education, nursing service and  
299                    community health nursing.

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301                    *Sec. 8. Requirements Upon Qualification as Member of the Board of*  
302                    *Nursing.* -Any person appointed as Chairperson or Member of the Board  
303                    shall immediately resign from any teaching position in any school, college,  
304                    university or institution offering Bachelor of Science in Nursing and/or  
305                    review program for the local nursing board examinations or in any office or

306 employment in the government or any subdivision, agency or  
307 instrumentality thereof, including government-owned or controlled  
308 corporations or their subsidiaries as well as those employed in the private  
309 sector. He/she shall not have any pecuniary interest in or administrative  
310 supervision over any institution offering Bachelor of Science in Nursing  
311 including review classes.

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

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

321           The incumbent Chairperson and Members of the Board shall  
322 continue to serve for the remainder of their term under Republic Act No.  
323 9173 until their replacements have been appointed by the President and  
324 shall have been duly qualified.

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326           *Sec. 10. Compensation of the Board Members.* -The Chairperson  
327 and Members of the Board shall receive compensation and allowances  
328 comparable to the compensation and allowances received by the

329 Chairperson and members of other professional regulatory boards.

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331           *Sec. 11. Administrative Supervision of the Board, Custodian of its*  
332 *Records, Secretariat and Support Services.* -The Board shall be under the  
333 administrative supervision of the Commission. All records of the Board,  
334 including applications for examinations, administrative and other  
335 investigative cases conducted by the Board shall be under the custody of  
336 the Commission. The Commission shall designate the Secretary of the  
337 Board and shall provide the secretariat and other support services to  
338 implement the provisions of this Act.

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340           *Sec. 12. Powers and Duties of the Board.* – The Board shall  
341 supervise and regulate the practice of the nursing profession and shall  
342 have the following powers, duties and functions:

343           a)           Ensure the proper conduct of the Philippine Nurse  
344           Licensure Examination (PNLE) considering the process and  
345           systems of the Commission, which include but not limited to  
346           application, test development, examination, correction and  
347           release of results. The use of appropriate technology/modalities  
348           during the conduct of the PNLE is encouraged to enhance  
349           efficiency while upholding integrity;

350           b)           Issue, suspend, revoke or reissue certificates of  
351           registration for the practice of nursing and ensure widest

- 352 publication through electronic and written media;
- 353 c) Enforce and monitor safe and quality standards of  
354 nursing practice in the Philippines and exercise the powers  
355 necessary to ensure the maintenance of efficient, ethico-moral,  
356 technical and professional standards in the practice of nursing  
357 towards optimal health and the common good of the nation;
- 358 d) Ensure quality nursing education by examining and  
359 monitoring Higher Education Institutions (HEI) offering nursing  
360 programs and those seeking permission to open nursing courses  
361 to ensure that standards of nursing education are properly  
362 complied with and maintained at all times. The authority to open  
363 and close nursing education programs offered by HEI, shall be  
364 vested on the Commission on Higher Education, only upon the  
365 written recommendation of the Board;
- 366 e) Conduct hearings and investigations to resolve  
367 complaints against active practicing nurses for unethical and  
368 unprofessional conduct and violations of this Act, or its rules and  
369 regulations and in connection therewith, issue *subpoena ad*  
370 *testificandum* and *subpoena duces tecum* to secure the  
371 appearance of respondents and witnesses and the production of  
372 documents and punish with contempt persons obstructing,  
373 impeding and/or otherwise interfering with the conduct of such  
374 proceedings, upon application with the court;

375 f) Promulgate a Code of Ethics that is responsive to the  
376 needs of the nursing profession, in coordination and consultation  
377 with the accredited professional organization of nurses within  
378 one (1) year from the effectivity of this Act;

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

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

383 1) Recognizing organized nursing groups.

384 2) Setting standards for advanced nursing practice, education,  
385 research and management.

386 3) Accrediting specialty and advanced nursing programs based on  
387 established mechanisms.

388 4) Credentialing individual registered nurses based on accepted  
389 criteria.

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

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

394 j) Ensure performance of mandated duties and functions with the  
395 provision of operational resources including human resource,  
396 physical space and budget to ensure the confidentiality and  
397 sanctity of their functions as provided through the annual budget

398 of the Professional Regulation Commission as promulgated in  
399 the General Appropriations Act;

400 k) Utilize funds designated for nursing development; and

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

406

407 *Sec. 13. Annual Report.* -The Board shall at the close of its calendar  
408 year submit an annual report to the President of the Philippines through the  
409 Commission giving a detailed account of its proceedings and the  
410 accomplishments during the year and making recommendations for the  
411 adoption of measures that will upgrade and improve the conditions  
412 affecting the practice of the nursing profession.

413

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

418 (a) Continued neglect of duty or incompetence;

419 (b) Commission or toleration of irregularities in the licensure  
420 examination; and

421 (c) Unprofessional immoral or dishonorable conduct.

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## ARTICLE V

424

### Examination and Registration

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

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Sec. 15. *Philippine Nurse Licensure Examination.* -All applicants for 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. 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:

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- 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

445 from a college or university that complies with the standards of  
446 nursing education duly recognized by the proper government  
447 agency.

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

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

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

457

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

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

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

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*Sec. 20. Issuance of Certificate of Registration/Professional License*

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*and Professional Identification Card.* - A certificate of

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registration/professional license as a nurse shall be issued to an applicant

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who passes the examination upon payment of the prescribed fees. Every

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certificate of registration/professional license shall show the full name of

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the registrant, the serial number, the signature of the Chairperson of the

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Commission and of the Members of the Board. The certificate shall bear

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the logo of the Board of Nursing and the official seal of the Commission.

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A professional identification card, duly signed by the Chairperson of

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the Commission, bearing the date of registration, license number, and the

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date of issuance and expiration thereof shall likewise be issued to every

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registrant upon payment of the required fees.

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*Sec. 21. Fees for Examination and Registration.* -Applicants for

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licensure and for registration shall pay the prescribed fees set by

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Commission.

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*Sec. 22. Automatic Registration of Nurses.* -All nurses whose names

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appear at the roster of nurses shall *ipso facto* be registered as nurses and

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as members of the PRC Accredited Professional Organization (APO) upon

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the effectivity of this Act.

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491           Sec. 23. *Registration by Reciprocity.* -A certificate of  
492 registration/professional license may be issued without examination to  
493 nurses registered under the laws of a foreign state or country; *Provided,*  
494 That the requirements for registration or licensing of nurses in said country  
495 are substantially the same as those prescribed under this Act; *Provided,*  
496 *further,* That the laws of such state or country grant the same privileges to  
497 registered nurses of the Philippines on the same basis as the subjects or  
498 citizens of such foreign state or country.

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

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

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

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

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

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

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

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

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532 *Sec. 26. Revocation and suspension of Certificate of*  
533 *Registration/Professional License and Cancellation of Special/Temporary*  
534 *Permit.* -The Board shall have the power to revoke or suspend the  
535 certificate of registration/professional license or cancel the  
536 special/temporary permit of a nurse upon any of the following grounds:

- 537 (a) For any of the causes mentioned in the preceding section;
- 538 (b) For unprofessional and unethical conduct;
- 539 (c) For gross incompetence or serious ignorance;
- 540 (d) For malpractice or negligence in the practice of nursing;
- 541 (e) For the use of fraud, deceit, or false statements in obtaining a
- 542 certificate of registration/professional license or a
- 543 temporary/special permit;
- 544 (f) For violation of this Act, the rules and regulations, Code of Ethics
- 545 for nurses and technical standards for nursing practice, policies
- 546 of the Board and the Commission, or the conditions and
- 547 limitations for the issuance of the temporarily/special permit; or
- 548 (g) For practicing his/her profession during his/her suspension from
- 549 such practice;

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

551 registration/professional license shall be for a period not to exceed four (4)

552 years.

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

555 *Lost Certificates.* -The Board may, after the expiration of a maximum of

556 four (4) years from the date of revocation of a certificate, for reasons of

557 equity and justice and when the cause for revocation has disappeared or

558 has been cured and corrected, upon proper application therefore and the

559 payment of the required fees, issue another copy of the certificate of

560 registration/professional license.

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

564  
565 SEC. 10. Section 30 of the same Act is hereby amended to read as follows:

566

567 ARTICLE VI

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

570

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

575 a) conduct studies on health human resource production, utilization and  
576 development.

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

579

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

581

582 Sec. 29. *National nursing career progression program.* – There  
583 shall be an institutionalized national nursing career progression program

584 as prescribed in Article IV, Sec. 12, letter g & h. In the implementation of  
585 the national nursing career progression program, the Board shall  
586 coordinate with the Department of Health and other relevant government  
587 and private agencies.

588

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

595 *Provided further*, that nursing specialty organizations with advanced  
596 practice shall be recognized and certified by the Board.

597 .

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

599 Sec. 30. *Compensation*. – In order to enhance the general welfare,  
600 commitment to service and professionalism of nurses, the minimum base  
601 pay of nurses working in the public and private health and health-related  
602 institutions shall be in accordance with prevailing salary standards set by  
603 law for professionals and shall not be lower than salary grade 15 following  
604 the provisions of the salary standardization law. *Provided, further*, that  
605 advanced practice nurses in public and private health and health-related  
606 institutions shall be entitled to additional remuneration. Government and

607 non-government financial institutions shall provide mechanism for  
608 reimbursements for specialty and advanced practice nursing services  
609 based on qualifications prescribed by the Board adhering to the national  
610 nursing career progression program. In addition, nursing professional fees  
611 may be exacted directly from the clientele and patients in the context of  
612 the beginning registered nurses and/or advanced practice nurses.

613

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

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

620 A. Ten percent (10%) of the annual budget of the Department of Health as  
621 specified under the annual General Appropriations Act; and

622 B. Ten percent (10%) of the income of the Philippine Charity Sweepstakes  
623 Office and the Philippine Amusement and Games Corporation which shall be  
624 released to the Department of Health subject to accounting and auditing  
625 procedures: *Provided*, That the Department of Health shall set the criteria for the  
626 availment of this program; and

627 C. Twenty percent (20%) of the Professional Regulation Commission's  
628 income from the regulation of the nursing profession.

629

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

634

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

636

#### ARTICLE VII

637

#### Penal and Miscellaneous Provisions

638

639

640

641

642

        Sec. 33.     *Prohibitions 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:

643

        1) Violations against code of ethics and public morals

644

        2) Violations against professional standards

645

        3) Violations against human/patient's rights

646

        4) Other offenses

647

#### ARTICLE VIII

648

#### Final Provisions

649

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651

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653

        Sec. 34. *Enforcement of this Act.* -It shall be the primary duty of the Commission  
and the Board to effectively implement this Act. Any duly 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.

654

        Sec. 35. *Appropriations.* -The Chairperson of the Professional Regulation

655 Commission shall immediately include in its program and issue such rules and  
656 regulations to implement the provisions of this Act, the funding of which shall be included  
657 in the Annual General Appropriations Act.

658           Sec. 36. *Rules and Regulations.* – Within ninety days (90) after the  
659 effectivity of this Act, the Board and the Commission, in coordination with the  
660 accredited professional organization and other nursing professional  
661 organizations, the Department of Health, the Department of Budget and  
662 Management and other concerned government agencies, shall formulate rules  
663 and regulations necessary to carry out the provisions of this Act. The  
664 implementing rules and regulations shall be published in the Official Gazette or  
665 newspaper of general circulation.

666

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

670

671           Sec. 38. *Repealing Clause.* Republic Act No. 9173, otherwise known as  
672 the “Philippine Nursing Act of 2002” is hereby amended. All other laws, decrees,  
673 orders, circulars, issuances, rules and regulations and parts thereof which are  
674 inconsistent with the amendatory provisions of this Act are hereby repealed,  
675 amended or modified accordingly.

676

677           Sec. 39. *Effectivity.* This Act shall take effect fifteen (15) days after its publication  
678 in the Official (2) national newspapers of general circulation.

679

680

Approved,