AN ACT

INSTITUTING REFORMS TO FURTHER PROTECT AND DEVELOP THE NURSING PROFESSION, AMENDING FOR THE PURPOSE REPUBLIC ACT NUMBER 9173, OTHERWISE KNOWN AS THE "PHILIPPINE NURSING ACT OF 2002"

EXPLANATORY NOTE

Nursing is one of the top career choices of Filipinos. Enrolment in the course has ballooned from 30,000 in 2010 to about half a million in 2016,\(^1\) producing approximately 200,000 nursing graduates every year.\(^2\) The number of schools offering nursing courses also grew from just 40 in 1970 to more than a hundred at present. The rising enrolment mirrors the rising demand for the services of professional nurses in the Philippines and in other countries. A good number of Filipino doctors also took nursing courses to get advantage of the increasing demand for nurses overseas.

However, despite the large pool of nursing graduates, many nursing positions in public and private health facilities in the country remain unfilled due to many factors, including among others, the low compensation and generally poorer working environment in the country. There is a wide disparity between earnings in local nursing positions against foreign employment. The amount that nurses can earn overseas is about ten times more than what they can earn locally. Thus, Filipino nurses instead of working in the country still prefer to seek employment abroad.

\(^2\) http://nursingcrib.com/news-blog/the-philippines-produces-200000-nursing-graduates-yearly/
The Philippine Overseas Employment Administration (POEA) reported that in 2007, nurse deployment at 12,263 was already double that of 6,410 nurse deployment in 2000. The number of newly-hired nurses going abroad continued to increase from 13,004 in 2009 to 19,551 in 2016, at an average growth rate of 10.5% per year. The top ten destination countries in the last ten years were Saudi Arabia; Singapore; United Arab Emirates; Libya; Kuwait; United Kingdom; Qatar; Taiwan; Oman; and Bahrain.

The problem is further aggravated by some abusive practices inflicted on our nursing graduates. In the recent past, many of our nursing graduates were subjected to pay “training fees” and were forced to “volunteer” by hospitals in exchange for the necessary “experience” that they need for employment here and abroad. The hospital experience has become a mandatory prerequisite for employers because of the undesirable reputation of most nursing schools in the country and the quality of education that they offer.

This reality made local employment unattractive for our nurses resulting in the difficulty of realizing the ideal nurse to patient ratio of 1:4 per shift in our country. For instance, 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.

This bill intends to address the above-mentioned challenges facing the nursing profession in the Philippines by amending Republic Act (R.A.) No. 9173 or the Philippine Nursing Act 2002. It aims to make the law more responsive in addressing the developments in the nursing profession which were not yet present when it was enacted more than a decade ago.

This bill will institute necessary reforms to further develop the nursing profession, increase protection for nursing professionals and raise the standard of nursing education in the country. It proposes to restructure the scope and practice of nursing by including specific mandates on certification, specialization and educational requirements of nursing graduates; to expand the powers of the Board of Nursing by strengthening its role in decision-making processes; to strengthen the nursing professionals including the faculty and administration of

---

nursing schools; to upgrade the standards in nursing education, practice and guidelines for nursing career progression; and, to provide a better environment for nursing practice.

These reforms envision to enhance the protection and welfare of Filipino nurses to make them responsive to the needs of their patients and the public and private health systems, may it be in-country or overseas.

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

VILMA SANTOS-RECTO
EIGHTEENTH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES
First Regular Session

HOUSE OF REPRESENTATIVES

H. No. 4371

Introduced by Representative Vilma Santos-Recto
6th District of Batangas

AN ACT
INSTITUTING REFORMS TO FURTHER PROTECT AND DEVELOP THE
NURSING PROFESSION, AMENDING FOR THE PURPOSE REPUBLIC ACT
NUMBER 9173, 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. Short Title. – This Act shall be known as the "Philippine Nursing Practice
Reform Act".

Sec. 2. Article II of Republic Act No. 9173 is hereby amended to read as follows:

"ARTICLE II

"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, [and] improvement AND
DEVELOPMENT of the nursing profession by instituting measures that will
result in relevant AND QUALITY nursing [education] PRACTICE, humane
working conditions, better career prospects, and a dignified existence for [our]
nurses TO ENSURE A HIGH LEVEL OF WELLNESS AND WELL-
BEING.

"The State hereby guarantees the delivery of quality basic health
services through an adequate nursing personnel system throughout the
country."

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 [VII] III

SCOPE OF Nursing Practice

"SEC. [28] 3. Scope of Nursing PRACTICE. – A person shall be deemed to
be practicing nursing within the meaning of this Act when [he/she] THE PERSON
singly or in collaboration with another, initiates and performs nursing [services]
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. [As independent practitioners.] 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, [preventive] 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[—In case of] AND suturing of perineal
laceration [special training shall be provided according to protocol
established:];
“(B) PROVIDE ADVANCED NURSING CARE THROUGH
EXPANDED AND SPECIALIZED ROLES WITHIN THE
PROTOCOL OF ADVANCED NURSING PRACTICE.
CERTIFICATION BY AN ACCREDITED CERTIFICATION BODY
IS REQUIRED;
“[b][C][Establish—linkages] COLLABORATE with community
resources and [coordination] COORDINATE with THE
MEMBERS OF the health team IN ANY HEALTH CARE
SETTING;
“[e][D] Provide health education to AND COLLABORATE WITH
individuals, families, POPULATION GROUPS and communities
TO MAINTAIN, ATTAIN, RESTORE AND SUSTAIN
OPTIMAL HEALTH AND QUALITY OF LIFE;
“[d][E] xxx; and
“[e][F] Undertake nursing and health human resource development
training and research, which shall include, but not limited to, the
development of advanced nursing practice:

"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
[duty-bound] 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 [learning through-continuing]
professional [education to be provided] DEVELOPMENT AS
PRESCRIBED by the [accredited professional organization or any
recognized professional] BOARD OF Nursing [organization]: Provided,
finally, That the program and activity for the [continuing] CONTINUAL
PROFESSIONAL [education] DEVELOPMENT shall be submitted to and
approved by the Board.”

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

“ARTICLE [III] IV
Organization of the Board of Nursing

3
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 (PRC), 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. [4] 5 of this Act.”

“SEC. [4] 5. 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 a natural born citizen and resident of the Philippines FOR
THE LAST THREE (3) YEARS;

“(b) xxx;

“(c) Be a registered nurse IN THE PHILIPPINES, and holder of a
CURRENT VALID PRC ID; [and holder of a master’s degree
in nursing, education or other allied medical profession
conferred by a college or university duly recognized by the
government: Provided. That the majority of the members of the Board shall
be holders of a master’s degree in nursing: Provided. further,
That the Chairperson shall be a holder of a master’s degree in
nursing;]

“(D) BE A HOLDER OF A MASTER’S DEGREE IN NURSING
AND OTHER RELATED HEALTH SCIENCE
PROGRAMS CONFERRED BY AN ACCREDITED
UNIVERSITY;

“(d)(E) Have at least ten (10) years of continuous practice of the
NURSING profession prior to appointment; and

“(e)(F) [Not have been convicted of any offense involving moral
turpitude] 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. [5] 6. Requirements Upon Qualification as Member of the Board
of Nursing. – xxx.”


Records, Secretariat and Support Services. – xxx.”


“(a) ENSURE THE PROPER conduct OF the PHILIPPINE
NURSE Licensure Examination [for—nurses] (PNLE)
CONSIDERING THE PROCESS AND SYSTEMS OF THE
COMMISSION, WHICH INCLUDE BUT IS NOT
LIMITED TO APPLICATION, TEST 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, [or] revoke OR REISSUE certificates of
registration for the practice of nursing AND ENSURE
WIDEST PUBLICATION THROUGH ELECTRONIC
AND WRITTEN MEDIA;

“(c) [Monitor] ENFORCE and MONITOR SAFE AND quality
standards of nursing practice in the Philippines and exercise the
powers necessary to ensure the maintenance of efficient,
professional standards in the practice of nursing [taking into
account—the] TOWARDS OPTIMAL health [needs] AND
THE COMMON GOOD of the nation;

“(d) Ensure quality nursing education by examining [the prescribed
facilities of universities or colleges of nursing or departments

5
AND MONITORING HIGHER EDUCATION INSTITUTIONS (HEI) OFFERING nursing [education] PROGRAM 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 [colleges of nursing and/or] nursing education programs OFFERED BY HEI, shall be vested on the Commission on Higher Education, ONLY upon the written AND FAVORABLE recommendation of the Board;

“(e) xxx;

“(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) [Recognize nursing specialty organizations in coordination with the accredited professional organization] INSTITUTE A NATIONAL NURSING CAREER PROGRESSION PROGRAM (NNCPP) 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 PROGRAMS AND ADVANCED NURSING PROGRAMS BASED ON ESTABLISHED MECHANISMS;
(4) CREDENTIALING INDIVIDUAL REGISTERED NURSES BASED ON ACCEPTED CRITERIA;
(5) MONITORING AND EVALUATION OF ADVANCED NURSING PRACTICE, EDUCATION, RESEARCH AND MANAGEMENT TO ENSURE SAFETY AND QUALITY OF NURSING PRACTICE IN THE PHILIPPINES;

"(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 PRC AS PROMULGATED IN THE GENERAL APPROPRIATIONS ACT; AND

"[h][K] xxx."


"SEC. [44] 12. Removal or Suspension of Board Members. – xxx."

Sec. 5. Article IV of the same Act is hereby amended to read as follows:

"ARTICLE [IV] V
Examination and Registration

"SEC. [42] 13. 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 Republic Act No. 8981, otherwise known as the “PRC Modernization Act of 2000.”

"SEC. [43] 14. Qualifications for Admission to the PHILIPPINE NURSE Licensure Examination. – In order to be admitted to the examination for nurses, [an] THE APPLICATION MUST BE FILED IMMEDIATELY
UPON GRADUATION OF THE applicant AND must [at the time of filing his/her] establish to the satisfaction of the Board that:

"(a) xxx;
(b) xxx;
"(c) [He/she] THE APPLICANT is a holder of a Bachelor[…-Degree in] 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. [44] 15. Scope of Examination. – The scope of the examination for the practice of nursing in the Philippines shall be determined by the Board [i. The board shall take] OF NURSING TAKING into consideration the CORE COMPETENCIES REQUIRED OF BEGINNING NURSE PRACTITIONERS CONSIDERING THE objectives of the nursing curriculum[,—the broad areas of nursing, and other related disciplines and competencies in determining the subjects of examinations] 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. [45] 16. Ratings. – In order to pass the examination, an examinee must obtain a general average of at least seventy-five percent (75%) with a rating of not below [sixty-percent (60%)] SEVENTY PERCENT (70%) in any subject. An examinee who obtains an average rating of seventy-five percent (75%) or higher but gets a rating below [sixty-percent (60%)] SEVENTY PERCENT (70%) in any subject must take the examination again but only in the subject or subjects where [he/she] THE EXAMINEE is rated below [sixty-percent (60%)] SEVENTY PERCENT (70%). In order to pass the succeeding examination, an examinee must obtain a rating of at least seventy-five percent (75%) in the subject or subjects repeated. AN EXAMINEE SHALL BE GIVEN A CHANCE TO REPEAT THE PNLE WITH A MAXIMUM OF THREE (3) EXAMINATIONS."


"SEC. [17] 18. 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[s]. 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.”

“SEC. [48] 19. Fees for Examination and Registration. — Applicants for
licensure and for registration shall pay the prescribed fees set by THE
Commission.”

“SEC. [49] 20. Automatic Registration of Nurses. — All nurses whose
names appear at the roster of nurses shall [be automatically or] ipso facto BE
registered as nurses AND AS MEMBERS OF THE PRC ACCREDITED
PROFESSIONAL ORGANIZATION (APO) [under this Act] UPON [its]
THE effectivity OF THIS ACT.”


special/temporary permit may be issued [by the Board] to the following
persons [subject to the approval of] BASED ON QUALIFICATION
STANDARDS AS DETERMINED BY THE BOARD OF NURSING AND
APPROVED BY the Commission [and upon payment of the prescribed fees]:

“(a) xxx;

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

“(c) Licensed nurses from foreign countries/states [employed] ENGAGED by schools/colleges of nursing as exchange
professors in a branch or specialty of nursing[s] AND IN
EMERGENCY SITUATIONS OF GROSS DISASTERS AND
CALAMITIES:
"Provided, however, That the special/temporary permit shall be effective only for the duration of the project, medical mission or [employment]
ENGAGEMENT contract."

"SEC. [22] 23. Non-registration and Non-issuance of Certificates of Registration/Professional License or Special/Temporary Permit. – xxx."

"SEC. [23] 24. Revocation and suspension of Certificate of Registration/Professional License and Cancellation of Special/Temporary Permit. – xxx."


Sec. 6. Articles V and VI of the same Act are hereby amended to read as follows:

"ARTICLE [V] VI

Nursing Education


"(A) BASIC NURSING EDUCATION PROGRAM. – The BASIC nursing education program [shall] IS A COMPETENCY-BASED CURRICULUM WHICH WILL provide sound general and professional foundation for [the practice of] nursing SERVICE TO BE ABLE TO IMPLEMENT THE NECESSARY SAFE QUALITY NURSING PRACTICE. ADMISSION TO THE BACCALAUREATE NURSING PROGRAM SHALL REQUIRE PASSING A NATIONAL NURSING ADMISSION TEST (NNAT).

The learning experiences shall adhere strictly to specific requirements embodied in the prescribed curriculum as promulgated by the Commission on Higher Education's policies and standards of nursing education."

"(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 SCIENTIFIC BODY OF
KNOWLEDGE AND PRACTICE.
GRADUATE AND POST-GRADUATE NURSING
PROGRAMS SHALL BE OFFERED ONLY BY LEVEL
THREE (3) ACCREDITED HIGHER EDUCATION
INSTITUTIONS BASED ON RELEVANT CHED
POLICIES AND GUIDELINES.

"[SEC.-27] (C) Qualifications of the Faculty MEMBERS. –

“(1) BASIC NURSING EDUCATION. A member of the faculty in a
college of nursing teaching professional courses must:

\[\text{[(a)]-1.A. Be a registered nurse in the Philippines AND A}\]

HOLDER OF A CURRENT VALID PRC ID;

\[\text{[(b)]-1.B. Have at least [one (1)] THREE (3) years of clinical}\]

practice in a field of specialization;

\[\text{[(c)] Be a member of good standing in the accredited professional}\]

organization of nurses; and]

\[\text{[(d)] 1.C. Be a holder of a master's degree in nursing,}\]
education, or other allied health sciences conferred by a
college of university duly recognized by the Government of
the Republic of the Philippines;

“1.D. UNDERGO TEACHER TRAINING FOR
NURSING EDUCATION PRIOR TO TEACHING
EMPLOYMENT; AND

“1.E. UNDERGO CLINICAL SKILLS
COMPETENCY ENHANCEMENT EVERY TWO (2)
YEARS, AS PRESCRIBED AND ACCREDITED BY
THE BOARD.

"[In addition to the aforementioned qualifications, the dean of a
college must have a master's degree in nursing. He/She must have at
least five (5) years of experience in nursing.]

11
“(2) GRADUATE NURSING EDUCATION. A MEMBER OF
THE FACULTY TEACHING GRADUATE
PROFESSIONAL COURSES MUST:
“2.A. FOLLOW PRESCRIPTIONS 1 AND 2 OF
BASIC NURSING EDUCATION; AND
“2.B. BE A HOLDER OF A DOCTORAL DEGREE
IN NURSING, EDUCATION, OR OTHER ALLIED
HEALTH SCIENCES CONFERRED BY A COLLEGE
OR UNIVERSITY DULY RECOGNIZED BY THE
GOVERNMENT OF THE REPUBLIC OF THE
PHILIPPINES:

PROVIDED, 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.

“(D) QUALIFICATIONS OF THE DEAN. – THE DEAN OF A
COLLEGE OF NURSING MUST:
“(1) BE A REGISTERED NURSE IN THE PHILIPPINES
AND A HOLDER OF A CURRENT VALID PRC ID;
“(2) HAVE AT LEAST THREE (3) YEARS OF CLINICAL
PRACTICE IN A FIELD OF SPECIALIZATION;
“(3) HAVE AT LEAST THREE (3) YEARS OF NURSING
EDUCATION PROGRAM MANAGEMENT
EXPERIENCE OR THREE (3) YEARS OF
MANAGEMENT IN ANY HEALTH-RELATED
INSTITUTION;
“(4) BE A HOLDER OF A MASTER’S DEGREE IN
NURSING FOR BACCALAUREATE PROGRAM
AND PREFERABLY A DOCTORAL DEGREE IN
NURSING FOR DOCTORAL PROGRAM
CONFERRED BY AN ACCREDITED COLLEGE OR
UNIVERSITY IN THE PHILIPPINES OR ITS EQUIVALENT; AND

“(5) UNDERGO PROGRESSIVE TRAINING FOR DEANS ACCORDING TO PROGRAM PRESCRIBED BY THE BOARD.”

[ARTICLE VI]

[Nursing Practice]

“SEC. 27. NURSING SERVICE. – 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 NURSE PRACTITIONER. – BEGINNING NURSE PRACTITIONER 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 NURSE PRACTITIONER MUST HAVE THE FOLLOWING MINIMUM QUALIFICATIONS:

(1) BACHELOR OF SCIENCE IN NURSING GRADUATE;

(2) REGISTERED NURSE WITH CURRENT PRC ID;

(3) MUST BE A MEMBER OF THE ACCREDITED PROFESSIONAL ORGANIZATION (APO); AND
MUST NOT BE CONVICTED OF ANY CRIME OF MORAL TURPITUDE.

"(B) ADVANCED NURSE PRACTITIONER. — ADVANCED NURSE PRACTITIONER 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 MASTERS DEGREE IS REQUIRED FOR ENTRY LEVEL. THIS INCLUDES BUT IS NOT LIMITED TO THOSE WHO ARE IN EDUCATION, MANAGEMENT AND CLINICAL PRACTICE.

AN ADVANCED NURSE PRACTITIONER MUST HAVE THE FOLLOWING MINIMUM QUALIFICATIONS IN ADDITION TO THE REQUIREMENTS OF A BEGINNING NURSE PRACTITIONER:

1. RELEVANT MASTERS DEGREE FROM A RECOGNIZED UNIVERSITY-BASED PROGRAM;
2. MUST BE CERTIFIED BASED ON THE BOARD OF NURSING PROTOCOL; AND
(3) MUST BE A MEMBER OF THE ACCREDITED PROFESSIONAL ORGANIZATION (APO) AND THE CORRESPONDING SPECIALTY ORGANIZATION."

"[SEC.-29] (C) [Qualification-of-a] NURSING SERVICE [Administrators] MANAGER. – A [person] NURSING SERVICE MANAGER IS A PRACTITIONER occupying supervisory or managerial positions requiring LEADERSHIP AND knowledge of nursing [must:] MANAGEMENT.

"[(a) Be a registered nurse in the Philippines;]

"[(b) Have at least two (2) years experience in general nursing service administration;]

"[(c) Possess a degree of Bachelor of Science in Nursing, with at least nine (9) units in management and administration courses at the graduate level; and]"

"(1) THE FIRST LEVEL MANAGER IS RESPONSIBLE DIRECTLY WITH THE PHYSICAL SET-UP OF THE UNIT, STRUCTURE AND OTHER HUMAN RESOURCES FOR HEALTH;

"(2) THE MIDDLE LEVEL MANAGER IS RESPONSIBLE FOR THE DEPARTMENT OR SECTION HANDLING MORE THAN ONE (1) OR TWO (2) UNITS, TAKES CARE OF THE FINANCIAL, LOGISTIC, OPERATIONAL FUNCTIONS AND OTHERS; AND

"(3) THE TOP LEVEL MANAGER OVERSEES THAT ALL NURSING UNITS IN TERMS OF THE FINANCIAL, HUMAN RESOURCES FOR HEALTH INCLUDING THE NURSES, NURSING ASSISTANTS/ADJUNCTS AND OTHERS.

"A NURSING SERVICE MANAGER MUST HAVE THE FOLLOWING MINIMUM QUALIFICATIONS IN ADDITION TO THE REQUIREMENTS OF A BEGINNING NURSE PRACTITIONER:

15
“(1) FOR FIRST LEVEL MANAGERIAL POSITION IN NURSING, EIGHTEEN (18) UNITS OF NURSING MANAGEMENT AND CLINICAL SUBJECTS IN MASTER OF ARTS IN NURSING/MASTER OF SCIENCE IN NURSING AND AT LEAST THREE (3) YEARS OF CLINICAL WORK EXPERIENCE;

“(2) FOR MIDDLE LEVEL MANAGERIAL POSITION IN NURSING, COMPLETED ALL ACADEMIC REQUIREMENTS IN MASTER OF ARTS IN NURSING/MASTER OF SCIENCE IN NURSING AND AT LEAST THREE (3) YEARS OF CLINICAL AND TWO (2) YEARS OF MANAGEMENT EXPERIENCE;

“(3) FOR TOP LEVEL MANAGERIAL POSITION IN NURSING, MASTERS DEGREE IN NURSING OR HEALTH MANAGEMENT-RELATED SCIENCES AND AT LEAST THREE (3) YEARS OF CLINICAL AND THREE (3) YEARS OF MANAGEMENT EXPERIENCE; AND

“(d)(4) MUST be a member of good standing of the accredited professional organization [of nurses] AND

RELEVANT NURSING ORGANIZATIONS:

“[Provided:] That a person occupying the position of chief nurse or director of nursing service shall, in addition to the foregoing qualifications, possess:

1. At least five (5) years of experience in a supervisory or managerial position in nursing; and

2. A master's degree major in nursing;

Provided further, That for primary hospitals, the maximum academic qualifications and experiences for a chief nurse shall be as specified in subsections (a), (b) and (c) of this section. Provided furthermore, That for chief nurses in the public health nursing shall be given priority. Provided, even further, That for chief nurses in military hospitals, priority to those who have finished a master's degree in nursing and
the completion of the General Staff Course (GSC). Provided finally, That those occupying such positions before the effectivity of this Act shall be given a period of five (5) years within which to qualify.”

“PROVIDED, THAT THE ABOVE QUALIFICATIONS SHALL APPLY TO ALL NURSES OCCUPYING SUPERVISORY OR MANAGERIAL POSITIONS ACROSS ALL HEALTH FACILITIES SUCH AS, BUT NOT LIMITED TO PRIMARY OR MILITARY HEALTH FACILITIES, FOR TOP LEVEL MANAGERIAL POSITION OF FIRST AND SECOND LEVELS, AS WELL AS MEDICAL CENTERS NATIONWIDE.”

“SEC. 28. NURSE-PATIENT RATIO. —THE GOVERNMENT AND PRIVATE HOSPITALS ARE HEREBY MANDATED TO MAINTAIN THE STANDARD NURSE-PATIENT RATIO SET BY THE DEPARTMENT OF HEALTH:

“(A) IN HOSPITALS BASED ON ACUITY AND AUTHORIZED BED CAPACITY (ABC);
“(B) IN COMMUNITY BASED ON NEED, POPULATION AND GEOGRAPHY; AND
“(C) IN OCCUPATIONAL OR SCHOOL SETTINGS BASED ON RELEVANT LEGAL INSTRUMENTS.

“SEC. 29. Requirement for Inactive Nurses Returning to Practice. — Nurses [who have not actively practiced the profession] ARE DEEMED TO BE INACTIVE WHEN:

“(A) THEY ARE NOT UTILIZING NURSING COMPETENCIES AS DEFINED IN THE SCOPE OF NURSING PRACTICE FOR FIVE (5) CONSECUTIVE YEARS;
“(B) THERE IS NON-RENEWAL OF PRC ID FOR FIVE (5) YEARS; AND
“(C) 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. The Board ON AN EXISTING
CAPACITY shall accredit hospitals AND HEALTH CARE AGENCIES to conduct the said training program."

Sec. 7. Article VII of the same Act is hereby amended to read as follows:

“ARTICLE VII

[Health] HUMAN RESOURCES FOR HEALTH (HRH) Production, Utilization and Development

“SEC. 30. Studies for Nursing Manpower Needs, Production, Utilization and Development. – The Board in coordination with [the accredited professional—organization] RELEVANT NURSING AND OTHER GOVERNMENT AND NON-GOVERNMENT AGENCIES shall initiate, undertake and conduct studies on health human resources production, utilization and development. THE BOARD SHALL LIKewise ENSURE THE EFFECTIVE IMPLEMENTATION OF HRH DEVELOPMENT STRATEGIES FOR NURSES AND OTHER RELATED PERSONNEL TO ATTAIN A HIGHLY MOTIVATED AND PRODUCTIVE NURSING PERSONNEL SYSTEM AND WORKFORCE.”


“Within ninety (90) days from the effectivity of this Act, the Board, in coordination with the accredited professional organization, recognized specialty organizations and the Department of Health is hereby mandated to formulate and develop a comprehensive nursing specialty program that would upgrade the level of skill and competence of specialty nurse clinicians in the country, such as but not limited to the areas of critical care, oncology, renal and such other areas as may be determined by the Board[s]:

“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, IN COORDINATION WITH THE ACCREDITED PROFESSIONAL ORGANIZATION.

"The beneficiaries of this program are obliged to serve in any Philippine hospital for a period of at least two (2) years of continuous service."

"SEC. 32. [Salary] 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 [prescribed under Republic Act No. 6758, otherwise known as the "Compensation and Classification Act of 1989"]; FOLLOWING THE PROVISIONS OF THE SALARY STANDARDIZATION LAW: [Provided, That for nurses working in local government units, adjustment to their salaries shall be in accordance with Sec. 10 of the said law.] PROVIDED, 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 A 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 (NNCPP). IN ADDITION, NURSING PROFESSIONAL FEES MAY BE EXACTED
DIRECTLY FROM THE CLIENTELE AND PATIENTS WITHIN THE
PROVISIONS OF ADVANCED PRACTICE NURSING OR
COLLABORATIVELY WITH EXPERT NURSES."

"SEC. 33. Funding for the [Comprehensive] DEVELOPMENT OF
THE NATIONAL Nursing [Specialty] CAREER PROGRESSION
PROGRAM (NNCPP) AND TRAINING. – The annual financial requirement
needed to [train at least ten percent (10%) of the nursing staff of the
participating government hospital] IMPLEMENT THE NNNPP IN THE
TRAINING OF GOVERNMENT AND PRIVATE NURSES FOR
CONTINUAL LIFE-LONG LEARNING shall be [chargeable against]
SOURCED FROM:

“(A) ONE PERCENT (1%) OF THE ANNUAL BUDGET OF
THE DEPARTMENT OF HEALTH AS SPECIFIED
UNDER THE ANNUAL GENERAL APPROPRIATIONS
ACT; [and]

“(B) TEN PERCENT (10%) OF the income of the Philippine
Charity Sweepstakes Office and the Philippine Amusement and
Games Corporation which [shall equally share in the costs and] shall be released to the Department of Health subject to
accounting and auditing procedures: Provided, That the
Department of Health shall set the criteria for the availment of
this program; AND

“(C) TWENTY PERCENT (20%) OF THE PROFESSIONAL
REGULATION COMMISSION’S INCOME FROM THE
REGULATION OF THE NURSING PROFESSION."

"SEC. 34. Incentives and Benefits. – [The Board of Nursing in
coordination with the Department of Health and other concerned government
agencies, association of hospitals and the accredited professional organization]
TO THE EXTENT POSSIBLE AS PROVIDED BY LAW, A
MECHANISM shall BE established BY THE BOARD OF NURSING TO
PROVIDE [an] incentiveS and benefitS [system in the form of free hospital
care for nurses and their dependents, scholarship grants and other non-cash
benefits. The government and private hospitals are hereby mandated to

20
maintain the standard nurse-patient ratio set by the Department of Health.] FOR NURSES IN BOTH GOVERNMENT AND PRIVATE SECTORS.”

Sec. 8. Article VIII of the same Act is hereby amended to read as follows:

“ARTICLE VIII
Penal and Miscellaneous Provisions

“SEC. 35. Prohibitions in the Practice of Nursing. – A fine of not less than [Fifty–thousand–pesos (P50,000.00)] ONE HUNDRED THOUSAND PESOS (P100,000.00) nor more than [One–hundred–thousand–pesos (P100,000.00)] 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:

“(A) VIOLATIONS AGAINST CODE OF ETHICS AND PUBLIC MORALS;

“(B) VIOLATIONS AGAINST PROFESSIONAL STANDARDS;

“(C) VIOLATIONS AGAINST HUMAN/PATIENT’S RIGHTS;

AND

“(D) OTHER OFFENSES.”

{(a) any person practicing nursing in the Philippines within the meaning of this Act;

{(1) without a certificate of registration/professional license and professional identification card or special temporary permit or without having been declared exempt from examination in accordance with the provisions of this Act; or}

{(2) who uses his/her own certificate of registration/professional license and professional identification card or special temporary permit of another; or}

{(3) who uses an invalid certificate of registration/professional license, a suspended or revoked certificate of registration/professional license, or an expired or cancelled special/temporary permits; or}

{(4) who gives any false evidence to the Board in order to obtain a certificate of registration/professional license, a professional identification card or special permit; or}
who falsely poses or advertises as a registered and licensed nurse or uses any other means that tend to convey the impression that he/she is a registered and licensed nurse; or]

[6] who appends B.S.N./R.N. (Bachelor of Science in Nursing/Registered Nurse) or any similar appendage to his/her name without having been conferred said degree or registration; or]

[7] who, as a registered and licensed nurse, abets or assists the illegal practice of a person who is not lawfully qualified to practice nursing;]

[(b) any person or the chief executive officer of a judicial entity who undertakes in-service educational programs or who conducts review classes for both local and foreign examination without permit/clearance from the Board and the Commission; or]

[(c) any person or employer of nurses who violate the minimum base pay of nurses and the incentives and benefits that should be accorded them as specified in Sections 32 and 34; or]

[(d) any person or the chief executive officer of a juridical entity violating any provision of this Act and its rules and regulations.]

Sec. 9. Implementing Rules and Regulations. - Within ninety days (90) after the effectiveness of this Act, the Board and the Commission, in coordination with the accredited professional organization, the Department of Health, the Department of Budget and Management and other government agencies concerned, shall formulate rules and regulations necessary to carry out the provisions of this Act. The implementing rules and regulations shall be published in the Official Gazette or newspaper of general circulation.

Sec. 10. Separability Clause. - If, for any reason, any provision of this Act or any part thereof shall be held unconstitutional and invalid, the other parts or provisions of this Act, which are not affected thereby, shall remain in full force and effect.

Sec. 11. Repealing Clause. - All laws, decrees, orders, rules and regulations or parts thereof inconsistent with any of the provisions of this Act are hereby repealed, amended or modified accordingly.

Sec. 12. Effectivity Clause. - This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation or in the Official Gazette.

Approved,