

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

Senate Office
Office of the Secretary

19 JUL 10 A10:05

SENATE
S. B. No. 325

RECEIVED BY: J

Introduced by Senator SONNY ANGARA

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

EXPLANATORY NOTE

The nursing profession in the Philippines is currently guided by Republic Act No. 9173, otherwise known as "The Philippine Nursing Act of 2002". At the time of the law's enactment, there were only 251 schools offering nursing courses. Almost two decades after, this number has ballooned to 397 higher education institutions offering a BS Nursing program. Between 2014 and 2018, some 243,258 students enrolled in these nursing programs, while up to 77,349 graduated.

Unfortunately, the number of Filipino nurses has been inversely proportional to the quality of education provided by our nursing schools. This is demonstrated by the continuously dismal results of the Nurse Licensure Exam (NLE). For years 2014 to 2018, the national passing rate of NLE was as follows: 47.46% (2014), 51.72% (2015), 45.67% (2016), 40.58% (2017), and 41.71% (2018)¹.

Further, around 7 of 10 Filipinos die without ever seeing a health professional and the nurse to patient ratio in our hospitals remains high at 1:50 up to 1:80² – a far cry from achieving the ideal nurse to patient ratio of 1:12. Clearly, there is an urgent need for reforms.

¹ <https://www.prcboardnews.com/2019/06/nle-result-june-2019-nursing-board-exam-list-of-passers.html>

² <https://opinion.inquirer.net/110714/overworked-underpaid-nurses>

This bill proposes to expand the role and responsibilities of Filipino nurses and equip them for independent practice. With this measure's enactment, nurses should be prepared not just for primary health care, but also have the foundational skills for leadership and governance, as well as more specialized and advanced practice.

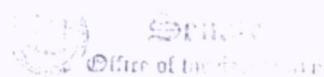
The Philippine nursing profession must extend beyond institution and employment-based care services to help realize access to Universal Health Care. The practice of Nursing must be proactively responsive to both local and global demands and developments.

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



SONNY ANGARA

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Be it enacted by the Senate and the House of Representatives of the Republic of the Philippines in Congress assembled:

ARTICLE I

General Provisions

4 Section 1. *Title.* – This Act shall be known as the "Comprehensive Nursing
5 Law of 2019."

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

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

16 Sec. 3. *Definition of Terms.* – The following terms when used in this Act shall
17 mean:

- 1 (a) *Accredited Integrated Professional Organization* (AIPO) refers to a
2 professional organization of nurses duly accredited by the Professional
3 Regulation Commission as per Republic Act No. 8981;
- 4 (b) *Advanced Practice Nurse (APN)* refers to a nurse who acquired substantial
5 theoretical knowledge and decision making skills in the specialty area of
6 nursing practice and proficient clinical utilization of this knowledge in
7 implementing independent and inter-dependent nursing interventions.
8 Specialties can be differentiated in categories, according to function, disease,
9 pathology, systems, age, sex, acuity, setting, technology, and therapies. They
10 must be given certification/credentialing by the Board. An APN must be a
11 master's degree holder in nursing;
- 12 (c) *Bachelor of Science in Nursing (BSN)* refers to the basic program for nursing
13 education;
- 14 (d) *Certification/Credentialing* refers to process undertaken by an individual nurse
15 to be recognized to practice in a specifically defined professional tract i.e.
16 General Nursing, Nursing Specialty/Advanced Practice, Nursing Education, and
17 Leadership and Governance. The Board confers the certification or credential
18 after a validation process based on promulgated guidelines and mechanisms;
- 19 (e) *Commission on Higher Education (CHED)* refers to the body created by law to
20 promulgate policies, standards and guidelines in the implementation of basic
21 and graduate program for nursing education;
- 22 (f) *Health Facility* refers to an institution, establishment, clinic that offers health
23 services and nursing care, such as hospitals, barangay health centers, and
24 clinics;
- 25 (g) *Nurse*, as provided for in this Act, refers to a person who passed the
26 Philippine Nurse Licensure Exams (PNLE) and whose license has not been
27 revoked by the law. Thus, it pertains to a Registered Nurse (RN). A nurse
28 may append before his/her name the title "Nurse," "Nars" or "Nrs." or after
29 his/her name the title R.N.;
- 30 (h) *Nursing Personnel System (NPS)* refers to a system of human resource
31 management in an institution that classifies the structure, organization, and
32 coordination within the workforce both in private and public health care

facilities and nursing educational institutions to advance the welfare and protect the rights of the nurses and to ensure the employer-employee relationship, security of tenure, just compensation, humane conditions of work and professional growth;

- (i) *Philippine Nurse Licensure Exam* (PNLE) refers to the written examination given by the Board in order to obtain license to practice nursing;
- (j) *Precarious Work* is the term used to describe substandard employment conditions, such as under-payment, absence of salary, no security of tenure, lack of employer – employee relationship, no benefits, poor working conditions; and, deviation from the standard employment relationships, such as contractual, false volunteerism, job orders thru agencies, part time, self-employment, fixed term work, temporary, on call, home workers, call center jobs, few benefits, lack of collective bargaining representation, and no job security;
- (k) *Professional Regulation Commission* (PRC) refers to the government agency pursuant to Republic Act No. 8981 or as may hereafter be amended or repealed. It shall be referred to in this law as the Commission;
- (l) *Professional Regulatory Board of Nursing* (PRBON) refers to the administrative body created by law to supervise and regulate the practice of the nursing profession in the Philippines. As such, the Board shall be the ultimate authority in the practice of the profession in the Philippines. It shall be referred to in this law as the Board;
- (m) *Public Health Institution* (PH) refers to any government-led, owned or controlled institutions which pursues and realizes the lofty goals and objectives of providing and managing safe, efficient, effective and quality public health programs and services and advocacies for health, in all levels of the Health Care Delivery System (HCDS – national to local) which include among others: Rural Health Units (RHUs/Barangay Health Centers); Research Facilities e.g. Research Institute for Tropical Medicine, etcetera; Training Resource Facilities e.g. the UP College of Public Health and State or Local Colleges or Universities offering Health-Related Programs; the Department of Health and all retained Health Facilities, and the like;

- 1 (n) *Special Permit* refers to the permit to practice nursing in the Philippines issued
2 by the Board to licensed nurses of foreign nationalities; and
3 (o) *Temporary Permit* refers to the permit to practice nursing in the Philippines
4 issued by the Board to Filipino nurses, who does not have a professional
5 license from the Philippines or have not renewed their license for five (5)
6 years, but are licensed from foreign countries.

ARTICLE II

Board of Nursing

9 Sec. 4. *Creation and Composition of the Board.* – There shall be created a
10 Professional Regulatory Board of Nursing composed of seven (7) members who shall
11 elect among themselves a Chairperson to serve for one (1) term, without a re-
12 election. The President of the Republic of the Philippines shall appoint the members
13 of the Board from among those recommended by the Commission and ranked from
14 a list of three (3) nominees, per vacancy, of the accredited integrated professional
15 organization of nurses in the Philippines and who possess the qualifications in this
16 Act: *Provided*, That the membership of the Board shall comprise the scope of
17 nursing practice.

18 Sec. 5. *Qualifications of the Members of the Board.* – The members of the
19 Board must possess the following qualifications:

- 20 (a) Must be a natural born citizen and resident of the Philippines for the past five
21 (5) consecutive years;

22 (b) Must be a Nurse in the Philippines and a holder of a valid and updated
23 certificate of registration and a current professional identification card;

24 (c) Must be a holder of a master's degree in nursing and preferably with a
25 doctorate degree conferred by a university duly recognized by the
26 government;

27 (d) Must have at least ten (10) years of continuous practice of the nursing
28 profession prior to appointment: *Provided*, however, That the last five (5)
29 years of which must be in the Philippines; and

30 (e) Must be of good moral and has not been convicted of any offense involving
31 moral turpitude.

1 Sec. 6. *Prohibition as Member of the Board.* – A member of the Board shall
2 not hold a position nor have pecuniary interest in any educational institution offering
3 BSN, any review or training center for PNLE, training hospitals and health facilities
4 with nursing affiliates.

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

8 Sec. 8. *Vacancy.* – Any vacancy in the Board must be filled in the manner
9 prescribed in this Act and only for the unexpired portion of the term. Each member
10 of the Board shall take the proper oath of office prior to the performance of duties.

11 Sec. 9. *Compensation.* – The members of the Board shall receive
12 compensation and allowances comparable to the compensation and allowances
13 received by the members of other regulatory boards.

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

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

- 24 (a) Ensure the proper conduct of the PNLE, which includes the application, test
25 development, examination, correction and release of results. The use of
26 appropriate technologies and modalities during the conduct of the PNLE is
27 encouraged to enhance efficiency while upholding integrity;
- 28 (b) Issue, suspend, revoke or reissue certificates of registration for the practice of
29 nursing and ensure the widest publication through electronic and written
30 media;
- 31 (c) Enforce and monitor safe and quality standards of nursing practice, study the
32 conditions affecting the nursing practice in the Philippines, and exercise the

- 1 powers necessary to ensure the maintenance of efficient, ethico-moral,
2 technical and professional standards in the practice of nursing towards the
3 optimal health and common good of the nation;
- 4 (d) Ensure quality nursing education by examining and monitoring higher
5 educational institutions offering and seeking permission to open nursing
6 education programs and to ensure that standards of nursing education are
7 properly complied with and maintained at all times: *Provided*, That the Board
8 and the CHED shall have joint authority to open and close nursing education
9 programs offered by higher educational institutions;
- 10 (e) Conduct hearings and investigations to resolve complaints against actively
11 practicing nurses for unethical and unprofessional conduct and violations of
12 this Act, or its rules and regulations and in connection therewith, issue
13 *subpoena duces tecum* and *subpoena ad testificandum* to require the
14 appearance of respondents and witnesses and the production of documents
15 and penalize with contempt persons obstructing, impeding or otherwise
16 interfering with the conduct of such proceedings, upon application with the
17 Board of Nursing;
- 18 (f) Promulgate a Code of Ethics that is responsive to the needs of the nursing
19 profession in coordination with the AIPO of nurses within a year from the
20 effectivity of this Act;
- 21 (g) Prescribe and operationalize, via necessary infrastructures, a National Nursing
22 Career Progression Program to ensure continuing professional development of
23 Filipino nurses, create the Council for Nursing Advancement, Recognition, and
24 Specialization as well as the various Nursing Specialty Boards to assist the
25 Board for this purpose;
- 26 (h) Ensure performance of mandated duties and functions with the provision of
27 operational resources including human, financial and spatial resources to
28 ensure the confidentiality and sanctity of their functions as provided through
29 the annual budget of the Commission as promulgated in the General
30 Appropriations Act;
- 31 (i) Source and utilize funds earmarked for national nursing development;

- (j) Prescribe, adopt, issue and promulgate guidelines, regulations, measures and influence authorities and agencies on decision-making as may be necessary for the improvement of nursing practice, advancement of the profession and for the proper and full enforcement of this Act, subject to review and approval by Commission; and
 - (k) Create a council for nursing recognition, accreditation and certification that will assist the Board in:
 - i. Recognizing organized nursing groups;
 - ii. Setting standards for advanced nursing practice, education, research and management;
 - iii. Accrediting specialty and advanced nursing programs based on established mechanisms;
 - iv. Credentialing individual registered nurse based on accepted criteria; and
 - v. Monitoring and evaluating specialty and advanced nursing practice, education, research and management.

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

Sec. 13. Removal or Suspension of Board Members. – The President may remove or suspend any member of the board, after due process, on the following grounds:

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

ARTICLE III

Examination and Registration

Sec. 14. Philippine Nurse Licensure Examination (PNLE). – In order to obtain certificate of registration, professional license, and professional identification card, nursing graduates must take and pass the PNLE. The Board shall administer the

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

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

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

- 13 (a) Must be a holder of a Bachelor of Science in Nursing degree from a
14 recognized educational institution that complies with the standards of nursing
15 education duly recognized by CHED;
- 16 (b) Must be of good moral character and have not been convicted, by final
17 judgment, of any criminal offense involving moral turpitude or guilty of
18 immoral or dishonorable conduct, or any person declared by the court to be
19 of unsound mind; and,
- 20 (c) Must be a citizen of the Philippines, or a citizen or subject of a country which
21 permits Filipino nurses to practice within its territorial limits on the same basis
22 as the subject or citizen of such country: *Provided*, That the requirements for
23 the registration or licensing of nurses in said countries are substantially the
24 same as those prescribed in this Act.

25 Sec. 17. *Fees for Examination and Registration.* – Applicants for licensure and
26 for registration must pay the prescribed fees set by the Commission.

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

1 Sec. 19. *Issuance of Certificate of Registration, Professional License and*
2 *Professional Identification Card.* – A certificate of registration and professional
3 license shall be issued to all successful examinees, subject to Section 14 of this
4 Article. A certificate of registration and professional license shall show the full name
5 of the registrant, the signature of the Chairperson of the Commission, and the
6 members of the Board. The certificate shall bear the logo of the Board and the
7 official seal of the Commission.

8 The Commission shall likewise issue the professional identification card. The
9 card must bear the following: full name of the registrant nurse, the serial number,
10 the date of issuance and expiration, the signature of the Chairperson of the
11 Commission, date of registration.

12 Sec. 20. *Oath of Profession.* – All successful examinees must take an oath of
13 profession before the Board or any government official authorized to administer
14 oaths prior to entering upon the nursing practice.

15 Sec. 21. *Roster of Nurses.* – The Commission shall maintain a roster of names
16 pursuant to the PRC Automated System. The Roster of Nurses shall serve as the
17 centralized database for nursing professionals for purposes of documentation,
18 verification of registrants, statistics, research, and development.

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

27 Members in the Accredited Integrated Professional Organization (AIPO) shall
28 not be a bar to membership in other nursing organizations.

29 Sec. 23. *Foreign Reciprocity.* – No foreign nurse shall be given a certificate of
30 registration/professional license and professional identification card or be entitled to
31 any privileges under this Act unless the country or state of which the foreign nurses

1 is a subject or citizen permits Filipino nurses to practice within its territorial limits on
2 the same basis as the subjects or citizens of said country or state.

3 Sec. 24. *Practice through Special or Temporary Permit.* – The Board may
4 issue a special or temporary permit to the following persons based on qualification,
5 and professional and moral standards as approved by the Commission: *Provided,*
6 That a completion report will be submitted to the Commission after every mission, to
7 wit:

- 8 (a) Licensed nurses from foreign countries whose services are either for a fee or
9 free if they are internationally well-known specialists or outstanding experts in
10 any branch or specialty of nursing;
- 11 (b) Licensed nurses from foreign countries on medical mission whose services
12 shall be free in particular hospital, center or clinic;
- 13 (c) Licensed nurses from foreign countries who are engaged by
14 colleges/universities offering the nursing program as exchange professors in a
15 branch or specialty of nursing; and,
- 16 (d) Licensed nurses from foreign countries who come to aid during declared
17 disasters and calamities.

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

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

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

29 Sec. 26. *Revocation and Suspension of Certificate of Registration, Professional*
30 *License, and Professional Identification Card and Cancellation of Special or*
31 *Temporary Permit.* – The Board shall have the power to revoke or suspend the

- 1 certificate of registration, professional license, professional identification card, or
2 cancel the special or temporary permit of a nurse upon any of the following grounds:
3 (a) Conviction, by final judgment, of any criminal offense involving moral
4 turpitude or guilty of immoral or dishonorable conduct or any person declared
5 by the court to be of unsound mind;
6 (b) Violation of this Act, its policies, rules and regulations, and of the Philippine
7 code of Ethics for Nurses;
8 (c) Gross negligence, grave misconduct, ignorance, and incompetence in the
9 nursing practice;
10 (d) Fraud, concealment, misrepresentation, or false statements in obtaining a
11 certificate of registration, professional license, professional identification card,
12 special permit or temporary permit; or
13 (e) Practice of the nursing profession pending suspension of license.

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

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

ARTICLE IV

Nursing Practice

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

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

4 Sec. 30. *Nursing Care.* – Nursing Care includes, but is not limited to: the
5 provision of physiological, psychological, spiritual, social and emotional care;
6 essential health care, safety and comfort measures, health techniques; executing
7 health care techniques and procedures; and, traditional and innovative approaches
8 to individuals, families, population groups and communities from conception to
9 death.

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

13 Sec. 31. *Roles, Responsibilities, and Competencies of a Nurse.* – A nurse shall
14 possess and exercise the core competencies in the performance of the roles and
15 responsibilities, in accordance with the standards set by the Board.

16 Sec. 32. *Continuing Professional Development (CPD).* – All nurses shall abide
17 by the requirements, rules and regulation on continuing professional development to
18 be promulgated by the PRC Regulatory Board, subject to the approval of the
19 commission, in coordination with the AIPO for nurses or any duly accredited
20 education institutions. For the purpose, a CPD council is hereby created to
21 implement the CPD program.

22 Sec. 33. *Requirement for Inactive Nurses Returning to Practice.* – Nurses are
23 deemed to be inactive when:

- 24 (a) They are not utilizing nursing competencies as defined in the scope of
25 nursing practice for five (5) consecutive years;
- 26 (b) They have not renewed their professional identification card for five (5)
27 years; and
- 28 (c) They do not have proof of five (5) years of continuous nursing practice.

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

ARTICLE V

Nursing Education

3 Sec. 34. *Nursing Education.* – Refers to the formal learning and training in the
4 science and art of nursing provided by higher educational institutions duly
5 recognized by the CHED.

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

8 Sec. 35. *Basic Program for Nursing Education.* – Refers to the nursing
9 education program which envisions providing sound liberal and professional
10 education and equips basic nursing students with the necessary competencies for
11 entry-level safe and quality nursing practice.

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

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

18 Sec. 36. *Graduate Program for Nursing Education.* – Refers to the post
19 baccalaureate nursing program, which builds on the experiences and skills of a nurse
20 towards mastery, expertise, and leadership in practice, research and education. It
21 includes a master's degree and doctorate degree in nursing founded on the
22 philosophies and the scientific body of knowledge and practice.

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

26 Sec. 37. *Qualifications of the Dean.* – The Dean of the College of Nursing
27 (Dean) shall formulate policies, plans in collaboration with the administration/school
28 officials and stakeholders. The Dean must adhere to the prescribed curriculum for
29 the advancement of nursing education.

30 The Dean:

- 31 (a) Must be a holder of a certificate of registration and a current professional
32 identification card issued by the Commission;

- 1 (b) Must have the appropriate certificate of nursing proficiency, or its equivalent,
2 to be issued by the PRBON;
- 3 (c) Must be a holder of a master's degree in nursing, conferred by a university
4 duly recognized by the Government of the Republic of the Philippines;
- 5 (d) Must have at least five (5) years of experience in teaching and supervision in
6 Nursing Education; and
- 7 (e) Must have at least three (3) years clinical experience in a general nursing
8 service.

9 *Sec. 38. Qualifications of the Faculty. –*

10 (1) Basic Program for Nursing Education. – A member of the faculty in a College
11 of Nursing teaching professional courses:

- 12 a. Must be a registered nurse in the Philippines and holder of a certificate of
13 registration and a current professional identification card issued by the
14 Commission;
- 15 b. Must have at least three (3) years nursing practice;
- 16 c. Must be a holder of a master's degree in nursing, conferred by a university
17 duly recognized by the Government of the Republic of the Philippines; and
- 18 d. Must have the appropriate certificate of nursing proficiency, or its
19 equivalent, to be issued by the PRBON.

20 (2) Graduate Program for Nursing Education. – A member of the faculty teaching
21 graduate professional courses:

- 22 a. Must follow prescriptions 1 and 2 of basic nursing education; and
- 23 b. Must be a holder of a doctoral degree in nursing conferred by a university
24 duly recognized by the Government of the Republic of the Philippines.

25 *Sec. 39. Faculty-to-Student Ratio. –* The faculty-to-student ratio must be in
26 accordance with the standard to be determined and prescribed by the CHED.

27 **ARTICLE VI**

28 **Nursing Service**

29 *Sec. 40. Nursing Service. –* Nursing Service is the promotion of health and
30 prevention of illness which includes, but not limited to, nursing care provided by a
31 nurse, either independently or collaboratively, to any individual, family or group in
32 various health care settings.

Nursing Service shall include the following functions: (1) Provide health education to individuals, families and communities; (2) Ensure that information on healthy lifestyle are incorporated in his or her health teachings; (3) Seek opportunities to promote a healthy lifestyle within his or her influence; (4) Accept that he or she is a role model for a healthy lifestyle; (5) Enable people to increase control over their health and to improve health; (6) Build healthy public policy; (7) Create supportive environment; (8) Strengthen community action for health; and (9) Establish linkages with community resources and coordination of services with the health team.

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

19 Sec. 42. *Health Interventions in Collaboration with Other Members of the*
20 *Health Team.* – In the various stages of nursing practice from promotion of health
21 to end-of-life care, Nurses shall collaborate with other members of the health team.

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

ARTICLE VII

Nursing Research, Policy Development, and Planning

30 Sec. 44. *Nursing Research and Policy Development.* – Nursing Research and
31 Policy Development shall involve study and pursuit of nurse related issues
32 encompassing the following areas:

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

7 *Sec. 45. Studies for Nursing Human Resource Needs, Production, Utilization*
8 *and Development.* – The Board, in coordination with the accredited integrated
9 professional organization of registered nurses and the appropriate government or
10 private agencies shall initiate, undertake and conduct studies on healthcare human
11 resources production, utilization and development.

12 *Sec. 46. Advanced Practice Nursing Program.* – Within ninety (90) days from
13 the effectivity of this Act, the Board in coordination with the accredited integrated
14 professional organization of registered nurses, recognized specialty organizations,
15 and the Department of Health (DOH) is hereby mandated to formulate and develop
16 an Advanced Practice Nursing Program that would upgrade the level of skill and
17 competence of specialty nurse clinicians in the country, such as, but not limited to,
18 the areas of critical care, oncology, renal and such other areas as may be
19 determined by the Board: *Provided*, That the beneficiaries of this program are
20 obliged to serve in any Philippine hospital for a period of at least two (2) years of
21 continuous service.

22 *Sec. 47. Salary.* – To enhance the general welfare, commitment to service,
23 and professionalism of nurses, the Organization, Position Classification and
24 Compensation Bureau of the Department of Budget and Management (DBM) is
25 hereby directed to conduct a compensation study for the nursing profession, with
26 the end view of developing and recommending to the President a competitive
27 compensation and remuneration system for nurses.

28 *Sec. 48. Incentives and Benefits.* – The Board, in coordination with the DOH,
29 other concerned government and non-government institutions, association of
30 hospitals and the AIPO for registered nurses, shall establish an incentive and benefit
31 system in the form of free hospital care for nurses and their dependents, scholarship
32 grants and other non-cash benefits.

ARTICLE VIII

Nursing Leadership and Governance

3 Sec. 49. *Nursing Leadership.* – Nursing is a dynamic field that requires leaders
4 who will go through the changing aspects of the health sector as they are part of the
5 workforce that will toil and labor for the improvement of the health of the citizenry.
6 Nurses adopt specific roles in organizational structure, from being the policy makers
7 in health facilities and giving guidance to senior management on best practices in
8 nursing and patient care. They work with healthcare leaders to establish
9 compensation and benefit programs and are involved in nurse recruitment, training
10 and retention. Thus, nurses in management positions shall develop patient-care
11 programs, manage nursing budgets, plan new patient services, establish nursing
12 policies and procedures, participate in cross-departmental decision making, conduct
13 performance improvement activities and represents the scope of nursing practices at
14 Board of director meetings and other stakeholder.

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

ARTICLE IX

Nursing Personnel System

24 Sec. 51. *Nursing Personnel System.* – The nursing personnel system covers
25 the following fields: nursing service administration in the hospital setting, community
26 health practice, and the academe.

27 There shall be a nursing service office in every health institution, may it be
28 administrative or clinical, with at least ten nurses. The nursing service office must be
29 under the control and management of a chief nursing officer.

30 Sec. 52. *Ratio.* – The ratio of a staff nurse to a patient in a general nursing
31 service or general ward of a hospital shall be set at least 1:12, in order to effectuate
32 the quality nursing care for patients. There shall be a nurse for every barangay and

1 industrial establishment: *Provided*, That the nurse shall supervise other health
2 workers in the work area.

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

6 Sec. 53. *Beginning Registered Nurse*. – A beginning registered nurse shall
7 provide for safe and quality care to an individual, family, or group that is
8 independent or provided as part of a team. The nurse must be able to assess, plan,
9 implement, and evaluate the care provided to clients based on evidence derived
10 from research.

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

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

18 Sec. 54. *Nursing Service Management*. – Nursing Service Management refers
19 to the Management and Administration of Nursing Services by Nurses equipped with
20 the necessary competencies on governance and leadership, to wit:

- 21 (1) *First Level Manager*, is responsible directly for the physical set-up of the unit,
22 structure and other human resources for health care provision;
- 23 (2) *Middle Level Manager*, is responsible for the department or section handling
24 more than one (1) or two (2) units, taking care of the financial, logistic,
25 operational functions and others;
- 26 (3) *Top Level Manager*, oversees all nursing units in terms of financial and human
27 resources for health such as nurses and nursing assistants/adjuncts.

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

- 30 (a) *For first level managerial position in nursing*, must have at least eighteen (18)
31 units of nursing management and clinical subjects in Master of Arts in Nursing
32 or Master of Science in Nursing, at least three (3) years of clinical work

- experience, and must have participated in at least one (1) research project to improve quality of care;
- (b) *For middle level managerial position in nursing*, must have completed all academic requirements in Master of Arts in Nursing or Master of Science in Nursing and must have at least three (3) years of clinical work and two (2) years of management experience, and must have initiated at least one (1) research project to improve quality of care;
- (c) *For top level managerial position in nursing*, must have a post-graduate degree in nursing or health management – related sciences and at least three (3) years of clinical work and three (3) years of management experience, and must have initiated at least two (2) research projects to improve quality of care; and
- (d) *For all managerial positions* – Must present the appropriate Certificate of Nursing Proficiency, or its equivalent, from the Board in observance of the Nursing Leadership and Governance Certification Program (Nurse Administrator I, Nurse Administrator II, Nursing Administration Specialist).

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

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

Sec. 56. *The Chief Nursing Officer (CNO)*. – The nursing service and delivery of healthcare in a public health practice or community set-up must be under the control and management of the Chief Nursing Officer or CNO. The CNO shall carry full administrative responsibility and shall have the authority on planning, organizing, directing and controlling of public health nurses. A CNO must have a minimum of three (3) years practice in a community setting as a Public Health Nurse, and must

1 have at least five (5) years of experience in relevant nursing practice setting. In
2 addition, the CNO public health agency must be a master's degree holder in relevant
3 nursing practice setting, conferred by an educational institution duly recognized by
4 the Government of the Philippines.

5 The CNO is responsible for the formulation of policies, strategic and
6 operational planning, financial plan and resource allocation, policies and procedure
7 development, professional and organizational involvement to address epidemiologic
8 problems and provide statistical data, and shall exercise good governance and
9 accountability of the nursing personnel in a public health setting. The CNO shall also
10 act as the advocate for the rights and welfare of public health nurses.

11 Sec. 57. *Nurse Supervisor (NS)*. – The Nurse Supervisor or NS shall be in
12 charge of planning, organizing, directing and controlling activities within a
13 demographic unit. A NS must have a minimum of three (3) years practice in a
14 community setting as a Public Health Nurse, and must be a master's degree holder
15 in Public Health Nursing or its equivalent.

16 Sec. 58. *The Public Health Nurse (PHN)*. – The Public Health Nurse or PHN
17 shall perform the functions and activities of health promotion, such as the
18 prevention and treatment of various diseases and illnesses, in a particular public
19 setting. The PHN shall exercise a supervisory role to the midwives and barangay
20 health workers within her area. The PHN shall initiate and participate in developing
21 policies and guidelines to promote basic nursing services.

ARTICLE X

Prohibited Acts and Penal

24 Sec. 59. *Prohibited Acts*. – Any of the following shall constitute unlawful and
25 illegal acts:

- 26 (a) Any person who is practicing the nursing profession in the Philippines:
- 27 1. Without a certificate of registration, professional license, professional
28 identification card, special permit or temporary permit or without having
29 been declared exempt from examination in accordance with the provision
30 of this Act;
- 31 2. Who uses a certificate of registration, professional license, professional
32 identification card, special permit or temporary permit of another;

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 or temporary permits;
 4. Who, by any means of misrepresentation, false evidence, or concealment, obtained a certificate of registration, professional license, professional identification card, special permit or temporary permit;
 5. 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;
 6. Who appends "Nurse," "Nars", or "Nrs" before his or her name or B.S.N./R.N. (Bachelor of Science in Nursing/Registered Nurse) after his or her name without having been conferred said degree or registration; or
 7. Who, as a registered and licensed nurse, abets or assists to the illegal practice of a person who is not lawfully qualified to practice nursing;
- (b) Any natural or juridical person, educational institutions offering BSN without full compliance with the requirements prescribed by law conducts Continuing Professional Development for nurses without accreditation from the Board; or any natural or juridical person or health facility who undertakes or offers *in service* training programs, for a fee and without permit/clearance from the Board of the Commission;
- (c) Any natural or juridical person or health facility who subscribes to substandard quality of nursing care and/or nursing practice, such as non-compliance with the nurse-to-patient ratio;
- (d) Any natural or juridical person or health facility who exercises and promotes precarious working conditions to nurses, such as, but not limited to, the following:
1. Contracting or availing of the services of a nurse either without salary, for allowance, for salary below the applicable wage prescribed under this Act, whether or not under the pretext of a training, development program, certification course and/or seminar;
 2. Depriving or denying a nurse of the incentives and benefits as provided for the existing laws;

3. Collecting any fees from a nurse or from any person or agent in his or her behalf in exchange for a nurse's voluntary services in a health facility;
 4. Requiring or obliging a volunteer nurse to perform the regular work functions and/or regular work load expected from a regular staff nurse employed by the health facility without proper compensation, to render full-time service as a condition for the continued availment of his/her volunteer services, and/or to be the sole nurse on duty, except during disasters, calamities, public emergencies and war;
 5. Contracting or availing of the services of a volunteer nurse, under the pretext of On-The-Job Training (OJT), contract of service, and/or job orders, in order to fill-up a vacant position that requires the hiring of a full-time regular employed nurse, or for free in exchange for any type of certification to be issued by the health facility for purposes of the nurse's employment application; or
 6. Contracting or availing of the services of a nurse, under the pretext of training or certification course, but requiring the nurse to render the tasks and responsibilities expected of a regular staff or public health nurse, in violation of Section 48 hereof;
- (e) Any violation of the provisions of this Act.

Sec. 60. *Sanctions.* – 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 violation of any prohibited acts enumerated in Section 59 (a) hereof.

A fine of not less than three hundred thousand pesos (P300,000.00) nor more than five hundred thousand pesos (P500,000.00) and/or imprisonment of not less than one (1) year nor more than six (6) years shall be imposed upon violation of any prohibited acts enumerated in Section 59 (b), (c), (d), and (e) hereof. In addition, suspension or revocation of license to operate the health facility may be issued upon the discretion of the court. In case the violation is committed by a partnership, corporation, association, or any other juridical person, the managing partner, president, director/s, or manager who has committed or consented such violation

1 shall be held directly liable and responsible for the acts, as principal or as co-
2 principal/s with the other participants, if any.

3 Sec. 61. *Refund and Compensation.* – A nurse found to have been a victim of
4 Section 59 (d) hereof shall be entitled to a full refund of all fees illegally collected
5 fees and charges and the payment of unpaid salary, if any which should not be less
6 than the applicable wage for services rendered.

ARTICLE XI

Miscellaneous

9 Sec. 62. *Implementing Agencies.* – The Department of Health (DOH) is
10 hereby designated as the agency tasked with monitoring the compliance with and
11 implementation of the provisions of this Act by public health facilities. The
12 Department of Labor and Employment (DOLE) is designated as the agency tasked
13 with monitoring the compliance with and implementations of the provisions of this
14 Act by private health facilities. The Commission and the Board are designated as the
15 agencies tasked with monitoring the compliance with and implementations of the
16 provisions of this Act by educational institutions, CPD providers and health facilities.
17 The CHED is similarly designated as the agency tasked with monitoring the
18 compliance with and implementations of the provisions of this Act by educational
19 institutions with regard to nursing education programs and curriculum.

20 Sec. 63. *Appropriations.* – The amount necessary to carry out the provisions
21 of this Act shall be charged to savings of the concerned agencies immediately upon
22 effectivity hereof. Every year thereafter, the amounts necessary to effectively
23 implement the provisions of this Act shall be included in the annual budget of the
24 concerned agencies to be incorporated in the General Appropriations (GAA).

In order to effectively carry out the advance practice of the nursing program, the annual financial requirement needed to train at least ten percent (10%) of the nursing staff of the participating government hospitals and institutions shall be chargeable against the income of the Philippine Charity Sweepstakes Office (PCSO) and the Philippine Amusement And Gaming Corporation (PAGCOR), which shall equally share in the costs; the same shall be released to the Department of Health subject to the usual accounting and auditing procedures: *Provided*, That the

1 Department of Health shall set the budget for, as well as the criteria for the
2 availment of this program.

3 Sec. 64. *Implementing Rules and Regulations.* – Within ninety days (90) after
4 the effectivity of this Act, the Commission, the Board, the AIPO for registered
5 nurses, the Civil Service Commission, the Department of Budget and Management,
6 the Department of Health and other concerned nursing organizations and
7 government agencies, shall formulate the implementing rules and regulations
8 necessary to carry-out the provisions of this Act. The implementing rules and
9 regulations shall be published in the Official Gazette or in at least two (2)
10 newspapers of general circulation.

11 Sec. 65. *Separability Clause.* – Should any provision of this Act be declared
12 unconstitutional, the remaining parts not affected thereby shall remain valid and
13 operational.

14 Sec. 66. *Repealing Clause.* – Republic Act No. 9173, otherwise known as the
15 "Philippine Nursing Act of 2002" is hereby repealed. All other laws, decrees, orders,
16 circulars, issuances, rules and regulations and parts thereof which are inconsistent
17 with this Act are hereby repealed, amended or modified accordingly.

18 Sec. 67. *Effectivity.* – This Act shall take effect fifteen (15) days after its
19 publication in the *Official Gazette* or in any two (2) newspapers of general circulation
20 in the Philippines.

Approved,