

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



SENATE

'19 JUL -8 P2:20

Senate Bill No. 260

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Introduced by Senator FRANCIS N. PANGILINAN

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

EXPLANATORY NOTE

The World Health Organization (WHO) estimated that around 22,000 health professionals leave the Philippines annually to work abroad. It also confirmed the country as the world's largest source of nurses. During the 2018 Filipino Nurses Global Summit, Migrant Heritage Commission Chairperson Arnedo S. Valera noted that in the United States alone, the Philippines is the largest source of foreign nurses, accounting for almost 50 percent of total foreign nurses. Globally, Filipino nurses comprise an estimated 25 percent of total overseas nurses.¹ According to the Department of Labor and Employment's Bureau of Local Employment (DOLE-BLE), the demand for nurses and other care professionals in the global market is continuously increasing particularly in Saudi Arabia, Singapore, the United Arab Emirates, Kuwait, Canada, the United States, the United Kingdom, Qatar, and Taiwan.²

As stated in an article published in the *International Nursing Review*, eighty five percent (85%) of Filipino nurses work overseas due to unemployment, low salaries, unjust working conditions, and increasing cost of basic commodities and services. According to the DOLE-BLE, an entry-level registered nurse in the country receives a monthly salary of P8,000.00 to P13,500.00. Nurses in government hospitals receive an average monthly salary of P13,500.00 while those employed in private hospitals receive an average monthly salary of P10,000.00. In contrast, overseas pay scale for nurses is way above the local rate: the US market offers an average monthly salary of USD 3,800 (or P194,202.80³); the UK at GBP 1,662 (or P106,979.62⁴); and Canada at CAD 4,097 (or P159,784.23⁵).⁶

¹ PNA, *US-based Pinoy cites Filipino nurses' contribution to global health*, Published on 26 January 2018, Available at <https://www.pna.gov.ph/articles/1023014>, Accessed on 02 July 2019.

² DOLE-BLE, Available at <http://www.ble.dole.gov.ph/index.php/nurse>, Accessed on 02 July 2019.

³ At USD 1 = PHP 51.1060, *Bangko Sentral ng Pilipinas*, 03 July Exchange Rate, Available at <http://www.bsp.gov.ph/statistics/sdds/exchrate.htm>, Accessed on 03 July 2019.

⁴ At GBP 1 = PHP 64.3680, *Ibid.*

⁵ At CAD 1 = PHP 39.0003, *Ibid.*

⁶ DOLE-BLE, *op. cit.*

As health professionals leave the country, the Philippine health system suffers. Hence, of the seventy percent (70%) of Filipinos living in rural areas, only ten percent (10%) benefit from the services of medical professionals.

To address this concern, this bill proposes to put in place mechanisms towards relevant nursing practices, just and humane working conditions, and the promotion of professional growth of nurses to enhance their general welfare and commitment to service. It further provides that the entry level of nurses working in government health institutions shall not be lower than Salary Grade 15 (SG-15). Ultimately, the goal of this measure is to improve the plight of the nursing profession and to promote quality health care for all Filipinos.

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



FRANCIS N. PANGILINAN

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**Finance
and the Secretary**

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AN ACT
PROVIDING FOR A COMPREHENSIVE NURSING LAW TOWARDS QUALITY
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Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:

ARTICLE I

GENERAL PROVISIONS

SECTION 1. Title. - This Act shall be known as the "Comprehensive Nursing Law of

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

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

15 SEC. 3. *Definition of Terms.* – The following terms when used in this Act shall mean:

- 1 a) *Accredited Integrated Professional Organization (AIPO)* refers to a professional
2 organization of nurses duly accredited by the Professional Regulation
3 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 interdependent 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 the process undertaken by an individual
15 nurse to be recognized to practice in a specifically defined professional tract
16 *i.e.* General Nursing, Nursing Specialty/ Advanced Practice, Nursing
17 Education, and Leadership and Governance. The Board confers the
18 certification or credential after a validation process based on promulgated
19 guidelines and mechanisms;
- 20 e) *Commission on Higher Education (CHED)* refers to the body created by law to
21 promulgate policies, standards and guidelines in the implementation of basic
22 and graduate program for nursing education;
- 23 f) *Health Facility* refers to an institution, establishment, clinic that offers health
24 services and nursing care, such as hospitals, barangay health centers, and
25 clinics;
- 26 g) *Nurse*, as provided for in this Act, refers to a person who passed the Philippine
27 Nurse Licensure Exams (PNLE) and whose license has not been revoked by

the law. Thus, it pertains to a Registered Nurse (RN). A nurse may append before his/ her name the title "Nurse", "Nars", or "Nrs." or after his/her name the title R.N.;

- h) *Nursing Personnel System* (NPS) refers to a system of human resource management in an institution that classifies the structure, organization, and 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 Exams* (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 through agencies, part time, self-employment, fixed term work, temporary, on call, home workers, 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 (PHI)* 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, etc.; Training Resource Facilities *e.g.* the U.P. 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;

n) *Special Permit* refers to the permit to practice nursing in the Philippines issued by the Board to licensed nurses of foreign nationalities;

- o) *Temporary Permit* refers to the permit to practice nursing in the Philippines issued by the Board to Filipino nurses, who does not have a professional license from the Philippines or have not renewed their license for five (5) years, but are licensed from foreign countries;

ARTICLE II

BOARD OF NURSING

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

1 SEC. 5. *Qualifications of the Members of the Board.* - The members of the Board must
2 possess the following qualifications:
3 a) A natural born citizen and resident of the Philippines for the past five (5)
4 consecutive years;
5 b) A nurse in the Philippines and a holder of a valid and updated certificate of
6 registration and a current professional identification card;
7 c) A holder of a master's degree in nursing and preferably with a doctorate
8 degree conferred by a university duly recognized by the government;
9 d) Have at least ten (10) years of continuous practice of the nursing profession
10 prior to appointment: *Provided*, however, That the last five (5) years of which
11 must be in the Philippines; and
12 e) Possess good moral character and have not been convicted of any offense
13 involving moral turpitude.

14 SEC. 6. *Prohibition as Member of the Board.* - A member of the Board shall not
15 hold a position nor have pecuniary interest in any educational institution offering BSN,
16 any review or training center for PNLE, training hospitals and health facilities with
17 nursing affiliates.

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

21 SEC. 8. *Vacancy.* - Any vacancy in the Board must be filled in the manner prescribed
22 in this Act and only for the unexpired portion of the term. Each member of the Board
23 shall take the proper oath of office prior to the performance of duties.

24 SEC. 9. *Compensation.* - The members of the Board shall receive compensation and
25 allowances comparable to the compensation and allowances received by the members of
26 other regulatory boards.

1 **SEC. 10. Administrative Supervision of the Board, Custodian of its Records,**
2 *Secretariat, and Support Services.* – The Board shall be under the administrative
3 supervision of the Commission. All records of the Board, including applications for
4 examinations, administrative and other investigative cases conducted by the Board must
5 be under the custody of the Commission. The Commission shall designate the Secretary
6 of the Board and shall provide the secretariat and other support services to implement
7 the provisions of this Act.

8 **SEC. 11. Powers and Duties of the Board.** – The Board shall supervise and regulate
9 the practice of the nursing profession and shall have the following powers, duties and
10 functions:

- 11 a) Ensure the proper conduct of the PNLE, which includes the application, test
12 development, examination, correction and release of results. The use of
13 appropriate technologies and modalities during the conduct of the PNLE is
14 encouraged to enhance efficiency while upholding integrity;
- 15 b) Issue, suspend, revoke or reissue certificates of registration for the practice of
16 nursing and ensure the widest publication through electronic and written
17 media;
- 18 c) Enforce and monitor safe and quality standards of nursing practice, study the
19 conditions affecting the nursing practice in the Philippines, and exercise the
20 powers necessary to ensure the maintenance of efficient, ethico-moral,
21 technical and professional standards in the practice of nursing towards the
22 optimal health and common good of the nation;
- 23 d) Ensure quality nursing education by examining and monitoring higher
24 educational institutions offering and seeking permission to open nursing
25 education programs and to ensure that standards of nursing education are
26 properly complied with and maintained at all times. *Provided*, That the Board

- 1 and the CHED shall have joint authority to open and close nursing education
2 programs offered by higher educational institutions;
- 3 e) Conduct hearings and investigations to resolve complaints against actively
4 practicing nurses for unethical and unprofessional conduct and violations of
5 this Act, or its rules and regulations and in connection therewith, issue
6 *subpoena duces tecum* and *subpoena ad testificandum* to require the appearance of
7 respondents and witnesses and the production of documents and penalize
8 with contempt persons obstructing, impeding or otherwise interfering with
9 the conduct of such proceedings, upon application with the Board of Nursing;
- 10 f) Promulgate a Code of Ethics that is responsive to the needs of the nursing
11 profession in coordination with the AIPO of nurses within a year from the
12 effectivity of this Act;
- 13 g) Prescribe and operationalize, via necessary infrastructures, a National
14 Nursing Career Progression Program to ensure continuing professional
15 development of Filipino nurses, create the Council for Nursing Advancement,
16 Recognition, and Specialization as well as the various Nursing Specialty
17 Boards to assist the Board for this purpose;
- 18 h) Ensure performance of mandated duties and functions with the provision of
19 operational resources including human, financial and spatial resources to
20 ensure the confidentiality and sanctity of their functions as provided through
21 the annual budget of the Commission as promulgated in the General
22 Appropriations Act;
- 23 i) Source and utilize funds earmarked for national nursing development;
- 24 j) Prescribe, adopt, issue and promulgate guidelines, regulations, measures and
25 influence authorities and agencies on decision-making as may be necessary for
26 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:

 1. Recognizing organized nursing groups;
 2. Setting standards for advanced nursing practice, education, research, and management;
 3. Accrediting specialty and advanced nursing programs based on established mechanisms;
 4. Credentialing individual registered nurse based on accepted criteria; and
 5. 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 annual report to the President and Congress of the Philippines through the Commission giving a detailed account of its proceedings and 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 and 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 a certificate of registration, professional license, and professional identification card, all nursing graduates must take and pass the PNLE. The Board shall administer the PNLE

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

8 **SEC. 15. Scope of Examination.** – The Board shall determine the scope of the PNLE
9 by taking into consideration the nursing core competencies, the nursing curriculum, the
10 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 the
12 PNLE, an applicant:

- 13 a) Must be a holder of a Bachelor of Science in Nursing degree from a recognized
14 educational institution that complies with the standards of nursing education
15 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 of
19 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 for
26 registration must pay the prescribed fees set by the Commission.

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

6 **SEC. 19. Issuance of Certificate of Registration, Professional License, and**
7 **Professional Identification Card.** – A certificate of registration and professional license
8 shall be issued to all successful examinees, subject to Section 14 of this Act. A certificate
9 of registration and professional license shall show the full name of the registrant, the
10 signature of the Chairperson of the Commission, and the members of the Board. The
11 certificate shall bear the logo of the Board and the official seal of the Commission. The
12 Commission shall likewise issue the professional identification card. The card must bear
13 the following: full name of the registrant nurse, the serial number, the date of issuance
14 and expiration, the signature of the Chairperson of the Commission; date of registration.

15 **SEC. 20. Oath of Profession.** – All successful examinees must take an oath of
16 profession before the Board or any government official authorized to administer oaths
17 prior to entering upon the nursing practice.

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

22 **SEC. 22. Integration of the Nursing Profession.** – The nursing profession shall be
23 integrated into one (1) national professional organization of nurses that is duly registered
24 with the Securities and Exchange Commission (SEC). The board, subject to approval by
25 the commission, shall accredit the said organization as the one and only Accredited
26 Integrated Professional Organization (AIPO) of registered nurses. All nurses whose
27 names appear in the Registry Book of Nurses shall *ipso facto* or automatically become

1 members thereof and shall receive all the benefits and privileges appurtenant thereto
2 upon payment of AIPO membership fees and dues.

3 Membership in the AIPO shall not be a bar to membership in other nursing
4 organizations.

5 **SEC. 23. Foreign Reciprocity.** – No foreign nurse shall be given a certificate of
6 registration/professional license and professional identification card or be entitled to any
7 of the privileges under this Act unless the country or state of which the foreign nurse is a
8 subject or citizen permits Filipino nurses to practice within its territorial limits on the
9 same basis as the subjects or citizens of said country or state.

10 **SEC. 24. Practice through Special or Temporary Permit.** – The Board may issue a
11 special or temporary permit to the following persons based on qualification, and
12 professional and moral standards as approved by the Commission: *Provided*, that a
13 completion report will be submitted to the Commission after every mission, to wit:

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

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

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

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

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

26 **SEC. 25. Non-registration and Non-issuance of Certificate of Registration,**
27 **Professional License, Professional Identification Card, Special Permit, or Temporary**

1 **Permit.** – No person convicted by final judgment of any criminal offense involving moral
2 turpitude or any person guilty of immoral or dishonorable conduct or any person
3 declared by the court to be of unsound mind may be registered and issued a certificate of
4 registration, professional license, professional identification card, or a special or
5 temporary permit.

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

8 **SEC. 26. Revocation and Suspension of Certificate of Registration, Professional**
9 **License, and Professional Identification Card and Cancellation of Special or Temporary**

10 **Permit.** – The Board shall have the power to revoke or suspend the certificate of
11 registration, professional license, professional identification card, or cancel the special or
12 temporary permit of a nurse upon any of the following grounds:

13 a) Conviction, by final judgment, of any criminal offense involving moral
14 turpitude or guilty of immoral or dishonorable conduct or any person declared
15 by the court to be of unsound mind;

16 b) Violation of this Act, its policies, rules and regulations, and of the Philippine
17 Code of Ethics for Nurses;

18 c) Gross negligence, grave misconduct, ignorance, and incompetence in the
19 nursing practice;

20 d) Fraud, concealment, misrepresentation, or false statements in obtaining a
21 certificate of registration, professional license, professional identification card,
22 special permit or temporary permit;

23 e) Practice of the nursing profession pending suspension of license.

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

26 **SEC. 27. Reinstatement and Re-Issuance of Revoked Certificates of Registration,**
27 **Professional License, and Professional Identification Card.** – The Board may, after the

1 expiration of a maximum of four (4) years from the date of revocation of a certificate of
2 registration, professional license, and professional identification card, for reasons of
3 equity and justice, and when the cause for revocation has disappeared or has been cured
4 and corrected, upon proper application thereof and the payment of the required fees,
5 reinstate and re-issue the certificate of registration, professional license, and professional
6 identification card.

ARTICLE IV

NURSING PRACTICE

9 **SEC. 28. Nursing Practice.** – The administration of nursing care through the
10 utilization of the nursing process: assessment, nursing diagnosis, planning,
11 implementation, and evaluation. Nursing practice encompasses various stages of
12 development towards the promotion of health, prevention of illness, health care
13 techniques and procedures, restoration of health, alleviation of suffering, and end-of-life
14 care, may it be performed independently or collaboratively.

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

18 **SEC. 30. *Nursing Care.*** – Nursing Care includes, but is not limited to: the provision
19 of physiological, psychological, spiritual, social and emotional care; essential health care,
20 safety and comfort measures, health teachings; executing health care techniques and
21 procedures; and, traditional and innovative approaches to individuals, families,
22 population groups and communities from conception to death.

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

SEC. 31. Roles, Responsibilities, and Competencies of a Nurse. - A nurse shall possess and exercise the core competencies in the performance of the roles and responsibilities, in accordance with the standards set by the Board.

4 SEC. 32. *Continuing Professional Development (CPD).* – All nurses shall abide by

5 the requirements, rules and regulation on continuing professional development to be

6 promulgated by the PRC Regulatory Board, subject to' the approval of the commission,

7 in coordination with the A1PO for nurses or any duly accredited education institutions.

8 For the purpose, a CPD council is hereby created to implement the CPD program.

9 SEC. 33. *Requirement for Inactive Nurses Returning to Practice.* - Nurses are
10 deemed to be inactive when:

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

ARTICLE V

NURSING EDUCATION

20 **SEC. 34. Nursing Education.** – Refers to the formal learning and training in the
21 science and art of nursing provided by higher educational institutions duly recognized
22 by the CHED.

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

SEC. 35. Basic Program for Nursing Education. - Refers to the nursing education program which envisions providing sound liberal and professional education and equips

1 basic nursing students with the necessary competencies for entry-level safe and quality
2 nursing practice.

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

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

8 **SEC. 36. *Graduate Program for Nursing Education.*** – Refers to the post
9 baccalaureate nursing program, which builds on the experiences and skills of a nurse
10 towards mastery, expertise, and leadership in practice, research, and education. It
11 includes a master's degree and doctorate degree in nursing founded on the philosophies,
12 and the scientific body of knowledge and practice.

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

16 **SEC. 37. *Qualifications of the Dean.*** – The Dean of the College of Nursing (Dean)
17 shall formulate policies, plans in collaboration with the administration/school officials
18 and stakeholders. The Dean must adhere to the prescribed curriculum for the
19 advancement of nursing education.

20 The Dean shall meet the following qualifications:

- 21 a) A holder of a certificate of registration and a current professional identification
22 card issued by the Commission;
- 23 b) Have the appropriate certificate of nursing proficiency, or its equivalent, to be
24 issued by the PRBON;
- 25 c) A holder of a master's degree in nursing, conferred by a university duly
26 recognized by the Government of the Republic of the Philippines;

- d) Have at least five (5) years of experience in teaching and supervision in Nursing Education; and
 - e) Have at least three (3) years clinical. experience in a general nursing service.

SEC. 38. Qualifications of the Faculty. -

- a) Basic Program for Nursing Education. - A member of the faculty in a College of Nursing teaching professional courses shall possess the following qualifications:

1. A registered nurse in the Philippines and holder of a certificate of registration and a current professional identification card issued by the Commission;
 2. Have at least three (3) years of nursing practice;
 3. A holder of a master's degree in nursing, conferred by a university duly recognized by the Government of the Republic of the Philippines; and
 4. Have the appropriate certificate of nursing proficiency, or its equivalent, to be issued by the PRBON.

- b) Graduate Program for Nursing Education. - A member of the faculty teaching graduate professional courses shall meet the following qualifications:

 1. Follow prescriptions 1 and 2 of basic nursing education; and
 2. A holder of a doctoral degree in nursing conferred by a university duly recognized by the Government of the Republic of the Philippines.

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

ARTICLE VI

NURSING SERVICE

SEC. 40. Nursing Service. – Nursing Service is the promotion of health and prevention of illness which includes, but not limited to, nursing care provided by a nurse.

1 either independently or collaboratively, to any individual, family or group in various
2 health care settings.

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

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

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

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

ARTICLE VII

NURSING RESEARCH, POLICY DEVELOPMENT, AND PLANNING

SEC. 44. *Nursing Research and Policy Development.* – Nursing Research and Policy

4 Development shall involve study and pursuit of nurse related issues encompassing the
5 following areas:

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

SEC. 45. Studies for Nursing Human Resource Needs, Production, Utilization, and

13 ***Development.*** – The Board, in coordination with the accredited integrated professional
14 organization of registered nurses and the appropriate government or private agencies,
15 shall initiate, undertake and conduct studies on healthcare human resources production,
16 utilization and development.

SEC. 46. Advanced Practice Nursing Program. - Within ninety (90) days from the

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

SEC. 47. *Salary.* – The minimum base pay of nurses working in governmental health institutions, upon entry, shall not be lower than Salary Grade 15 (SG-15). This is to

1 enhance the general welfare, commitment to service, and professionalism of nurses. In
2 non-governmental and/or private health institutions, the minimum base pay for the
3 nurses upon entry shall be equivalent to that of Salary Grade "15" in public hospitals and
4 institutions.

5 **SEC. 48. *Incentives and Benefits.*** – The Board, in coordination with the DOH, other
6 concerned government and non-government institutions, association of hospitals and the
7 A IPO for registered nurses, shall establish an incentives and benefits system for nurses.

8 ARTICLE VIII

9 NURSING LEADERSHIP AND GOVERNANCE

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

22 **SEC. 50. *Nursing Governance.*** – Governance in nursing practice is shifting from the
23 traditional view that nurses are subordinate and passive employees towards having more
24 proactive involvement of taking charge of the organization to be the antecedent in
25 decision making and implementation of plans and policies for the patients and
26 communities. Governance in the practice of nursing shall empower each nurse in

- 1 decision-making over their professional practice while extending their power and control
- 2 over the administrative aspect of their practice.

ARTICLE IX

NURSING PERSONNEL SYSTEM

5 **SEC. 51. *Nursing Personnel System.*** - The nursing personnel system covers the
6 following fields: nursing service administration in the hospital setting, community health
7 practice, and the academe.

8 There shall be a nursing service office in every health institution, may it be
9 administrative or clinical, with at least ten (10) nurses. The nursing service office must be
10 under the control and management of a chief nursing officer.

11 SEC. 52. *Ratio.* – The ratio of a staff nurse to a patient in a general nursing service
12 or general ward of a hospital shall be set at least 1:12, in order to effectuate the quality
13 nursing care for patients. There shall be a nurse for every barangay and industrial
14 establishment: *Provided*, That the nurse shall supervise other health workers in the work
15 area.

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

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

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

- 24 a) A Bachelor of Science in Nursing graduate from a higher educational
25 institution recognized by the CHED;

26 b) Must be a registered nurse with current certificate of registration and
27 professional identification card issued by the Commission;

- c) Must be physically, mentally and psychologically fit to practice nursing; and
 - d) Must not be convicted of any crime involving moral turpitude.

SEC. 54. Nursing Service Management. – Nursing Service Management refers to the management and Administration of Nursing Services by Nurses equipped with the necessary competencies on governance and leadership, to wit:

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

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

- a) *For first level managerial position in nursing* – He or she must have at least eighteen (18) units of nursing management and clinical subjects in Master of Arts in Nursing 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* – He or she 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* – He or she must have a post-graduate degree in nursing or health management-related sciences and at least three (3)

1 years of clinical work and three (3) years of management experience, and must
2 have initiated at least two (2) research projects to improve quality of care; and
3 d) *For all managerial positions* – He or she must present the appropriate Certificate
4 of Nursing Proficiency, or its equivalent, from the Board in observance of the
5 Nursing Leadership and Governance Certification Program (Nurse
6 Administrator I, Nurse Administrator II, Nursing Administration Specialist).

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

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

17 **SEC. 56. *The Chief Nursing Officer (CNO).*** – The nursing service and delivery of
18 healthcare in a public health practice or community set-up must be under the control and
19 management of the Chief Nursing Officer or CNO. The CNO shall carry full
20 administrative responsibility and shall have the authority on planning, organizing,
21 directing, and controlling of public health nurses. A CNO must have a minimum of three
22 (3) years practice in a community setting as a Public Health Nurse, and must have at least
23 five (5) years experience in relevant nursing practice setting. In addition, the CNO in
24 public health agency must be a master's degree holder in relevant nursing practice
25 setting, conferred by an educational institution duly recognized by the Government of
26 the Philippines.

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

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

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

ARTICLE X

PROHIBITED ACTS AND PENALTIES

20 SEC. 59. *Prohibited Acts.* - Any of the following shall constitute unlawful and illegal
21 acts:

- 22 a) Any person who is practicing the nursing profession in the Philippines:

23 1. Without a certificate of registration, professional license, professional

24 identification card, special permit or temporary permit or without having

25 been declared exempt from examination in accordance with the

26 provision of this Act;

- 1 2. Who uses a certificate of registration, professional license, professional
 - 2 identification card, special permit or temporary permit of another;
 - 3 3. Who uses an invalid certificate of registration, professional license, a
 - 4 suspended or revoked certificate of registration, professional license, or
 - 5 an expired or cancelled special or temporary permit;
 - 6 4. Who, by any means of misrepresentation, false evidence, or concealment,
 - 7 obtained a certificate of registration, professional license, professional
 - 8 identification card, special permit or temporary permit;
 - 9 5. Who falsely poses or advertises as a registered and licensed nurse or uses
 - 10 any other means that tend to convey the impression that he/she is a
 - 11 registered and licensed nurse;
 - 12 6. Who appends "Nurse", "Nars", or "Nrs." before his or her name or
 - 13 B.S.N./RN. (Bachelor of Science in Nursing/Registered Nurse) after his
 - 14 or her name without having been conferred said degree or registration;
 - 15 or
 - 16 7. Who, as a registered and licensed nurse, abets or assists to the illegal
 - 17 practice of a person who is not lawfully qualified to practice nursing;
- 18 b) Any natural or juridical person, educational institutions offering BSN without
- 19 full compliance with the requirements prescribed by law conducts Continuing
- 20 Professional Development for nurses without accreditation from the Board; or
- 21 any natural or juridical person or health facility who undertakes or offers *in-*
- 22 *service* training programs, for a fee and without permit/clearance from the
- 23 Board and the Commission;
- 24 c) Any natural or juridical person or health facility who subscribes to sub-
- 25 standard quality of nursing care and/or nursing practice, such as non-
- 26 compliance with the nurse-to-patient ratio;

- 1 d) Any natural or juridical person or health facility who exercises and promotes
2 precarious working conditions to nurses, such as, but not limited to, the
3 following:
- 4 1. Contracting or availing of the services of a nurse either without salary,
5 for allowance, for salary below the applicable wage prescribed under this
6 Act, whether or not under the pretext of a training, development
7 program, certification course and/or seminar;
- 8 2. Depriving or denying a nurse of the incentives and benefits as provided
9 for by the existing laws;
- 10 3. Collecting any fees from a nurse or from any person or agent in his or her
11 behalf in exchange for a nurse's voluntary services in a health facility;
- 12 4. Requiring or obliging a volunteer nurse to perform the regular work
13 functions and/or regular work load expected from a regular staff nurse
14 employed by the health facility without proper compensation, to render
15 full-time service as a condition for the continued availment of his/her
16 volunteer services, and/or to be the sole nurse on duty, except during
17 disasters, calamities., public emergencies and war;
- 18 5. Contracting or availing of the services of a volunteer nurse, under the
19 pretext of On-The-Job Training (OJT), contract of service, and/or job
20 orders, in order to fill-up a vacant position that requires the hiring of a
21 full-time regular employed nurse, or for free in exchange for any type of
22 certification to be issued by the health facility for purposes of the nurse's
23 employment application; or
- 24 6. Contracting or availing of the services of a nurse, under the pretext of
25 training or certification course, but requiring the nurse to render the tasks
26 and responsibilities expected of a regular staff or public health nurse;
- 27 e) Any violation of the provisions of this Act.

1 SEC. 60. *Sanctions.* – A fine of not less than One Hundred Thousand pesos
2 (Php100,000.00) nor more than Three Hundred Thousand pesos (Php300,000.00) or
3 imprisonment of not less than one (1) year nor more than six (6) years, or both, upon the
4 discretion of the court, shall be imposed upon violation of any prohibited acts
5 enumerated in Section 59 (a) hereof.

6 A fine of not less than Three Hundred Thousand pesos (Php300,000.00) nor more
7 than Five Hundred Thousand pesos (Php500,000.00) and/or imprisonment of not less
8 than one (1) year nor more than six (6) years shall be imposed upon violation of any
9 prohibited acts enumerated in Section 59 (b), (c), (d), and (e) hereof. In addition,
10 suspension or revocation of license to operate the health facility may be issued upon the
11 discretion of the court. In case the violation is committed by a partnership, corporation,
12 association, or any other juridical person, the managing partner, president, director/s, or
13 manager who has committed or consented to such violation shall be held directly liable
14 and responsible for the acts, as principal or as co-principals with the other participants, if
15 any.

16 **SEC. 61. *Refund and Compensation.*** - Any nurse found to have been a victim of
17 Section 59 (d) hereof shall be entitled to a full refund of all illegally collected fees and
18 charges, and the payment of unpaid salary, if any, which should not be less than the
19 applicable wage for services rendered.

ARTICLE XI

MISCELLANEOUS PROVISIONS

22 SEC. 62. *Implementing Agencies.* – The Department of Health (DOH) is hereby
23 designated as the agency tasked with monitoring the compliance with and
24 implementation of the provisions of this Act by public health facilities. The Department
25 of Labor and Employment (DOLE) is designated as the agency tasked with monitoring
26 the compliance with and implementation of the provisions of this Act by private health
27 facilities. The Commission and the Board are designated as the agencies tasked with

1 monitoring the compliance with and implementation of the provisions of this Act by
2 educational institutions, CPD providers and health facilities. The CHED is similarly
3 designated as the agency tasked with monitoring the compliance with and
4 implementations of the provisions of this Act by educational institutions with regard to
5 nursing education programs and curriculum.

6 **SEC. 63. Appropriations.** – The amount necessary to carry out the provisions of this
7 Act shall be charged to the savings of the concerned agencies immediately upon
8 effectivity hereof. Every year thereafter, the amounts necessary to effectively implement
9 the provisions of this Act shall be included in the annual budget of the concerned agencies
10 to be incorporated in the General Appropriations Act (GAA).

11 In order to effectively carry out the advance practice of the nursing program, the
12 annual financial requirement needed to train at least ten percent (10%) of the nursing staff
13 of the participating government hospitals and institutions shall be chargeable against the
14 income of the Philippine Charity Sweepstakes Office (PCSO) and the Philippine
15 Amusement and Gaming Corporation (PAGCOR), which shall equally share in the costs;
16 the same shall be released to the Department of Health subject to the usual accounting
17 and auditing procedures. *Provided*, that the Department of Health shall set the budget for,
18 as well as the criteria for the availment of this program.

19 **SEC. 64. Implementing Rules and Regulations.** – Within ninety days (90) after the
20 effectivity of this Act, the Commission, the Board, the A IPO for registered nurses, the
21 Civil Service Commission, the Department of Budget and Management, the Department
22 of Health and other concerned nursing organizations and government agencies, shall
23 formulate the implementing rules and regulations necessary to carry-out the provisions
24 of this Act. The implementing rules and regulations shall be published in the Official
25 Gazette or in at least two (2) newspapers of general circulation.

1 **SEC. 65. Separability Clause.** – Should any provision of this Act be declared
2 unconstitutional, the remaining parts not affected thereby shall remain valid and
3 operational.

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

8 **SEC. 67. Effectivity Clause.** – This Act shall take effect fifteen (15) days after its
9 publication in the Official Gazette or in any two (2) newspapers of general circulation in
10 the Philippines.

Approved,