

INFORMATION SHEET

ON

02 AUG 12 P5:35

COMMITTEE REPORT NO. 68  
RE 2292  
Short Title \_\_\_\_\_  
Filed on 12 AUG 2002

RECEIVED BY: C

a) COMMITTEE(s) which reported out the bill(s)/resolution(s)/other matters:

Health (primary)  
Education; Finance (secondary)

b) BILL(s) and/or RESOLUTION(s)/OTHER MATTER(s) reported out and taken into consideration:

Bill/Resolution/others	Referred to the Cttee(s) on:	Author(s)
1. <u>SB 104</u>	<u>Health, Educ., Finance</u>	<u>Flamer</u>
2. <u>970</u>	<u>Health, Educ., Finance</u>	<u>Legarda-Luinde</u>
3. <u>1997, 2172</u>	<u>Health, Educ., Finance</u>	<u>Villar, Jr.; Biayan</u>

-Other bill(s)/resolution(s)/other matters of similar subject matter not included in this report:

Reason(s): \_\_\_\_\_

c) ACTION TAKEN by the Committee(s):

Primary Committee

Secondary Committee

(If this is not a joint report)

[ ] ☒ Recommending Approval [ ]  
[ ] ☐ with amendments [ ]  
[ ] ☐ without amendments [ ]  
[ ] ☒ in substitution of [ ]  
[ ] ☐ in consolidation with [ ]  
[ ] ☐ Laid on the Table/Archived [ ]

[ ] Pending in the  
Committee on \_\_\_\_\_

d) COMMITTEE MEETINGS/PUBLIC HEARINGS/TWG/OTHERS CONDUCTED:

Date: May 8, 2002 Venue: Panel Room Date: 12 Aug 2002 Venue: Panel Room

e) Does this Bill/Resolution contain any REVENUE or APPROPRIATION Provision? YES

If Yes, has it been referred to the Finance or Ways and Means Committee and what were its recommendations?

Sen. John Osmena refused to sign.

f) RELATED/COUNTERPART MEASURE from the HOUSE OF REPRESENTATIVES:

Bill/Resolution No.(s)	Status in the House	Status in the Senate
<u>HB 1084</u>	<u>passed on 3rd Reading</u>	_____

g) MEMBER(s) without signature in the report; and reason(s):

Sen. John Osmena Sen. Manuel Villar, Jr.  
Sen. Sergio Osmeña

h) Additional remarks: \_\_\_\_\_

Submitted by: Berting B. Pinger  
Legislative Committee Secretary  
Date submitted: \_\_\_\_\_

Twelfth Congress of the Republic )  
Of the Philippines )  
First Regular Session

'02 AUG 12 P5:35

SENATE

RECEIVED BY: G

COMMITTEE REPORT NO. 68

Submitted by the Committees on Health and Demography; Education, Arts and Culture; and Finance on 12 AUG 2002

Re : S. No. 2292, prepared by the Committees

Recommending its approval in substitution of SB Nos. 146, 570, 1957 and 2172, taking into consideration HB 1084

Sponsors : Senator Flavier and Legarda-Leviste

Mr. President:

The Senate Committees on Health and Demography; Education, Arts and Culture; and Finance to which were referred Senate Bill No. 146, introduced by Senator Flavier, entitled:

**“AN ACT  
TO AMEND R.A. 7164, OTHERWISE KNOWN AS THE ‘PHILIPPINE  
NURSING ACT OF 1991’, BY AMENDING SECTIONS 13, 23 AND 25  
THEREOF”**

Senate Bill No. 570, introduced by Senator Legarda-Leviste, entitled:

**“AN ACT  
FURTHER AMENDING REPUBLIC ACT NO. 7164 OTHERWISE KNOWN AS  
THE PHILIPPINE NURSING ACT OF 1991”**

Senate Bill No. 1957, introduced by Senator Villar, Jr., entitled:

**“AN ACT  
PROVIDING FOR A MORE RESPONSIVE NURSING PROFESSION,  
REPEALING FOR THE PURPOSE REPUBLIC ACT NO. 7164,  
OTHERWISE KNOWN AS THE ‘PHILIPPINE NURSING ACT OF  
1991’ AND FOR OTHER PURPOSES”**

Senate Bill No. 2172, introduced by Senator Biazon, entitled:

**“AN ACT  
REPEALING REPUBLIC ACT NO. 7164 OTHERWISE KNOWN AS THE  
PHILIPPINE NURSING ACT OF 1991”**

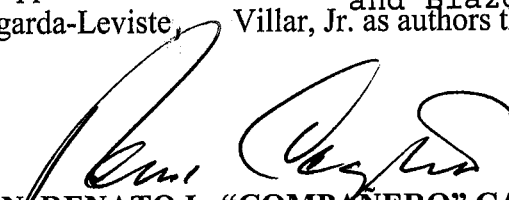
taking into consideration House Bill No. 1084, introduced by Representatives Padilla, Abayon, et.al., entitled:


**"AN ACT  
PROVIDING FOR A MORE RESPONSIVE NURSING PROFESSION,  
REPEALING FOR THE PURPOSE REPUBLIC ACT NO. 7164,  
OTHERWISE KNOWN AS THE 'PHILIPPINE NURSING ACT OF  
1991' AND FOR OTHER PURPOSES"**

have considered the same and have the honor to report them back to the Senate with the recommendation that the attached SB No. **2292**, prepared by the Committees, entitled:


**"AN ACT  
PROVIDING FOR A MORE RESPONSIVE NURSING PROFESSION,  
REPEALING FOR THE PURPOSE REPUBLIC ACT NO. 7164, OTHERWISE  
KNOWN AS THE 'PHILIPPINE NURSING ACT OF 1991' AND FOR OTHER  
PURPOSES"**


be approved in substitution of SB Nos. 146, 570, 1957 and 2172 with Senators Flavier, Legarda-Leviste, <sup>and Blazon</sup> Villar, Jr. as authors thereof.

  
**SEN. RENATO L. "COMPANERO" CAYETANO**  
Chairman, Committee on Education, Arts and Culture  
Member, Committee on Health and Demography  
Member, Committee on Finance

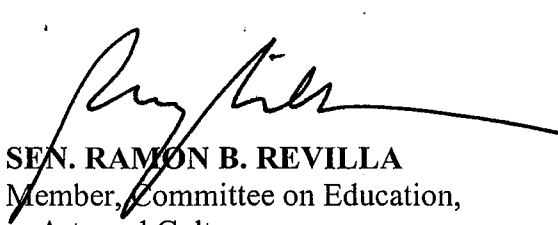
  
**SEN. JUAN M. FLAVIER**  
Chairman, Committee on Health and Demography  
Member, Committee on Education, Arts & Culture  
Member, Committee on Finance

**SEN. JOHN H. OSMEÑA**  
Chairman, Committee on Finance  
Member, Committee on Education, Art and Culture

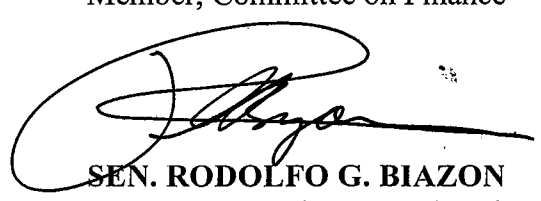
  
*with amendments*  
**SEN. FRANCIS N. PANGILINAN**  
Vice-Chairman, Committee on Education, Arts and Culture  
Member, Committee on Health and Demography  
Member, Committee on Finance


  
**SEN. LUISA "LOI" EJERCITO ESTRADA**  
Vice-Chairperson, Committee on Health and Demography  
Member, Committee on Education, Arts and Culture

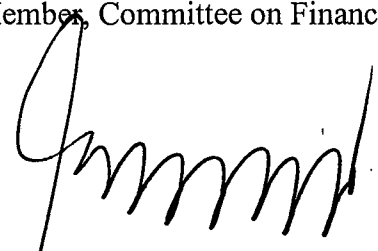
**SEN. SERGIO R. OSMEÑA III**  
Vice-Chairman, Committee on Education, Arts and Culture  
Member, Committee on Finance


  
**SEN. RAMON B. REVILLA**  
Member, Committee on Education,  
Arts and Culture  
Member, Committee on Finance

  
**SEN. NOLI "KABAYAN" DE CASTRO**  
Member, Committee on Health and Demography

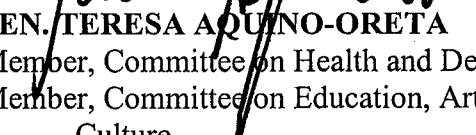
  
**SEN. RODOLFO G. BIAZON**  
Member, Committee on Education,  
Arts and Culture  
Member, Committee on Finance

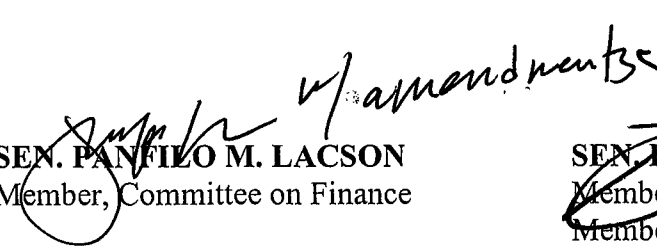
  
**SEN. RALPH G. RECTO**  
Member, Committee on Health and Demography  
Member, Committee on Education, Arts and  
Culture  
Member, Committee on Finance

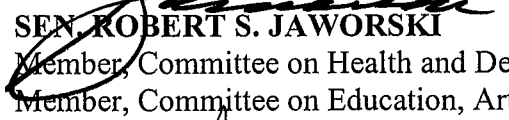
  
**SEN. GREGORIO G. HONASAN**  
Member, Committee on Education,  
Culture  
Member, Committee on Finance

  
**SEN. EDGARDO J. ANGARA**  
Member, Committee on Health and Demography  
Member, Committee on Education, Arts and  
Culture  
Member, Committee on Finance

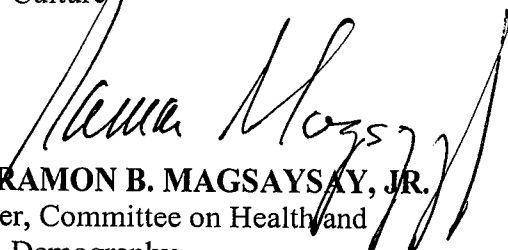
  
**SEN. VICENTE C. SOTTO III**  
Member, Committee on Finance

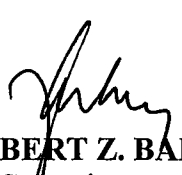
  
**SEN. TERESA AQUINO-ORETA**  
Member, Committee on Health and Demography  
Member, Committee on Education, Arts and  
Culture  
Member, Committee on Finance

  
**SEN. PANFILO M. LACSON**  
Member, Committee on Finance


  
**SEN. ROBERT S. JAWORSKI**  
Member, Committee on Health and Demography  
Member, Committee on Education, Arts and  
Culture

  
**SEN. JOKER P. ARROYO**  
Member, Committee on Finance

  
**SEN. RAMON B. MAGSAYSAY, JR.**  
Member, Committee on Health and  
Demography  
Member, Committee on Education, Arts  
and Culture  
Member, Committee on Finance

  
**SEN. ROBERT Z. BARBERS**  
Member, Committee on Education, Arts  
and Culture  
Member, Committee on Finance

**EX-OFFICIO MEMBERS**



**SEN. AQUILINO Q. PIMENTEL, JR.**  
Minority Leader



**SEN. LOREN LEGARDA LEVISTE**  
Majority Leader

**SEN. MANUEL B. VILLAR, JR.**  
President Pro-Tempore

**THE HONORABLE**  
**SENATOR FRANKLIN M. DRILON**  
Senate President  
Senate of the Philippines  
Pasay City

02 AUG 12 P5:35

SENATE  
S. No. 2292

RECEIVED BY: 

*Introduced by Senators Flavier, Legarda-Leviste, Villar, Jr. and Biazon*

AN ACT  
PROVIDING FOR A MORE RESPONSIVE NURSING PROFESSION,  
REPEALING FOR THE PURPOSE REPUBLIC ACT NO. 7164, OTHERWISE  
KNOWN AS "THE PHILIPPINE NURSING ACT OF 1991" AND FOR OTHER  
PURPOSES

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

ARTICLE I

TITLE

SECTION 1. *Title.* – This Act shall be known as the "Philippine Nursing Act of  
2002."

ARTICLE II

DECLARATION OF POLICY

SEC. 2. *Declaration of Policy* – It is hereby declared the policy of the State  
to assume responsibility for the protection and improvement of the nursing services by  
instituting measures that will result in relevant nursing education and in humane working  
conditions, better career prospects and a dignified existence for our nurses.

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

ARTICLE III

ORGANIZATION OF THE BOARD OF NURSING

SEC. 3. *Creation and Composition of the Board.* – There shall be created a  
Board of Nursing, hereinafter referred to as the Board, to be composed of a Chairman and

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1 six (6) members. They shall be appointed by the President of the Republic of the  
2 Philippines from at least two (2) recommendees, per vacancy, of the Professional  
3 Regulation Commission, hereinafter referred to as the Commission, chosen and ranked  
4 from a list of at least three (3) nominees, per vacancy, of the accredited professional  
5 organization of the nurses in the Philippines who possess the qualifications prescribed in  
6 Section 4 of this Act.

7 SEC. 4. *Qualifications of the Chair and Members of the Board.* – The  
8 Chair and members of the Board shall:

9 (a) Be a citizen and resident of the Philippines;

10 (b) Be a duly registered nurse of good standing and a member of the accredited  
11 professional organization;

12 (c) Be a holder of a masteral degree in nursing conferred by a college or  
13 university duly recognized by the government;

14 (d) Have at least ten (10) years of continuous practice of the profession prior to  
15 appointment: *Provided*, however, That the last five years of which shall be in  
16 the Philippines; and

17 (e) Not have been convicted by final judgment of any offense involving moral  
18 turpitude;

19 *Provided*, That the membership to the Board shall represent the three (3) areas of  
20 nursing, namely: nursing education, nursing service and community health nursing.

21 SEC. 5. *Requirements Upon Qualification as Member of the Board of*  
22 *Nursing.* - Any person appointed as Chair or Member of the Board shall  
23 automatically resign from any teaching position in any school, college or university  
24 offering Bachelor of Science in Nursing and/or review program for the local nursing  
25 Board examinations or in any office or employment in the government or any  
26 subdivision, agency or instrumentality thereof, including government-owned or  
27 controlled corporations or their subsidiaries as well as those employed in the private

sector. He or she shall not have any pecuniary interest in or administrative supervision over any institution offering Bachelor of Science in Nursing including review classes.

SEC. 6. *Term of Office.* – The Chair and members of the Board shall hold office for a term of three (3) years and until their successors shall have been appointed and qualified: *Provided*, That the Chairman and members of the Board may be reappointed for another term.

Any vacancy in the Board occurring within the term of a member shall be filled for the unexpired portion of the term only. Each member of the Board shall take the proper oath of office prior to the performance of his or her duties.

The incumbent Chair and members of the Board shall be allowed to continue to serve for the remainder of their term under Republic Act No. 7164 as Chair and members of the Board created under this Act until a new composition of the Board shall have been set up.

SEC. 7. *Compensation of Board Members.* – The Chair and members of the Board shall receive compensation and allowances similar to the compensation and allowances received by the Chair and members of the other professional regulatory Boards.

SEC. 8. *Records.* – All records of the Board, including examination papers, minutes of deliberations, records of administrative cases and investigations, and examination results shall be kept by the Commission under the direct custody of the person designated by the Chairman of the Commission. No record shall be removed, altered or examined without the prior authorization of the Board.

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

(a) Conduct the licensure examination for nurses;

(b) Issue, suspend or revoke certificates of registration for the practice of nursing;



1 (c) Monitor and enforce quality standards of nursing practice in the Philippines  
2 and exercise the powers necessary to ensure the maintenance of efficient,  
3 ethical and technical, moral and professional standards in the practice of  
4 nursing taking into account the health needs of the nation;

5 (d) Ensure quality nursing education by examining the prescribed facilities of  
6 universities or colleges of nursing or departments of nursing education and  
7 those seeking permission to open nursing courses to ensure that standards of  
8 nursing education are properly complied with and maintained at all times. The  
9 authority to open and close colleges and/or nursing education programs shall  
10 be based upon the written recommendation of the Board of Nursing and the  
11 approval of the Commission on Higher Education (CHED);

12 (e) Investigate violations of this Act. For this purpose, it may, through its Chair,  
13 with the approval of the Board, issue summons, subpoena or subpoena duces  
14 tecum to violators of this Act and witnesses thereof and to compel their  
15 attendance by an application with the courts for contempt;

16 (f) Require nurses who graduate from state colleges and universities to render,  
17 after being issued the necessary board licenses, at least two (2) years of  
18 nursing service in the Philippines; and

19 (g) Promulgate a Code of Ethics, decisions or adopt measures as may be  
20 necessary for the improvement of the nursing practice, for the advancement of  
21 the profession, and for the proper and full enforcement of this Act.

22 The policies, resolutions, rules and regulations, orders, decisions issued or  
23 promulgated by the Board shall be subject to the review and approval by the  
24 Commission.

25 SEC. 10. *Removal or Suspension of Board Members.* – The President may  
26 remove or suspend any member of the Board on the following grounds after due process of  
27 law:

- 13
- 1 (a) Continued neglect of duty or incompetence;
  - 2 (b) Commission or toleration of irregularities in the licensure examination; and
  - 3 (c) Unprofessional, immoral or dishonorable conduct.

#### 4 ARTICLE IV

##### 5 EXAMINATION AND REGISTRATION

6 SEC. 11. *Licensure Examination.* – All applicants for license to practice  
7 nursing shall be required to pass examinations by the Board.

8 The licensure examination for the practice of nursing in the Philippines shall be  
9 given by the Board not earlier than one (1) month but not later than two (2) months after  
10 the closing of the semester prescribed by CHED. The examination shall be held in the  
11 City of Manila or in such places as may be decided by the Board subject to the approval  
12 of the Commission.

13 SEC. 12. *Qualifications for Admission to the Licensure Examination.* – In  
14 order to be admitted to the examination for nurses, an applicant must, at the time of filing  
15 his or her application, establish to the satisfaction of the Board that:

16 (a) He or she is a citizen of the Philippines, or a citizen or subject of a country  
17 which permits Filipino nurses to practice within its territorial limits on the  
18 same basis as the subject or citizen of such country: *Provided*, That the  
19 requirements for the registration or licensing of nurses in said country are  
20 substantially the same as those prescribed in this Act;

21 (b) He or she is of good moral character; and

22 (c) He or she is a holder of a bachelor's degree in Nursing from a college or  
23 university that complies with the standards of nursing education duly  
24 recognized by the proper government agency

25 SEC. 13. *Scope of Examination.* – The scope of the examination for the  
26 practice of nursing in the Philippines shall be determined by the Board. The Board shall  
27 take into consideration the objectives of the nursing curriculum, the broad areas of

1 nursing, and other related disciplines and competencies in determining the subjects of  
2 examinations.

3 SEC. 14. *Ratings.* – In order to pass the examination, an examinee must  
4 obtain a general average of at least seventy-five percent (75%) with a rating of not below  
5 sixty percent (60%) in any subject. An examinee who obtains an average rating of  
6 seventy five percent (75%) or higher but gets a rating below sixty percent (60%) in any  
7 subject must take the examination again but only in the subject or subjects where he or  
8 she is rated below sixty percent (60%). In order to pass the succeeding examination, an  
9 examinee must obtain a rating of at least seventy five (75%) in the subject or subjects  
10 repeated.

11 SEC. 15. *Issuance of Certificate of Registration and Professional*  
12 *Identification Card.* – A certificate of registration as a nurse shall be issued to applicant  
13 who passes the examination upon payment of the prescribed fees. Every certificate of  
14 registration shall show the full name of the registrant, the serial number, the signature of  
15 the Chairman of the Commission and of the members of the Board, and the official seal  
16 of the Commission.

17 A professional identification card, duly signed by the Chairman of the  
18 Commission, bearing the date of registration, license number, and the date of issuance  
19 and expiration thereof shall likewise be issued to every registrant upon payment of the  
20 required fees.

21 SEC. 16. *Fees for Examination and Registration.* – Applicants for licensure  
22 and for registration shall pay the prescribed fees set by Commission.

23 SEC. 17. *Automatic Registration of Nurses.* – All nurses whose names  
24 appear at the roster of nurses shall be automatically or ipso facto registered as nurses  
25 under this Act upon its effectivity.

26 SEC. 18. *Registration by Reciprocity.* – Certificate of registration and  
27 professional license may be issued without examination to nurses registered under the

1 laws of foreign state or country: *Provided*, That the requirements for registration or  
2 licensing of nurses in said country are substantially the same as those prescribed under  
3 this Act: *Provided, further*, That the laws of such state or country grant the same  
4 privileges to registered nurses of the Philippines on the same basis as the subjects or  
5 citizens of such foreign state or country.

6 SEC. 19. *Practice Through Special/Temporary Permit.* – Special/temporary  
7 permit may be issued by the Board subject to approval by the Commission and payment  
8 of the fees it has prescribed and charged therefore to the following persons:

- 9 (1) Licensed nurses from foreign countries/states whose service are either for  
10 a fee or free if they are internationally well-known specialists or  
11 outstanding experts in any branch or specialty of nursing;
- 12 (2) Licensed nurses from foreign countries/state on medical mission whose  
13 services shall be free in a particular hospital, center or clinic; and
- 14 (3) Licensed nurses from foreign countries/states employed by schools/  
15 colleges of nursing as exchange professors in a branch or specialty of  
16 nursing.

17 SEC. 20. *Non-registration and Non-Issuance of Certificates of Registration*  
18 *and Professional Licenses or Special/Temporary Permits.* – No person convicted by final  
19 judgment of any criminal offense involving moral turpitude or any person guilty of  
20 immoral or dishonorable conduct or any person declared by the court to be of unsound  
21 mind shall be registered and be issued a certificate of registration and a professional  
22 license or a special/temporary permit.

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

25 SEC. 21. *Revocation and Suspension of Certificate of Registration and*  
26 *Cancellation of Special/Temporary Permit.* – The Board shall have the power to revoke

1 or suspend the certificate of registration or cancel the special/temporary permit of a nurse  
2 upon any of the following grounds:

- 3 (a) For any of the causes mentioned in the preceding section;
- 4 (b) For unprofessional and unethical conduct;
- 5 (c) For gross incompetence or serious ignorance;
- 6 (d) For malpractice or negligence in the practice of nursing;
- 7 (e) For the use of fraud, deceit, or false statements in obtaining a certificate of  
8 registration or a temporary/special permit;
- 9 (f) For violation of this Act, the rules and regulations, Code of Ethics for  
10 nurses and technical standards for nursing practice, policies of the Board  
11 and the Commission, or the conditions and limitations for the issuance of  
12 the temporary/special permit; or
- 13 (g) For practicing his or her profession during and/or beyond of his or her  
14 suspension from such practice;

15 *Provided, however, That, the suspension of the certificate of registration shall not*  
16 *be for a period in excess of four (4) years.*

17 *SEC. 22. Re-issuance of Revoked Certificates and Replacement of Lost*  
18 *Certificates.* - The Board may, after the expiration of a maximum of four (4) years from  
19 the date of revocation of a certificate, for reasons of equity and justice and when the  
20 cause for revocation has disappeared or has been cured and corrected, upon proper  
21 application therefore and the payment of the required fees, issue another copy of the  
22 certificate of registration.

23 A new certificate of registration to replace the certificate that has been lost,  
24 destroyed or mutilated may be issued, subject to the rules of the Board.

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ARTICLE V  
NURSING EDUCATION

SEC. 23. *Nursing Education Program.* – The nursing education program shall provide sound general and professional foundation for the practice of nursing.

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

SEC. 24. *Requirement for Inactive Nurses Returning to Practice.* – Nurses who have not practiced the profession at all for the past ten (10) years are required to undergo one (1) month of didactic training and three (3) months of practicum. For those who have some nursing practice for the past ten (10) years but stopped practicing for the last five (5) years, they are required to have two (2) weeks of didactic and one (1) month of practicum. The Board shall accredit hospitals to conduct the said training program.

SEC. 25. *Qualifications of the Faculty.* – A member of the faculty in a college of nursing teaching professional courses must:

- (a) be a duly registered nurse of good standing in the Philippines;
- (b) have at least one (1) year of clinical practice in a field of specialization;
- (c) be a member of the accredited professional organization;
- (d) preferably a holder of master’s degree in nursing conferred by a college or university duly recognized by the government of the Republic of the Philippines.

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

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ARTICLE VI

NURSING PRACTICE

SEC. 26. *Scope of Nursing.* – A person shall be deemed to be practicing nursing within the meaning of this Act when he or she singly or in collaboration with another, initiates and performs nursing services to individuals, families and communities in any health care setting. It includes, but not limited to, nursing care during conception, labor, delivery, infancy, childhood, toddler, pre-school, school age, adolescence, adulthood and old age. As independent practitioners, nurses are primarily responsible for the promotion of health and prevention of illness. As members of the health team, nurses shall collaborate with other health care providers for the curative and rehabilitative aspects of care, restoration of health, alleviation of suffering, and when recovery is not possible, towards a peaceful death. It shall be the duty of the nurse to:

- (a) Provide nursing care through the utilization of the nursing process. Nursing care includes, but not limited to, traditional and innovative approaches, therapeutic use of self, executing health care techniques and procedures, essential primary health care, comfort measures, health teachings, and administration of written prescription for treatment, therapies, oral, topical and parenteral medications, internal examination during labor in the absence of antenatal bleeding and delivery. In case of suturing of perineal laceration, special training shall be provided according to protocol established;
- b) Establish linkages with community resources and coordination with the health team;
- (c) Provide health education to individuals, families and communities;
- (d) Teach, guide and supervise students in nursing education program including the administration of nursing services in varied settings such as hospitals and clinics; undertake consultation services; engage in such

1 activities that require the utilization of knowledge and decision-making  
2 skills of a registered nurse;

3 (e) Undertake nursing and health human resource development training and  
4 research, which shall include, but not limited to, the development of  
5 advance nursing practice;

6 *Provided, That, Sec. 26 (a) to (e) shall not apply to nursing students who perform*  
7 *nursing functions under the direct supervision of a qualified faculty: Provided, further,*  
8 *That, in the practice of nursing in all settings, the nurse is duty-bound to observe the*  
9 *Code of Ethics for nurses, uphold the standards of safe nursing practice and maintain*  
10 *competence by continual learning through continuing professional education to be*  
11 *provided by any professional nursing organization.*

12 SEC. 27. *Qualifications of Nursing Service Administrators.* – A person  
13 occupying supervisory or managerial positions requiring knowledge of nursing must:

- 14 (a) be a registered nurse of good standing in the Philippines;
- 15 (b) have at least three (3) years experience in general nursing service  
16 administration;
- 17 (c) possess a degree of Bachelor of Science in Nursing, with at least nine (9)  
18 units in management and administration courses at the graduate level; and
- 19 (d) be a member of good standing of the accredited professional organization;

20 *Provided, That a person occupying the position of chief nurse or director of*  
21 *nursing service shall, in addition to the foregoing qualifications, possess:*

- 22 (1) At least five (5) years of experience in a supervisory or managerial  
23 position in nursing; and
- 24 (2) A master's degree major in nursing;

25 *Provided, further, That for primary hospitals, the maximum academic*  
26 *qualifications and experiences for a chief nurse shall be as specified in subsections (a),*  
27 *(b), and (c) of this section: Provided, furthermore, That for chief nurses in the public*



20

1 health agencies, those who have a master's degree in public health/community health  
2 nursing shall be given priority. *Provided, even further,* That for chief nurses in military  
3 hospitals, priority shall be given to those who have finished a master's degree in nursing  
4 and the completion of the General Staff Course (GSC): *Provided, finally,* that those  
5 occupying such positions before the effectivity of this Act shall be given a period of five  
6 (5) years within which to qualify.

## 7 **ARTICLE VII**

### 8 **HEALTH HUMAN RESOURCE DEVELOPMENT**

#### 9 **PRODUCTION AND UTILIZATION**

10 SEC. 28. *Studies for Nursing Manpower Needs, Production,*  
11 *Utilization and Development.* – The Board and the accredited professional  
12 organization of nurses shall undertake studies and initiate and/or cooperate with  
13 appropriate government or private agencies in the conduct of studies for health human  
14 resource production, utilization and development. The Board and the accredited  
15 professional organization shall likewise develop a program that would encourage the  
16 retention of nurse specialists in the Philippines.

17 SEC. 29. *Standard Basic Pay.* - Based on current National Economic and  
18 Development Authority figures, the proper government office or agency shall fix a  
19 standard minimum pay for all nurses working in either public or private health agencies.  
20 The same standard basic pay shall be increased periodically to cope with the increase in  
21 the cost of living.

## 22 **ARTICLE VIII**

### 23 **PENAL AND MISCELLANEOUS PROVISIONS**

24 SEC. 30. *Prohibitions in the Practice of Nursing.* – A fine of not less than  
25 Fifty Thousand Pesos (P50,000.00) nor more than One Hundred Thousand Pesos

1 (P100,000.00) or imprisonment of not less than one (1) year nor more than six (6) years, or  
2 both, upon the discretion of the court, shall be imposed upon:

3 (a) Any person practicing nursing in the Philippines with the meaning of this  
4 Act:

5 (1) Without a certificate of registration and professional license or  
6 special/temporary permit without having been declared exempt from  
7 examination in accordance with the provision of this Act;

8 (2) Who uses as his or her own the certificates of registration and/or  
9 professional license or special/temporary permit of another.

10 (3) Who uses an expired or invalid professional license, a suspended or  
11 revoked certificate of registration, or an expired or cancelled  
12 special/temporary permit;

13 (4) Who gives any false evidence to the Board in order to obtain a  
14 certificate of registration, a professional identification card or special  
15 permit;

16 (5) Who falsely poses or advertises as a registered and licensed nurse or  
17 uses any other means that tend to convey the impression that he or she  
18 is a registered and licensed nurse;

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

22 (7) Who, as a registered and licensed nurse, abets or assists the illegal  
23 practice of a person who is not lawfully qualified to practice nursing.

24 (b) Any person who undertakes in-service educational programs or who  
25 conducts review classes for both local and foreign examination without  
26 permit/clearance from the Board and the Commission; and

1 (c) Any person violating any provision of this Act and its rules and  
2 regulations.

3 SEC. 31. *Enforcement of this Act.* – It shall be the duty of all duly  
4 constituted law-enforcement agencies and officers of national, provincial, city or  
5 municipal governments to enforce the provisions of this Act and to prosecute any persons  
6 violating the same.

7 SEC. 32. *Appropriations.* – Such sums as may be necessary to carry out the  
8 provisions of this Act shall be included in the General Appropriations Act of the year  
9 following its enactment and thereafter.

10 SEC. 33. *Rules and Regulations.* – The Board shall promulgate such rules  
11 and regulations as may be necessary to carry out the provisions of this Act.

12 SEC. 34. *Separability Clause.* – If any part of this Act is declared  
13 unconstitutional, the remaining parts affected thereby shall continue to be valid and  
14 operational.

15 SEC. 35. *Repealing Clause.* – Republic Act No. 7164, otherwise known as  
16 the “Philippine Nursing Act of 1991” is hereby repealed. All other laws, decrees, orders,  
17 circulars, issuances, rules and regulations and parts thereof which are inconsistent with  
18 this Act are hereby repealed, amended or modified accordingly.

19 SEC. 36. *Effectivity.* – This Act shall take effect fifteen (15) days upon its  
20 publication in any two (2) newspapers of general circulation in the Philippines.

21 *Approved,*

SENATE OF THE PHILIPPINES  
BILLS AND INDEX DIVISION

LEGISLATIVE HISTORY

SEN 2292, entitled:

"AN ACT PROVIDING FOR A MORE RESPONSIVE NURSING PROFESSION, REPEALING FOR THE PURPOSE REPUBLIC ACT NO. 7164, OTHERWISE KNOWN AS THE PHILIPPINE NURSING ACT OF 1991 AND FOR OTHER PURPOSES"

S T A T U S

[ Second Regular Session, 12th Congress ]

[ 2002 ]

- May 8 - Conducted committee meetings/hearings;
- Aug. 2 - Conducted committee meetings/hearings;
- 12 - Prepared and submitted jointly by the Committee(s) on HEALTH AND DEMOGRAPHY; EDUCATION, ARTS AND CULTURE; and FINANCE with Senators FLAVIER, LOREN LEGARDA LEVISTE, VILLAR, JR., and BIAZON as authors per Committee Report No. 68, recommending its approval in substitution of SBNos. 146, 570, 1957 and 2172, taking into consideration HBNo. 1084;
- 14 - Committee Report Calendared for Ordinary Business;
- Sponsors: Senators Flavier and Loren Legarda Leviste;
- Assigned for consideration by Special Order;
- Sponsorship speech of Senator Flavier;
- Cosponsorship speech of Senator Loren Legarda Leviste;
- 20 - Interpellations of Senators Angara, Luisa 'Loi' P. Ejercito Estrada, Arroyo, Pimentel, Jr., and Loren Legarda Leviste;
- Remarks of the Chair;
- Senators Angara, Arroyo, Noli 'Kabayan' De Castro, Drilon, Luisa 'Loi' P. Ejercito Estrada, Lacson, Osmeña (J.), Osmeña III, Pimentel, Jr., Recto, Revilla, and Sotto III were made coauthors as manifested by Senator Flavier;
- Period of interpellation closed;
- 21 - Certified by the President of the Philippines for its immediate enactment on August 21, 2002;
- Reconsideration of the termination of the period of interpellations;
- Interpellation of Senator Pimentel, Jr.;
- Period of interpellation closed;
- Period of committee amendment;
- Period of committee amendment closed;
- 26 - Cosponsorship speech of Senator Villar, Jr. was reflected into the records of the Senate as manifested by Senator Flavier;
- Period of individual amendments;
- 27 - Period of individual amendments;
- 28 - Period of individual amendments;
- Period of individual amendments closed;
- Approved on Second Reading with amendments;
- Senator Honasan was made coauthor on motion of Senator Flavier;
- Approved on Third Reading;
- In favor : (12) Arroyo, Biazon, Noli 'Kabayan' De Castro, Luisa 'Loi' P. Ejercito Estrada, Flavier, Honasan, Robert S. 'Jawo' Jaworski, Lacson, Osmeña (J.), Osmeña III, Pangilinan, and Recto;
- Against : N o n e;
- Abstention: N o n e;
- 29 - Sent to the House of Representatives for concurrence;
- Sep. 30 - House of Representatives requested the Senate for a conference on the disagreeing provisions of SEN-2292 and HBN-1084, and designated Representatives Jala Abayon, Nachura Chato, Padilla, Dilangalen as its conferees (See: O.B. dated October 7, 2002);

- Senate accepted the request of the House of Representatives for a conference on the disagreeing provisions of SEN-2292 and HBN-1084, and designated Senators Flavio, Loren Legarda Leviste, Villar, Jr., Angara, and Biazon as its conferees;
  - Oct. 8 - Conference Committee Report submitted to the Senate, recommending that HBN-1084 in consolidation with SEN-2292 be approved as reconciled;
  - Sponsorship speech of Senator Flavio on the conference committee report;
  - Conference Committee Report approved by the Senate;
  - 15 - Conference Committee Report approved by the House of Representatives (See: O.B. Session No. 28, October 22, 2002);
  - 17 - Enrolled copy of consolidated version of SEN-2292 and HBN-1084 sent to the Senate for the signature of the Senate Secretary Yabes and Senate President Drilon;
  - 21 - Consolidated with HBN-1084, which was approved and signed into law by the President of the Philippines, Her Excellency Gloria Macapagal-Arroyo, and became
  - REPUBLIC ACT NO. 9173
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