



REPUBLIC ACT No. 7164

AN ACT REGULATING THE PRACTICE OF NURSING IN
THE PHILIPPINES

*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 1991."

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 profession 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 basic health
services through an adequate nursing personnel throughout
the country.

ARTICLE III

ORGANIZATION OF THE BOARD OF NURSING

SEC. 3. *Name and Composition of the Board.* – There shall be created a Board of Nursing to be composed of a Chairman and four (4) members who shall be appointed by the President from a list of twelve (12) nominees who are registered nurses of recognized standing in the Philippines and who possess the qualifications prescribed in Section 5 of this Act as certified by the accredited national nurses' association to the Professional Regulation Commission.

SEC. 4. *Powers and Duties of the Board.* – The Board shall have the following powers, duties and functions:

(a) Supervise and regulate the practice of the nursing profession;

(b) Describe the subjects in the licensure examination, determine the syllabi of the subjects, and their relative weight, construct the test questions in the licensure examination, and score and rate the examination paper. The Board shall, within one hundred and twenty (120) days after the examination, submit a report of the examination result which shall contain the weighted average rating of each examinee to the Office of the President for release and publication;

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

(d) Study the conditions affecting the nursing practice in the Philippines and exercise the powers necessary to ensure the maintenance of efficient, ethical, technical, moral and professional standards in the practice of nursing, taking into account the health needs of the nation;

(e) Examine the prescribed facilities of universities or colleges seeking permission to open new colleges of nursing or departments of nursing education in order to ensure that

standards and essential requirements for a qualified dean and faculty and adequate budget are properly complied with and maintained at all times. The authorization to open colleges of nursing shall be based upon the favorable written recommendation of both the Board and the Department of Education, Culture and Sports;

(f) Require nurses who graduate from state colleges and universities to render, after being issued the necessary board licenses, at least one (1) year of nursing service in the Philippines before they are allowed to leave for overseas jobs;

(g) Investigate violations of this Act. For this purpose it may, through its Chairman, with the approval of the Board, issue summons, *subpoena* or *subpoena duces tecum* to violators of this Act and witnesses thereof and to compel their attendance by the power of contempt; and

(h) Promulgate decisions or adopt measures as may be necessary for the improvement of the nursing practice, for the advancement of the profession, and for the proper and full enforcement of this Act.

SEC. 5. *Qualifications of Board Members.* – A member of the Board shall:

- (a) Be a citizen and resident of the Philippines;
- (b) Be a member in good standing of the accredited national nurses' association;
- (c) Be a registered nurse and holder of a master's degree in nursing conferred by a college or university duly recognized by the government;
- (d) Have at least ten (10) years of continuous practice of the profession prior to appointment;
- (e) Not be a holder of a green card or its equivalent; and

(f) Not have been convicted of any offense involving moral turpitude even if previously extended pardon by the President of the Philippines.

SEC. 6. *Requirements Upon Qualification as Member of the Board of Nursing.* – Any person who qualifies as Chairman or member of the Board shall automatically resign from any teaching position in any school, college or university and/or review program for the local nursing board examinations or in any office or employment in the government or any subdivision, agency or including government-owned or-controlled corporations or their subsidiaries. He shall not have any pecuniary interest in or administrative supervision over any institution offering basic nursing education programs, including review classes.

SEC. 7. *Term of Office.* – The Chairman and the members of the Board shall hold office for a term of three (3) years and until their successors shall have qualified: *Provided*, That a member of the Board may be reappointed for another term not exceeding three (3) years: *Provided, further*, That, in the event that only one (1) member of the Board is reappointed, he or she, by virtue of seniority, shall automatically become the Chairman of the new Board. However, in case two (2) or more members are reappointed, the best qualified among them, to be determined by all the members of the new Board, shall become the new Chairman of the Board: *Provided finally*, That, in case all members of the old Board are reappointed or all members are new, all the members of the new Board shall determine the best qualified from among themselves who shall be recommended to the President of the Philippines to be the Chairman of the Board.

Any vacancy in the Board occurring within a 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.

SEC. 8. *Compensation of Board Members.* – The Chairman and Members of the Board shall receive as compensation an

amount equal to that given the Chairman and members of other government boards situated under analogous circumstances.

SEC. 9. *Removal of Board Members.* – The President may remove any member of the Board on the following grounds after giving the member concerned an opportunity to defend himself or herself in a proper administrative investigation to be conducted under the supervision and control of the Department of Justice, upon instruction of the President:

- (a) Continued neglect of duty or incompetence;
- (b) Commission or toleration of irregularities in the examination conducted by the Board; and
- (c) Unprofessional or dishonorable conduct.

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

SEC. 11. *Records.* – All records of the Board of Nursing, including examination papers, minutes of deliberations, records of administrative cases and investigations, and examination results shall be kept by the Professional Regulation 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. 12. *Eramination Required.* – All applicants for license to practice nursing shall be required to pass written examinations by the Board of Nursing.

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

- (a) He or she is a citizen of the Philippines, or a citizen or subject of a country which permits Filipino nurses to practice

within its territorial limits on the same basis as the subject or citizen of such country: *Provided*, That the requirements for the registration or licensing of nurses in said country are substantially the same as those prescribed in this Act;

(b) He or she is at least eighteen (18) years of age: *Provided*, That any underage applicant who successfully passes the examination shall not be permitted or licensed to practice nursing until he or she shall have reached the age of majority.

(c) He or she is in good health and is of good moral character; and

(d) He or she is a holder of bachelor's degree in nursing from a college or university duly recognized by the proper government agency.

SEC. 14. *Licensure Examination.* - The licensure examination for the practice of nursing in the Philippines shall be given by the Board not earlier than ~~one~~ (1) month but not later than two (2) months after the closing of the semester prescribed by the Department of Education, Culture and Sports. The examination shall be held in the City of Manila or in such places as may be decided by the Board subject to the approval of the Professional Regulation Commission.

SEC. 15. *Scope of Examination.* - The scope of the examination for the practice of nursing in the Philippines shall be determined by the Board. The Board shall take into consideration the objectives of the nursing curriculum, the broad areas of nursing, and other related disciplines and competencies in determining the subjects of examinations.

SEC. 16. *Rating in the Examination.* - In order to pass the examination, an examinee must obtain a general average rating of at least seventy-five percent (75%) with a rating of not below sixty percent (60%) in any subject. An examinee who obtains an average rating of seventy-five percent (75%) or higher but gets a rating below sixty percent (60%) in any given subject

must take the examination again, but only in the subject or subjects where he or she rated below sixty percent (60%).

In order to pass the succeeding examination, an examinee must obtain a rating of at least seventy-five percent (75%) in the subject or subjects repeated.

An examinee who despite the third examination fails to obtain at least seventy-five percent (75%) in the subject or subjects repeated shall no longer be allowed to take the examination, unless he proves to the satisfaction of the Board that he/she has undergone a refresher course consisting in enrollment and passing in the regular fourth year subjects in a recognized nursing school.

SEC. 17. *Issuance of Certificates.* – A certificate of registration as nurse shall be issued to any applicant who passes the examination upon payment of the prescribed fees. Every certificate of registration shall show the full name of the registrant, the serial number, the signature of the members of the Board, and the official seal of the Board.

SEC. 18. *Fees for Examination and Registration.* – Applicants for licensure examination and for registration shall pay the prescribed fees set by the Professional Regulation Commission.

SEC. 19. *Registration by Reciprocity.* – Certificates of registration may be issued without examination to nurses registered under the laws of any foreign state or country: *Provided*, That the requirements for the registration or licensing of nurses in said country are substantially the same as those prescribed under this Act: *Provided, further*, That the laws of such state or country grant the same privileges to registered nurses of the Philippines on the same basis as the subjects or citizens of such foreign state or country.

SEC. 20. *Nonissuance of Certificates in Certain Cases.* – No person convicted by final judgment of any criminal offense involving moral turpitude or any person guilty of immoral or dishonorable conduct shall be issued a certificate of registration.

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

SEC. 21. *Revocation and Suspension of Certificates.* – The Board shall have the power to revoke or suspend the certificate of registration of a nurse upon any of the following grounds:

- (a) For any of the causes mentioned in the preceding section;
 - (b) For unprofessional and unethical conduct;
 - (c) For gross incompetence and serious ignorance;
 - (d) For malpractice or negligence in the practice of nursing;
- or

(e) For the use of fraud, deceit, or false statements in obtaining a certificate of registration.

SEC. 22. *Reissuance of Revoked Certificates and Replacement of Lost Certificates.* – The Board may, for reasons of equity and justice or when the cause for revocation has disappeared or has been cured and corrected, upon proper application therefor and the payment of the required fees, issue another copy of the certificate of registration.

ARTICLE IV

NURSING EDUCATION

SEC. 23. *General Entrance Requirements.* – Applicants desiring to enroll in a nursing course must belong to the upper forty percent (40%) of the graduating class of the general secondary course, as certified by the school.

SEC. 24. *Nursing Education Program.* – The nursing education program shall provide sound academic and professional foundation for the practice of nursing.

SEC. 25. *Learning Experiences.* – The learning experiences required in a classroom, hospital, home, community or other health/welfare agency shall adhere strictly to specific requirements embodied in the prescribed curriculum for the nursing course and in the rules, policies, and standards of nursing education. Such learning experience shall not be less than six (6) units or its equivalent.

SEC. 26. *Qualifications of the Faculty.* – A member of the faculty in a college or school of nursing must:

- (a) Be a Filipino citizen;
- (b) Be a registered nurse in the Philippines;
- (c) Have at least three (3) years of clinical practice in a field of specialization;
- (d) Be a member of good standing in the accredited national nurses' association; and
- (e) Be a holder of a master's degree in nursing or other related fields conferred by a college or university duly recognized by the government of the Republic of the Philippines: *Provided, however,* That nothing in this Act shall be construed to disqualify those who have already been considered qualified and actually occupying the position before the effectivity of this Act: *Provided, further,* That those occupying such position before the effectivity of this Act shall be given a period of five (5) years from the date of effectivity of this Act within which to qualify under the provisions hereof: *Provided, finally,* That, by the year 2000, all colleges of nursing shall only employ faculty members with a master's degree in nursing or in other related fields.

In addition to the aforementioned qualifications, the dean of a college or school of nursing must have had at least three (3) years of experience in teaching and supervision in nursing education, and preferably must have a master's degree in administration and supervision of nursing education programs.

ARTICLE V
NURSING PRACTICE

SEC. 27. *Scope of Nursing.* – A person shall be deemed to be practicing nursing within the meaning of this Act when he, for a fee, salary or other reward or compensation, singly or in collaboration with another, initiates and performs nursing services to individuals, families and communities in various stages of development towards the promotion of health, prevention of illness, restoration of health, and alleviation of suffering through:

(a) Utilization of the nursing process, including assessment, planning, implementation and evaluation of nursing care. Nursing care includes, but not limited to, traditional and innovative approaches in self-executing nursing techniques and procedures, comfort measures, health teaching and administration of legal and written prescriptions for treatment, therapies, medications and hypodermic, intramuscular, or intravenous injections: *Provided, however, That, in the administration of intravenous injections, special training shall be required according to protocol established;*

(b) Establishment of linkages with community resources and coordination of the health team;

(c) Motivation of individuals, families, and communities; resources and coordination of services with other members of the health team;

(d) Participation in teaching, guidance and supervision of students in nursing education programs, including administering nursing services in varied settings such as hospitals, homes, communities and the like; undertaking consultation services; and engaging in such other activities that require the utilization of knowledge and decision-making skill of a registered nurse; and

(e) Undertaking nursing and health manpower development training and research and soliciting finances therefor, in cooperation with the appropriate government or private agency: *Provided, however*, That this provision shall not apply to nursing students who perform nursing functions under the direct supervision of qualified faculty.

SEC. 28. *Qualifications of Nursing Service Administrators.* – A person occupying supervisory or managerial positions requiring knowledge of nursing must:

(a) Be a Filipino citizen or a former Filipino citizen who has officially declared his/her intention to reacquire Filipino citizenship;

(b) Be a registered nurse in the Philippines;

(c) Be a member in good standing of the accredited national organization of nurses;

(d) Have at least two (2) years experience in general nursing service administration; and

(e) Possess a degree of Bachelor of Science in Nursing, with at least nine (9) units in management courses at the graduate level: *Provided*, That a person occupying the position of chief nurse or director of nursing service shall, in addition to the foregoing qualifications, possess:

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

(b) A master's degree major in nursing service administration or its equivalent: *Provided, however*, That those occupying such position before the effectivity of this Act shall be given a period of five (5) years from the date of effectivity of this Act within which to qualify: *Provided, further*, That, by the year 2000, only holders of a master's degree major in nursing administration shall be appointed to such position: *Provided, finally*, That, for hospitals with bed capacity of fifty

(50) and below, the minimum academic qualifications and experience for chief nurse shall be as specified under subsections (c), (d) and (e) of this section.

ARTICLE VI

HEALTH HUMAN RESOURCE DEVELOPMENT, PRODUCTION AND UTILIZATION

SEC. 29. *Studies for Nursing Manpower Needs, Production, Utilization and Development.* – The Nursing Board shall undertake studies and initiate and/or cooperate with appropriate government or private agencies in the conduct of studies for health human resource production, utilization and development.

ARTICLE VII

PENAL AND MISCELLANEOUS PROVISIONS

SEC. 30. *Prohibitions in the Practice of Nursing.* – A fine of not less than Ten thousand pesos (P10,000.00) nor more than Forty thousand pesos (P40,000.00) or imprisonment of not less than one (1) year nor more than six (6) years, or both, in the discretion of the court, shall be imposed upon:

- (a) Any person practicing nursing in the Philippines within the meaning of this Act:
 - (1) Without a certificate of registration or without having been declared exempt from examination in accordance with the provisions of this Act;
 - (2) Who uses as his/her own the certificate of registration of another;
 - (3) Who uses an expired, suspended or revoked certificate of registration ;
 - (4) Who gives any false evidence to the Board of Nursing in order to obtain a certificate of registration;

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

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

(b) Any person who undertakes in-service educational programs or who conducts review classes for both local and foreign examinations without permit/clearance from the Philippine Nursing Association, the Board of Nursing and the appropriate office or officer of the Department of Labor and Employment; and

(c) Any person violating any provision of this Act.

SEC. 31 *Standard Basic Pay.* - Based on current National Economic and Development Authority (NEDA) figures, the proper government office or agency shall fix a standard pay for all nurses working in either public or private health agencies. The same standard basic pay shall be increased periodically to cope with the increase in cost of living.

SEC. 32. *Enforcement of this Act.* - It shall be the duty of all duly constituted law-enforcement agencies and officers of national, provincial, city or municipal governments to enforce the provisions of this Act and to prosecute any person violating the same.

SEC. 33. *Repealing Clause.* - All laws, decrees, orders, circulars, rules and regulations, and other issuances which are inconsistent with this Act are hereby repealed, amended or modified accordingly.

SEC. 34. *Separability Clause.* - If any part of this Act is declared unconstitutional, the remaining parts not affected thereby shall continue to be valid and operational.

SEC. 35. *Effectivity.* - This Act shall take effect one (1) month after its publication in any newspaper of general circulation in the Philippines.

Approved, November 21, 1991

