

## AMENDMENTS TO SENATE BILL NO. 25

Sponsor: SENATOR PENNYCUICK

Printer's No. 387

1 Amend Bill, page 1, lines 1 through 23, by striking out all  
2 of said lines and inserting

3 Amending the act of May 22, 1951 (P.L.317, No.69), entitled "An  
4 act relating to the practice of professional nursing;  
5 providing for the licensing of nurses and for the revocation  
6 and suspension of such licenses, subject to appeal, and for  
7 their reinstatement; providing for the renewal of such  
8 licenses; regulating nursing in general; prescribing  
9 penalties and repealing certain laws," further providing for  
10 definitions; and providing for the Rural Certified Registered  
11 Nurse Practitioner Health Care Access Program.

12 Amend Bill, page 1, lines 26 and 27; pages 2 through 24,  
13 lines 1 through 30; page 25, lines 1 through 9; by striking out  
14 all of said lines on said pages and inserting

15 Section 1. Section 2 of the act of May 22, 1951 (P.L.317,  
16 No.69), known as The Professional Nursing Law, is amended by  
17 adding clauses to read:

18 Section 2. Definitions.--When used in this act, the  
19 following words and phrases shall have the following meanings  
20 unless the context provides otherwise:

21 \* \* \*

22 (18) "Primary health care practitioner" means a certified  
23 registered nurse practitioner providing medical services in any  
24 of the following specialty areas:

25 (i) Family.

26 (ii) Adult.

27 (iii) Adult gerontology.

28 (iv) General pediatrics.

29 (v) Women's health.

30 (vi) Mental health.

31 (19) "Program" means the Rural Certified Registered Nurse  
32 Practitioner Health Care Access Program established under  
33 section 9(a).

34 (20) "Rural area" means:

35 (i) A county where the total population of a specific county

1 divided by the total number of square land miles yields a  
2 population density fewer than 291 people per square mile based  
3 on 2020 Federal decennial census figures.

4 (ii) A county designated under section 9(m).

5 (21) "Rural certified registered nurse practitioner" means a  
6 certified registered nurse practitioner licensed in this  
7 Commonwealth to practice in a rural area of this Commonwealth as  
8 a primary health care practitioner.

9 Section 2. The act is amended by adding a section to read:

10 Section 9. Rural Certified Registered Nurse Practitioner  
11 Health Care Access Program.--(a) The board shall establish the  
12 Rural Certified Registered Nurse Practitioner Health Care Access  
13 Program to allow an eligible rural certified registered nurse  
14 practitioner to practice as an independent practitioner without  
15 a written or collaborative agreement with a physician in a rural  
16 area.

17 (b) A certified registered nurse practitioner may  
18 participate in the program if the certified registered nurse  
19 practitioner meets all of the following:

20 (1) Holds a current license to practice as a certified  
21 registered nurse practitioner in this Commonwealth.

22 (2) Received no disciplinary action or has no pending  
23 disciplinary action within the five (5) years immediately  
24 preceding the date of the application under paragraph (4).

25 (3) Engaged in the practice of professional nursing pursuant  
26 to a collaborative or written agreement with a physician for a  
27 period of not less than three (3) years and not less than three  
28 thousand six hundred (3,600) hours and the practice occurred  
29 within the five (5) years immediately preceding the date of the  
30 certified registered nurse practitioner's application under  
31 paragraph (4).

32 (4) Submits an application to the board on a form prescribed  
33 by the board and pays a fee established by the board.

34 (5) Submits an attestation that the certified registered  
35 nurse practitioner meets the criteria to become a rural  
36 certified registered nurse practitioner to participate in the  
37 program.

38 (b.1) The following shall apply:

39 (1) The application under subsection (b)(4) shall be issued  
40 no later than thirty (30) days after the effective date of this  
41 section.

42 (2) Upon approval of the application by the board, the  
43 certified registered nurse practitioner shall be deemed a rural  
44 certified registered nurse practitioner for practice in rural  
45 areas under the program.

46 (c) While practicing under the program, a rural certified  
47 registered nurse practitioner may do all of the following:

48 (1) Practice in accordance with section 8.2 without a  
49 written or collaborative agreement.

50 (2) Prescribe medical therapeutic or corrective measures in  
51 accordance with section 8.3 without a written or collaborative

1 agreement.

2 (d) In order to continue to participate in the program, a  
3 rural certified registered nurse practitioner shall be subject  
4 to biennial renewal and shall submit a renewal application on a  
5 form prescribed by the board, pay a fee established by the board  
6 and complete at least ten (10) hours of continuing education  
7 approved by the board in patient safety and risk management. The  
8 renewal application under this subsection shall contain an  
9 attestation that the rural certified registered nurse  
10 practitioner completed the continuing education required under  
11 this subsection. The continuing education required under this  
12 subsection shall be in addition to the continuing education  
13 required under section 8.1(c).

14 (e) While practicing in a rural area under the program, the  
15 rural certified registered nurse practitioner shall act solely  
16 as a primary health care practitioner. A rural certified  
17 registered nurse practitioner shall immediately notify the board  
18 in writing if there are changes in practice or location outside  
19 a rural area. A rural certified registered nurse practitioner  
20 who fails to provide the notice required under this subsection  
21 or who is found to be practicing outside of the rural area  
22 specified may not continue to practice in the program.

23 (f) While participating in the program in a rural area, a  
24 rural certified registered nurse practitioner shall be  
25 accountable to the board, nursing profession and patients and  
26 shall have the following duties:

27 (1) To comply with the requirements of this act and the  
28 standard of care of advanced nursing care rendered.

29 (2) To recognize any limitations regarding knowledge and  
30 experience.

31 (3) To wear a name identification badge stating the rural  
32 certified registered nurse practitioner's professional title and  
33 inform new patients about the rural certified registered nurse  
34 practitioner's title before or during the initial patient  
35 encounter. Signage and advertisements must contain the rural  
36 certified registered nurse practitioner's professional title.

37 (4) To plan for the management of situations beyond the  
38 rural certified registered nurse practitioner's expertise.

39 (5) To consult with and refer patients to other health care  
40 providers as appropriate.

41 (g) The board shall be responsible for administering the  
42 program and shall issue regulations as may be necessary to carry  
43 out the provisions of this section. The promulgation of  
44 regulations shall not be a condition precedent to the  
45 applicability of this section.

46 (h) If a rural certified registered nurse practitioner  
47 intends to practice simultaneously under the program and  
48 pursuant to a written or collaborative agreement with a  
49 physician who is external to the program, the collaborating  
50 physician shall have no legal responsibility for acts or  
51 omissions of the rural certified registered nurse practitioner

1 practicing under the program.

2 (i) Nothing in this section shall be construed to do any of  
3 the following:

4 (1) Permit a rural certified registered nurse practitioner  
5 to practice under the act of December 20, 1985 (P.L.457,  
6 No.112), known as the "Medical Practice Act of 1985," or the act  
7 of October 5, 1978 (P.L.1109, No.261), known as the "Osteopathic  
8 Medical Practice Act."

9 (2) Prohibit a rural certified registered nurse practitioner  
10 from consulting with or seeking information related to patient  
11 care from a physician. For the purpose of this section, no  
12 physician-patient relationship shall be established between a  
13 patient and a physician with whom the rural certified registered  
14 nurse practitioner consults or from whom clinical information or  
15 guidance is sought.

16 (j) Notwithstanding any other provision of law, a rural  
17 certified registered nurse practitioner participating in the  
18 program shall be authorized to practice as a licensed  
19 independent practitioner within the scope of practice for which  
20 the rural certified registered nurse practitioner practices as a  
21 primary health care practitioner practices and to be recognized  
22 as a primary care provider under managed care and other health  
23 care plans.

24 (k) The following shall apply:

25 (1) A rural certified registered nurse practitioner  
26 participating in the program may form a professional corporation  
27 with one or more of the following:

28 (i) Registered nurses.

29 (ii) Practitioners who treat human ailments and conditions  
30 and are licensed to provide health care services in this  
31 Commonwealth without receiving a referral or supervision from  
32 another practitioner.

33 (2) Notwithstanding 15 Pa.C.S. § 2903(d)(1)(ii) (relating to  
34 formation of professional corporations), rural certified  
35 registered nurse practitioners participating in the program and  
36 practicing in a rural area shall not be required to have express  
37 authorization by the State Board of Medicine and the State Board  
38 of Osteopathic Medicine for the combined practice of rural  
39 certified registered nurse practitioners with doctors of  
40 medicine and doctors of osteopathic medicine, respectively.

41 (l) A rural certified registered nurse practitioner who  
42 participates in the program must satisfy the liability coverage  
43 requirement under section 8.7 by maintaining an individual  
44 policy in the rural certified registered nurse practitioner's  
45 own name and by providing proof of current coverage to the board  
46 in conjunction with the initial application for participation in  
47 the program and the issuance or renewal of the rural certified  
48 registered nurse practitioner's license.

49 (m) On an annual basis, the Center for Rural Pennsylvania  
50 shall add to the rural area designation based on any necessary  
51 recalculation of population density in this Commonwealth and

1 provide the information to the board for use in determining the  
2 scope of the program. The board shall transmit a list of any  
3 counties added under this subsection to the Legislative  
4 Reference Bureau for publication in the next available issue of  
5 the Pennsylvania Bulletin.

6       Section 3. This act shall take effect in 60 days.