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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1825 Session of  
2024

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INTRODUCED BY GUENST, CABELL, KHAN, MADDEN, NEILSON, HILL-EVANS,  
HOHENSTEIN, DELLOSO, D. WILLIAMS, DONAHUE, LAWRENCE, WAXMAN,  
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STRUZZI, MUSTELLO, O'MARA, HOWARD, BOROWSKI, WEBSTER, PROBST,  
SHUSTERMAN, TOPPER, KINSEY, CERRATO, TOMLINSON, MALAGARI,  
RIGBY, JAMES AND TWARDZIK, JANUARY 31, 2024

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REFERRED TO COMMITTEE ON PROFESSIONAL LICENSURE,  
JANUARY 31, 2024

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AN ACT

1 Amending the act of May 22, 1951 (P.L.317, No.69), entitled "An  
2 act relating to the practice of professional nursing;  
3 providing for the licensing of nurses and for the revocation  
4 and suspension of such licenses, subject to appeal, and for  
5 their reinstatement; providing for the renewal of such  
6 licenses; regulating nursing in general; prescribing  
7 penalties and repealing certain laws," further providing for  
8 title, for definitions, for State Board of Nursing, for  
9 dietitian-nutritionist license required, for unauthorized  
10 practices and acts not prohibited, for temporary practice  
11 permit, for graduates of schools of other states, territories  
12 or Dominion of Canada, for persons entitled to practice, for  
13 certified registered nurse practitioners and qualifications,  
14 for scope of practice for certified registered nurse  
15 practitioners, for prescriptive authority for certified  
16 registered nurse practitioners, for Drug Review Committee,  
17 for professional liability, for reporting of multiple  
18 licensure, for continuing nursing education, for punishment  
19 for violations, for refusal, suspension or revocation of  
20 licenses, for reinstatement of license and for injunction or  
21 other process; and providing for the expiration of the State  
22 Board of Nursing's power to license certified registered  
23 nurse practitioners.

24 The General Assembly of the Commonwealth of Pennsylvania

25 hereby enacts as follows:

1 Section 1. The title of the act of May 22, 1951 (P.L.317,  
2 No.69), known as The Professional Nursing Law, is amended to  
3 read:

4 AN ACT

5 Relating to the practice of professional nursing and the  
6 practice of advanced practice registered nursing; providing  
7 for the licensing of nurses and for the revocation and  
8 suspension of such licenses, subject to appeal, and for their  
9 reinstatement; providing for the renewal of such licenses;  
10 regulating nursing in general; prescribing penalties and  
11 repealing certain laws.

12 Section 2. Section 2(1), (10), (12), (13) and (14) of the  
13 act are amended and the section is amended by adding paragraphs  
14 to read:

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

18 (1) The "Practice of Professional Nursing" means diagnosing  
19 and treating human responses to actual or potential health  
20 problems through such services as casefinding, health teaching,  
21 health counseling, and provision of care supportive to or  
22 restorative of life and well-being, and executing medical  
23 regimens as prescribed by a licensed physician or dentist. The  
24 foregoing shall not be deemed to include acts of medical  
25 diagnosis or prescription of medical therapeutic or corrective  
26 measures, except as performed by [a certified registered nurse  
27 practitioner] an APRN-CNP acting in accordance with rules and  
28 regulations promulgated by the Board.

29 \* \* \*

30 (10) "Medical nutrition therapy" means the component of

1 nutrition therapy that concerns determining and recommending  
2 nutrient needs based on nutritional assessment and medical  
3 problems relative to diets prescribed by a licensed physician or  
4 an APRN-CNP, including:

- 5 (i) tube feedings;
- 6 (ii) specialized intravenous solutions;
- 7 (iii) specialized oral solutions; and
- 8 (iv) interactions of prescription drugs with food or  
9 nutrients.

10 \* \* \*

11 [(12) "Certified registered nurse practitioner" means a  
12 registered nurse licensed in this Commonwealth who is certified  
13 by the board in a particular clinical specialty area.]

14 (13) "Collaboration" means a process in which [a certified  
15 registered nurse practitioner] an APRN-CNP who has less than  
16 three (3) years and three thousand six hundred (3,600) hours of  
17 practice works with one or more physicians to deliver health  
18 care services within the scope of [the certified registered  
19 nurse practitioner's] an APRN-CNP's expertise. The process  
20 includes all of the following:

21 (i) Immediate availability of a licensed physician to [a  
22 certified registered nurse practitioner] an APRN-CNP through  
23 direct communications or by radio, telephone or  
24 telecommunications.

25 (ii) A predetermined plan for emergency services.

26 (iii) A physician available to [a certified registered nurse  
27 practitioner] an APRN-CNP on a regularly scheduled basis for  
28 referrals, review of the standards of medical practice  
29 incorporating consultation and chart review, drug and other  
30 medical protocols within the practice setting, periodic updating

1 in medical diagnosis and therapeutics and cosigning records when  
2 necessary to document accountability by both parties.

3 [(14) "Drug Review Committee" means the committee  
4 established in section 8.4 whose function is to approve or  
5 disapprove, by addition or deletion, the categories of drugs  
6 that may be prescribed by certified registered nurse  
7 practitioners.]

8 \* \* \*

9 (18) "Advanced practice registered nurse-certified nurse  
10 practitioner" means a registered nurse licensed in this  
11 Commonwealth to practice independently in a population focus  
12 area in which the registered nurse is certified by a Board-  
13 recognized national certification program.

14 (19) "APRN-CNP" means an advanced practice registered nurse-  
15 certified nurse practitioner.

16 (20) "Population focus area" means a category of patients  
17 for which an APRN-CNP has the educational preparation to provide  
18 care and services. The categories of population focus include:

19 (i) Family and individuals across the lifespan.

20 (ii) Adult Gerontology.

21 (iii) Neonatal.

22 (iv) Pediatrics.

23 (v) Women's health and gender-related health.

24 (vi) Psychiatric and mental health.

25 (21) "Controlled substance" means a drug designated as a  
26 controlled substance under the act of April 14, 1972 (P.L.233,  
27 No.64), known as "The Controlled Substance, Drug, Device and  
28 Cosmetic Act."

29 (22) "Nonproprietary drug" means a drug containing a  
30 quantity of a controlled substance or a drug which is required

1 by an applicable Federal or State law to be dispensed only by  
2 prescription.

3 (23) "Proprietary drug" means a nonprescription, non-  
4 narcotic medicine or drug which may be sold without a  
5 prescription and which is prepackaged for use by the consumer  
6 and labeled in accordance with the requirements of the statutes  
7 and regulations of the Federal Government and the Commonwealth.

8 (24) "Licensed independent practitioner" means an APRN-CNP  
9 licensed to provide care and services within the scope of the  
10 practitioner's license.

11 (25) "Practice of Advanced Practice Registered Nursing"  
12 means the practice of an APRN-CNP to assess, diagnose, treat,  
13 prescribe and order, within a population focus approved by the  
14 Board of nursing that includes the APRN-CNP's scope of practice.  
15 The term shall include, but not be limited to, performing acts  
16 of medical diagnosis or prescription of medical therapeutic or  
17 corrective measures.

18 Section 3. Sections 2.1(k) and (l), 3.1(b), 4, 4.1, 7(b), 8,  
19 8.1, 8.2, 8.3, 8.4, 8.7, 11.1, 12.1(g)(1), 13(b), 14(a)(1), (2)  
20 and (4) and (b)(6), 15.2 and 15.4 of the act are amended to  
21 read:

22 Section 2.1. State Board of Nursing.--\* \* \*

23 (k) The Board shall have the right and duty to establish  
24 rules and regulations for the practice of professional nursing,  
25 the practice of advanced practice registered nursing, the  
26 practice of dietetics-nutrition and the administration of this  
27 act. Copies of such rules and regulations shall be available for  
28 distribution to the public.

29 (l) Any powers and duties imposed on the State Board of  
30 Medicine or jointly imposed on the State Board of Medicine and

1 the State Board of Nursing, with respect to [certified  
2 registered nurse practitioners] APRN-CNPs, by or pursuant to law  
3 or regulation shall, after the effective date of this  
4 subsection, be exercised solely by the State Board of Nursing.  
5 This subsection shall not apply to 49 Pa. Code §§ 21.283(4)  
6 (relating to prescribing and dispensing drugs) and 21.321  
7 (relating to performance of tasks without direction; performance  
8 of tasks without training; other) unless the State Board of  
9 Nursing promulgates a regulation to exercise the duties imposed  
10 on the State Board of Medicine by those sections.

11 Section 3.1. Dietitian-Nutritionist License Required.--\* \* \*

12 (b) Nothing in this section shall be construed to require or  
13 preclude third-party insurance reimbursement. Nothing herein  
14 shall preclude an insurer or other third-party payor from  
15 requiring that a licensed dietitian-nutritionist obtain a  
16 referral from a licensed physician, an APRN-CNP, a dentist or  
17 podiatrist or that a licensed dietitian-nutritionist file an  
18 evaluation and treatment plan with the insurer or third-party  
19 payor as a precondition of reimbursement.

20 Section 4. Unauthorized Practices; Acts not Prohibited.--

21 This act confers no authority to practice dentistry, podiatry,  
22 optometry, chiropractic, medicine or surgery, nor does it  
23 prohibit--

24 (1) Home care of the sick by friends, domestic servants,  
25 nursemaids, companions, or household aides of any type, so long  
26 as such persons do not represent or hold themselves out to be  
27 licensed nurses, licensed registered nurses, or registered  
28 nurses; or use in connection with their names, any designation  
29 tending to imply that they are licensed to practice under the  
30 provisions of this act nor services rendered by any physicians,

1 osteopaths, dentists or chiropractors, podiatrists,  
2 optometrists, or any person licensed pursuant to the act of  
3 March 2, 1956 (P.L.1211, No.376), known as the "Practical Nurse  
4 Law."

5 (2) Care of the sick, with or without compensation or  
6 personal profit, when done solely in connection with the  
7 practice of the religious tenets of any church by adherents  
8 thereof.

9 (3) The practice of professional nursing or the practice of  
10 advanced practice registered nursing by a person temporarily in  
11 this Commonwealth licensed by another state, territory or  
12 possession of the United States or a foreign country, in  
13 compliance with an engagement made outside of this Commonwealth,  
14 which engagement requires that such person accompany and care  
15 for a patient while temporarily in this Commonwealth: Provided,  
16 however, That said engagement shall not be of more than six (6)  
17 months' duration.

18 (4) The practice of professional nursing or the practice of  
19 advanced practice registered nursing, pursuant to a temporary  
20 practice permit, by a graduate of an approved program of  
21 professional nursing in Pennsylvania or any other state, working  
22 under qualified supervision, during the period not to exceed one  
23 (1) year between completion of his or her program and  
24 notification of the results of a licensing examination taken by  
25 such person, and during such additional period as the Board may  
26 in each case especially permit.

27 (5) The practice of professional nursing or the practice of  
28 advanced practice registered nursing, pursuant to a temporary  
29 practice permit, by a person who holds a current license or  
30 other evidence of the right to practice professional nursing, as

1 that term is defined in this act, issued by any other state,  
2 territory or possession of the United States or the Dominion of  
3 Canada, during the period that an application filed by such  
4 person for licensure in Pennsylvania is pending before the  
5 Board, but not for a period of more than one (1) year and during  
6 such additional period as the Board may in each case especially  
7 permit.

8 (6) The practice of professional nursing[, within the  
9 definition of this act,] or the practice of advanced practice  
10 registered nursing by any person when such person is engaged in  
11 the practice [of nursing] as an employee of the United States.

12 Section 4.1. Temporary Practice Permit.--(a) In order for a  
13 person to practice professional nursing or to practice advanced  
14 practice registered nursing during the one (1) year period from  
15 completion of his or her education program or the one (1) year  
16 period from the application for licensure by a person who holds  
17 a current license issued by any other state, territory or  
18 possession of the United States or the Dominion of Canada, the  
19 Board may issue a temporary practice permit which is  
20 nonrenewable and valid for a period of one (1) year and during  
21 such additional period as the Board may in each case especially  
22 permit, except that the temporary practice permit shall expire  
23 if such person fails the licensing examination.

24 (b) Within ninety (90) days of the date a temporary practice  
25 permit to practice as an APRN-CNP is issued by the Board to an  
26 individual who was licensed or certified by another state,  
27 territory or possession of the United States or a foreign  
28 country, the individual shall comply with the requirements under  
29 sections 8.2 and 8.3 with regard to acting in collaboration with  
30 a physician and in accordance with a collaborative or written



1 agreement with a physician, unless the individual qualifies for  
2 the exception from the collaboration requirement according to  
3 the Board under section 8.1(1).

4 Section 7. Graduates of Schools of Other States, Territories  
5 or Dominion of Canada.--\* \* \*

6 (b) The Board may issue a [certification to registered nurse  
7 practitioners who have] license as an APRN-CNP to a registered  
8 nurse who has completed a course of study considered by the  
9 Board to be equivalent to that required in this State at the  
10 time such course was completed or who is licensed or certified  
11 by another state, territory or possession of the United States  
12 or a foreign country as deemed equivalent to Pennsylvania's  
13 [certification] licensure requirements in accordance with the  
14 [joint] rules and regulations of the [Boards of Nursing and  
15 Medicine] Board.

16 \* \* \*

17 Section 8. Persons Entitled to Practice.--(a) The Board  
18 shall issue to each person who meets the professional nursing  
19 licensure requirements of this act, a certificate setting forth  
20 that such person is licensed to engage in the practice of  
21 professional nursing and entitled to use the title "registered  
22 nurse" and the letters "R.N."

23 (b) The Board shall issue to each person who meets the  
24 dietitian-nutritionist licensure requirements of this act a  
25 certificate setting forth that such person is licensed as a  
26 dietitian-nutritionist and entitled to use the title "licensed  
27 dietitian-nutritionist" and the letters "L.D.N." A record of  
28 [all persons] each person licensed as [dietitian-nutritionists]  
29 a dietitian-nutritionist in this Commonwealth shall be kept in  
30 the office of the Board and shall be open to public inspection

1 and copying upon payment of a nominal fee for copying the  
2 record.

3 (c) The Board shall issue to each person who meets the APRN-  
4 CNP licensure requirements of this act a certificate stating  
5 that such person is licensed as an APRN-CNP and entitled to use  
6 the title "advanced practice registered nurse-certified nurse  
7 practitioner" and the letters "APRN-CNP." A record of each  
8 person licensed as an APRN-CNP in this Commonwealth shall be  
9 kept in the office of the Board and posted on the Board's  
10 publicly accessible Internet website.

11 Section 8.1. Certified Registered Nurse Practitioners;

12 Qualifications.--[(a) The board may certify a licensed  
13 registered nurse as a certified registered nurse practitioner in  
14 a particular clinical specialty area if the nurse satisfies the  
15 requirements established by this act and regulations promulgated  
16 by the board. Certification of a nurse by the board shall expire  
17 on the same date as the license of that nurse expires.]

18 (b) (1) Beginning on the effective date of this section, a  
19 nurse shall not qualify for initial certification by the board  
20 under subsection (a) unless the nurse:

21 (i) is a graduate of an accredited, board-approved master's  
22 or post-master's nurse practitioner program; and

23 (ii) holds certification as a certified registered nurse  
24 practitioner from a board-recognized national certification  
25 organization which required passing of a national certifying  
26 examination in the particular clinical specialty area in which  
27 the nurse is seeking certification by the board.

28 (2) This subsection shall not apply to a nurse who:

29 (i) holds certification from the board as a certified  
30 registered nurse practitioner on the effective date of this

1 subsection; or

2 (ii) would otherwise qualify for certification as a  
3 certified registered nurse practitioner under section 7(b).

4 (3) In order to provide a transition period for persons who  
5 completed or were enrolled in an approved educational program on  
6 the effective date of this section and to permit those persons  
7 to apply for certification under the rules in existence  
8 immediately prior to the effective date of this section, the  
9 board shall issue initial certification to any person who,  
10 within two (2) years of the effective date of this section:

11 (i) submits evidence of having completed or been enrolled in  
12 an approved educational program on the effective date of this  
13 section; and

14 (ii) fulfills all administrative requirements of the board  
15 and possesses all of the other qualifications for certification  
16 in effect immediately prior to the effective date of this  
17 section.

18 (c) As a condition for biennial renewal of certification by  
19 the board, a certified registered nurse practitioner must, in  
20 the two (2) years prior to renewal, complete at least thirty  
21 (30) hours of continuing education approved by the board. In the  
22 case of a certified registered nurse practitioner who is  
23 prescribing medical therapeutic or corrective measures pursuant  
24 to section 8.3, that continuing education must include at least  
25 sixteen (16) hours in pharmacology in that two-year period.]

26 (d) A registered nurse who holds current certification by  
27 the Board on the effective date of this subsection as a  
28 certified registered nurse practitioner in a population focus  
29 area shall automatically be deemed to be licensed by the Board  
30 as an APRN-CNP in the population focus area for which the

1 registered nurse is certified. The Board shall issue appropriate  
2 written notice of the license as an APRN-CNP, except that the  
3 issuance of that notice shall not be a condition precedent to  
4 practice in accordance with the license.

5 (e) Except as provided in subsection (d), an individual  
6 shall not qualify for an initial license as an APRN-CNP on or  
7 after the effective date of this subsection unless the person  
8 meets the following criteria:

9 (1) Holds a current license in this Commonwealth as a  
10 registered nurse.

11 (2) Is a graduate of an accredited, Board-approved nurse  
12 practitioner program at the master's, post-master's or doctoral  
13 level.

14 (3) Holds current certification as an APRN-CNP from a Board-  
15 recognized national certification program that requires passage  
16 of a national certifying examination in a population focus area  
17 for which the registered nurse is certified and is seeking  
18 licensure by the Board.

19 (f) (1) An initial license under subsection (d) as an APRN-  
20 CNP shall expire on the same date as the registered nurse's then  
21 current license as a registered nurse is scheduled to expire.  
22 The license as an APRN-CNP shall thereafter be renewed  
23 biennially on the same date as the nurse's license as a  
24 registered nurse.

25 (2) An initial license under subsection (e) or section 7(b)  
26 as an APRN-CNP shall expire on the same date as the registered  
27 nurse's then current license as a registered nurse is scheduled  
28 to expire. The license as an APRN-CNP shall thereafter be  
29 renewed biennially on the same date as the nurse's license as a  
30 registered nurse.

1 (3) As a condition for biennial renewal by the Board of a  
2 license as an APRN-CNP, the nurse must do all of the following:

3 (i) Maintain a current license in this Commonwealth as a  
4 registered nurse.

5 (ii) Maintain current certification through a Board-  
6 recognized national certification program in the population  
7 focus area in which the registered nurse is licensed as an APRN-  
8 CNP by the Board.

9 (iii) In the two (2) years prior to renewal, complete at  
10 least thirty (30) hours of continuing education approved by the  
11 Board. For an APRN-CNP who is prescribing medical therapeutic or  
12 corrective measures under section 8.3, the continuing education  
13 shall include at least sixteen (16) hours in pharmacology in the  
14 two-year period.

15 (g) The Board shall establish a procedure by which a license  
16 as an APRN-CNP may be amended prior to the biennial renewal date  
17 in order to authorize a registered nurse to practice in a  
18 population focus area in which the nurse was not certified on  
19 the effective date of this subsection or on the date on which  
20 the nurse's current license as an APRN-CNP was issued or  
21 renewed. The Board shall authorize an APRN-CNP to practice in an  
22 additional population focus area only if the nurse holds current  
23 certification from a Board-recognized national certification  
24 program that requires passage of a national certifying  
25 examination in the additional population focus area.

26 (h) (1) The use of the terms "certified registered nurse  
27 practitioner," "registered nurse practitioner," "certified nurse  
28 practitioner" and "nurse practitioner" in any other act shall be  
29 deemed to include a person licensed as an APRN-CNP under this  
30 section or section 7(b) and shall be entitled to practice in

1 accordance with this act, notwithstanding any other provision of  
2 law.

3 (2) A registered nurse who is licensed by the Board as an  
4 APRN-CNP in a population focus area is entitled to use the title  
5 "advanced practice registered nurse-certified nurse  
6 practitioner" and the letters "APRN-CNP." It shall be unlawful  
7 for any other person to use the title "advanced practice  
8 registered nurse-certified nurse practitioner" or the letters  
9 "APRN-CNP."

10 (i) (1) An APRN-CNP may form a professional corporation  
11 with one or more of the following:

12 (i) Other registered nurses.

13 (ii) Other health care practitioners who treat human  
14 ailments and conditions and are licensed to provide health care  
15 services in this Commonwealth without receiving a referral or  
16 supervision from another health care practitioner.

17 (2) This subsection shall be construed to abrogate the  
18 requirement that the State Board of Medicine and the State Board  
19 of Osteopathic Medicine expressly authorize the combined  
20 practice of APRN-CNPs with doctors of medicine or doctors of  
21 osteopathic medicine, respectively, found in 15 Pa.C.S. §  
22 2903(d)(1)(ii) (relating to formation of professional  
23 corporations).

24 (j) An APRN-CNP who has engaged in the practice of  
25 professional nursing in collaboration with a physician for a  
26 period of not less than three (3) years and not less than three  
27 thousand six hundred (3,600) hours in accordance with a written  
28 collaborative agreement with a physician shall not be subject to  
29 collaboration.

30 (k) An APRN-CNP who qualifies for the exception under

1 subsection (j) shall file a form with the Board attesting to  
2 having engaged in the practice of professional nursing in  
3 collaboration with a physician for a period of not less than  
4 three (3) years and not less than three thousand six hundred  
5 (3,600) hours. The form shall be developed by the Board.

6 (1) A registered nurse who was licensed or certified by  
7 another state, territory or possession of the United States or a  
8 foreign country and received a license as an APRN-CNP issued by  
9 the Board or a temporary practice permit to practice as an APRN-  
10 CNP under section 4.1 may qualify for the exception under  
11 subsection (j) if the APRN-CNP satisfactorily demonstrates to  
12 the Board the completion of no less than three (3) years and no  
13 less than three thousand six hundred (3,600) hours of practice  
14 in collaboration with a physician deemed equivalent to the  
15 requirements of subsection (j) which occurred in this  
16 Commonwealth or in one or more other states, territories or  
17 possessions of the United States or foreign countries where the  
18 APRN-CNP was previously, or is currently, licensed.

19 (m) The APRN-CNP shall be accountable to patients, the  
20 nursing profession and the Board and shall:

21 (1) Comply with the requirements of this chapter and the  
22 quality expectations of advanced nursing care rendered.

23 (2) Recognize limits of knowledge and experience.

24 (3) Plan for the management of situations beyond the APRN-  
25 CNP's expertise.

26 (4) Consult with or refer patients to other health care  
27 providers, as appropriate.

28 Section 8.2. Scope of Practice for [Certified Registered  
29 Nurse Practitioners] Advanced Practice Registered Nurse-  
30 Certified Nurse Practitioners.--(a) [A certified registered

1 nurse practitioner while functioning in the expanded role as a  
2 professional nurse] An APRN-CNP shall practice within the scope  
3 of practice of the [particular clinical specialty] population  
4 focus area in which the nurse is [certified] licensed by the  
5 board. Notwithstanding any other provision of law, an APRN-CNP  
6 who meets the requirements under section 8.1 is entitled to all  
7 of the following:

8 (1) To practice as a licensed independent practitioner  
9 within the scope of practice of a particular population focus  
10 area.

11 (2) To be recognized as a primary care provider under  
12 managed care and other health care plans.

13 (b) [A certified registered nurse practitioner] Except as  
14 provided under section 8.1(j) or (l), an APRN-CNP may perform  
15 acts of medical diagnosis [in collaboration] pursuant to a  
16 written collaborative agreement with a physician and in  
17 accordance with regulations promulgated by the board.

18 (c) Except as provided in subsection (c.1), [a certified  
19 registered nurse practitioner] an APRN-CNP may prescribe medical  
20 therapeutic or corrective measures if the nurse is acting in  
21 accordance with the provisions of section 8.3.

22 (c.1) [Except as limited by subsection (c.2), and in]  
23 Except as provided for under section 8.1(j) or (l), in addition  
24 to existing authority, [a certified registered nurse  
25 practitioner] an APRN-CNP shall have authority to do all of the  
26 following, provided that the [certified nurse practitioner]  
27 APRN-CNP is acting within the scope of the [certified registered  
28 nurse practitioner's] APRN-CNP's written collaborative [or  
29 written] agreement with a physician and the [certified  
30 registered nurse practitioner's specialty certification] APRN-



1 CNP's population focus area:

2 (1) Order home health and hospice care.

3 (2) Order durable medical equipment.

4 (3) Issue oral orders [to the extent permitted by the health  
5 care facilities' by-laws, rules, regulations or administrative  
6 policies and guidelines].

7 (4) Make physical therapy and dietitian referrals.

8 (5) Make respiratory, speech and occupational therapy  
9 referrals.

10 (6) Perform disability assessments for the program providing  
11 Temporary Assistance to Needy Families (TANF).

12 (7) Issue homebound schooling certifications.

13 (8) Perform and sign the initial assessment of methadone  
14 treatment evaluations[, provided that any] and order [for]  
15 methadone treatment [shall be made only by a physician].

16 (c.2) [Nothing in this section shall be construed to:

17 (1) Supersede the authority of the Department of Health and  
18 the Department of Public Welfare to regulate the types of health  
19 care professionals who are eligible for medical staff membership  
20 or clinical privileges.

21 (2) Restrict the authority of a health care facility to  
22 determine the scope of practice and supervision or other  
23 oversight requirements for health care professionals practicing  
24 within the facility.] Notwithstanding any provision of the act  
25 of July 19, 1979 (P.L.130, No.48), known as the "Health Care  
26 Facilities Act," no regulation or order of the Department of  
27 Health, the Department of Human Services or the Insurance  
28 Department shall preclude the decision of the governing body of  
29 a health care facility that the types of health care  
30 professionals who are eligible for medical staff membership or

1 clinical privileges at the facility include APRN-CNPs when  
2 practicing as licensed independent practitioners.

3 (d) Nothing in this section shall be construed to limit or  
4 prohibit [a certified registered nurse practitioner] an APRN-CNP  
5 from engaging in those activities which normally constitute the  
6 practice of professional nursing as defined in section 2.

7 Section 8.3. Prescriptive Authority for [Certified  
8 Registered] Advanced Practice Registered Nurse-Certified Nurse  
9 Practitioners.--(a) [A certified registered nurse practitioner]  
10 An APRN-CNP may prescribe medical therapeutic or corrective  
11 measures if the nurse:

12 (1) has successfully completed at least forty-five (45)  
13 hours of coursework specific to advanced pharmacology at a level  
14 above that required by a professional nursing education program;

15 (2) (i) except as provided under subparagraph (ii), is  
16 acting in collaboration with a physician as set forth in a  
17 written collaborative agreement which shall, at a minimum,  
18 identify the following:

19 [(i)] (A) the area of practice in which the nurse is  
20 certified;

21 [(ii)] (B) the categories of drugs from which the nurse may  
22 prescribe or dispense; and

23 [(iii)] (C) the circumstances and how often the  
24 collaborating physician will personally see the patient; [and]  
25 or

26 (ii) is an APRN-CNP that qualifies for the exception under  
27 section 8.1(j) or (l) and is practicing within a population  
28 focus area in which the nurse is certified by a Board-recognized  
29 national certification program; and

30 (3) is acting in accordance with regulations promulgated by

1 the board.

2 (b) [A certified registered nurse practitioner] An APRN-CNP  
3 who satisfies the requirements of subsection (a) may prescribe  
4 and dispense [those categories of drugs that certified  
5 registered nurse practitioners were authorized to prescribe and  
6 dispense by board regulations in effect on the effective date of  
7 this section, subject to the restrictions on certain drug  
8 categories imposed by those regulations. The board shall add to  
9 or delete from the categories of authorized drugs in accordance  
10 with the provisions of section 8.4] proprietary and  
11 nonproprietary drugs and controlled substances, subject to any  
12 restrictions imposed by Board regulations or by Federal law.

13 Section 8.4. [Drug Review Committee.--(a) The Drug Review  
14 Committee is hereby established and shall consist of seven  
15 members as follows:

16 (1) The Secretary of Health or, at the discretion of the  
17 Secretary of Health, the Physician General as his or her  
18 designee, who shall act as chairman.

19 (2) Two certified registered nurse practitioners who are  
20 actively engaged in clinical practice, appointed to three-year  
21 terms by the Secretary of Health.

22 (3) Two licensed physicians who are actively engaged in  
23 clinical practice, appointed to three-year terms by the  
24 Secretary of Health, at least one of whom shall, at the time of  
25 appointment, be collaborating with one or more certified  
26 registered nurse practitioners in accordance with section 8.3(a)

27 (2).

28 (4) Two licensed pharmacists who are actively engaged in the  
29 practice of pharmacy, appointed to three-year terms by the  
30 Secretary of Health.

1 (b) (1) The board shall submit to the Drug Review Committee  
2 any proposed change to the categories of drugs that certified  
3 registered nurse practitioners were authorized to prescribe  
4 pursuant to board regulations in effect on the effective date of  
5 this section. The board shall not change, by addition or  
6 deletion, the categories of authorized drugs without prior  
7 approval of the Drug Review Committee.

8 (2) Within sixty (60) days of a submission by the board  
9 under paragraph (1), a majority of the Drug Review Committee  
10 shall vote to approve or disapprove the proposed change.

11 (3) If a majority of the Drug Review Committee fails to vote  
12 to approve or disapprove the proposed change within sixty (60)  
13 days of receipt of a submission by the board under paragraph  
14 (1), the Drug Review Committee shall be deemed to have approved  
15 the proposed change.] (Reserved).

16 Section 8.7. Professional Liability.--[A certified  
17 registered nurse practitioner] (a) An APRN-CNP practicing in  
18 this Commonwealth shall maintain a level of professional  
19 liability coverage as required for a nonparticipating health  
20 care provider under the act of March 20, 2002 (P.L.154, No.13),  
21 known as the "Medical Care Availability and Reduction of Error  
22 (Mcare) Act," but shall not be eligible to participate in the  
23 Medical Care Availability and Reduction of Error (Mcare) Fund.

24 (b) An APRN-CNP who qualifies for the exception under  
25 section 8.1(j) or (l) and practices without collaboration shall  
26 satisfy the liability coverage requirement under subsection (a)  
27 by maintaining an individual policy in the APRN-CNP's own name.

28 Section 11.1. Reporting of Multiple Licensure.--Any licensed  
29 professional nurse or dietitian-nutritionist of this  
30 Commonwealth who is also licensed to practice nursing, advanced

1 practice registered nursing or dietetics-nutrition in any other  
2 state, territory, possession or country shall report this  
3 information to the Board on the biennial registration  
4 application. Any disciplinary action taken in other states shall  
5 be reported to the Board on the biennial registration  
6 application or within ninety (90) days of final disposition,  
7 whichever is sooner. Multiple licensure shall be noted by the  
8 Board on the licensee's record, and such state, territory,  
9 possession or country shall be notified by the Board of any  
10 disciplinary actions taken against said licensee in this  
11 Commonwealth.

12 Section 12.1. Continuing Nursing Education.--\* \* \*

13 (g) In lieu of meeting the requirements of this section:

14 (1) [Certified registered nurse practitioners] APRN-CNPs  
15 and dietetics-nutrition licensees shall fulfill the  
16 requirements for continuing education in accordance with  
17 sections 8.1 and 11, respectively.

18 \* \* \*

19 Section 13. Punishment for Violations.--\* \* \*

20 (b) In addition to any other civil remedy or criminal  
21 penalty provided for in this act, the Board, by a vote of the  
22 majority of the maximum number of the authorized membership of  
23 the Board as provided by law or by a vote of the majority of the  
24 duly qualified and confirmed membership or a minimum of five (5)  
25 members, whichever is greater, may levy a civil penalty of up to  
26 one thousand dollars (\$1,000) on any current licensee who  
27 violates any provision of this act or on any person who  
28 practices nursing, practices advanced practice registered  
29 nursing or holds himself or herself forth as a licensed  
30 dietitian-nutritionist without being properly licensed to do so

1 under this act or on the responsible officers or employes of any  
2 corporation, copartnership, institution or association violating  
3 any of the provisions of this act. The Board shall levy this  
4 penalty only after affording the accused party the opportunity  
5 for a hearing, as provided in Title 2 of the Pennsylvania  
6 Consolidated Statutes (relating to administrative law and  
7 procedure).

8 Section 14. Refusal, Suspension or Revocation of Licenses.--

9 (a) The Board may refuse, suspend or revoke any license in any  
10 case where the Board shall find that--

11 (1) The licensee is on repeated occasions negligent or  
12 incompetent in the practice of professional nursing, advanced  
13 practice registered nursing or dietetics-nutrition.

14 (2) The licensee is unable to practice professional nursing  
15 or the practice of advanced practice registered nursing with  
16 reasonable skill and safety to patients by reason of mental or  
17 physical illness or condition or physiological or psychological  
18 dependence upon alcohol, hallucinogenic or narcotic drugs or  
19 other drugs which tend to impair judgment or coordination, so  
20 long as such dependence shall continue. In enforcing this clause

21 (2), the Board shall, upon probable cause, have authority to  
22 compel a licensee to submit to a mental or physical examination  
23 as designated by it. After notice, hearing, adjudication and  
24 appeal as provided for in section 15, failure of a licensee to  
25 submit to such examination when directed shall constitute an  
26 admission of the allegations against him or her unless failure  
27 is due to circumstances beyond his or her control, consequent  
28 upon which a default and final order may be entered without the  
29 taking of testimony or presentation of evidence. A licensee  
30 affected under this paragraph shall at reasonable intervals be

1 afforded an opportunity to demonstrate that he or she can resume  
2 a competent practice of professional nursing or the practice of  
3 advanced practice registered nursing with reasonable skill and  
4 safety to patients.

5 \* \* \*

6 (4) The licensee has committed fraud or deceit in:

7 (i) the practice of nursing, the practice of advanced  
8 practice registered nursing or in securing his or her admission  
9 to such practice or nursing school; or

10 (ii) the practice of dietetics-nutrition or in securing his  
11 or her license as a dietitian-nutritionist.

12 \* \* \*

13 (b) When the Board finds that the license of any nurse or  
14 dietitian-nutritionist may be refused, revoked or suspended  
15 under the terms of subsection (a), the Board may:

16 \* \* \*

17 (6) Restore or reissue, in its discretion, a suspended  
18 license to practice professional or practical nursing, advanced  
19 practice registered nursing or dietetics-nutrition and impose  
20 any disciplinary or corrective measure which it might originally  
21 have imposed.

22 Section 15.2. Reinstatement of License.--Unless ordered to  
23 do so by Commonwealth Court or an appeal therefrom, the Board  
24 shall not reinstate the license of a person to practice nursing,  
25 advanced practice registered nursing or dietetics-nutrition  
26 which has been revoked. Any person whose license has been  
27 revoked may reapply for a license, after a period of at least  
28 five (5) years, but must meet all of the licensing  
29 qualifications of this act for the license applied for, to  
30 include the examination requirement, if he or she desires to

1 practice at any time after such revocation.

2 Section 15.4. Injunction or Other Process.--It shall be  
3 unlawful for any person to practice or attempt to offer to  
4 practice nursing, practice advanced practice registered nursing  
5 or hold himself or herself forth as a licensed dietitian-  
6 nutritionist[, as defined in this act,] or an APRN-CNP without  
7 having at the time of so doing a valid, unexpired, unrevoked and  
8 unsuspended license issued under this act. The unlawful practice  
9 of nursing [as defined in this act] or unlawful practice of  
10 advanced practice registered nursing may be enjoined by the  
11 courts on petition of the Board or the Commissioner of  
12 Professional and Occupational Affairs. In any such proceeding,  
13 it shall not be necessary to show that any person is  
14 individually injured by the actions complained of. If it is  
15 determined that the respondent has engaged in the unlawful  
16 practice of nursing or the unlawful practice of advanced  
17 practice registered nursing, the court shall enjoin him or her  
18 from so practicing unless and until he or she has been duly  
19 licensed. Procedure in such cases shall be the same as in any  
20 other injunction suit. The remedy by injunction hereby given is  
21 in addition to any other civil or criminal prosecution and  
22 punishment.

23 Section 4. The authority of the State Board of Nursing to  
24 certify a licensed registered nurse as an advanced practice  
25 registered nurse-certified nurse practitioner shall expire on  
26 the effective date of this section.

27 Section 5. Within 90 days after the effective date of this  
28 section, the State Board of Nursing, the Department of Health,  
29 the Department of Human Services and other affected agencies  
30 shall initiate the promulgation of regulations necessary to



1 carry out the provisions of this act. The promulgation of the  
2 regulations shall not be a condition precedent to the  
3 applicability of this act.

4 Section 6. All other acts and parts of acts are repealed  
5 insofar as they are inconsistent with this act.

6 Section 7. This act shall take effect in 60 days.