

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 389 Session of 2015

INTRODUCED BY OBERLANDER, JAMES, BARRAR, BOBACK, V. BROWN, D. COSTA, DAVIS, DUSH, FREEMAN, GERGELY, GINGRICH, HARPER, A. HARRIS, J. HARRIS, HELM, HENNESSEY, KAUFFMAN, KORTZ, MILLARD, MURT, GABLER, PASHINSKI, PETRARCA, PICKETT, SAYLOR, SNYDER, WARD, HANNA, PHILLIPS-HILL, LONGIETTI, DIGIROLAMO, MILNE, READSHAW, QUIGLEY, SAINATO, M. K. KELLER, WATSON, FARRY AND SCHLEGEL CULVER, FEBRUARY 9, 2015

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES, MAY 6, 2015

AN ACT

1 Amending the act of April 27, 1905 (P.L.312, No.218), entitled
2 "An act creating a Department of Health, and defining its
3 powers and duties," establishing the office of Chief Nursing
4 Officer of the Commonwealth and providing for its powers and
5 duties.

6 The General Assembly of the Commonwealth of Pennsylvania
7 hereby enacts as follows:

8 Section 1. Section 1(a) of the act of April 27, 1905
9 (P.L.312, No.218), entitled "An act creating a Department of
10 Health, and defining its powers and duties," amended July 2,
11 1996 (P.L.518, No.87), is amended and the section is amended by
12 adding a subsection to read:

13 Section 1. Be it enacted, &c., (a) The Department of Health
14 shall consist of a Secretary of Health, an advisory board [and],
15 a Physician General and a Chief Nursing Officer of the
16 Commonwealth as required under subsection (c.1).

1 \* \* \*

2 (c.1) There shall be an office of Chief Nursing Officer of  
3 the Commonwealth within the administrative structure of the  
4 department. The Chief Nursing Officer of the Commonwealth shall  
5 be appointed by the Governor by and with the advice and consent  
6 of the Senate, except the office shall remain vacant if the  
7 secretary is a registered nurse. The department shall provide  
8 adequate staff and other support as needed. The Chief Nursing  
9 Officer of the Commonwealth shall be a graduate of an accredited  
10 school of nursing and shall, ~~at a minimum,~~ be a practicing <--  
11 Bachelor of Science in Nursing (BSN) prepared registered nurse <--  
12 licensed by the Commonwealth. NURSE LICENSED BY THE <--  
13 COMMONWEALTH. THE CHIEF NURSING OFFICER SHALL BE A REGISTERED  
14 NURSE WITH AN UNENCUMBERED LICENSE ISSUED BY THE COMMONWEALTH  
15 WHO HAS AT LEAST 10 YEARS OF WORKING EXPERIENCE AS A REGISTERED  
16 NURSE AND WHO HAS AN ADVANCED DEGREE IN NURSING OR PUBLIC  
17 HEALTH. The Chief Nursing Officer of the Commonwealth shall  
18 serve at the pleasure of the Governor. The Chief Nursing Officer  
19 of the Commonwealth shall:

20 (1) Advise the Governor and the secretary on health policy.

21 (2) Participate in the decision-making process of the  
22 department on policies relating to all nursing and public  
23 health-related issues and in the decision-making process of  
24 other executive branch agencies as directed by the Governor.

25 (3) Review professional standards and practices in nursing  
26 and public health which are related to matters within the  
27 jurisdiction of the department and other executive branch  
28 agencies.

29 (4) Consult with recognized experts on nursing and public  
30 health matters which are within the jurisdiction of the

1 department and other executive branch agencies.

2 (5) Provide advice on nursing and public health issues to  
3 the secretary and to other executive branch agencies.

4 (6) Coordinate educational, informational and other programs  
5 for the promotion of wellness, public health and related nursing  
6 issues in this Commonwealth and serve as the primary advocate  
7 for these programs.

8 (7) Consult with experts in this Commonwealth and other  
9 states regarding health care research, innovation and  
10 development which relate to programs and issues of importance to  
11 the department and the Commonwealth.

12 (8) Perform such other duties as directed by the Governor.

13 (9) When the secretary is not a nurse, serve as a voting  
14 member of the State Board of Nursing. The Chief Nursing Officer  
15 of the Commonwealth may provide a designee to serve in his or  
16 her stead. The salary and other conditions of employment shall  
17 be set by the Executive Board.

18 \* \* \*

19 Section 2. This act shall take effect in 60 days.