

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2656

Session of
1986

INTRODUCED BY BELFANTI, VEON, PHILLIPS, AFFLERBACH, STEVENS,
KUKOVICH, BLAUM, RICHARDSON, PUNT, COY, LAUGHLIN, RUDY,
COLAFELLA, GRUITZA, COLE, SHOWERS, D. R. WRIGHT, TIGUE,
CAWLEY, STEIGHNER, STUBAN, DORR, GALLEN, FATTAH, MILLER,
JOSEPHS AND BOOK, JUNE 18, 1986

AS REPORTED FROM COMMITTEE ON PROFESSIONAL LICENSURE,
HOUSE OF REPRESENTATIVES, AS AMENDED, SEPTEMBER 30, 1986

AN ACT

1 Amending the act of May 22, 1951 (P.L.317, No.69), entitled, as
2 amended, "An act relating to the practice of professional
3 nursing; providing for the licensing of nurses and for the
4 revocation and suspension of such licenses, subject to
5 appeal, and for their reinstatement; providing for the
6 renewal of such licenses; regulating nursing in general;
7 prescribing penalties and repealing certain laws,"
8 prohibiting the Board from making changes in entry-level
9 nursing education or licensure requirements; AND FURTHER
10 PROVIDING FOR NURSING PROGRAMS. <—

11 The General Assembly of the Commonwealth of Pennsylvania
12 hereby enacts as follows:

13 Section 1. ~~The~~ SECTION 5 OF THE act of May 22, 1951 <—
14 (P.L.317, No.69), known as The Professional Nursing Law, is
15 amended by adding a ~~section~~ SUBSECTION to read: <—

16 ~~Section 5.1. Restrictions on Examinations. The Board shall~~ <—
17 ~~not deny access to an examination for licensure as a registered~~
18 ~~nurse to a graduate of an approved program of nursing education~~
19 ~~with an associate degree, a certificate from an accredited~~
20 ~~program for registered nursing or a baccalaureate degree in~~

~~nursing. The Board shall not reduce student choice among nursing
programs approved as of June 1, 1986.~~

SECTION 5. EXAMINATIONS AND CERTIFICATES.--* * *

(D) IN ESTABLISHING THE EDUCATION REQUIREMENTS FOR
ADMITTANCE TO THE NURSING LICENSURE EXAMINATION UNDER THIS
SECTION, THE BOARD SHALL NOT DENY ACCESS TO THE EXAMINATION FOR
LICENSURE AS A REGISTERED NURSE TO A GRADUATE OF A STATE-
APPROVED ASSOCIATE DEGREE, DIPLOMA, OR BACCALAUREATE DEGREE
NURSING PROGRAM.

SECTION 2. SECTIONS 6 AND 6.2 OF THE ACT, AMENDED DECEMBER
20, 1985 (P.L.409, NO.109), ARE AMENDED TO READ:

SECTION 6. FEES; QUALIFICATIONS FOR LICENSURE.--NO
APPLICATION FOR LICENSURE AS A REGISTERED NURSE SHALL BE
CONSIDERED UNLESS ACCOMPANIED BY A FEE DETERMINED BY THE BOARD
BY REGULATION. EVERY APPLICANT, TO BE ELIGIBLE FOR EXAMINATION
FOR LICENSURE AS A REGISTERED NURSE, SHALL FURNISH EVIDENCE
SATISFACTORY TO THE BOARD THAT HE OR SHE IS OF GOOD MORAL
CHARACTER, HAS COMPLETED WORK EQUAL TO A STANDARD HIGH SCHOOL
COURSE AS EVALUATED BY THE BOARD AND HAS SATISFACTORILY
COMPLETED AN APPROVED PROGRAM OF PROFESSIONAL NURSING. APPROVED
PROGRAMS SHALL INCLUDE BACCALAUREATE DEGREE, ASSOCIATE DEGREE
AND DIPLOMA NURSING PROGRAMS. THE BOARD SHALL NOT ISSUE A
LICENSE OR CERTIFICATE TO AN APPLICANT WHO HAS BEEN CONVICTED OF
A FELONIOUS ACT PROHIBITED BY THE ACT OF APRIL 14, 1972
(P.L.233, NO.64), KNOWN AS "THE CONTROLLED SUBSTANCE, DRUG,
DEVICE AND COSMETIC ACT," OR CONVICTED OF A FELONY RELATING TO A
CONTROLLED SUBSTANCE IN A COURT OF LAW OF THE UNITED STATES OR
ANY OTHER STATE, TERRITORY OR COUNTRY UNLESS:

(1) AT LEAST TEN (10) YEARS HAVE ELAPSED FROM THE DATE OF
CONVICTION;

(2) THE APPLICANT SATISFACTORILY DEMONSTRATES TO THE BOARD THAT HE HAS MADE SIGNIFICANT PROGRESS IN PERSONAL REHABILITATION SINCE THE CONVICTION SUCH THAT LICENSURE OF THE APPLICANT SHOULD NOT BE EXPECTED TO CREATE A SUBSTANTIAL RISK OF HARM TO THE HEALTH AND SAFETY OF PATIENTS OR THE PUBLIC OR A SUBSTANTIAL RISK OF FURTHER CRIMINAL VIOLATIONS; AND

(3) THE APPLICANT OTHERWISE SATISFIES THE QUALIFICATIONS CONTAINED IN OR AUTHORIZED BY THIS ACT.

AS USED IN THIS SUBSECTION THE TERM "CONVICTED" SHALL INCLUDE A JUDGMENT, AN ADMISSION OF GUILT OR A PLEA OF NOLO CONTENDERE. AN APPLICANT'S STATEMENT ON THE APPLICATION DECLARING THE ABSENCE OF A CONVICTION SHALL BE DEEMED SATISFACTORY EVIDENCE OF THE ABSENCE OF A CONVICTION, UNLESS THE BOARD HAS SOME EVIDENCE TO THE CONTRARY.

SECTION 6.2. EDUCATION PROGRAMS, APPROVED LISTS, DISTRIBUTION; STUDENT CREDITS WHERE SCHOOL REMOVED FROM LIST.--

(A) THE BOARD SHALL ANNUALLY PREPARE AND MAKE AVAILABLE FOR PUBLIC DISTRIBUTION A LIST OF ALL PROGRAMS APPROVED AND CLASSIFIED BY IT. ANY STUDENT WHO SHALL BE ENROLLED IN ANY SCHOOL WHICH SHALL BE REMOVED FROM THE APPROVED LIST SHALL BE GIVEN CREDIT TOWARD THE SATISFACTION OF THE BOARD'S REQUIREMENTS FOR EXAMINATION FOR SUCH OF THE REQUIREMENTS OF THE BOARD WHICH ANY SAID STUDENT SHALL SATISFACTORILY COMPLETE PRIOR TO THE REMOVAL OF SAID SCHOOL FROM THE APPROVED LIST, AND SAID STUDENT SHALL UPON THE SATISFACTORY COMPLETION OF THE REMAINDER OF SAID REQUIREMENTS IN ANY APPROVED SCHOOL BE ELIGIBLE FOR EXAMINATION FOR LICENSURE. THE BOARD MAY WITHHOLD OR REMOVE ANY SCHOOL FROM THE APPROVED LIST IF THE SCHOOL FAILS TO MEET AND MAINTAIN MINIMUM STANDARDS, AS ESTABLISHED BY REGULATION OF THE BOARD, OF EDUCATION, CURRICULUM, ADMINISTRATION, QUALIFICATIONS OF THE

1 FACULTY, ORGANIZATION AND FUNCTION OF THE FACULTY, STAFF AND
2 FACILITIES.

3 (B) THE BOARD SHALL NOT FAIL TO APPROVE A NURSING PROGRAM ON
4 THE GROUNDS THAT SUCH NURSING PROGRAM AWARDS A DIPLOMA OR
5 ASSOCIATE DEGREE RATHER THAN A BACCALAUREATE DEGREE.

6 Section 2 3. This act shall take effect immediately.

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