

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1611 Session of 2011

INTRODUCED BY GIBBONS, BRIGGS, CALTAGIRONE, CARROLL, COHEN,  
FABRIZIO, FARRY, FREEMAN, GALLOWAY, HARKINS, HORNAMAN,  
JOSEPHS, KORTZ, MURPHY, MURT, PYLE, SANTONI AND STURLA,  
JUNE 2, 2011

REFERRED TO COMMITTEE ON PROFESSIONAL LICENSURE, JUNE 2, 2011

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," further  
8 providing for definitions and providing for psychiatric  
9 mental health clinical nurse specialist.

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

12 Section 1. Section 2 of the act of May 22, 1951 (P.L.317,  
13 No.69), known as The Professional Nursing Law, is amended by  
14 adding clauses 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 \* \* \*

19 (16) "Consultation" means interaction between a psychiatric  
20 mental health clinical nurse specialist (PMHCNS) and another

member of the health care team for the purpose of transmitting or obtaining information, advice or referral.

(17) "Mental health diagnoses" means the use of advanced professional nursing knowledge and skills in the identification of and discrimination between physical and psychological signs and symptoms, selecting those disorders from the most recent version of the Diagnostic & Statistical Manual of Mental Disorders that best reflect the signs and symptoms that are afflicting the individual being evaluated to arrive at a conclusion for which advanced nursing care is indicated or referral to appropriate medical or community resources is required.

(18) "Psychiatric mental health clinical nurse specialist (PMHCNS)" means a registered nurse licensed in this Commonwealth who is certified as a clinical nurse specialist under this act and authorized or certified by the State Board of Nursing as a psychiatric mental health clinical nurse specialist.

Section 2. Section 8.6 of the act, added July 20, 2007 (P.L.320, No.49), is amended to read:

Section 8.6. Scope of Practice for Clinical Nurse Specialist and for Psychiatric Mental Health Clinical Nurse Specialist.--

(a) Nothing in this act shall permit a clinical nurse specialist to engage in the practice of medicine or surgery as defined in the act of December 20, 1985 (P.L.457, No.112), known as the "Medical Practice Act of 1985"; perform acts of medical diagnosis; or prescribe medical therapeutic or corrective measures. The restrictions in this subsection apply to both physical and mental disorders.

(b) Nothing in this act shall be construed to limit or prohibit a clinical nurse specialist from engaging in those

activities which normally constitute the practice of nursing,  
including a nursing diagnosis, as defined in section 2.

(c) A psychiatric mental health clinical nurse specialist  
(PMHCNS) while functioning in the expanded role as a clinical  
nurse specialist (CNS) shall practice within the scope of  
practice of the particular clinical specialty area in which the  
nurse is certified by the board.

(d) In addition to existing authority prescribed in  
subsections (a) and (b), a PMHCNS shall have the authority to do  
all of the following:

(1) Establish a mental health diagnosis.

(2) Evaluate psychobiological interventions.

(3) Provide individual psychotherapy.

(4) Provide group psychotherapy.

(5) Provide marital or couple psychotherapy.

(6) Provide any therapy which purpose is to:

(i) Effect change in the client in an attempt to alleviate  
emotional disturbances.

(ii) Reverse or change maladaptive behavior.

(iii) Facilitate personality growth and development.

(7) Provide consultation to health care providers and to  
others:

(i) Influence the plans of care for clients.

(ii) Enhance the abilities of others to provide behavioral,  
psychiatric and mental health care.

(iii) Effect change in systems.

(8) Provide behavioral rehabilitation care.

(9) Utilize advanced practice skills to independently  
provide:

(i) Case management including behavioral rehabilitation at

1 home care.

2 (ii) Health teaching, health promotion, health prevention  
3 and aid to the client in developing healthy patterns of living.

4 (10) Perform mental disability assessments.

5 (11) Develop and manage programs to meet the mental health  
6 needs of a population or to target a population at risk for  
7 developing mental health problems.

8 (12) Provide clinical supervision to other PMHCNS and other  
9 registered nurses.

10 (13) Provide crisis intervention and make referrals as  
11 appropriate.

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