

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1922 Session of  
2009

INTRODUCED BY GIBBONS, BRADFORD, BRENNAN, BRIGGS, CARROLL,  
D. COSTA, DePASQUALE, FRANKEL, GALLOWAY, GERGELY, GRUCELA,  
HORNAMAN, JOSEPHS, KORTZ, KOTIK, LENTZ, MARSHALL, MATZIE,  
MURT, PETRARCA, PHILLIPS, ROEBUCK, SANTONI, SAYLOR, SOLOBAY,  
STURLA AND WATSON, SEPTEMBER 28, 2009

REFERRED TO COMMITTEE ON PROFESSIONAL LICENSURE, SEPTEMBER 28,  
2009

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 a 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

1 mental health clinical nurse specialist (PMHCNS) and another  
2 member of the health care team for the purpose of transmitting  
3 or obtaining information, advice or referral.

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

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

19 Section 2. Section 8.6 of the act is amended to read:

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

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

29 (b) Nothing in this act shall be construed to limit or  
30 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.