

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1298 Session of
2005

INTRODUCED BY E. Z. TAYLOR, S. MILLER, ADOLPH, ALLEN, ARMSTRONG, BAKER, BALDWIN, BARRAR, BASTIAN, BEBKO-JONES, BELARDI, BELFANTI, BENNINGHOFF, BISHOP, BOYD, BUXTON, CALTAGIRONE, CAPPELLI, CIVERA, CLYMER, CORNELL, CRAHALLA, CREIGHTON, CRUZ, DeLUCA, DeWEESE, DiGIROLAMO, EACHUS, J. EVANS, FABRIZIO, FAIRCHILD, FLEAGLE, FLICK, FREEMAN, GEIST, GEORGE, GILLESPIE, GINGRICH, GOOD, GOODMAN, GRELL, GRUCELA, HARHAI, HARRIS, HASAY, HENNESSEY, HERMAN, HERSHEY, HESS, JAMES, W. KELLER, KILLION, KOTIK, LEACH, LEDERER, LEH, MACKERETH, MAJOR, MANDERINO, MANN, MARKOSEK, MARSICO, McGEEHAN, McILHATTAN, MILLARD, MUNDY, NAILOR, NICKOL, O'BRIEN, O'NEILL, PALLONE, PAYNE, PETRARCA, PETRI, PHILLIPS, PICKETT, PRESTON, RAYMOND, READSHAW, REED, REICHLEY, ROHRER, ROSS, RUBLEY, SAINATO, SANTONI, SATHER, SAYLOR, SCAVELLO, SCHRODER, SEMMEL, SHANER, B. SMITH, SOLOBAY, STABACK, THOMAS, STETLER, STURLA, SURRA, TANGRETTI, TIGUE, TRUE, WALKO, WATSON, WOJNAROSKI, YOUNGBLOOD AND YUDICHAK, APRIL 6, 2005

REFERRED TO COMMITTEE ON PROFESSIONAL LICENSURE, APRIL 6, 2005

AN ACT

1 Providing for recruitment and retention of nurses; establishing
2 the Pennsylvania Center for Nursing; and making an
3 appropriation.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Short title.

7 This act shall be known and may be cited as the Nurse
8 Recruitment and Retention Act.

9 Section 2. Declaration of policy.

10 The General Assembly finds and declares as follows:

11 (1) The center will repay the Commonwealth's investment

1 by providing an ongoing strategy for the allocation of the
2 Commonwealth's resources directed toward nursing.

3 (2) It is imperative that the Commonwealth protect its
4 investment and progress made in its nursing efforts to date.
5 The center is the appropriate means to do this.

6 (3) The center shall have adequate budget support for
7 its operations so that it may have adequate resources to
8 carry out this act.

9 Section 3. Definitions.

10 The following words and phrases when used in this act shall
11 have the meanings given to them in this section unless the
12 context clearly indicates otherwise:

13 "Board." The Pennsylvania Center for Nursing Board of
14 Directors.

15 "Center." The Pennsylvania Center for Nursing established in
16 section 4 (relating to Pennsylvania Center for Nursing).

17 Section 4. Pennsylvania Center for Nursing.

18 (a) Establishment.--The Pennsylvania Center for Nursing is
19 established as a legislative agency.

20 (b) Powers and duties.--The center has the following powers
21 and duties:

22 (1) To address issues of supply and demand of the
23 nursing work force in this Commonwealth. This paragraph
24 includes education, recruitment, retention and utilization of
25 nurse personnel resources.

26 (2) To develop a Statewide nursing work force consortium
27 among schools, health care providers and other relevant
28 institutions to plan and implement models which enhance
29 educational and career mobility for nurses.

30 (3) To establish a mechanism to maintain the consortium

1 under paragraph (2) on a long-term basis so the monitoring of
2 nursing care needs and the building of a nursing work force
3 with corresponding strengths become ongoing components of
4 this Commonwealth's health care structure as follows:

5 (i) Conduct a comprehensive assessment of the
6 current and projected nursing care needs in this
7 Commonwealth.

8 (ii) Develop a dependable system for estimating
9 future needs.

10 (iii) Analyze the capacity of this Commonwealth's
11 nursing work force to meet these needs.

12 (iv) Analyze the area's educational infrastructure
13 to produce the numbers and types of nursing professionals
14 required.

15 (v) Convene various groups representative of nurses,
16 other health care providers, business and industry,
17 consumers, legislators and educators to do all of the
18 following:

19 (A) Review and comment on data analysis
20 conducted by the center.

21 (B) Recommend systemic changes, needed to
22 improve delivery of health care services by nurses,
23 including strategies for implementation of
24 recommended changes.

25 (C) Evaluate and report the results of these
26 efforts to the General Assembly and others.

27 (D) Promote media and positive image-building
28 efforts for nursing.

29 (E) Report with evidenced-based data the
30 relationship of nursing care to the positive outcomes

1 of the health consumer.

2 (c) Director.--The center shall be operated by a director
3 employed by the board under section 5(f)(4) (relating to board
4 of directors).

5 Section 5. Board of directors.

6 (a) Establishment.--The center shall be governed by a board
7 of directors.

8 (b) Membership.--The board shall consist of the following
9 directors:

10 (1) Four directors appointed by the President pro
11 tempore of the Senate as follows:

12 (i) One director must be a professional registered
13 nurse.

14 (ii) One director must be a representative of the
15 hospital industry.

16 (iii) The remaining directors must represent other
17 health care professions, business, industry, health care
18 providers or consumers.

19 (2) Four directors appointed by the Speaker of the House
20 of Representatives as follows:

21 (i) One director must be a professional registered
22 nurse.

23 (ii) One director must be a representative of the
24 long-term care industry.

25 (iii) The remaining directors must represent other
26 health care professions, business, industry, health care
27 providers or consumers.

28 (3) Three directors appointed by the Governor as
29 follows:

30 (i) Two directors must be professional registered

nurses.

(ii) One director must be a representative of the home health care industry.

(4) Four directors appointed by the Governor as follows:

(i) All directors must be nurse educators.

(ii) One director must have experience in the development and implementation of a diploma school of nursing.

(iii) One director must have experience in the development and implementation of an associate degree nursing program.

(iv) One director must have experience in the development and implementation of a baccalaureate degree nursing program.

(v) One director must have experience in the development and implementation of a practical nursing program.

(c) Terms.--

(1) Directors under subsection (b)(1) and (2) shall serve at the pleasure of the appointing authority and may not serve consecutively for more than eight years.

(2) Directors under subsection (b)(3) shall serve as follows:

(i) One director shall serve an initial term of four years.

(ii) One director shall serve an initial term of three years.

(iii) One director shall serve initial terms of two years.

(iv) Each term following an initial term shall be

1 for four years.

2 (v) A director under this paragraph may not serve
3 more than two terms consecutively.

4 (3) Directors under subsection (b)(4) shall serve as
5 follows:

6 (i) One director shall serve an initial term of four
7 years.

8 (ii) One director shall serve an initial term of
9 three years.

10 (iii) Two directors shall serve an initial term of
11 two years.

12 (iv) Each term following an initial term shall be
13 for four years.

14 (v) A director under this paragraph may not serve
15 more than two terms consecutively.

16 (4) A vacancy under subsection (b)(3) or (4) shall be
17 filled by the appointing authority for the remainder of the
18 term.

19 (5) A director shall hold office until a successor is
20 appointed and qualified.

21 (d) Quorum.--Eight directors constitute a quorum.

22 (e) Officers.--The directors shall elect a chairperson and
23 secretary from among its members. An officer shall serve a term
24 of two years. An officer may not serve successive terms.

25 (f) Powers and duties.--The board has the following powers
26 and duties:

27 (1) To determine operational policy for the center.

28 (2) To implement the functions of the center.

29 (3) To seek and accept private funds to carry out the
30 operations of the center.

1 (4) To employ an executive director of the center.

2 (5) To establish committees as necessary.

3 (6) To appoint a multidisciplinary advisory council for
4 input and advice on policy matters.

5 (g) Compensation.--Directors shall serve without
6 compensation but shall be reimbursed for reasonable and
7 necessary expenses in the performance of their duties.

8 Section 19. Appropriation.

9 The sum of \$, or as much thereof as may be necessary,
10 is hereby appropriated to the Pennsylvania Center for Nursing
11 for the fiscal year July 1, 2005, to June 30, 2006, to carry out
12 the provisions of this act.

13 Section 20. Effective date.

14 This act shall take effect in 60 days.