

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1254 Session of  
2007

INTRODUCED BY GIBBONS, BELFANTI, CURRY, EACHUS, FREEMAN, GEIST,  
GRUCELA, PETRONE, SAYLOR AND YOUNGBLOOD, MAY 10, 2007

REFERRED TO COMMITTEE ON PROFESSIONAL LICENSURE, MAY 10, 2007

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," adding  
8 definitions; and providing for clinical nurse specialists.

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

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

14 Section 2. Definitions.--When used in this act, the  
15 following words and phrases shall have the following meanings  
16 unless the context provides otherwise:

17 \* \* \*

18 (15) "Clinical nurse specialist" means a registered nurse  
19 licensed in this Commonwealth who is certified by the State  
20 Board of Nursing as a clinical nurse specialist.

21 (16) "Practice of clinical nurse specialist" means the

1 provision of direct and indirect nursing care at the advanced  
2 level.

3 Section 2. Section 3 of the act, amended December 20, 1985  
4 (P.L.409, No.109), is amended to read:

5 Section 3. Registered Nurse, Clinical Nurse Specialist, Use  
6 of Title and Abbreviation "R.N." or "C.N.S."; Credentials;

7 Fraud.--(a) Any person who holds a license to practice  
8 professional nursing in this Commonwealth, or who is maintained  
9 on inactive status in accordance with section 11 of this act,  
10 shall have the right to use the title "registered nurse" and the  
11 abbreviation "R.N." No other person shall engage in the practice  
12 of professional nursing or use the title "registered nurse" or  
13 the abbreviation "R.N." to indicate that the person using the  
14 same is a registered nurse. No person shall sell or fraudulently  
15 obtain or fraudulently furnish any nursing diploma, license,  
16 record, or registration or aid or abet therein.

17 (b) Any person who holds a license to practice professional  
18 nursing in this Commonwealth who meets the requirements to be a  
19 clinical nurse specialist shall have the right to use the title  
20 "clinical nurse specialist" and the abbreviation "C.N.S." No  
21 other person shall have that right.

22 Section 3. Sections 6.2 and 7 of the act are amended by  
23 adding subsections to read:

24 Section 6.2. Education Programs, Approved Lists,  
25 Distribution; Student Credits Where School Removed from List.--\*

26 \* \*

27 (c) Educational programs for the education of clinical nurse  
28 specialists that are operated within a regionally accredited  
29 college or university and that culminate in at least a master's  
30 degree or doctorate in nursing or a post-master's certificate in

nursing, with a concentration in the role of the clinical nurse specialist and that are approved by a national accrediting body for nursing education programs recognized by the board shall be considered approved programs for the purposes of conferring certification to practice as a clinical nurse specialist:

(1) Within ninety (90) days of the effective date of this subsection, the board shall announce on its Internet website the recognized national accrediting bodies for purposes of this subsection.

(2) Within one hundred eighty (180) days of the effective date of this subsection, education programs meeting these requirements shall submit the name, address and telephone number of the program; name and curriculum vitae of the program director; and proof of accreditation to the board by a national accrediting body recognized by the board for inclusion on the list of approved clinical nurse specialist education programs.

(3) Programs created more than six (6) months after the effective date of this subsection shall submit the information required in this subsection to the board for inclusion on the list of approved programs.

Section 7. Graduates of Schools of Other States, Territories or Dominion of Canada.--\* \* \*

(c) The board may issue a certification to clinical nurse specialists who have completed a course of study considered by the board to be equivalent to that required in this Commonwealth at the time such course was completed or who is licensed or certified by another state, territory or possession of the United States or a foreign country as deemed equivalent to Pennsylvania's certification requirements, and who has met all the requirements as to character and preliminary education

1 elsewhere in this act.

2 Section 4. The act is amended by adding sections to read:

3 Section 8.5. Clinical Nurse Specialist; Qualifications.--(a)

4 The board may certify a licensed registered nurse as a clinical  
5 nurse specialist if the nurse satisfies the requirements  
6 established by this act. Certification of a clinical nurse  
7 specialist by the board shall expire on the same date as the  
8 license of that nurse expires. Beginning on the effective date  
9 of this section, a nurse shall not qualify for initial  
10 certification by the board unless the nurse holds a master's  
11 degree, doctoral degree or post-master's certificate from an  
12 educational program in nursing that has been approved by the  
13 board and that prepares graduates to practice as a clinical  
14 nurse specialist and:

15 (1) holds current national certification as a clinical nurse  
16 specialist in a designated specialty or in an area pertinent to  
17 the designated specialty;

18 (2) meets equivalence requirements as specified in  
19 regulations of the board where there is no certification  
20 examination available in the specialty area; and

21 (3) meets all other board requirements to practice as a  
22 clinical nurse specialist.

23 (b) Persons who completed an educational program in a  
24 related discipline previously recognized for national  
25 certification as a clinical nurse specialist from a board-  
26 recognized national certification organization shall be issued  
27 certification by the board upon:

28 (1) submitting evidence of having current American Nurses  
29 Association or American Nurses Credentialing Center  
30 certification; and

1     (2) submitting an application to the board.

2     (c) As a condition for biennial renewal of certification by  
3 the board, a clinical nurse specialist must, in the two years  
4 prior to renewal, complete at least thirty (30) hours of  
5 continuing education approved by the board.

6     (d) For initial certification under this act, the currently  
7 practicing clinical nurse specialist shall file an application  
8 with the board and pay an initial certification fee of one  
9 hundred dollars (\$100). The board may amend the initial  
10 certification fee by regulation.

11     (e) A clinical nurse specialist practicing in this  
12 Commonwealth whose employer does not provide professional  
13 liability coverage shall maintain a level of professional  
14 liability coverage required by law of a physician providing  
15 similar health care services in this Commonwealth, but shall not  
16 be eligible to participate in the Medical Care Availability and  
17 Reduction of Error (Mcare) Fund.

18     Section 8.6. Scope of Practice for Clinical Nurse  
19 Specialists.--Nothing in this act shall be construed to limit or  
20 prohibit a clinical nurse specialist from engaging in those  
21 activities which normally constitute the practice of nursing as  
22 defined in section 2.

23     Section 5. The State Board of Nursing shall promulgate  
24 regulations to implement the amendment or addition of sections  
25 2(15) and (16), 3, 6.2(c), 7(c), 8.5 and 8.6 of the act within  
26 18 months of the effective date of this act.

27     Section 6. This act shall take effect in 60 days.