

**Testimony before the
House Professional Licensure Committee
House Bills 2715 and 2716
Title "Nurse" Protection**

**Presented by
Betsy Snook, M.Ed, BSN, RN**
Chief Executive Officer
PA State Nurses Association

August 13, 2008

Good morning Chairman Sturla, Chairman Adolph and members of the Committee. My name is Betsy Snook and I am the Chief Executive Officer of the PA State Nurses Association (PSNA) I am a registered nurse that has work in the acute care setting for over 25 years. I am joined today by the President of PSNA, Dr. Patrick Kenny, EdD, RN, ACRN, APRN-PMH, NE-BC who will assist me in answering questions from the Committee. Dr. Kenny has been practicing and teaching nursing for 34 years and most recently held the position of Director of Nursing Education and Research at Penn Presbyterian Hospital in Philadelphia.

PSNA is a statewide membership organization representing the professional interests of Pennsylvania's over 200,000 registered nurses. PSNA's mission is to advocate on behalf of all professional nursing interests. We are here today to provide the Committee with background and information specific to House Bills 2715 and 2716, legislation introduced by Rep. John Siptroth. As you know, this legislation would protect the use of the title "nurse" by allowing only a Registered Nurse or a Licensed Practical Nurse to use or be identified by the title "nurse" in the scope of their professional duties. House Bill 2715 amends the Professional Nurse Law to protect the title "nurse," while House Bill 2716 amends the Practical Nurse Law to do the same.

In Pennsylvania, the specific titles, “registered professional nurse” and “licensed practical nurse” are protected by law. However, unlicensed individuals may currently use the title “nurse” without any sanction, thus giving rise to public safety concerns and undermining the credibility of licensed nurses. Ensuring that the title “nurse” can only be used by RNs and LPNs verifies the educational preparation, competence and licensure of these individuals and safeguards consumers against misrepresentation.

The purpose of professional licensing is to protect the health, safety and welfare of the public from fraudulent practitioners. Licensure is commensurate with professional and social accountability. Licensees are held to higher standards of practice and are responsible for knowing and adhering to associated statutes, rules and regulations that require them to maintain competence and safe practice. The authority for nursing is also based on a social contract between society and the professions. Under its terms, society grants the professions authority over functions vital to itself. In return, the professions are expected to act responsibly, always mindful of public trust (ANA Nursing’s Social Policy Statement, 2003, pg 2).

The intent of protecting the title “nurse” is to safeguard the public from individuals who are not nurses, yet deceitfully or erroneously lead the public into believing that they are professional or practical nurses possessing the education and clinical expertise to provide services that only licensed nurses are qualified to provide. Nursing practice is a scientific discipline with a distinct body of specialized knowledge, judgment and skill derived from principles of basic and applied sciences and standards of professional performance. Patients that require nursing care have the right to know and receive care provided by a competent healthcare provider who has been educated according to accepted standards. Reserving the title “Nurse” for those who meet the legal licensure requirements assures the public they are receiving services from legally qualified nurses.

We have witnessed an increased complexity in the health care delivery system through a proliferation of titles and settings in which healthcare is provided. The titles and associated roles can be confusing, even for other health care practitioners. In recent years, unlicensed personnel have been used as substitutes for professional nurses rather than in their appropriate roles under the supervision of the professional nurse.

Additionally, the title “nurse” has been used by unlicensed personnel in a variety of settings: physician’s office medical assistants are called the doctor’s “nurse”, “nurse technicians” is a term used for support staff in hospitals and clinics, “baby nurses” for child care providers in homes, and even “veterinary nurses” in animal

care settings. Consumers deserve to be confident that those individuals representing themselves as “nurses” are RNs or LPNs who meet the educational and clinical requirements for licensure. Without regulating the use of titles, the public is left with little protection.

Twenty-two other states have enacted legislation that protects the title of “nurse.” It is time for this Commonwealth to set the same precedent in statute that fraudulent or misleading use of the title “nurse” will not be tolerated. It’s important to note that existing titles containing the word “nurse” for unlicensed personnel who assist RNs (such as nursing assistants or nurse aides) are not affected by these bills and facilities should continue to use them. However, the unlawful use of the title “nurse” should result in criminal, civil, and/or administrative actions against the person(s).

Once again I thank the committee for inviting us to provide comments on House Bills 2715 and 2716 and I will address any questions to the best of my knowledge.