

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## SENATE BILL

No. 1208 Session of  
2001

INTRODUCED BY EARLL, KUKOVICH, MUSTO, PICCOLA, M. WHITE,  
LAVALLE, COSTA, MADIGAN, MOWERY, THOMPSON, KITCHEN, LEMMOND,  
PUNT, SCHWARTZ, ARMSTRONG, WAUGH, SCARNATI, BOSCOLA, WOZNIAK,  
GREENLEAF, HUGHES, CORMAN, TOMLINSON, HELFRICK, ROBBINS,  
MURPHY AND CONTI, NOVEMBER 14, 2001

SENATOR BRIGHTBILL, RULES AND EXECUTIVE NOMINATIONS, RE-REPORTED  
AS AMENDED, OCTOBER 2, 2002

## 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 defining "practice of professional nursing"; further  
9 providing for the duties of the State Board of Nursing; and  
10 making a repeal.

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

13 Section 1. The definition of "practice of professional  
14 nursing" in section 2 of the act of May 22, 1951 (P.L.317,  
15 No.69), known as The Professional Nursing Law, amended December  
16 20, 1985 (P.L.409, No.109), is amended AND DEFINITIONS ARE ADDED <—  
17 to read:

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

1 (1) The "Practice of Professional Nursing" means diagnosing  
2 and treating human responses to actual or potential health  
3 problems through such services as casefinding, health teaching,  
4 health counseling, and provision of care supportive to or  
5 restorative of life and well-being, and executing medical  
6 regimens as prescribed by a licensed physician or dentist. The  
7 foregoing shall not be deemed to include acts of medical  
8 diagnosis or prescription of medical therapeutic or corrective  
9 measures, except as [may be authorized by] PERFORMED BY A <—  
10 CERTIFIED REGISTERED NURSE PRACTITIONER ACTING IN ACCORDANCE  
11 WITH rules and regulations [jointly] promulgated by [the State  
12 Board of Medicine and] the Board[, which rules and regulations <—  
13 shall be implemented by the Board]. <—

14 ~~(2) "Board" means the State Board of Nursing.~~ <—

15 ~~(3) "Approved" means approved by the State Board of Nursing.~~

16 ~~(4) "Diagnosing" means that identification of and~~  
17 ~~discrimination between physical and psychosocial signs and~~  
18 ~~symptoms essential to effective execution and management of the~~  
19 ~~nursing regimen.~~

20 ~~(5) "Treating" means selection and performance of those~~  
21 ~~therapeutic measures essential to the effective execution and~~  
22 ~~management of the nursing regimen, and execution of the~~  
23 ~~prescribed medical regimen.~~

24 ~~(6) "Human responses" means those signs, symptoms and~~  
25 ~~processes which denote the individual's interaction with an~~  
26 ~~actual or potential health problem.~~

27 \* \* \*

28 (12) "CERTIFIED REGISTERED NURSE PRACTITIONER" MEANS A <—  
29 REGISTERED NURSE LICENSED IN THIS COMMONWEALTH WHO IS CERTIFIED  
30 BY THE BOARD IN A PARTICULAR CLINICAL SPECIALTY AREA. A

1 CERTIFIED REGISTERED NURSE PRACTITIONER MAY PERFORM ACTS OF  
2 MEDICAL DIAGNOSIS IN ACCORDANCE WITH REGULATIONS PROMULGATED BY  
3 THE BOARD. A CERTIFIED REGISTERED NURSE PRACTITIONER MAY  
4 PRESCRIBE MEDICAL THERAPEUTIC OR CORRECTIVE MEASURES IF THE  
5 NURSE IS ACTING IN COLLABORATION WITH A PHYSICIAN OR DENTIST AND  
6 AS SET FORTH IN A WRITTEN AGREEMENT AND IS ACTING IN ACCORDANCE  
7 WITH REGULATIONS PROMULGATED BY THE BOARD. NOTHING IN THIS  
8 DEFINITION SHALL BE CONSTRUED TO LIMIT OR PROHIBIT A CERTIFIED  
9 REGISTERED NURSE PRACTITIONER FROM ENGAGING IN THOSE ACTIVITIES  
10 WHICH NORMALLY CONSTITUTE THE PRACTICE OF NURSING AS DEFINED IN  
11 THIS ACT.

12 (13) "COLLABORATION" MEANS ALL OF THE FOLLOWING:

13 (I) IMMEDIATE AVAILABILITY OF A LICENSED PHYSICIAN TO A  
14 CERTIFIED REGISTERED NURSE PRACTITIONER THROUGH DIRECT  
15 COMMUNICATIONS OR BY RADIO, TELEPHONE OR TELECOMMUNICATIONS.

16 (II) A PREDETERMINED PLAN FOR EMERGENCY SERVICES.

17 (III) A PHYSICIAN AVAILABLE TO A CERTIFIED REGISTERED NURSE  
18 PRACTITIONER ON A REGULARLY SCHEDULED BASIS FOR REFERRALS,  
19 REVIEW OF THE STANDARDS OF MEDICAL PRACTICE INCORPORATING  
20 CONSULTATION AND CHART REVIEW, DRUG AND OTHER MEDICAL PROTOCOLS  
21 WITHIN THE PRACTICE SETTING, PERIODIC UPDATING IN MEDICAL  
22 DIAGNOSIS AND THERAPEUTICS AND COSIGNING RECORDS WHEN NECESSARY  
23 TO DOCUMENT ACCOUNTABILITY BY BOTH PARTIES.

24 Section 2. Section 2.1 of the act is amended by adding a  
25 subsection to read:

26 Section 2.1. State Board of Nursing.--\* \* \*

27 (1) Any powers and duties imposed on the State Board of  
28 Medicine, or jointly imposed on the State Board of Medicine and  
29 the State Board of Nursing, by or pursuant to law or regulation  
30 shall, after the effective date of this subsection, be exercised



1 Commonwealth on the effective date of this act.

2 (b) Nothing in this act shall be construed to invalidate any  
3 certification, approval, designation, health care facility  
4 policy, collaborative agreement, authorization to prescribe and  
5 dispense therapeutic drugs or waiver of physician supervision  
6 requirement in effect on the effective date of this act.

7 Section 7 8. This act shall take effect in 60 days.

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