

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 343 Session of  
2007

INTRODUCED BY BARRAR, BAKER, BEYER, BOYD, BUXTON, CALTAGIRONE, CAPPELLI, CLYMER, COHEN, CREIGHTON, DALEY, DENLINGER, FABRIZIO, FREEMAN, GEIST, GEORGE, GIBBONS, GINGRICH, GRELL, HENNESSEY, JAMES, LEACH, MILLARD, MOYER, NAILOR, PETRONE, PHILLIPS, REICHLEY, RUBLEY, SCAVELLO, SIPTROTH, SOLOBAY, SONNEY, STABACK, THOMAS, TRUE, WATSON, YOUNGBLOOD AND YUDICHAK, FEBRUARY 9, 2007

REFERRED TO COMMITTEE ON PROFESSIONAL LICENSURE,  
FEBRUARY 9, 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) The "Practice of clinical nurse specialist" means the

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

3 (16) "Clinical nurse specialist" means a registered nurse  
4 licensed in this Commonwealth who is certified by the board as a  
5 clinical nurse specialist.

6 Section 2. Section 2.1(a) of the act, amended June 29, 2002  
7 (P.L.651, No.99), is amended to read:

8 Section 2.1. State Board of Nursing.--(a) [The State Board  
9 of Nursing shall consist of the Commissioner of Professional and  
10 Occupational Affairs, three members appointed by the Governor,  
11 with the advice and consent of a majority of the members elected  
12 to the Senate, who shall be persons representing the public at  
13 large, and nine members appointed by the Governor, with the  
14 advice and consent of a majority of the members elected to the  
15 Senate, six of whom shall be registered nurses, graduated from  
16 schools of nursing where practical and theoretical instruction  
17 is given, at least three of whom shall possess Masters' degrees  
18 in nursing, two of whom shall be licensed practical nurses and  
19 one of whom shall be a licensed dietitian-nutritionist, and all  
20 of whom shall have been engaged in nursing or the practice of  
21 dietetics-nutrition in this Commonwealth for the five-year  
22 period immediately preceding appointment. The dietitian-  
23 nutritionist member of the board initially appointed need not be  
24 licensed by the licensure examination adopted by the board but,  
25 at the time of appointment, must have satisfied the education  
26 and experience requirements of this act for licensure as a  
27 dietitian-nutritionist. In making appointments to the Board, the  
28 Governor shall give due consideration to providing  
29 representation from diversified fields of nursing or dietetics-  
30 nutrition, including, but not limited to, specialized nurses or

1 dietitian-nutritionists of all types. The persons representing  
2 the public at large may not have a financial interest in the  
3 provision of goods and services for dietitian-nutritionists and  
4 may not be a dietitian-nutritionist or have a household member  
5 who is a dietitian-nutritionist.] The State Board of Nursing  
6 shall consist of the Commissioner of Professional and  
7 Occupational Affairs, three members appointed by the Governor,  
8 with the advice and consent of a majority of the members elected  
9 to the Senate, who shall be persons representing the public at  
10 large, and ten members appointed by the Governor, with the  
11 advice and consent of a majority of the members elected to the  
12 Senate, seven of whom shall be registered nurses, graduated from  
13 schools of nursing where practical and theoretical instruction  
14 is given, at least three of whom shall possess Masters' degrees  
15 in nursing, one of whom shall be a practicing clinical nurse  
16 specialist, two of whom shall be licensed practical nurses and  
17 one of whom shall be a licensed dietician-nutritionist, and all  
18 of whom shall have been engaged in nursing or the practice of  
19 dietetics-nutrition in this Commonwealth for the five-year  
20 period immediately preceding appointment. The dietician-  
21 nutritionist member of the board initially need not be licensed  
22 by the licensure examination adopted by the board but, at the  
23 time of appointment, must have satisfied the education and  
24 experience requirements of this act for licensure as a  
25 dietician-nutritionist. The clinical nurse specialist member of  
26 the board initially need not be certified by the board but, at  
27 the time of appointment, must meet the qualifications for  
28 certification by the board. In making appointments to the board,  
29 the Governor shall give due consideration to providing  
30 representation from diversified fields of nursing or dietetics-

1 nutrition, including, but not limited to, specialized nurses or  
2 dietician-nutritionists of all types. The persons representing  
3 the public at large may not have a financial interest in the  
4 provision of goods and services for dieticians-nutritionists and  
5 may not be a dietician-nutritionist or have a household member  
6 who is a dietician-nutritionist.

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

9 [Section 3. Registered Nurse, Use of Title and Abbreviation  
10 "R.N."; Credentials; Fraud.--Any person who holds a license to  
11 practice professional nursing in this Commonwealth, or who is  
12 maintained on inactive status in accordance with section 11 of  
13 this act, shall have the right to use the title "registered  
14 nurse" and the abbreviation "R.N." No other person shall engage  
15 in the practice of professional nursing or use the title  
16 "registered nurse" or the abbreviation "R.N." to indicate that  
17 the person using the same is a registered nurse. No person shall  
18 sell or fraudulently obtain or fraudulently furnish any nursing  
19 diploma, license, record, or registration or aid or abet  
20 therein.]

21 Section 3. Registered Nurse, Clinical Nurse Specialist, Use  
22 of Title and Abbreviation "R.N." or "C.N.S."; Credentials;  
23 Fraud.--Any person who holds a license to practice professional  
24 nursing in this Commonwealth, or who is maintained on inactive  
25 status in accordance with section 11 of this act, shall have the  
26 right to use the title "registered nurse" and the abbreviation  
27 "R.N." No other person shall engage in the practice of  
28 professional nursing or use the title "registered nurse" or the  
29 abbreviation "R.N." to indicate that the person using the same  
30 is a registered nurse. Any person who holds a license to

1 practice professional nursing in this Commonwealth, or who is  
2 maintained on inactive status in accordance with section 11 of  
3 this act, and who is certified by the board as a clinical nurse  
4 specialist shall have the right to use the title "clinical nurse  
5 specialist" and the abbreviation "C.N.S." No other person shall  
6 use the title "clinical nurse specialist" or the abbreviation  
7 "C.N.S." No person shall sell or fraudulently obtain or  
8 fraudulently furnish any nursing diploma, license, record, or  
9 registration or aid or abet therein.

10 Section 4. Sections 6.2 and 7 of the act are amended by  
11 adding subsections to read:

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

14 \* \*

15 (c) Educational programs for the education of clinical nurse  
16 specialists that are operated within a regionally accredited  
17 college or university and that culminate in at least a Master's  
18 degree or Doctorate in nursing or a post-master's certificate in  
19 nursing, with a concentration in the role of the clinical nurse  
20 specialist and that are approved by a national accrediting body  
21 for nursing education programs recognized by the board will be  
22 considered approved programs for the purposes of conferring  
23 certification to practice as a clinical nurse specialist:

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

28 (2) Within one hundred eighty (180) days of the effective  
29 date of this subsection, education programs meeting these  
30 requirements shall submit the name, address and telephone number

1 of the program; name and curriculum vitae of the program  
2 director; and proof of accreditation to the board by a national  
3 accrediting body recognized by the board for inclusion on the  
4 list of approved clinical nurse specialist education programs.

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

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

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

20 Section 5. The act is amended by adding sections to read:

21 Section 8.5. Clinical Nurse Specialist; Qualifications.--(a)  
22 The board may certify a licensed registered nurse as a clinical  
23 nurse specialist if the nurse satisfies the requirements  
24 established by this act. Certification of a clinical nurse  
25 specialist by the board shall expire on the same date as the  
26 license of that nurse expires. Beginning on the effective date  
27 of this section a nurse shall not qualify for initial  
28 certification by the board unless the nurse holds a master's  
29 degree, doctoral degree or post-master's certificate from an  
30 educational program in nursing that has been approved by the

1 board and that prepares graduates to practice as a clinical  
2 nurse specialist and:

3 (1) holds current national certification as a clinical nurse  
4 specialist in a designated specialty or in an area pertinent to  
5 the designated specialty;

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

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

11 (b) Persons who completed an educational program in a  
12 related discipline previously recognized for national  
13 certification as a clinical nurse specialist from a board-  
14 recognized national certification organization shall be issued  
15 certification by the board upon:

16 (1) submitting evidence of having current American Nurses  
17 Association or American Nurses Credentialing Center  
18 certification; and

19 (2) submitting an application to the board.

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

24 (d) For initial certification under this act the currently  
25 practicing clinical nurse specialist shall file an application  
26 with the board and pay an initial certification fee of one  
27 hundred dollars (\$100). The board may amend the initial  
28 certification fee by regulation.

29 Section 8.6. Scope of Practice for Clinical Nurse  
30 Specialists.--Nothing in this act shall be construed to limit or

1 prohibit a clinical nurse specialist from engaging in those  
2 activities which normally constitute the practice of nursing as  
3 defined in section 2.

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