

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2755 Session of 2010

INTRODUCED BY BAKER, MICOZZIE, PHILLIPS, REICHLEY, BOYD, CLYMER, COHEN, CREIGHTON, CUTLER, DENLINGER, FAIRCHILD, FLECK, GILLESPIE, GINGRICH, HENNESSEY, M. KELLER, KNOWLES, MARSHALL, MILLER, MURT, PYLE, ROCK, SIPTROTH, SWANGER AND VULAKOVICH, SEPTEMBER 22, 2010

REFERRED TO COMMITTEE ON PROFESSIONAL LICENSURE, SEPTEMBER 22, 2010

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," providing  
8 for delegation of functions necessary for the support of  
9 nursing services.

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

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

15 Section 4.2. Delegation of Functions.--(a) A registered  
16 nurse may delegate registered nursing functions to an individual  
17 carrying out functions necessary for the support of nursing  
18 services if:

19 (1) The delegation is consistent with the standards of

1 acceptable nursing practice embraced by the nursing community in  
2 this Commonwealth.

3 (2) The delegation is not prohibited by statute or  
4 regulation, including regulations promulgated by the Board.

5 (b) Within two years of the effective date of this section,  
6 the Board shall promulgate regulations which establish criteria  
7 pursuant to which a registered nurse may delegate the  
8 performance of nursing functions, preclude a registered nurse  
9 from delegating the performance of certain types of nursing  
10 functions or otherwise limit the ability of a registered nurse  
11 to delegate nursing functions.

12 (c) A registered nurse shall be responsible for the  
13 delegated nursing function in accordance with subsections (a)  
14 and (b). A registered nurse's responsibility for the delegated  
15 nursing function is not limited by any provisions of this  
16 section.

17 (d) Nothing in this section shall be construed as limiting  
18 the authority of a physician to delegate functions within the  
19 physician's scope of practice.

20 Section 2. This act shall take effect in 60 days.