

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2756 Session of 2010

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

REFERRED TO COMMITTEE ON PROFESSIONAL LICENSURE, SEPTEMBER 22, 2010

AN ACT

1 Amending the act of March 2, 1956 (1955 P.L.1211, No.376),
2 entitled "An act providing for and regulating the licensing
3 and practice of practical nursing; imposing duties on the
4 State Board of Nurse Examiners; and imposing penalties,"
5 providing for the delegation of functions.

6 The General Assembly of the Commonwealth of Pennsylvania
7 hereby enacts as follows:

8 Section 1. The act of March 2, 1956 (1955 P.L.1211, No.376),
9 known as the Practical Nurse Law, is amended by adding a section
10 to read:

11 Section 2.1. Delegation of Functions.--(a) A licensed
12 practical nurse may delegate practical nursing functions to an
13 individual carrying out functions necessary for the support of
14 nursing services if:

15 (1) The delegation is consistent with the standards of
16 acceptable nursing practice embraced by the nursing community in
17 this Commonwealth.

18 (2) The delegation is not prohibited by statute or

1 regulation, including regulations promulgated by the board.

2 (b) Within two years of the effective date of this section,
3 the board shall promulgate regulations which establish criteria
4 pursuant to which a licensed practical nurse may delegate the
5 performance of nursing functions, preclude a licensed practical
6 nurse from delegating the performance of certain types of
7 nursing functions or otherwise limit the ability of a licensed
8 practical nurse to delegate nursing functions.

9 (c) A licensed practical nurse shall be responsible for the
10 delegated nursing function in accordance with subsections (a)
11 and (b). A licensed practical nurse's responsibility for the
12 delegated nursing function is not limited by any provisions of
13 this section.

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

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