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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 2213 Session of  
2024

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INTRODUCED BY KHAN, ORTITAY, KOSIEROWSKI, MARCELL, MUNROE, ROWE,  
GUENST, PROBST, SCHMITT, HILL-EVANS, SCHLOSSBERG, BOYD,  
MADDEN, DELLOSO, CERRATO, SANCHEZ, CIRESI, SHUSTERMAN,  
M. MACKENZIE, LEADBETER, ROZZI, HOHENSTEIN, SAMUELSON,  
KAZEEM, BOROWSKI, CEPEDA-FREYTIZ, KENYATTA AND TWARDZIK,  
APRIL 15, 2024

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REFERRED TO COMMITTEE ON PROFESSIONAL LICENSURE, APRIL 15, 2024

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AN ACT

1 Amending the act of May 22, 1951 (P.L.317, No.69), entitled "An  
2 act relating to the practice of professional nursing;  
3 providing for the licensing of nurses and for the revocation  
4 and suspension of such licenses, subject to appeal, and for  
5 their reinstatement; providing for the renewal of such  
6 licenses; regulating nursing in general; prescribing  
7 penalties and repealing certain laws," further providing for  
8 continuing nursing education.

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

11 Section 1. Section 12.1(b) of the act of May 22, 1951  
12 (P.L.317, No.69), known as The Professional Nursing Law, is  
13 amended to read:

14 Section 12.1. Continuing Nursing Education.--\* \* \*

15 (b) Beginning with the license period designated by  
16 regulation, licensees shall be required to attend and complete  
17 thirty (30) hours of mandatory continuing education during each  
18 two-year license period. Nationally certified education courses  
19 shall be considered as creditable, in addition to any other

1 courses the board deems creditable toward meeting the  
2 requirements for continuing education. Continuing education in  
3 older adult abuse recognition and reporting is required as  
4 follows:

5 (1) A registered nurse or licensed practical nurse seeking  
6 licensure renewal shall complete one (1) hour of the Board-  
7 approved mandatory thirty (30) hours of continuing education  
8 during the biennial period immediately preceding the application  
9 for renewal in accordance with this section in older adult abuse  
10 recognition and reporting, including, but not limited to,  
11 recognition of the signs of older adult abuse and the reporting  
12 requirements for suspected older adult abuse in this  
13 Commonwealth. Continuing education under this paragraph shall be  
14 approved by the department. The following apply:

15 (i) The Board may not renew a license of a registered nurse  
16 or licensed practical nurse who fails to verify compliance with  
17 this requirement. A registered nurse or licensed practical nurse  
18 whose license is not renewed by the expiration date of the  
19 biennial period may not engage in the practice of professional  
20 nursing until the older adult abuse continuing education  
21 requirement is satisfied and the license has been renewed,  
22 reinstated or reactivated.

23 (ii) An applicant applying for initial licensure in this  
24 Commonwealth shall not be required to meet the continuing  
25 education requirement in this subsection on the first renewal  
26 immediately following licensure, except for mandatory continuing  
27 education in older adult abuse recognition and reporting  
28 required under this subsection.

29 (iii) The Board may perform audits on registered nurses or  
30 licensed practical nurses to determine compliance with the older

1 adult abuse continuing education requirements. A registered  
2 nurse or licensed practical nurse shall retain documentation of  
3 the registered nurse's or licensed practical nurse's completion  
4 of older adult abuse continuing education for at least five (5)  
5 years. A registered nurse or licensed practical nurse shall  
6 comply with a request for submission of documents verifying the  
7 registered nurse's or licensed practical nurse's completion of  
8 older adult abuse continuing education. For attendance at  
9 continuing education programs or courses, the registered nurse  
10 or licensed practical nurse shall retain the certificate of  
11 attendance provided by the program or course provider and submit  
12 the same to the Board upon request.

13 (iv) A registered nurse or licensed practical nurse seeking  
14 to reinstate a lapsed license or reactivate an inactive license  
15 shall file an application for reinstatement or reactivation and  
16 submit, or cause to be submitted, documentation to demonstrate  
17 that the licensee completed the hour required in approved older  
18 adult abuse recognition and reporting within the biennial period  
19 immediately preceding application.

20 (v) A registered nurse or licensed practical nurse seeking  
21 to reinstate a suspended license shall submit, or cause to be  
22 submitted, documentation to demonstrate that the registered  
23 nurse or licensed practical nurse completed the hour in approved  
24 older adult abuse recognition and reporting within the biennial  
25 period immediately preceding application for reinstatement.

26 (vi) Older adult abuse continuing education hours may not be  
27 carried over from one biennial renewal period to the next.

28 (vii) A registered nurse or licensed practical nurse may  
29 request a waiver of the older adult abuse continuing education  
30 requirement because of serious illness, military service or

1 other demonstrated hardship. The registered nurse or licensed  
2 practical nurse shall submit the request and any supporting  
3 documentation to the Board in writing at least ninety (90) days  
4 prior to the registered nurse's or licensed practical nurse's  
5 license expiration date unless an emergency or hardship occurs  
6 within the ninety-day period. The Board shall grant, deny or  
7 grant in part the request for waiver.

8 (viii) (A) Failure to complete the one-hour continuing  
9 education requirement on older adult abuse in accordance with  
10 this subsection shall be subject to the registered nurse or  
11 licensed practical nurse discipline under section 13(b) in  
12 accordance with the schedule of civil penalties in 49 Pa. Code §  
13 43b.18a (relating to schedule of civil penalties-nurses). A  
14 second or subsequent violation shall subject the registered  
15 nurse or licensed practical nurse to discipline under section  
16 14(a) (3).

17 (B) A registered nurse or licensed practical nurse who has  
18 not completed the mandatory hour of older adult abuse continuing  
19 education shall make up the deficiency within six (6) months of  
20 receiving notice of the deficiency.

21 (C) Notwithstanding any civil penalty assessed under clause  
22 (A), failure to provide the Board with documentation  
23 demonstrating the completion of one (1) hour of older adult  
24 abuse continuing education within six (6) months after receiving  
25 notice of a deficiency shall subject the registered nurse or  
26 licensed practical nurse to discipline under section 14(a) (3).

27 (D) Failure to comply with an audit request for older adult  
28 abuse continuing education documentation may subject a  
29 registered nurse or licensed practical nurse to additional  
30 discipline under section 14(a) (4) (i).

1     (2) (Reserved).

2     \* \* \*

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