

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 25 Session of 2023

INTRODUCED BY BARTOLOTTA, BOSCOLA, LAUGHLIN, FLYNN, LANGERHOLC, SCHWANK, COLLETT, KANE, STEFANO, TARTAGLIONE, COSTA, CAPPELLETTI, HUTCHINSON, J. WARD, COMMITTA, DISANTO, HAYWOOD, ROTHMAN, BAKER, YAW, ARGALL, KEARNEY, COLEMAN, VOGEL, DILLON, PENNYCUICK, STREET, FARRY, FONTANA, HUGHES AND L. WILLIAMS, MARCH 3, 2023

SENATOR STEFANO, CONSUMER PROTECTION AND PROFESSIONAL LICENSURE, AS AMENDED, JULY 1, 2024

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 ~~title, for definitions, for State Board of Nursing, for~~
9 ~~dietitian nutritionist license required, for unauthorized~~
10 ~~practices and acts not prohibited, for temporary practice~~
11 ~~permit, for graduates of schools of other states, territories~~
12 ~~or Dominion of Canada, for persons entitled to practice, for~~
13 ~~certified registered nurse practitioners and qualifications,~~
14 ~~for scope of practice for certified registered nurse~~
15 ~~practitioners, for prescriptive authority for certified~~
16 ~~registered nurse practitioners, for Drug Review Committee,~~
17 ~~for professional liability, for reporting of multiple~~
18 ~~licensure, for continuing nursing education, for punishment~~
19 ~~for violations, for refusal, suspension or revocation of~~
20 ~~licenses, for reinstatement of license and for injunction or~~
21 ~~other process; and providing for the expiration of the State~~
22 ~~Board of Nursing's power to license certified registered~~
23 ~~nurse practitioners.~~
24 AMENDING THE ACT OF MAY 22, 1951 (P.L.317, NO.69), ENTITLED "AN <--
25 ACT RELATING TO THE PRACTICE OF PROFESSIONAL NURSING;
26 PROVIDING FOR THE LICENSING OF NURSES AND FOR THE REVOCATION
27 AND SUSPENSION OF SUCH LICENSES, SUBJECT TO APPEAL, AND FOR
28 THEIR REINSTATEMENT; PROVIDING FOR THE RENEWAL OF SUCH
29 LICENSES; REGULATING NURSING IN GENERAL; PRESCRIBING

1 PENALTIES AND REPEALING CERTAIN LAWS," FURTHER PROVIDING FOR
2 DEFINITIONS; AND PROVIDING FOR THE RURAL CERTIFIED REGISTERED
3 NURSE PRACTITIONER HEALTH CARE ACCESS PROGRAM.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 ~~Section 1. The title of the act of May 22, 1951 (P.L.317, <--~~
7 ~~No.69), known as The Professional Nursing Law, is amended to~~
8 ~~read:~~

9 AN ACT

10 ~~Relating to the practice of professional nursing and the~~
11 ~~practice of advanced practice registered nursing; providing~~
12 ~~for the licensing of nurses and for the revocation and~~
13 ~~suspension of such licenses, subject to appeal, and for their~~
14 ~~reinstatement; providing for the renewal of such licenses;~~
15 ~~regulating nursing in general; prescribing penalties and~~
16 ~~repealing certain laws.~~

17 ~~Section 2. Section 2(1), (10), (12), (13) and (14) of the~~
18 ~~act are amended and the section is amended by adding paragraphs~~
19 ~~to read:~~

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

23 ~~(1) The "Practice of Professional Nursing" means diagnosing~~
24 ~~and treating human responses to actual or potential health~~
25 ~~problems through such services as casefinding, health teaching,~~
26 ~~health counseling, and provision of care supportive to or~~
27 ~~restorative of life and well being, and executing medical~~
28 ~~regimens as prescribed by a licensed physician or dentist. The~~
29 ~~foregoing shall not be deemed to include acts of medical~~
30 ~~diagnosis or prescription of medical therapeutic or corrective~~
31 ~~measures, except as performed by [a certified registered nurse~~

1 ~~practitioner] an APRN CNP acting in accordance with rules and~~
2 ~~regulations promulgated by the Board.~~

3 * * *

4 ~~(10) "Medical nutrition therapy" means the component of~~
5 ~~nutrition therapy that concerns determining and recommending~~
6 ~~nutrient needs based on nutritional assessment and medical~~
7 ~~problems relative to diets prescribed by a licensed physician or~~
8 ~~an APRN CNP, including:~~

9 ~~(i) tube feedings;~~

10 ~~(ii) specialized intravenous solutions;~~

11 ~~(iii) specialized oral solutions; and~~

12 ~~(iv) interactions of prescription drugs with food or~~
13 ~~nutrients.~~

14 * * *

15 ~~{(12) "Certified registered nurse practitioner" means a~~
16 ~~registered nurse licensed in this Commonwealth who is certified~~
17 ~~by the board in a particular clinical specialty area.}~~

18 ~~(13) "Collaboration" means a process in which [a certified~~
19 ~~registered nurse practitioner] an APRN CNP works with one or~~
20 ~~more physicians to deliver health care services within the scope~~
21 ~~of [the certified registered nurse practitioner's] an APRN CNP's~~
22 ~~expertise. The process includes all of the following:~~

23 ~~(i) Immediate availability of a licensed physician to [a~~
24 ~~certified registered nurse practitioner] an APRN CNP through~~
25 ~~direct communications or by radio, telephone or~~
26 ~~telecommunications.~~

27 ~~(ii) A predetermined plan for emergency services.~~

28 ~~(iii) A physician available to [a certified registered nurse~~
29 ~~practitioner] an APRN CNP on a regularly scheduled basis for~~
30 ~~referrals, review of the standards of medical practice~~

1 ~~incorporating consultation and chart review, drug and other~~
2 ~~medical protocols within the practice setting, periodic updating~~
3 ~~in medical diagnosis and therapeutics and cosigning records when~~
4 ~~necessary to document accountability by both parties.~~

5 ~~(iv) In the case of an APRN CNP practicing under section~~
6 ~~8.2(c.1), a written collaborative agreement with a physician.~~

7 ~~{(14) "Drug Review Committee" means the committee~~
8 ~~established in section 8.4 whose function is to approve or~~
9 ~~disapprove, by addition or deletion, the categories of drugs~~
10 ~~that may be prescribed by certified registered nurse~~
11 ~~practitioners.}~~

12 * * *

13 ~~(18) "Advanced practice registered nurse certified nurse~~
14 ~~practitioner" means a registered nurse licensed in this~~
15 ~~Commonwealth to practice independently in a population focus~~
16 ~~area in which the registered nurse is certified by a Board~~
17 ~~recognized national certification program.~~

18 ~~(19) "APRN CNP" means an advanced practice registered nurse~~
19 ~~certified nurse practitioner.~~

20 ~~(20) "Population focus area" means a category of patients~~
21 ~~for which an APRN CNP has the educational preparation to provide~~
22 ~~care and services. The categories of population focus include:~~

23 ~~(i) Family and individuals across the lifespan.~~

24 ~~(ii) Adult Gerontology.~~

25 ~~(iii) Neonatal.~~

26 ~~(iv) Pediatrics.~~

27 ~~(v) Women's health and gender related health.~~

28 ~~(vi) Psychiatric and mental health.~~

29 ~~(21) "Controlled substance" means a drug designated as a~~
30 ~~controlled substance under the act of April 14, 1972 (P.L.233,~~

1 ~~No.64), known as "The Controlled Substance, Drug, Device and~~
2 ~~Cosmetic Act."~~

3 ~~(22) "Nonproprietary drug" means a drug containing a~~
4 ~~quantity of a controlled substance or a drug which is required~~
5 ~~by an applicable Federal or State law to be dispensed only by~~
6 ~~prescription.~~

7 ~~(23) "Proprietary drug" means a nonprescription, non-~~
8 ~~narcotic medicine or drug which may be sold without a~~
9 ~~prescription and which is prepackaged for use by the consumer~~
10 ~~and labeled in accordance with the requirements of the statutes~~
11 ~~and regulations of the Federal Government and the Commonwealth.~~

12 ~~(24) "Licensed independent practitioner" means an APRN CNP-~~
13 ~~licensed under section 8.1(j) or (l) to provide care and~~
14 ~~services, without direction or supervision, within the scope of~~
15 ~~the practitioner's license.~~

16 ~~(25) "Practice of Advanced Practice Registered Nursing"~~
17 ~~means the practice of an APRN CNP to assess, diagnose, treat,~~
18 ~~prescribe and order, within a population focus approved by the~~
19 ~~Board of nursing that includes the APRN CNP's scope of practice.~~
20 ~~The term shall include, but not be limited to, performing acts~~
21 ~~of medical diagnosis or prescription of medical therapeutic or~~
22 ~~corrective measures.~~

23 ~~Section 3. Sections 2.1(k) and (l), 3.1(b), 4, 4.1, 7(b), 8,~~
24 ~~8.1, 8.2, 8.3, 8.4, 8.7, 11.1, 12.1(g) (1), 13(b), 14(a) (1), (2)~~
25 ~~and (4) and (b) (6), 15.2 and 15.4 of the act are amended to~~
26 ~~read:~~

27 ~~Section 2.1. State Board of Nursing. * * *~~

28 ~~(k) The Board shall have the right and duty to establish~~
29 ~~rules and regulations for the practice of professional nursing,~~
30 ~~the practice of advanced practice registered nursing, the~~

1 ~~practice of dietetics nutrition and the administration of this~~
2 ~~act. Copies of such rules and regulations shall be available for~~
3 ~~distribution to the public.~~

4 ~~(1) Any powers and duties imposed on the State Board of~~
5 ~~Medicine or jointly imposed on the State Board of Medicine and~~
6 ~~the State Board of Nursing, with respect to [certified~~
7 ~~registered nurse practitioners] APRN CNPs, by or pursuant to law~~
8 ~~or regulation shall, after the effective date of this~~
9 ~~subsection, be exercised solely by the State Board of Nursing.~~
10 ~~This subsection shall not apply to 49 Pa. Code §§ 21.283(4)~~
11 ~~(relating to prescribing and dispensing drugs) and 21.321~~
12 ~~(relating to performance of tasks without direction; performance~~
13 ~~of tasks without training; other) unless the State Board of~~
14 ~~Nursing promulgates a regulation to exercise the duties imposed~~
15 ~~on the State Board of Medicine by those sections.~~

16 ~~Section 3.1. Dietitian Nutritionist License Required. * * *~~

17 ~~(b) Nothing in this section shall be construed to require or~~
18 ~~preclude third party insurance reimbursement. Nothing herein~~
19 ~~shall preclude an insurer or other third party payor from~~
20 ~~requiring that a licensed dietitian nutritionist obtain a~~
21 ~~referral from a licensed physician, an APRN CNP, a dentist or~~
22 ~~podiatrist or that a licensed dietitian nutritionist file an~~
23 ~~evaluation and treatment plan with the insurer or third party~~
24 ~~payor as a precondition of reimbursement.~~

25 ~~Section 4. Unauthorized Practices; Acts not Prohibited.~~
26 ~~This act confers no authority to practice dentistry, podiatry,~~
27 ~~optometry, chiropractic, medicine or surgery, nor does it~~
28 ~~prohibit~~

29 ~~(1) Home care of the sick by friends, domestic servants,~~
30 ~~nursemaids, companions, or household aides of any type, so long~~

1 ~~as such persons do not represent or hold themselves out to be~~
2 ~~licensed nurses, licensed registered nurses, or registered~~
3 ~~nurses; or use in connection with their names, any designation~~
4 ~~tending to imply that they are licensed to practice under the~~
5 ~~provisions of this act nor services rendered by any physicians,~~
6 ~~osteopaths, dentists or chiropractors, podiatrists,~~
7 ~~optometrists, or any person licensed pursuant to the act of~~
8 ~~March 2, 1956 (P.L.1211, No.376), known as the "Practical Nurse~~
9 ~~Law."~~

10 ~~(2) Care of the sick, with or without compensation or~~
11 ~~personal profit, when done solely in connection with the~~
12 ~~practice of the religious tenets of any church by adherents~~
13 ~~thereof.~~

14 ~~(3) The practice of professional nursing or the practice of~~
15 ~~advanced practice registered nursing by a person temporarily in~~
16 ~~this Commonwealth licensed by another state, territory or~~
17 ~~possession of the United States or a foreign country, in~~
18 ~~compliance with an engagement made outside of this Commonwealth,~~
19 ~~which engagement requires that such person accompany and care~~
20 ~~for a patient while temporarily in this Commonwealth: Provided,~~
21 ~~however, That said engagement shall not be of more than six (6)~~
22 ~~months' duration.~~

23 ~~(4) The practice of professional nursing or the practice of~~
24 ~~advanced practice registered nursing, pursuant to a temporary~~
25 ~~practice permit, by a graduate of an approved program of~~
26 ~~professional nursing in Pennsylvania or any other state, working~~
27 ~~under qualified supervision, during the period not to exceed one~~
28 ~~(1) year between completion of his or her program and~~
29 ~~notification of the results of a licensing examination taken by~~
30 ~~such person, and during such additional period as the Board may~~

1 ~~in each case especially permit.~~

2 ~~(5) The practice of professional nursing or the practice of~~
3 ~~advanced practice registered nursing, pursuant to a temporary~~
4 ~~practice permit, by a person who holds a current license or~~
5 ~~other evidence of the right to practice professional nursing, as~~
6 ~~that term is defined in this act, issued by any other state,~~
7 ~~territory or possession of the United States or the Dominion of~~
8 ~~Canada, during the period that an application filed by such~~
9 ~~person for licensure in Pennsylvania is pending before the~~
10 ~~Board, but not for a period of more than one (1) year and during~~
11 ~~such additional period as the Board may in each case especially~~
12 ~~permit.~~

13 ~~(6) The practice of professional nursing[, within the~~
14 ~~definition of this act,] or the practice of advanced practice~~
15 ~~registered nursing by any person when such person is engaged in~~
16 ~~the practice [of nursing] as an employee of the United States.~~

17 ~~Section 4.1. Temporary Practice Permit. (a) In order for a~~
18 ~~person to practice professional nursing or to practice advanced~~
19 ~~practice registered nursing during the one (1) year period from~~
20 ~~completion of his or her education program or the one (1) year~~
21 ~~period from the application for licensure by a person who holds~~
22 ~~a current license issued by any other state, territory or~~
23 ~~possession of the United States or the Dominion of Canada, the~~
24 ~~Board may issue a temporary practice permit which is~~
25 ~~nonrenewable and valid for a period of one (1) year and during~~
26 ~~such additional period as the Board may in each case especially~~
27 ~~permit, except that the temporary practice permit shall expire~~
28 ~~if such person fails the licensing examination.~~

29 ~~(b) Within ninety (90) days of the date a temporary practice~~
30 ~~permit to practice as an APRN CNP is issued by the Board to an~~

1 ~~individual who was licensed or certified by another state,~~
2 ~~territory or possession of the United States or a foreign~~
3 ~~country, the individual shall comply with the requirements under~~
4 ~~sections 8.2 and 8.3 with regard to acting in collaboration with~~
5 ~~a physician and in accordance with a collaborative or written~~
6 ~~agreement with a physician, unless the individual qualifies for~~
7 ~~the exception from the collaboration requirement according to~~
8 ~~the Board under section 8.1(1).~~

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

11 ~~(b) The Board may issue a [certification to registered nurse~~
12 ~~practitioners who have] license as an APRN CNP to a registered~~
13 ~~nurse who has completed a course of study considered by the~~
14 ~~Board to be equivalent to that required in this State at the~~
15 ~~time such course was completed or who is licensed or certified~~
16 ~~by another state, territory or possession of the United States~~
17 ~~or a foreign country as deemed equivalent to Pennsylvania's~~
18 ~~[certification] licensure requirements in accordance with the~~
19 ~~[joint] rules and regulations of the [Boards of Nursing and~~
20 ~~Medicine] Board.~~

21 ~~* * *~~

22 ~~Section 8. Persons Entitled to Practice. (a) The Board~~
23 ~~shall issue to each person who meets the professional nursing~~
24 ~~licensure requirements of this act, a certificate setting forth~~
25 ~~that such person is licensed to engage in the practice of~~
26 ~~professional nursing and entitled to use the title "registered~~
27 ~~nurse" and the letters "R.N."~~

28 ~~(b) The Board shall issue to each person who meets the~~
29 ~~dietitian nutritionist licensure requirements of this act a~~
30 ~~certificate setting forth that such person is licensed as a~~

1 ~~dietitian nutritionist and entitled to use the title "licensed-~~
2 ~~dietitian nutritionist" and the letters "L.D.N." A record of-~~
3 ~~[all persons] each person licensed as [dietitian nutritionists]-~~
4 ~~a dietitian nutritionist in this Commonwealth shall be kept in-~~
5 ~~the office of the Board and shall be open to public inspection-~~
6 ~~and copying upon payment of a nominal fee for copying the-~~
7 ~~record.~~

8 ~~(c) The Board shall issue to each person who meets the APRN-~~
9 ~~CNP licensure requirements of this act a certificate stating-~~
10 ~~that such person is licensed as an APRN CNP and entitled to use-~~
11 ~~the title "advanced practice registered nurse certified nurse-~~
12 ~~practitioner" and the letters "APRN CNP." A record of each-~~
13 ~~person licensed as an APRN CNP in this Commonwealth shall be-~~
14 ~~kept in the office of the Board and posted on the Board's-~~
15 ~~publicly accessible Internet website.~~

16 ~~Section 8.1. Certified Registered Nurse Practitioners;-~~
17 ~~Qualifications. [(a) The board may certify a licensed-~~
18 ~~registered nurse as a certified registered nurse practitioner in-~~
19 ~~a particular clinical specialty area if the nurse satisfies the-~~
20 ~~requirements established by this act and regulations promulgated-~~
21 ~~by the board. Certification of a nurse by the board shall expire-~~
22 ~~on the same date as the license of that nurse expires.~~

23 ~~(b) (1) Beginning on the effective date of this section, a-~~
24 ~~nurse shall not qualify for initial certification by the board-~~
25 ~~under subsection (a) unless the nurse:~~

26 ~~(i) is a graduate of an accredited, board approved master's-~~
27 ~~or post master's nurse practitioner program; and~~

28 ~~(ii) holds certification as a certified registered nurse-~~
29 ~~practitioner from a board recognized national certification-~~
30 ~~organization which required passing of a national certifying-~~

1 ~~examination in the particular clinical specialty area in which~~
2 ~~the nurse is seeking certification by the board.~~

3 ~~(2) This subsection shall not apply to a nurse who:~~

4 ~~(i) holds certification from the board as a certified~~
5 ~~registered nurse practitioner on the effective date of this~~
6 ~~subsection; or~~

7 ~~(ii) would otherwise qualify for certification as a~~
8 ~~certified registered nurse practitioner under section 7(b).~~

9 ~~(3) In order to provide a transition period for persons who~~
10 ~~completed or were enrolled in an approved educational program on~~
11 ~~the effective date of this section and to permit those persons~~
12 ~~to apply for certification under the rules in existence~~
13 ~~immediately prior to the effective date of this section, the~~
14 ~~board shall issue initial certification to any person who,~~
15 ~~within two (2) years of the effective date of this section:~~

16 ~~(i) submits evidence of having completed or been enrolled in~~
17 ~~an approved educational program on the effective date of this~~
18 ~~section; and~~

19 ~~(ii) fulfills all administrative requirements of the board~~
20 ~~and possesses all of the other qualifications for certification~~
21 ~~in effect immediately prior to the effective date of this~~
22 ~~section.~~

23 ~~(c) As a condition for biennial renewal of certification by~~
24 ~~the board, a certified registered nurse practitioner must, in~~
25 ~~the two (2) years prior to renewal, complete at least thirty~~
26 ~~(30) hours of continuing education approved by the board. In the~~
27 ~~case of a certified registered nurse practitioner who is~~
28 ~~prescribing medical therapeutic or corrective measures pursuant~~
29 ~~to section 8.3, that continuing education must include at least~~
30 ~~sixteen (16) hours in pharmacology in that two year period.]~~

~~1 Advanced Practice Registered Nurse Certified Nurse~~
~~2 Practitioner.~~

~~3 (d) A registered nurse who holds current certification by~~
~~4 the Board on the effective date of this subsection as a~~
~~5 certified registered nurse practitioner in a population focus~~
~~6 area shall automatically be deemed to be licensed by the Board~~
~~7 as an APRN CNP in the population focus area for which the~~
~~8 registered nurse is certified. The Board shall issue appropriate~~
~~9 written notice of the license as an APRN CNP, except that the~~
~~10 issuance of that notice shall not be a condition precedent to~~
~~11 practice in accordance with the license.~~

~~12 (e) Except as provided in subsection (d), an individual~~
~~13 shall not qualify for an initial license as an APRN CNP on or~~
~~14 after the effective date of this subsection unless the person~~
~~15 meets the following criteria:~~

~~16 (1) Holds a current license in this Commonwealth as a~~
~~17 registered nurse.~~

~~18 (2) Is a graduate of an accredited, Board approved nurse~~
~~19 practitioner program at the master's, post master's or doctoral~~
~~20 level.~~

~~21 (3) Holds current certification as an APRN CNP from a Board~~
~~22 recognized national certification program that requires passage~~
~~23 of a national certifying examination in a population focus area~~
~~24 for which the registered nurse is certified and is seeking~~
~~25 licensure by the Board.~~

~~26 (f) (1) An initial license under subsection (d) as an APRN~~
~~27 CNP shall expire on the same date as the registered nurse's then~~
~~28 current license as a registered nurse is scheduled to expire.~~
~~29 The license as an APRN CNP shall thereafter be renewed~~
~~30 biennially on the same date as the nurse's license as a~~

1 ~~registered nurse.~~

2 ~~(2) An initial license under subsection (e) or section 7(b)~~
3 ~~as an APRN CNP shall expire on the same date as the registered~~
4 ~~nurse's then current license as a registered nurse is scheduled~~
5 ~~to expire. The license as an APRN CNP shall thereafter be~~
6 ~~renewed biennially on the same date as the nurse's license as a~~
7 ~~registered nurse.~~

8 ~~(3) As a condition for biennial renewal by the Board of a~~
9 ~~license as an APRN CNP, the nurse must do all of the following:~~

10 ~~(i) Maintain a current license in this Commonwealth as a~~
11 ~~registered nurse.~~

12 ~~(ii) Maintain current certification through a Board~~
13 ~~recognized national certification program in the population~~
14 ~~focus area in which the registered nurse is licensed as an APRN~~
15 ~~CNP by the Board.~~

16 ~~(iii) In the two (2) years prior to renewal, complete at~~
17 ~~least thirty (30) hours of continuing education approved by the~~
18 ~~Board. For an APRN CNP who is prescribing medical therapeutic or~~
19 ~~corrective measures under section 8.3, the continuing education~~
20 ~~shall include at least sixteen (16) hours in pharmacology in the~~
21 ~~two year period.~~

22 ~~(g) The Board shall establish a procedure by which a license~~
23 ~~as an APRN CNP may be amended prior to the biennial renewal date~~
24 ~~in order to authorize a registered nurse to practice in a~~
25 ~~population focus area in which the nurse was not certified on~~
26 ~~the effective date of this subsection or on the date on which~~
27 ~~the nurse's current license as an APRN CNP was issued or~~
28 ~~renewed. The Board shall authorize an APRN CNP to practice in an~~
29 ~~additional population focus area only if the nurse holds current~~
30 ~~certification from a Board recognized national certification~~

1 ~~program that requires passage of a national certifying~~
2 ~~examination in the additional population focus area.~~

3 ~~(h) (1) The use of the terms "certified registered nurse~~
4 ~~practitioner," "registered nurse practitioner," "certified nurse~~
5 ~~practitioner" and "nurse practitioner" in any other act shall be~~
6 ~~deemed to include a person licensed as an APRN CNP under this~~
7 ~~section or section 7(b) and shall be entitled to practice in~~
8 ~~accordance with this act, notwithstanding any other provision of~~
9 ~~law.~~

10 ~~(2) A registered nurse who is licensed by the Board as an~~
11 ~~APRN CNP in a population focus area is entitled to use the title~~
12 ~~"advanced practice registered nurse certified nurse~~
13 ~~practitioner" and the letters "APRN CNP." It shall be unlawful~~
14 ~~for any other person to use the title "advanced practice~~
15 ~~registered nurse certified nurse practitioner" or the letters~~
16 ~~"APRN CNP."~~

17 ~~(i) (1) An APRN CNP may form a professional corporation~~
18 ~~with one or more of the following:~~

19 ~~(i) Other registered nurses.~~

20 ~~(ii) Other health care practitioners who treat human~~
21 ~~ailments and conditions and are licensed to provide health care~~
22 ~~services in this Commonwealth without receiving a referral or~~
23 ~~supervision from another health care practitioner.~~

24 ~~(2) This subsection shall be construed to abrogate the~~
25 ~~requirement that the State Board of Medicine and the State Board~~
26 ~~of Osteopathic Medicine expressly authorize the combined~~
27 ~~practice of APRN CNPs with doctors of medicine or doctors of~~
28 ~~osteopathic medicine, respectively, found in 15 Pa.C.S. §~~
29 ~~2903(d)(1)(ii) (relating to formation of professional~~
30 ~~corporations).~~

1 ~~(j) An APRN CNP who has engaged in the practice of~~
2 ~~professional nursing in collaboration with a physician for a~~
3 ~~period of not less than three (3) years and not less than three~~
4 ~~thousand six hundred (3,600) hours in accordance with a written~~
5 ~~collaborative agreement with a physician shall not be subject to~~
6 ~~the requirements under sections 8.2(b) and 8.3(a)(2)(i).~~

7 ~~(k) An APRN CNP who qualifies for the exception under~~
8 ~~subsection (j) shall file a form with the Board attesting to~~
9 ~~having engaged in the practice of professional nursing in~~
10 ~~collaboration with a physician for a period of not less than~~
11 ~~three (3) years and not less than three thousand six hundred~~
12 ~~(3,600) hours pursuant to a written collaborative agreement. The~~
13 ~~form shall be developed by the Board.~~

14 ~~(l) A registered nurse who was licensed or certified by~~
15 ~~another state, territory or possession of the United States or a~~
16 ~~foreign country and received a license as an APRN CNP issued by~~
17 ~~the Board or a temporary practice permit to practice as an APRN~~
18 ~~CNP under section 4.1 may qualify for the exception under~~
19 ~~subsection (j) if the APRN CNP satisfactorily demonstrates to~~
20 ~~the Board the completion of no less than three (3) years and no~~
21 ~~less than three thousand six hundred (3,600) hours of practice~~
22 ~~in collaboration with a physician deemed equivalent to the~~
23 ~~requirements of subsection (j) which occurred in this~~
24 ~~Commonwealth or in one or more other states, territories or~~
25 ~~possessions of the United States or foreign countries where the~~
26 ~~APRN CNP was previously, or is currently, licensed.~~

27 ~~(m) The APRN CNP shall be accountable to patients, the~~
28 ~~nursing profession and the Board and shall:~~

29 ~~(1) Comply with the requirements of this chapter and the~~
30 ~~quality expectations of advanced nursing care rendered.~~

1 ~~(2) Recognize limits of knowledge and experience.~~
2 ~~(3) Plan for the management of situations beyond the APRN-~~
3 ~~CNP's expertise.~~

4 ~~(4) Consult with or refer patients to other health care~~
5 ~~providers, as appropriate.~~

6 Section 8.2. Scope of Practice for [~~Certified Registered~~
7 ~~Nurse Practitioners~~] ~~Advanced Practice Registered Nurse~~
8 ~~Certified Nurse Practitioners.~~ (a) A [~~certified registered~~
9 ~~nurse practitioner while functioning in the expanded role as a~~
10 ~~professional nurse~~] ~~An APRN CNP~~ shall practice within the scope
11 of practice of the [~~particular clinical specialty~~] ~~population~~
12 ~~focus~~ area in which the nurse is [~~certified~~] ~~licensed~~ by the
13 board. ~~Notwithstanding any other provision of law, an APRN CNP~~
14 ~~who meets the requirements under section 8.1(j) or (l) is~~
15 ~~entitled to all of the following:~~

16 ~~(1) To practice as a licensed independent practitioner~~
17 ~~within the scope of practice of a particular population focus~~
18 ~~area.~~

19 ~~(2) To be recognized as a primary care provider under~~
20 ~~managed care and other health care plans.~~

21 (b) [~~A certified registered nurse practitioner~~] ~~Except as~~
22 ~~provided under section 8.1(j) or (l), an APRN CNP may perform~~
23 ~~acts of medical diagnosis [in collaboration] pursuant to a~~
24 ~~written collaboration agreement with a physician and in~~
25 ~~accordance with regulations promulgated by the board.~~

26 (c) ~~Except as provided in subsection (c.1), [a certified~~
27 ~~registered nurse practitioner] an APRN CNP may prescribe medical~~
28 ~~therapeutic or corrective measures if the nurse is acting in~~
29 ~~accordance with the provisions of section 8.3.~~

30 (c.1) [~~Except as limited by subsection (c.2), and in~~] ~~An~~

~~1 APRN CNP who has not met the three year or 3600 hour requirement~~
~~2 under section 8.1(j) or (l), in addition to existing authority,~~
~~3 [a certified registered nurse practitioner] shall have authority~~
~~4 to do all of the following, provided that the [certified nurse~~
~~5 practitioner] APRN CNP is acting within the scope of the~~
~~6 [certified registered nurse practitioner's] APRN CNP's written~~
~~7 collaborative [or written] agreement with a physician and the~~
~~8 [certified registered nurse practitioner's specialty~~
~~9 certification] APRN CNP's population focus area:~~

~~10 (1) Order home health and hospice care.~~

~~11 (2) Order durable medical equipment.~~

~~12 (3) Issue oral orders [to the extent permitted by the health~~
~~13 care facilities' by laws, rules, regulations or administrative~~
~~14 policies and guidelines].~~

~~15 (4) Make physical therapy and dietitian referrals.~~

~~16 (5) Make respiratory, speech and occupational therapy~~
~~17 referrals.~~

~~18 (6) Perform disability assessments for the program providing~~
~~19 Temporary Assistance to Needy Families (TANF).~~

~~20 (7) Issue homebound schooling certifications.~~

~~21 (8) Perform and sign the initial assessment of methadone~~
~~22 treatment evaluations[, provided that any] and order [for]~~
~~23 methadone treatment [shall be made only by a physician].~~

~~24 (c.2) [Nothing in this section shall be construed to:~~

~~25 (1) Supersede the authority of the Department of Health and~~
~~26 the Department of Public Welfare to regulate the types of health~~
~~27 care professionals who are eligible for medical staff membership~~
~~28 or clinical privileges.~~

~~29 (2) Restrict the authority of a health care facility to~~
~~30 determine the scope of practice and supervision or other~~

~~oversight requirements for health care professionals practicing within the facility.] Notwithstanding any provision of the act of July 19, 1979 (P.L.130, No.48), known as the "Health Care Facilities Act," no regulation or order of the Department of Health, the Department of Human Services or the Insurance Department shall preclude the decision of the governing body of a health care facility that the types of health care professionals who are eligible for medical staff membership or clinical privileges at the facility include APRN CNPs when practicing as licensed independent practitioners.~~

~~(d) Nothing in this section shall be construed to limit or prohibit [a certified registered nurse practitioner] an APRN CNP from engaging in those activities which normally constitute the practice of professional nursing as defined in section 2.~~

~~Section 8.3. Prescriptive Authority for [Certified Registered] Advanced Practice Registered Nurse Certified Nurse Practitioners. (a) [A certified registered nurse practitioner] An APRN CNP may prescribe medical therapeutic or corrective measures if the nurse:~~

~~(1) has successfully completed at least forty five (45) hours of coursework specific to advanced pharmacology at a level above that required by a professional nursing education program;~~

~~(2) (i) except as provided under subparagraph (ii), is acting [in collaboration with a physician as set forth in a] within the scope of a written collaborative agreement with a physician which shall, at a minimum, identify the following:~~

~~[(i)] (A) the area of practice in which the nurse is certified;~~

~~[(ii)] (B) the categories of drugs from which the nurse may prescribe or dispense; and~~

1 ~~[(iii)] (C) the circumstances and how often the~~
2 ~~collaborating physician will personally see the patient; [and]~~
3 ~~or~~

4 ~~(ii) is an APRN CNP that qualifies for the exception under~~
5 ~~section 8.1(j) or (l) and is practicing within a population~~
6 ~~focus area in which the nurse is certified by a Board recognized~~
7 ~~national certification program; and~~

8 ~~(3) is acting in accordance with regulations promulgated by~~
9 ~~the board.~~

10 ~~(b) [A certified registered nurse practitioner] An APRN CNP~~
11 ~~who satisfies the requirements of subsection (a) may prescribe~~
12 ~~and dispense [those categories of drugs that certified~~
13 ~~registered nurse practitioners were authorized to prescribe and~~
14 ~~dispense by board regulations in effect on the effective date of~~
15 ~~this section, subject to the restrictions on certain drug~~
16 ~~categories imposed by those regulations. The board shall add to~~
17 ~~or delete from the categories of authorized drugs in accordance~~
18 ~~with the provisions of section 8.4] proprietary and~~
19 ~~nonproprietary drugs, subject to any restrictions imposed by~~
20 ~~Board regulations or by Federal law.~~

21 ~~Section 8.4. [Drug Review Committee. (a) The Drug Review~~
22 ~~Committee is hereby established and shall consist of seven~~
23 ~~members as follows:~~

24 ~~(1) The Secretary of Health or, at the discretion of the~~
25 ~~Secretary of Health, the Physician General as his or her~~
26 ~~designee, who shall act as chairman.~~

27 ~~(2) Two certified registered nurse practitioners who are~~
28 ~~actively engaged in clinical practice, appointed to three year~~
29 ~~terms by the Secretary of Health.~~

30 ~~(3) Two licensed physicians who are actively engaged in~~

~~clinical practice, appointed to three year terms by the Secretary of Health, at least one of whom shall, at the time of appointment, be collaborating with one or more certified registered nurse practitioners in accordance with section 8.3(a)(2).~~

~~(4) Two licensed pharmacists who are actively engaged in the practice of pharmacy, appointed to three year terms by the Secretary of Health.~~

~~(b) (1) The board shall submit to the Drug Review Committee any proposed change to the categories of drugs that certified registered nurse practitioners were authorized to prescribe pursuant to board regulations in effect on the effective date of this section. The board shall not change, by addition or deletion, the categories of authorized drugs without prior approval of the Drug Review Committee.~~

~~(2) Within sixty (60) days of a submission by the board under paragraph (1), a majority of the Drug Review Committee shall vote to approve or disapprove the proposed change.~~

~~(3) If a majority of the Drug Review Committee fails to vote to approve or disapprove the proposed change within sixty (60) days of receipt of a submission by the board under paragraph (1), the Drug Review Committee shall be deemed to have approved the proposed change.] (Reserved).~~

~~Section 8.7. Professional Liability. [A certified registered nurse practitioner] An APRN-CNP practicing in this Commonwealth shall maintain a level of professional liability coverage as required for a nonparticipating health care provider under the act of March 20, 2002 (P.L.154, No.13), known as the "Medical Care Availability and Reduction of Error (Mcare) Act," but shall not be eligible to participate in the Medical Care~~

1 ~~Availability and Reduction of Error (Meare) Fund.~~

2 ~~(b) An APRN CNP who qualifies for the exception under~~
3 ~~section 8.1(j) or (l) and practices without the need for a~~
4 ~~written collaborative agreement with a physician shall satisfy~~
5 ~~the liability coverage requirement under subsection (a) by~~
6 ~~maintaining an individual policy in the APRN CNP's own name.~~

7 ~~Section 11.1. Reporting of Multiple Licensure. Any licensed~~
8 ~~professional nurse or dietitian nutritionist of this~~
9 ~~Commonwealth who is also licensed to practice nursing, advanced~~
10 ~~practice registered nursing or dietetics nutrition in any other~~
11 ~~state, territory, possession or country shall report this~~
12 ~~information to the Board on the biennial registration~~
13 ~~application. Any disciplinary action taken in other states shall~~
14 ~~be reported to the Board on the biennial registration~~
15 ~~application or within ninety (90) days of final disposition,~~
16 ~~whichever is sooner. Multiple licensure shall be noted by the~~
17 ~~Board on the licensee's record, and such state, territory,~~
18 ~~possession or country shall be notified by the Board of any~~
19 ~~disciplinary actions taken against said licensee in this~~
20 ~~Commonwealth.~~

21 ~~Section 12.1. Continuing Nursing Education. * * *~~

22 ~~(g) In lieu of meeting the requirements of this section:~~

23 ~~(1) [Certified registered nurse practitioners] APRN CNPs~~
24 ~~and dietetics nutrition licensees shall fulfill the~~
25 ~~requirements for continuing education in accordance with~~
26 ~~sections 8.1 and 11, respectively.~~

27 ~~* * *~~

28 ~~Section 13. Punishment for Violations. * * *~~

29 ~~(b) In addition to any other civil remedy or criminal~~
30 ~~penalty provided for in this act, the Board, by a vote of the~~

1 majority of the maximum number of the authorized membership of
2 the Board as provided by law or by a vote of the majority of the
3 duly qualified and confirmed membership or a minimum of five (5)
4 members, whichever is greater, may levy a civil penalty of up to
5 one thousand dollars (\$1,000) on any current licensee who
6 violates any provision of this act or on any person who
7 practices nursing, practices advanced practice registered
8 nursing or holds himself or herself forth as a licensed
9 dietitian nutritionist without being properly licensed to do so
10 under this act or on the responsible officers or employees of any
11 corporation, copartnership, institution or association violating
12 any of the provisions of this act. The Board shall levy this
13 penalty only after affording the accused party the opportunity
14 for a hearing, as provided in Title 2 of the Pennsylvania
15 Consolidated Statutes (relating to administrative law and
16 procedure).

17 Section 14. Refusal, Suspension or Revocation of Licenses.

18 (a) The Board may refuse, suspend or revoke any license in any
19 case where the Board shall find that—

20 (1) The licensee is on repeated occasions negligent or
21 incompetent in the practice of professional nursing, advanced
22 practice registered nursing or dietetics nutrition.

23 (2) The licensee is unable to practice professional nursing
24 or the practice of advanced practice registered nursing with
25 reasonable skill and safety to patients by reason of mental or
26 physical illness or condition or physiological or psychological
27 dependence upon alcohol, hallucinogenic or narcotic drugs or
28 other drugs which tend to impair judgment or coordination, so
29 long as such dependence shall continue. In enforcing this clause
30 (2), the Board shall, upon probable cause, have authority to

1 ~~compel a licensee to submit to a mental or physical examination~~
2 ~~as designated by it. After notice, hearing, adjudication and~~
3 ~~appeal as provided for in section 15, failure of a licensee to~~
4 ~~submit to such examination when directed shall constitute an~~
5 ~~admission of the allegations against him or her unless failure~~
6 ~~is due to circumstances beyond his or her control, consequent~~
7 ~~upon which a default and final order may be entered without the~~
8 ~~taking of testimony or presentation of evidence. A licensee~~
9 ~~affected under this paragraph shall at reasonable intervals be~~
10 ~~afforded an opportunity to demonstrate that he or she can resume~~
11 ~~a competent practice of professional nursing or the practice of~~
12 ~~advanced practice registered nursing with reasonable skill and~~
13 ~~safety to patients.~~

14 * * *

15 ~~(4) The licensee has committed fraud or deceit in:~~

16 ~~(i) the practice of nursing, the practice of advanced~~
17 ~~practice registered nursing or in securing his or her admission~~
18 ~~to such practice or nursing school; or~~

19 ~~(ii) the practice of dietetics nutrition or in securing his~~
20 ~~or her license as a dietitian nutritionist.~~

21 * * *

22 ~~(b) When the Board finds that the license of any nurse or~~
23 ~~dietitian nutritionist may be refused, revoked or suspended~~
24 ~~under the terms of subsection (a), the Board may:~~

25 * * *

26 ~~(6) Restore or reissue, in its discretion, a suspended~~
27 ~~license to practice professional or practical nursing, advanced~~
28 ~~practice registered nursing or dietetics nutrition and impose~~
29 ~~any disciplinary or corrective measure which it might originally~~
30 ~~have imposed.~~

1 ~~Section 15.2. Reinstatement of License. Unless ordered to~~
2 ~~do so by Commonwealth Court or an appeal therefrom, the Board~~
3 ~~shall not reinstate the license of a person to practice nursing,~~
4 ~~advanced practice registered nursing or dietetics nutrition~~
5 ~~which has been revoked. Any person whose license has been~~
6 ~~revoked may reapply for a license, after a period of at least~~
7 ~~five (5) years, but must meet all of the licensing~~
8 ~~qualifications of this act for the license applied for, to~~
9 ~~include the examination requirement, if he or she desires to~~
10 ~~practice at any time after such revocation.~~

11 ~~Section 15.4. Injunction or Other Process. It shall be~~
12 ~~unlawful for any person to practice or attempt to offer to~~
13 ~~practice nursing, practice advanced practice registered nursing~~
14 ~~or hold himself or herself forth as a licensed dietitian~~
15 ~~nutritionist[, as defined in this act,] or an APRN CNP without~~
16 ~~having at the time of so doing a valid, unexpired, unrevoked and~~
17 ~~unsuspended license issued under this act. The unlawful practice~~
18 ~~of nursing [as defined in this act] or unlawful practice of~~
19 ~~advanced practice registered nursing may be enjoined by the~~
20 ~~courts on petition of the Board or the Commissioner of~~
21 ~~Professional and Occupational Affairs. In any such proceeding,~~
22 ~~it shall not be necessary to show that any person is~~
23 ~~individually injured by the actions complained of. If it is~~
24 ~~determined that the respondent has engaged in the unlawful~~
25 ~~practice of nursing or the unlawful practice of advanced~~
26 ~~practice registered nursing, the court shall enjoin him or her~~
27 ~~from so practicing unless and until he or she has been duly~~
28 ~~licensed. Procedure in such cases shall be the same as in any~~
29 ~~other injunction suit. The remedy by injunction hereby given is~~
30 ~~in addition to any other civil or criminal prosecution and~~

1 ~~punishment.~~

2 ~~Section 4. The authority of the State Board of Nursing to~~
3 ~~certify a licensed registered nurse as an advanced practice~~
4 ~~registered nurse certified nurse practitioner shall expire on~~
5 ~~the effective date of this section.~~

6 ~~Section 5. Within 90 days after the effective date of this~~
7 ~~section, the State Board of Nursing, the Department of Health,~~
8 ~~the Department of Human Services and other affected agencies~~
9 ~~shall initiate the promulgation of regulations necessary to~~
10 ~~carry out the provisions of this act. The promulgation of the~~
11 ~~regulations shall not be a condition precedent to the~~
12 ~~applicability of this act.~~

13 ~~Section 6. All other acts and parts of acts are repealed~~
14 ~~insofar as they are inconsistent with this act.~~

15 ~~Section 7. This act shall take effect in 60 days.~~

16 SECTION 1. SECTION 2 OF THE ACT OF MAY 22, 1951 (P.L.317, <--
17 NO.69), KNOWN AS THE PROFESSIONAL NURSING LAW, IS AMENDED BY
18 ADDING CLAUSES TO READ:

19 SECTION 2. DEFINITIONS.--WHEN USED IN THIS ACT, THE
20 FOLLOWING WORDS AND PHRASES SHALL HAVE THE FOLLOWING MEANINGS
21 UNLESS THE CONTEXT PROVIDES OTHERWISE:

22 * * *

23 (18) "PRIMARY HEALTH CARE PRACTITIONER" MEANS A CERTIFIED
24 REGISTERED NURSE PRACTITIONER PROVIDING MEDICAL SERVICES IN ANY
25 OF THE FOLLOWING SPECIALTY AREAS:

26 (I) FAMILY.

27 (II) ADULT.

28 (III) ADULT GERONTOLOGY.

29 (IV) GENERAL PEDIATRICS.

30 (V) WOMEN'S HEALTH.

1 (VI) MENTAL HEALTH.

2 (19) "PROGRAM" MEANS THE RURAL CERTIFIED REGISTERED NURSE
3 PRACTITIONER HEALTH CARE ACCESS PROGRAM ESTABLISHED UNDER
4 SECTION 9(A).

5 (20) "RURAL AREA" MEANS:

6 (I) A COUNTY WHERE THE TOTAL POPULATION OF A SPECIFIC COUNTY
7 DIVIDED BY THE TOTAL NUMBER OF SQUARE LAND MILES YIELDS A
8 POPULATION DENSITY FEWER THAN 291 PEOPLE PER SQUARE MILE BASED
9 ON 2020 FEDERAL DECENNIAL CENSUS FIGURES.

10 (II) A COUNTY DESIGNATED UNDER SECTION 9(M).

11 (21) "RURAL CERTIFIED REGISTERED NURSE PRACTITIONER" MEANS A
12 CERTIFIED REGISTERED NURSE PRACTITIONER LICENSED IN THIS
13 COMMONWEALTH TO PRACTICE IN A RURAL AREA OF THIS COMMONWEALTH AS
14 A PRIMARY HEALTH CARE PRACTITIONER.

15 SECTION 2. THE ACT IS AMENDED BY ADDING A SECTION TO READ:

16 SECTION 9. RURAL CERTIFIED REGISTERED NURSE PRACTITIONER
17 HEALTH CARE ACCESS PROGRAM.--(A) THE BOARD SHALL ESTABLISH THE
18 RURAL CERTIFIED REGISTERED NURSE PRACTITIONER HEALTH CARE ACCESS
19 PROGRAM TO ALLOW AN ELIGIBLE RURAL CERTIFIED REGISTERED NURSE
20 PRACTITIONER TO PRACTICE AS AN INDEPENDENT PRACTITIONER WITHOUT
21 A WRITTEN OR COLLABORATIVE AGREEMENT WITH A PHYSICIAN IN A RURAL
22 AREA.

23 (B) A CERTIFIED REGISTERED NURSE PRACTITIONER MAY
24 PARTICIPATE IN THE PROGRAM IF THE CERTIFIED REGISTERED NURSE
25 PRACTITIONER MEETS ALL OF THE FOLLOWING:

26 (1) HOLDS A CURRENT LICENSE TO PRACTICE AS A CERTIFIED
27 REGISTERED NURSE PRACTITIONER IN THIS COMMONWEALTH.

28 (2) RECEIVED NO DISCIPLINARY ACTION OR HAS NO PENDING
29 DISCIPLINARY ACTION WITHIN THE FIVE (5) YEARS IMMEDIATELY
30 PRECEDING THE DATE OF THE APPLICATION UNDER PARAGRAPH (4).

1 (3) ENGAGED IN THE PRACTICE OF PROFESSIONAL NURSING PURSUANT
2 TO A COLLABORATIVE OR WRITTEN AGREEMENT WITH A PHYSICIAN FOR A
3 PERIOD OF NOT LESS THAN THREE (3) YEARS AND NOT LESS THAN THREE
4 THOUSAND SIX HUNDRED (3,600) HOURS AND THE PRACTICE OCCURRED
5 WITHIN THE FIVE (5) YEARS IMMEDIATELY PRECEDING THE DATE OF THE
6 CERTIFIED REGISTERED NURSE PRACTITIONER'S APPLICATION UNDER
7 PARAGRAPH (4).

8 (4) SUBMITS AN APPLICATION TO THE BOARD ON A FORM PRESCRIBED
9 BY THE BOARD AND PAYS A FEE ESTABLISHED BY THE BOARD.

10 (5) SUBMITS AN ATTESTATION THAT THE CERTIFIED REGISTERED
11 NURSE PRACTITIONER MEETS THE CRITERIA TO BECOME A RURAL
12 CERTIFIED REGISTERED NURSE PRACTITIONER TO PARTICIPATE IN THE
13 PROGRAM.

14 (B.1) THE FOLLOWING SHALL APPLY:

15 (1) THE APPLICATION UNDER SUBSECTION (B) (4) SHALL BE ISSUED
16 NO LATER THAN THIRTY (30) DAYS AFTER THE EFFECTIVE DATE OF THIS
17 SECTION.

18 (2) UPON APPROVAL OF THE APPLICATION BY THE BOARD, THE
19 CERTIFIED REGISTERED NURSE PRACTITIONER SHALL BE DEEMED A RURAL
20 CERTIFIED REGISTERED NURSE PRACTITIONER FOR PRACTICE IN RURAL
21 AREAS UNDER THE PROGRAM.

22 (C) WHILE PRACTICING UNDER THE PROGRAM, A RURAL CERTIFIED
23 REGISTERED NURSE PRACTITIONER MAY DO ALL OF THE FOLLOWING:

24 (1) PRACTICE IN ACCORDANCE WITH SECTION 8.2 WITHOUT A
25 WRITTEN OR COLLABORATIVE AGREEMENT.

26 (2) PRESCRIBE MEDICAL THERAPEUTIC OR CORRECTIVE MEASURES IN
27 ACCORDANCE WITH SECTION 8.3 WITHOUT A WRITTEN OR COLLABORATIVE
28 AGREEMENT.

29 (D) IN ORDER TO CONTINUE TO PARTICIPATE IN THE PROGRAM, A
30 RURAL CERTIFIED REGISTERED NURSE PRACTITIONER SHALL BE SUBJECT

1 TO BIENNIAL RENEWAL AND SHALL SUBMIT A RENEWAL APPLICATION ON A
2 FORM PRESCRIBED BY THE BOARD, PAY A FEE ESTABLISHED BY THE BOARD
3 AND COMPLETE AT LEAST TEN (10) HOURS OF CONTINUING EDUCATION
4 APPROVED BY THE BOARD IN PATIENT SAFETY AND RISK MANAGEMENT. THE
5 RENEWAL APPLICATION UNDER THIS SUBSECTION SHALL CONTAIN AN
6 ATTESTATION THAT THE RURAL CERTIFIED REGISTERED NURSE
7 PRACTITIONER COMPLETED THE CONTINUING EDUCATION REQUIRED UNDER
8 THIS SUBSECTION. THE CONTINUING EDUCATION REQUIRED UNDER THIS
9 SUBSECTION SHALL BE IN ADDITION TO THE CONTINUING EDUCATION
10 REQUIRED UNDER SECTION 8.1(C).

11 (E) WHILE PRACTICING IN A RURAL AREA UNDER THE PROGRAM, THE
12 RURAL CERTIFIED REGISTERED NURSE PRACTITIONER SHALL ACT SOLELY
13 AS A PRIMARY HEALTH CARE PRACTITIONER. A RURAL CERTIFIED
14 REGISTERED NURSE PRACTITIONER SHALL IMMEDIATELY NOTIFY THE BOARD
15 IN WRITING IF THERE ARE CHANGES IN PRACTICE OR LOCATION OUTSIDE
16 A RURAL AREA. A RURAL CERTIFIED REGISTERED NURSE PRACTITIONER
17 WHO FAILS TO PROVIDE THE NOTICE REQUIRED UNDER THIS SUBSECTION
18 OR WHO IS FOUND TO BE PRACTICING OUTSIDE OF THE RURAL AREA
19 SPECIFIED MAY NOT CONTINUE TO PRACTICE IN THE PROGRAM.

20 (F) WHILE PARTICIPATING IN THE PROGRAM IN A RURAL AREA, A
21 RURAL CERTIFIED REGISTERED NURSE PRACTITIONER SHALL BE
22 ACCOUNTABLE TO THE BOARD, NURSING PROFESSION AND PATIENTS AND
23 SHALL HAVE THE FOLLOWING DUTIES:

24 (1) TO COMPLY WITH THE REQUIREMENTS OF THIS ACT AND THE
25 STANDARD OF CARE OF ADVANCED NURSING CARE RENDERED.

26 (2) TO RECOGNIZE ANY LIMITATIONS REGARDING KNOWLEDGE AND
27 EXPERIENCE.

28 (3) TO WEAR A NAME IDENTIFICATION BADGE STATING THE RURAL
29 CERTIFIED REGISTERED NURSE PRACTITIONER'S PROFESSIONAL TITLE AND
30 INFORM NEW PATIENTS ABOUT THE RURAL CERTIFIED REGISTERED NURSE

1 PRACTITIONER'S TITLE BEFORE OR DURING THE INITIAL PATIENT
2 ENCOUNTER. SIGNAGE AND ADVERTISEMENTS MUST CONTAIN THE RURAL
3 CERTIFIED REGISTERED NURSE PRACTITIONER'S PROFESSIONAL TITLE.

4 (4) TO PLAN FOR THE MANAGEMENT OF SITUATIONS BEYOND THE
5 RURAL CERTIFIED REGISTERED NURSE PRACTITIONER'S EXPERTISE.

6 (5) TO CONSULT WITH AND REFER PATIENTS TO OTHER HEALTH CARE
7 PROVIDERS AS APPROPRIATE.

8 (G) THE BOARD SHALL BE RESPONSIBLE FOR ADMINISTERING THE
9 PROGRAM AND SHALL ISSUE REGULATIONS AS MAY BE NECESSARY TO CARRY
10 OUT THE PROVISIONS OF THIS SECTION. THE PROMULGATION OF
11 REGULATIONS SHALL NOT BE A CONDITION PRECEDENT TO THE
12 APPLICABILITY OF THIS SECTION.

13 (H) IF A RURAL CERTIFIED REGISTERED NURSE PRACTITIONER
14 INTENDS TO PRACTICE SIMULTANEOUSLY UNDER THE PROGRAM AND
15 PURSUANT TO A WRITTEN OR COLLABORATIVE AGREEMENT WITH A
16 PHYSICIAN WHO IS EXTERNAL TO THE PROGRAM, THE COLLABORATING
17 PHYSICIAN SHALL HAVE NO LEGAL RESPONSIBILITY FOR ACTS OR
18 OMISSIONS OF THE RURAL CERTIFIED REGISTERED NURSE PRACTITIONER
19 PRACTICING UNDER THE PROGRAM.

20 (I) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO DO ANY OF
21 THE FOLLOWING:

22 (1) PERMIT A RURAL CERTIFIED REGISTERED NURSE PRACTITIONER
23 TO PRACTICE UNDER THE ACT OF DECEMBER 20, 1985 (P.L.457,
24 NO.112), KNOWN AS THE "MEDICAL PRACTICE ACT OF 1985," OR THE ACT
25 OF OCTOBER 5, 1978 (P.L.1109, NO.261), KNOWN AS THE "OSTEOPATHIC
26 MEDICAL PRACTICE ACT."

27 (2) PROHIBIT A RURAL CERTIFIED REGISTERED NURSE PRACTITIONER
28 FROM CONSULTING WITH OR SEEKING INFORMATION RELATED TO PATIENT
29 CARE FROM A PHYSICIAN. FOR THE PURPOSE OF THIS SECTION, NO
30 PHYSICIAN-PATIENT RELATIONSHIP SHALL BE ESTABLISHED BETWEEN A

1 PATIENT AND A PHYSICIAN WITH WHOM THE RURAL CERTIFIED REGISTERED
2 NURSE PRACTITIONER CONSULTS OR FROM WHOM CLINICAL INFORMATION OR
3 GUIDANCE IS SOUGHT.

4 (J) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A RURAL
5 CERTIFIED REGISTERED NURSE PRACTITIONER PARTICIPATING IN THE
6 PROGRAM SHALL BE AUTHORIZED TO PRACTICE AS A LICENSED
7 INDEPENDENT PRACTITIONER WITHIN THE SCOPE OF PRACTICE FOR WHICH
8 THE RURAL CERTIFIED REGISTERED NURSE PRACTITIONER PRACTICES AS A
9 PRIMARY HEALTH CARE PRACTITIONER PRACTICES AND TO BE RECOGNIZED
10 AS A PRIMARY CARE PROVIDER UNDER MANAGED CARE AND OTHER HEALTH
11 CARE PLANS.

12 (K) THE FOLLOWING SHALL APPLY:

13 (1) A RURAL CERTIFIED REGISTERED NURSE PRACTITIONER
14 PARTICIPATING IN THE PROGRAM MAY FORM A PROFESSIONAL CORPORATION
15 WITH ONE OR MORE OF THE FOLLOWING:

16 (I) REGISTERED NURSES.

17 (II) PRACTITIONERS WHO TREAT HUMAN AILMENTS AND CONDITIONS
18 AND ARE LICENSED TO PROVIDE HEALTH CARE SERVICES IN THIS
19 COMMONWEALTH WITHOUT RECEIVING A REFERRAL OR SUPERVISION FROM
20 ANOTHER PRACTITIONER.

21 (2) NOTWITHSTANDING 15 PA.C.S. § 2903(D)(1)(II) (RELATING TO
22 FORMATION OF PROFESSIONAL CORPORATIONS), RURAL CERTIFIED
23 REGISTERED NURSE PRACTITIONERS PARTICIPATING IN THE PROGRAM AND
24 PRACTICING IN A RURAL AREA SHALL NOT BE REQUIRED TO HAVE EXPRESS
25 AUTHORIZATION BY THE STATE BOARD OF MEDICINE AND THE STATE BOARD
26 OF OSTEOPATHIC MEDICINE FOR THE COMBINED PRACTICE OF RURAL
27 CERTIFIED REGISTERED NURSE PRACTITIONERS WITH DOCTORS OF
28 MEDICINE AND DOCTORS OF OSTEOPATHIC MEDICINE, RESPECTIVELY.

29 (L) A RURAL CERTIFIED REGISTERED NURSE PRACTITIONER WHO
30 PARTICIPATES IN THE PROGRAM MUST SATISFY THE LIABILITY COVERAGE

1 REQUIREMENT UNDER SECTION 8.7 BY MAINTAINING AN INDIVIDUAL
2 POLICY IN THE RURAL CERTIFIED REGISTERED NURSE PRACTITIONER'S
3 OWN NAME AND BY PROVIDING PROOF OF CURRENT COVERAGE TO THE BOARD
4 IN CONJUNCTION WITH THE INITIAL APPLICATION FOR PARTICIPATION IN
5 THE PROGRAM AND THE ISSUANCE OR RENEWAL OF THE RURAL CERTIFIED
6 REGISTERED NURSE PRACTITIONER'S LICENSE.

7 (M) ON AN ANNUAL BASIS, THE CENTER FOR RURAL PENNSYLVANIA
8 SHALL ADD TO THE RURAL AREA DESIGNATION BASED ON ANY NECESSARY
9 RECALCULATION OF POPULATION DENSITY IN THIS COMMONWEALTH AND
10 PROVIDE THE INFORMATION TO THE BOARD FOR USE IN DETERMINING THE
11 SCOPE OF THE PROGRAM. THE BOARD SHALL TRANSMIT A LIST OF ANY
12 COUNTIES ADDED UNDER THIS SUBSECTION TO THE LEGISLATIVE
13 REFERENCE BUREAU FOR PUBLICATION IN THE NEXT AVAILABLE ISSUE OF
14 THE PENNSYLVANIA BULLETIN.

15 SECTION 3. THIS ACT SHALL TAKE EFFECT IN 60 DAYS.