

of laws inconsistent with the policy and provisions of this act are hereby repealed to that extent.

Section 8. Effective Date.—This act shall take effect immediately.

APPROVED—The 13th day of January, A. D. 1966.

WILLIAM W. SCRANTON

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No. 516

AN ACT

HB 1656

Amending the act of March 2, 1956 (P. L. 1211), entitled "An act providing for and regulating the licensing and practice of practical nursing; imposing duties on the State Board of Nurse Examiners; and imposing penalties," further regulating the practice of practical nursing, changing educational requirements for licensure and admission to schools of practical nursing and provisions relating to the committee provided for in this act, and imposing penalties.

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

Section 1. Sections 2, 3, 5, 6, 8, 9 and 14, act of March 2, 1956 (P. L. 1211), known as the "Practical Nurse Law," are amended to read:

Section 2. When used in this act the following words and phrases shall have the following meaning, unless the context clearly indicates otherwise.

(1) The "practice of practical nursing" means the performance of [such duties as are required in the physical care of a patient and in carrying out of medical orders as prescribed by a physician licensed to practice in Pennsylvania, requiring an understanding of nursing but not requiring professional nursing service.] selected nursing acts in the care of the ill, injured or infirm under the direction of a licensed professional nurse, a licensed physician or a licensed dentist which do not require the specialized skill, judgment and knowledge required in professional nursing.

(2) "Board" means the State Board of Nurse Examiners.

Section 3. This act confers no authority to practice any profession other than practical nursing.

[This does not prohibit care of the sick so long as the persons rendering the service do not represent or hold themselves out to be licensed practical nurses, or use in connection with their names any designation tending to imply that they are licensed to practice under the provisions

of this act: Provided, however, That this provision shall not prohibit any person from using the designation "practical nurse." ]

This act does not prohibit:

(1) Home care of the sick by friends, domestic servants, nursemaids and companions or household aides of any type so long as such persons do not represent or hold themselves out to be practical nurses or use in connection with their names any designation tending to imply that they are licensed to practice under the provisions of this act.

(2) Gratuitous care of the sick by friends or members of the family.

(3) Domestic administration of family remedies by any person.

(4) Nursing services by anyone in case of an immediate emergency.

(5) Nursing by a person temporarily in this Commonwealth in compliance with an engagement made outside of this Commonwealth which engagement requires that such person accompany and care for a patient while temporarily in this Commonwealth whenever the engagement shall not be of more than six (6) months' duration.

(6) Care of the sick without compensation or personal profit when done in connection with the practice of the religious tenets of any church by adherents thereof.

(7) Nursing services rendered by a student enrolled in an approved school of practical nursing, when these services are part of the course of study.

(8) Nursing services rendered by a graduate of an approved school of practical nursing in Pennsylvania or any other state, working under qualified supervision, during the period not to exceed one (1) year between completion of his or her course of nursing education and notification of the results of a licensing examination taken by such person, and during such additional period as the board may in each case especially permit.

(9) Nursing services rendered by a person who holds a current license or other evidence of the right to practice practical nursing as that term is defined in this act, issued by any other state or territory of the United

States or province of the Dominion of Canada, during the period that an application filed by such person for licensure in Pennsylvania is pending before the board, or for a period of one (1) year, whichever period first expires.

(10) Auxiliary services rendered by persons carrying out duties necessary for the support of nursing service, including those duties which involve minor nursing services for patients, performed in hospitals or elsewhere under the direction of licensed physicians or as delegated by licensed registered nurses and performed under the direction of professional nurses or licensed practical nurses.

Section 5. No application for licensure as a licensed practical nurse shall be considered unless accompanied by a fee of five dollars (\$5.00). Every applicant for examination as a licensed practical nurse shall furnish evidence satisfactory to the board that he or she is eighteen years of age or over, is a citizen of the United States or has legally declared intention to become such, is of good moral character, has completed at least eight years and after January 1, 1967, twelve years of education with diploma in public, parochial or private school, or its equivalent as evaluated by the Department of Public Instruction; and

[(1) Has] has satisfactorily completed a course in practical nursing prescribed and approved by the board in a school, hospital or other institution, of not less than fifteen hundred hours and within a period of not less than [nine] twelve months. [or

(2) Has successfully completed at least one year of study in an approved school of professional nursing.]

Section 6. The board may license without examination

[(1) A] a graduate of an approved school for the training of practical nurses in any other state, territory, province or country, who has completed a course of study in practical nursing considered by the board to be equivalent to that required in this Commonwealth and who was licensed in such state, territory, province or country, by examination and has met the foregoing requirements as to age, character, citizenship and preliminary education.

[(2) An applicant who has met the requirements herein as to age, character and citizenship and who has been actively engaged in nursing as a practical nurse, as herein defined, for a period of three years upon

submission of proof of such practice satisfactory to the board.

Applications for such licensure shall be filed with the board by such person on or before June 1, 1959.]

Section 8. (a) The board, with the approval of the [Superintendent of Public Instruction] Commissioner of Professional and Occupational Affairs, shall appoint a committee of two licensed practical nurses and one [practical nurse educator] licensed professional nurse experienced in practical nurse education and, in consultation with this committee, subject to the provisions of the Administrative Agency Law, approved June four, one thousand nine hundred forty-five (Pamphlet Laws 1388), and its amendments, shall have the power and duty to establish reasonable rules and regulations for the administration of this act. Copies of such rules and regulations shall be available to persons who may be interested therein. The board shall have no power in any way to fix salaries or control the compensation paid any licensed practical nurse or licensed attendant.

(b) As a member of said committee a licensed practical nurse must be eligible for membership in the Licensed Practical Nurses Association of Pennsylvania, and a licensed professional nurse experienced in practical nurse education must be eligible for membership in the Pennsylvania Nurses Association.

(c) To qualify as a member of said committee, an appointee must have been a licensed practical nurse or a licensed professional nurse in Pennsylvania for a minimum period of five (5) years.

(d) The term of office for each committee member shall be five (5) years and no committee member may serve for a longer period than two (2) consecutive terms; however, the first appointments shall be for terms of one (1), three (3) and five (5) years respectively, and at the expiration of these original appointments all subsequent terms shall be for five (5) years. In calculating the two (2) consecutive terms, no term served for a lesser period than five (5) years shall be considered.

Section 9. The board shall annually prepare and make available for public distribution lists of all schools and institutions, or combinations thereof, for the training of practical nurses, approved by the board, the graduates of which shall be eligible for examination for licensure as

licensed practical nurses. After January 1, 1967, all candidates for admission to any such school or institution for the training of practical nurses shall have completed, with diploma, at least a high school education in public, parochial or private school, or its equivalent, as evaluated by the Department of Public Instruction. The removal of any such school or institution from the approved list shall not make any bona fide student therein at the time of said removal ineligible for examination.

Section 14. Except as otherwise herein provided, it shall be unlawful for any person, association, partnership, corporation or institution, after the effective date of this act, to

(1) Furnish, sell or obtain by fraud or misrepresentation a record of any qualification required for a license, or aid or abet therein;

(2) Use in connection with his or her name the words [licensed attendant] practical nurse, licensed practical nurse, or the letters ["LA"] "PN," or "LPN," or any designation tending to imply that he or she is a [licensed attendant] practical nurse, or licensed practical nurse, unless he or she is duly licensed to so practice under the provisions of this act;

(3) Practice practical nursing during the time his or her license issued under the provisions of this act is suspended or revoked;

(4) Practice practical nursing without a valid current license;

(5) To transfer, offer to transfer, or permit the use by another of any license issued under this act;

(6) To aid or abet any person to violate any provision of this act;

(7) Otherwise violate any of the provisions of this act.

Section 2. During the periods hereinafter designated, the board may license without examination the following persons:

(1) An applicant who has met the requirements herein as to age, character and citizenship and who is a graduate or has graduated, on or before ninety (90) days following the effective date of this act, of or from a school of practical nursing in Pennsylvania approved by the board, provided that application for such licensure shall be filed with the board not later than ninety (90) days following the effective date of this act.

(2) An applicant who has met the requirements herein as to age, character and citizenship and who has submitted proof satisfactory to the

board that he has been engaged actively in the practice of practical nursing, as herein defined, for a period of not less than three (3) years, of which one (1) year must have taken place within a period of two (2) years prior to the effective date of this act. Applications for such licensure must be filed with the board within ninety (90) days following the effective date of this act.

Section 3. This act shall take effect in thirty days, but clause (4) of section 14 shall not become operative until after the expiration of the respective periods designated in section 2 of this act for certain persons to apply for licensure without examination. Such persons may engage in the practice of practical nursing, as herein defined, without a valid current license, pending approval or disapproval by the board of such application.

APPROVED—The 13th day of January, A. D. 1966.

WILLIAM W. SCRANTON

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No. 517

AN ACT

SB 416

Amending the act of April 9, 1929 (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions and officers; fixing the salaries of the Governor, Lieutenant Governor and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," providing that one member of the Advisory Health Board shall be a registered nurse licensed by the State Board of Nurse Examiners, that five members shall be physicians licensed to practice medicine or osteopathy in Pennsylvania and increasing the membership on the board to twelve members.

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

Section 1. Subsection (f) of section 448, act of April 9, 1929 (P. L. 177), known as "The Administrative Code of 1929," amended August 24, 1951 (P. L. 1340), is amended to read:

Section 448. Advisory Boards and Commissions.—The advisory