

No. 1986-179

AN ACT

HB 2656

Amending the act of May 22, 1951 (P.L.317, No.69), entitled, as amended, "An act relating to the practice of professional nursing; providing for the licensing of nurses and for the revocation and suspension of such licenses, subject to appeal, and for their reinstatement; providing for the renewal of such licenses; regulating nursing in general; prescribing penalties and repealing certain laws," prohibiting the Board from making changes in entry-level nursing education or licensure requirements; and further providing for nursing programs.

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

Section 1. Section 5 of the act of May 22, 1951 (P.L.317, No.69), known as The Professional Nursing Law, is amended by adding a subsection to read:

Section 5. Examinations and Certificates.—***

(d) In establishing the education requirements for admittance to the nursing licensure examination under this section, the Board shall not deny access to the examination for licensure as a registered nurse to a graduate of a State-approved associate degree, diploma or baccalaureate degree nursing program.

Section 2. Sections 6 and 6.2 of the act, amended December 20, 1985 (P.L.409, No.109), are amended to read:

Section 6. Fees; Qualifications for Licensure.—No application for licensure as a registered nurse shall be considered unless accompanied by a fee determined by the Board by regulation. Every applicant, to be eligible for examination for licensure as a registered nurse, shall furnish evidence satisfactory to the Board that he or she is of good moral character, has completed work equal to a standard high school course as evaluated by the Board and has satisfactorily completed an approved program of professional nursing. *Approved programs shall include baccalaureate degree, associate degree and diploma nursing programs.* The Board shall not issue a license or certificate to an applicant who has been convicted of a felonious act prohibited by the act of April 14, 1972 (P.L.233, No.64), known as "The Controlled Substance, Drug, Device and Cosmetic Act," or convicted of a felony relating to a controlled substance in a court of law of the United States or any other state, territory or country unless:

- (1) at least ten (10) years have elapsed from the date of conviction;
- (2) the applicant satisfactorily demonstrates to the Board that he has made significant progress in personal rehabilitation since the conviction such that licensure of the applicant should not be expected to create a substantial risk of harm to the health and safety of patients or the public or a substantial risk of further criminal violations; and

(3) the applicant otherwise satisfies the qualifications contained in or authorized by this act.

As used in this subsection the term "convicted" shall include a judgment, an admission of guilt or a plea of nolo contendere. An applicant's statement on the application declaring the absence of a conviction shall be deemed satisfactory evidence of the absence of a conviction, unless the Board has some evidence to the contrary.

Section 6.2. Education Programs, Approved Lists, Distribution; Student Credits Where School Removed from List.—(a) The Board shall annually prepare and make available for public distribution a list of all programs approved and classified by it. Any student who shall be enrolled in any school which shall be removed from the approved list shall be given credit toward the satisfaction of the Board's requirements for examination for such of the requirements of the Board which any said student shall satisfactorily complete prior to the removal of said school from the approved list, and said student shall upon the satisfactory completion of the remainder of said requirements in any approved school be eligible for examination for licensure. The Board may withhold or remove any school from the approved list if the school fails to meet and maintain minimum standards, as established by regulation of the Board, of education, curriculum, administration, qualifications of the faculty, organization and function of the faculty, staff and facilities.

(b) The Board shall not fail to approve a nursing program on the grounds that such nursing program awards a diploma or associate degree rather than a baccalaureate degree.

Section 3. This act shall take effect immediately.

APPROVED—The 15th day of December, A. D. 1986.

DICK THORNBURGH