

History of nursing laws



An act to amend No. 310 regulating the practice of medicine in the Philippines * Provided for the examination and registration of nurses * Nurses must apply for registration to the Director of Health * Requirements: Good moral character, good health and 21 years old Act No. 2808 (1919) * An act regulating practice of nursing profession * the first “ True Nursing Law” * created the board of examiners composed of 3 members * Examination date on the 2nd Monday of June and December * First board exam: 10920 Act No. 3025 (1922) * Amplification of the definition of the nursing profession * Granting the privilege of registering as nurses without exams the Registered Nurses from the United States * Change the date of exam: 2nd Monday of April and October Act No. 4007 (1932) * Reorganization law of 1932 * Conduct of examination was placed under the direct supervision of Bureau of Civil Service * Change of jurisdiction over the Board of Examiner under the Department of Public Instruction Executive Order No. 17 (1941) * Pursuant to Commonwealth Act 430, transfer of jurisdiction of the board to the Department of Health and Public Welfare Republic Act No. 546 (1953) * Organization of the Board of Examiners of nurses * Provisions regarding nursing schools and colleges, examinations, registration of nurses including sundry provisions relative to the practice of nursing * Two important sections pertained to the need for registration as nurse before anyone could practice nursing in the country 1. No person shall practice or offer to practice nursing in the Philippines as defined in the Act, without holding a valid certificate of registration as nurse issued by the Board of Examiners for Nurses 2.

Not only prohibit the practice of nursing without a certificate of registration issued by the Board of Nursing but also provides the penalty for doing so

Republic Act 4704 (1966) * Amended certain portions of Republic Act 877

The membership of the Board of Examiners for nurses was increased 3 to 5 members * Members of the Board were to be appointed by the President of the Philippines with the consent of the Commission on Appointments and no longer upon the recommendation of the Commission of Civil Service * The

requisite academic degree for members of the Board was a Master's Degree instead of Baccalaureate Degree in Nursing * No person was eligible for membership in the board if he/she was over 65 years of age * The academic

qualification for Dean, Directors and Principals of colleges and schools of nursing was raised to that of Master's Degree in Nursing * The minimum age required of applicants for admission to the nurse's examination was lowered

from 21 to 18 years of age, but no candidate who passed the examination was permitted to practice the profession until he/she reached the age of 21 years Republic Act 6136 (1970) * The application and execution of legal

orders in writing of physicians concerning treatments and medications including the application of hypodermic and intramuscular injection;

provided that intravenous and other injection may be administered under the direction and in the presence of the said physician Republic Act 7164 or the “

Philippine Nursing Act of 1991 * Redefinition of the scope of nursing practice to emphasize 1. The use of nursing process as a scientific discipline in

arriving at an appropriate nursing action and care 2. The teaching,

management, leadership and decision making roles of the nurse 3. The undertaking of and participation in studies and research by nurses *

Requiring a faculty member who was appointed to the Board of Nursing to resign from his/her teaching position at the time of appointment and not one year preceding his/her appointment as provided in Republic Act 877 *

Updating a faculty's educational qualification by requiring a Master's Degree in Nursing or related fields or its equivalent in terms of experience and specification as pre-requisite to teaching * Specification of qualifications of administrators of nursing services * Inclusion of the phrase " unethical conduct" as one of the reasons for revocation and suspension of certificate of registration Republic Act 9173 or the " Philippine Nursing Act of 2002" The Board is now composed of a Chairman and 6 members instead of a Chairman and 4 members * Submission of names of qualified nominees by the Accredited Professional Organization (APO) to the Commission, three (3) nominees per vacancy, not later than three months before the vacancy * The Commission submits to the Office of the President two (2) nominees per vacancy not later than two months before the vacancy occurs. The appointment must be issued not later than thirty (30) days before scheduled licensure examination * Qualifications of Board Members 1.

Educational requirement for members of the Board is not limited to registered nurses with Master's Degree in nursing but also to registered nurses with master's degrees in education, or other allied medical profession provided that the Chairperson and majority of the members are holders of a Master's degree in nursing 2. Of the ten years of continuous practice of the profession prior to appointment, the last five (5) years must be in the Philippines * Added the powers and duties of the Board 3. Adopt and regulate a Code of Ethics and Code of Technical Standards for the practice of nursing within one year from the effectivity of this act 4. Recognize specialty organization in coordination with accredited professional organization * Licensure Examination and Registration 5. Specific age of applicants has

been deleted 6. Specific dates of examination has been deleted * Specific dates of examination – not earlier than one (1) month and not later than 2 months after the closing of each semestral term * Ratings 1.

Specific number of times an examinee may take the licensure examination has been deleted 2. Added: removal examination shall be taken within two (2) years after the last failed examination * Revocation and Suspension of Certificate of Registration 3. Added: Implementing Rules and Regulations, Code of Ethics, Code of Technical Standards, for nursing practice and policies of the Board and the Commission 4. Added: Section 28 for practicing the profession during the period of suspension 5. Period of Suspension of the certificate of registration/professional license not to exceed four (4) years * Nursing Education 6.

Added: requirement for inactive nurses returning to practice – nurse who have not actively practiced the profession shall undergo one (1) month of didactic training and three (3) months of practicum 7. Qualifications of Faculty – requirement of clinical experience in a field of specialization has been reduced from three (3) years to one (1) year in a field of specialization 8. The Dean of the College of Nursing must have at least five (5) years of experience in teaching and supervising a nursing education program * Nursing Practice 9. Scope of Nursing – Duties and responsibilities of the nurse * Deleted: special training for intravenous injections but Nursing Service Administrators still require formal training for the safety of the patient and the protection of the nurse and of the institution * Added: special training for suturing the lacerated perineum. Note: This is being undertaken by the Association of Nursing Service Administrators of the Philippines

(ANSAP) with the Maternal and Child Association of the Philippines (MCNAP))

* Added: observe the Code of Ethics and the Code of Technical Standards
maintain competence through continual professional education * Health
human resource production and utilization additions 1. Comprehensive
Nursing Specialty Program * The Board is mandated to formulate and
develop a comprehensive nursing specialty program that would upgrade the
level of skills and competency of specialty nurse clinicians in the country 1.

Salary. Minimum base pay of nurses in public health institutions shall not be
lower than the first step or hiring rate prescribed for Salary Grade 15
pursuant to Republic Act 6758, otherwise known as Compensation and
Classification Act of 1989 2. Funding for the comprehensive Nursing
Specialty Program. The annual financial requirements to run at least ten (10)
percent of the nursing staff of the participating hospital shall be chargeable
against the incomes of the Philippine Charity Sweepstakes 3.

Incentives and Benefits. Incentives and benefits shall be limited to non-cash
benefits such as free hospital care for nurses and their dependents and
scholarship grants * Penal and Miscellaneous Provisions 4. Penalty for
violation of this Act in fines has been increased to not less than fifty
thousand pesos (P50, 000) not more than one hundred thousand pesos
(P100, 000) 5. Imprisonment of not less than one (1) year nor more than six
(6) years or both fine and imprisonment upon the discretion of the Board.

LAWS AFFECTING NURSING PROFESSION A. PRESIDENTIAL DECREES 1.

PD 48 – four (4) children with paid maternity leave privilege 2. PD 69 – four
(4) children for personal tax exemption 3. PD 79 – Revised the Population

Act; defines the objectives, duties and functions of POPCOM 4. PD 223 –

Creation of Professional Regulation Commission (PRC) in 1973 5. PD 442 –

New Labor code 6. PD 491 – Nutrition program 7.

PD 541 – Former Filipino professionals allowed practicing their respective

professions in the Philippines 8. PD 568 – Role of Public health midwives

expanded under the RHCDS; Restructuring of the Philippine Health Care

Delivery System; Deployment of midwives to improve rural situation (1

PHMid = 5, 000 pop. ; 1 PHNurse = 10, 000 pop; 1 RHPhysician = 20, 000

pop) 9. PD 603 – Child and Youth Welfare Code 10. PD 628 – Employee

Compensation & State Insurance Fund 11.

PD 651 – Birth registration following delivery (all health workers shall identify

and encourage the registration of all births Within 30 days following delivery)

12. PD 825 – Anti- improper garbage disposal (provides penalty for improper

disposal of garbage) 13. PD 851 – 13th month pay 14. PD 856 – Code of

Sanitation – provides for the control of all factors in man's environment that

affect health including the Quality of water, food, milk, control of insects,

animal carriers, transmitters of diseases, sanitary and recreation facilities,

noise, Pollution, unpleasant odors and control of nuisance. 15.

PD 965 – Family Planning and responsible parenthood instructions prior to

issuance of marriage license 16. PD 996 September 16, 1976 – Compulsory

immunization for all children below eight (8) years old against six (6)

Immunizable diseases 17. PD 1063 – Muslim Holidays 18. PD 1204 – Amends

PD # 79 B.

ADMINISTRATIVE ORDERS 1. A. O. No.

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114 s. 991 – Revised/updated the roles and functions of the Municipal Health Officers, Public Health Nurses and Rural Health Midwives C. Department of Health – DEPARTMENT / MINISTRY CIRCULARS 1. Dept.

Circular Order No. 75 – Reinstitution of Tetanus Toxoid among Pregnant Women 2. Min. Circ.

No. 2 s. 1986 – Includes AIDS as a notifiable disease D. EXECUTIVE ORDERS 1. EO 51 – Milk Code 2. EO 85 – Integration of Public Health and Hospital Services 3.

EO 119 – Reorganization of Department of Health 4. EO 180 – Guidelines on the right to organize of government employees 5. EO 203 – List of regular holidays & special days 6. EO 209 – Family Code of the Philippines (amended by RA 6609) 7. EO 226 – Command Responsibility 8. EO 503 – Provides for the Rule and Regulation Implementing the Transfer of Personnel Assets, Liabilities and Records of National Government E.

HOUSE BILLS 1. HB # 16 – Two-Child Policy 2. HB # 3773 – Responsible Parenthood and Population Movement Act F. PRESIDENTIAL PROCLAMATIONS / PRONOUNCEMENTS 1. Proc. # 4 – Philippine Measles Elimination Campaign – Declaring the period of September 16 – October 14, 1998 as the “ Ligtas Tigdas Month” 2.

Proc. # 6 April 3, 1986 – United Nations – Universal Goal on Child Immunization by 1990 3. Proc. # 46 September 16, 1992 – Reaffirming the commitment of the Philippines to the Universal Child and Mother Immunization Goal of the World Health Assembly 4.

Proc. # 118 – Professional regulation Week – June 16-22 5. Proc. 539 – Nurse Week – every last week of October 6. Proc.

1275 – Midwifery week – every third week of October 7. Proc. # 147 March 3, 1993 – Declares April 21 and May 19, 1993 and every 3rd Wednesday of January and February and Thereafter for 2 years as National Immunization Days 8. Proc. # 773 March 28, 1996 – Every 3rd Wednesday of April and May as the “ Knock-out Polio Day” 9. Proc.

1064 August 27, 1997 – Enjoining all sectors of society to participate in the Acute Flaccid Paralysis (AFP) Surveillance component of polio eradication campaign 10. Proc. # 1066 – Declaring a National Neonatal Tetanus Elimination Campaign starting 1997 G. LETTERS OF INSTRUCTIONS 1.

LOI # 149 October 19, 1979 – Adoption of Primary Health Care; Legal basis of primary health care 2. LOI #1000 – Members of accredited professional organizations given preference in hiring or attendance to seminars 3. ILO convention #149- Improvements of life and work conditions of nursing personnel (ILO Recommendation # 157) H. REPUBLIC ACTS 1. RA 491 – Nutrition Law (July month) 2.

RA 611 – Medicare – an employee becomes automatically a member; “ Public office is a public trust” 3. RA. 1054 – Free emergency medical & dental attendance to employees/laborers of any commercial; industrial or agricultural Establishments 4. RA.

080 – Civil Service eligibility for all degrees with licensure examinations 5. RA. 1082 – Creation of 1st Rural Health Act in 1953 – The employment of

more physicians, dentists, nurses, midwives and Sanitary inspectors who will live in the rural areas where they are assigned to help raise the health condition of the barrio People and thus help abate the still high incidence of preventable diseases in the country. It created the first 81 Rural Health Units. 6.

RA. 1136 – Tuberculosis Law (August Month) 7. RA. 1612 – Privilege Tax / Professional Tax 8.

RA. 1891 – Strengthening Health and Dental services in the rural areas and providing funds thereto; amended RA 1082 9. RA. 382 – Philippine Medical Act 10. RA. 3573 – Reporting communicable Disease (all communicable diseases should be reported to the nearest health station And that any person maybe inoculated, administered or injected) 11.

RA. 4073 – Liberalized the treatment of Leprosy – Except where the patient requires institutional treatment, no persons Afflicted with leprosy shall be confined in a leprosarium. The shall be treated in a government skin clinic, rural health unit t or by A duly licensed physician (February – as Leprosy Month). 12. RA.

4226 – Hospital licensure 13. RA. 5181 – Permanent residence & reciprocity qualifications for examinations/ registration 14. RA.

901 – Working hours & compensation in agencies with 100 bed capacity 15. RA. 6365 – Established a National Policy on Population and Created the Commission of Population 16. RA.

6425 – Dangerous Drug Act – the sale, administration, delivery, distribution and transportation of prohibited drugs is Punished by the law. 17. RA. 6675 – Generics Act of 1988 – this promotes, requires and ensures the production of an adequate supply, distribution, Use an acceptance of drugs and medicines identified by their generic names.

18. RA. 6713 – Code of Conduct and Ethical Standards for Public Officials and Employees. This Code upholds a time-honored Principle that public office is a public trust.

It the policy of the state to promote high standards of ethics in public office of Public officials and employees shall at all times be accountable to the people and shall discharge their duties with utmost Responsibility, integrity, competence and loyalty, act with patriotism and justice, lead model lives and modest living and uphold Public interest over personal interest. 19. RA. 6715 – Senior Citizen Center for every Barangay 20. RA.

6725 – Prohibition on discrimination vs. women 21. RA. 6727 – Wage Rationalization 22. RA.

6758 – Salary Standardization of Government employees that includes nurses 23. RA. 6972 – Day Care Center in every Barangay 24. RA. 7160 – Local Government/Autonomy Code (the devolution of powers, functions and responsibility to the local Government units) 25. RA.

7170 – Legacy of donation of all or part of a human body after death 26. RA. 7192 – Women in development & Nation Building 27. RA.

7277 – Magna Carta for Disabled persons 28. RA. 305 – Magna Carta for Public Health workers – this Act aims to promote and improve the socio-economic well-being Of health workers, their living and working conditions and terms of employment; to developed their skills and capabilities in Order that they will be more responsive and better equipped to deliver health project and programs; and to encourage those with Proper qualifications and excellent abilities to join and remain in government service. 29. RA.

7432 – Senior Citizen Benefits & Privileges 30. RA. 7600 – Rooming -In and Breast feeding Act of 1992 31. RA. 7610 – Anti-Child Abuse Law (Special Protection of Children against Child abuse, Exploitation & Discrimination) 32.

RA. 641 – New Retirement Law of employees in the Private Sector 33. RA. 7719 – National Blood Service Act of 1994 34. RA. 7846 – Requires compulsory immunization against Hepatitis B among infants and below 8 years old 35.

RA. 7875 – National Health Insurance Act of 1995 36. RA. 7876 – Senior Citizen Center for Every Barangay 37. RA.

7877 – Anti- sexual harassment Act of 1995 38. RA. 7883 – Barangay Health workers Benefits & Incentives Act of 1992 39. RA.

8042 – Migrant workers & Overseas Filipinos Act of 1992 40. RA. 8172 – Asin Law / Iodize Salt Law 41. RA. 8187 – Maternity Leave Act of 1995 42. RA.

8282 – Social Security Law of 1997 (amended RA 1101) 43. RA. 291 – Government Service Insurance System Act of 1997 (amended PD 1146) 44.

RA. 8344 – Hospitals/ doctors to treat emergency cases referred for treatment 45. RA.

8353 – Anti-Rape Law 46. RA. 8423 – Traditional and Alternative Medicine Act of 1997 (“ Gamot na Mabisa sa Abot Kayang Halaga”) 47. RA.

8424 – Personal Tax Exemptions 48. RA. 8479 – Clean Air Act 49. RA.

8504 – Philippine AIDS Prevention and Control Act of 1998 50. RA. 8972 – Nationwide Iodination Law 51. RA.

8976 – Food Fortification Act 52. RA. 8981 – PRC Modernization Act of 2000 53. RA. 9173 – The Nursing Act of 2002 54.

RA. 9211 – No Smoking Act 55. RA. 9257 – Expanded Senior Citizen Act of 2003 56. RA.

9262 – Domestic Violence Act I. BOARD OF NURSING RESOLUTIONS 1. BOM # 557 Series 1988 – Code of Ethics 2. BON # 100 Series 1993 – Implementing Rules & Regulations of RA 7392 3.

BON # 633 Series 1964 – ICN Code of ethics 4. BON # 1955 Series 1989 – PNA Code of Ethics 5. BON # 08 Series 1994 – Special Training on intravenous injections for the R. N.

6. BON # 20 Series 1994 – Implementing Rules & Regulations of RA 7164 7. BON # 110 Series 1994 – Guide to Evaluate Compliance with Standards for Safe Nursing Practice J. SALIENT ASPECTS IN THE 1987 CONSITUTION OF THE PHILIPPINES 1. Article II – Declaration of Principles & State Policies Sector 11 – Human Dignity and right 2 – Sanctity of family, equal protection of the life

of the mother and the unborn from conception 13 – Role of the youth in nation building 15 – Right to health 16 – Right to a balanced & healthy ecology 2. Article III – Bill of Rights Section 1 – Equal protection of laws & the due Process of Law 3 – Privacy of Communication and Correspondence 8 – Formation of unions, associations or societies 12 – To remain silent 6 have counsel when under investigation 14 – The accused person is presumed innocent until the contrary is proved 3.

Article IV – Citizenship Sector 3 – Philippine citizenship may be lost or re-acquired in the manner provide by law. 4. Article XIII – Social Justice & Human Rights Sector 3 – Right of all workers to self- organization, collective bargaining and negotiations and peaceful concerted activities. 11 – Priority for the needs of the under- privileged, sick, elderly, disabled, woman and children. 13 – Special agency for disabled persons 14 – Protection of working women 5. Article XV – The Family Sector 1 – Filipino family as the foundation of the nation 2 – Marriage, as an inviolable social institution, is the foundation of the family 4 – The family has the duty to care for its elderly members VIRGEN MILAGROSA UNIVERSITY FOUNDATION MARTIN P.

POSADAS AVENUE SAN CARLOS CITY PANGASINAN