



Republic of the Philippines
Professional Regulation Commission
Manila

BOARD OF NURSING
Board Resolution No. 425
Series of 2003

**IMPLEMENTING RULES AND REGULATIONS
OF THE "PHILIPPINE NURSING ACT OF 2002"**
(Republic Act No. 9173)

BACKGROUND

This Implementing Rules and Regulations (IRR) is being issued pursuant to Section 38, Article IX of Republic Act (RA) No. 9173, entitled "**An Act Providing for a More Responsive Nursing Profession, Repealing for the Purpose Republic Act No. 7164, Otherwise Known as the Philippine Nursing Act of 1991 and for Other Purposes**", mandating the Professional Regulatory Board of Nursing, hereinafter referred to as the Board, and the Professional Regulation Commission, hereinafter referred to as the Commission, in coordination with the Accredited Professional Organization (APO), the Department of Health (DOH), the Department of Budget and Management (DBM) and other concerned government agencies to formulate the necessary rules and regulations that will effectively implement the provisions of the law.

R U L E I

COVERAGE, POLICY STATEMENT, AND DEFINITION OF TERMS

SECTION 1. Title. – This Resolution shall be known as the "Rules and Regulations Implementing the Philippine Nursing Act of 2002", referred to in short as IRR.

SEC. 2. Declaration of Policy. – It is hereby declared the policy of the State to assume responsibility for the protection and improvement of the nursing profession by instituting measures that will result in relevant nursing education, humane working conditions, better career prospects and a dignified existence for our nurses.

The State hereby guarantees the delivery of quality basic health services through an adequate nursing personnel system throughout the country.

SEC. 3. *Definition of Terms.* – As used in this IRR, the following terms are construed as follows:

- a. *New Nursing Act* - RA No. 9173, otherwise known as the "Philippine Nursing Act of 2002".
- b. *Commission* - the Professional Regulation Commission (PRC) created under Section 3 of RA No. 8981.
- c. *Board* - the Professional Regulatory Board of Nursing created under Section 3, Article III of RA No. 9173.
- d. *Nursing Practice* - covers the three (3) areas of nursing, namely: nursing education, nursing services and community health nursing.
- e. *Professional Nurse* - a person whose name and registration/professional license number is entered in the Commission's registry book and computerized database as legally authorized to practice the nursing profession.
- f. *Practicing Professional Nurse* - a person who is engaged in the practice of the nursing profession or is performing acts or activities, whether regularly or occasionally, including one who is employed in a government office or in a private firm, company or corporation whose duties require knowledge and application of the nursing profession.
- g. *Foreign Professional Nurses* - foreign nationals who, being licensed professional nurses in their own countries, are authorized by existing laws to practice their profession either as holders of a certificate of registration and a professional identification card or a special/temporary permit in the Philippines, subject to the provisions of subsections (j) and (l) of Section 7 of RA No. 8981 and other pertinent provisions of said RA No. 8981 and RA No. 9173.
- h. *Nursing Specialty program* - a training and development program intended to develop/enhance the skills, to which a registered nurse devotes himself/herself whether as a vocation or profession, to enable him/her to provide nursing service in specific areas in accordance with the ethics of the profession and applicable law.
- i. *Public health institution* - any organization that pursues the aims of public health through the provision of services (e.g. Local Government Units through its Rural Health Units) research (e.g. Research Institute for Tropical Medicine, training (e.g. College of Public Health) management of programs/projects (e.g. Department of Health) or advocacy (e.g. Health Alliance for Democracy) to include schools.
- j. *Accredited Professional Organization (APO)* - The Philippine Nurses Association (PNA), Inc. or any professional organization of Nurses which now or may hereinafter, is accredited by the Commission.

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RULE II

COMPOSITION OF THE BOARD, APPOINTMENT, QUALIFICATIONS, TERM OF OFFICE AND COMPENSATION OF CHAIRPERSON AND MEMBERS, THEIR REMOVAL AND SUSPENSION, REQUIREMENTS UPON QUALIFICATION AS MEMBERS OF THE BOARD OF NURSING, SUBMISSION OF REPORTS, AND THEIR POWERS AND DUTIES

SEC. 4. *Composition of the Board.* - The Board created under Section 3, Article III of the said Nursing Act shall be composed of a Chairperson and six (6) members, representing the three (3) areas of nursing, namely: nursing education, nursing service, and community health nursing. The Board shall be under the administrative supervision and control of the Commission, and as such:

- a. All records of the Board, including applications for examinations, administrative and other investigative cases conducted by the Board shall be under the custody of the Commission; and
- b. The Commission shall designate the Secretary of the Board and shall provide the secretariat and other support services needed by the Board to implement the provisions of the said Nursing Act.

SEC. 5. *Appointment.* - The Chairperson and six members shall be appointed by the President of the Republic of the Philippines upon the recommendation of the Commission: *Provided*, That all those who will be recommended by the Commission to the President for appointment shall be duly licensed/registered nurses chosen only from among the nominees submitted by the accredited professional organization of nurses in the Philippines to the Commission to fill up vacancies. For this purpose, the following shall strictly be observed/complied with:

- a. The Commission shall, before the last year of the term of office of any member, notify and request the accredited professional organization of nurses in the Philippines to submit to the Commission at least three (3) qualified nominees per vacancy.
- b. The accredited professional organization of nurses shall upon receipt of the Commission's request screen and rank qualified nurses only for the purpose and submit three (3) nominees, per vacancy, to the Commission not later than three months before the vacancy occurs.
- c. The Commission upon receipt of the list of nominees of the accredited professional organization of nurses in the Philippines shall rank said nominees and submit to the President of the Philippines two (2) nominees, per vacancy, not later than two (2) months before the vacancy occurs, with the request that the appointment be issued not later than thirty (30) days before the scheduled licensure examinations.

- d. Reappointment shall be subject to the provisions of E.O. NO. 496.
- e. The necessary operating procedures to ensure strict compliance therewith shall be embodied in a Memorandum of Agreement (MOA) by the Commission and the accredited professional organization of nurses.

SEC. 6. *Qualifications of the Chairperson and Members.* - The Chairperson and members of the Board shall, at the time of their appointment, possess the following qualifications:

- a. Be a natural born citizen and resident of the Philippines;
- b. Be a member of good standing of the accredited professional organization of nurses;
- c. Be a registered nurse and holder of a master's degree in nursing, education or other allied medical profession conferred by a college or university duly recognized by the Government, provided that the Chairperson and majority of the Members must be holders of a master's degree in nursing.
- d. Must have at least ten (10) years of continuous practice of the profession prior to appointment, the last five (5) years of which must be in the Philippines; and
- e. Must not have been convicted of any offense involving moral turpitude.

SEC. 7. *Term of Office.* - The Chairperson and Members shall hold office for a period of three (3) years and until their successors shall have been appointed and qualified, provided that:

- a. No Chairperson and Member shall be appointed and/or reappointed for more than two (2) terms or a period of six (6) years;
- b. Appointments to a vacancy that occurs before the expiration of the term of office of the Chairperson/Member shall cover only the unexpired portion of the term of the immediate predecessor;
- c. The Chairperson and Members shall take the proper oath of office prior to the performance of his/her duties.

The incumbent Chairperson and Members of the Board shall continue to serve for the remainder of their term under RA No. 7164 until their replacements shall have been appointed by the President and shall have been duly qualified.

SEC. 8. *Removal or Suspension of the Board Members.* - The President may remove or suspend any member of the Board after having been given the opportunity to defend himself/herself in a proper administrative investigation to be conducted by the commission on the following grounds:

- a. Continued neglect of duty or incompetence;

- b. Commission or toleration of irregularities in the licensure examination; and
- c. Unprofessional, immoral or dishonorable conduct.

SEC. 9. *Compensation of the Board Members.* - The Chairperson and Members of the Board shall receive compensation and allowances comparable to the compensation and allowances received by the Chairperson and Members of other professional regulatory boards from the Commission.

SEC. 10. *Requirements Upon Qualifications as Chairperson and Member of the Board.* - Any person appointed as Chairperson or Member of the Board shall:

- a. Immediately resign from any teaching position in any school, college, university or institution offering Bachelor of Science in Nursing and/or review program for the local nursing board examinations;
- b. Immediately resign from any office or employment in the private sector and/in the government or any subdivision, agency or instrumentality thereof, including government-owned and/or -controlled corporations or their subsidiaries.
- c. Not have any pecuniary interest in, or administrative supervision over any institution offering Bachelor of Science in Nursing including review classes.

Pecuniary interest refers to involvement of husband/wife, children, brothers/sisters, mother/father in any activity that will conflict with her position in the Board, particularly money matters.

SEC. 11. *Powers, Duties, Functions and Responsibility of the Board.* - The Board shall supervise and regulate the practice of the nursing profession in the Philippines. As such, pursuant to the provisions of R.A. No. 9173 and R.A. No. 8981, otherwise known as the "PRC Modernization Act of 2000", the Board shall have the following specific powers, functions, duties and responsibilities:

- a. Conduct the licensure examination for nurses;
- b. Issue, suspend or revoke certificates of registration for the practice of nursing;
- c. Monitor and enforce quality standards of nursing practice in the Philippines and exercise the powers necessary to ensure the maintenance of efficient, ethical and technical, moral and professional standards in the practice of nursing taking into account the health needs of the nation;
- d. Ensure quality nursing education by examining the prescribed facilities of universities or colleges of nursing or departments of nursing education and those seeking permission to open nursing courses to ensure that standards of nursing education are properly complied with and maintained at all times. The authority to open and close colleges of nursing and/or nursing education programs shall be vested on the Commission on Higher Education upon written recommendation of the Board.

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- e. Conduct hearings and investigations to resolve complaints against nurse practitioners for unethical and unprofessional conduct and violation of this Act, or its rules and regulations. In connection therewith, the Board, upon application with the court, is empowered to:
1. Issue subpoena ad testificandum and subpoena duces tecum to secure the appearance of respondents and witnesses and the production of documents; and
 2. Punish with contempt persons obstructing, impeding and/or otherwise interfering with the conduct of such proceedings.
- f. Adopt and promulgate a Code of Ethics and a Code of Technical Standards for the practice of nursing in coordination and consultation with the accredited professional organization of nurses within one (1) year from the effectivity of the subject Nursing Act;
- g. Recognize nursing specialty organizations in coordination with the accredited professional organization: the recognition of nursing specialty organizations shall be based on the criteria jointly developed by the Board of Nursing and the Accredited Professional Organization.
- h. Subject to the review and approval of the Commission, prescribe, adopt, issue and promulgate guidelines, regulations, measures, and decisions as may be necessary for the improvement of nursing practice, advancement of the profession, and for the proper and full enforcement of the provisions of the "Philippine Nursing Act of 2002" ; and
- i. Submit an annual report to the Commission at the close of its calendar year giving detailed account of its proceedings and the accomplishments during the year and making recommendations for the adoption of measures that will upgrade and improve the conditions affecting the practice of the nursing profession.

R U L E I I I

EXAMINATION AND REGISTRATIONS

SEC. 12. *Licensure Examination.* - All applicants for registration as a nurse and issuance of a certificate of registration and professional identification card to practice nursing shall be required to pass a written examination which shall be given by the Board in such places and dates as maybe designated by the Commission. Such examination must be in accordance with and fully compliant with RA No. 8981.

SEC. 13. *Qualifications for Admission to the Licensure Examination.* – In order to be admitted to the examination for nurses, an applicant must, at the time of filing his/her application, establish to the satisfaction of the Board the following:

- a. He is a citizen of the Philippines, or if a citizen or subject of a country which permits Filipino nurses to practice within its territorial limits on the same basis as the subject or citizen of such country, that is, the requirements for the registration or licensing of nurses in said country are substantially the same as those prescribed in this Act;
- b. He/she is of good moral character; and
- c. He/she is a holder of a Bachelor's Degree in Nursing from a college or university that complies with the standards of nursing education duly recognized by the proper government agency.

SEC. 14. *Scope of Examination.* – The Board shall determine the scope of the examination for the practice of nursing in the Philippines taking into consideration the objectives of the nursing curriculum, the broad areas of nursing, and other related disciplines and competencies in determining the subjects of examinations.

SEC. 15. *Ratings.* – In order to pass the examination, the following shall be fully complied with:

- a. An examinee must obtain a general average of at least seventy-five percent (75%) or higher with a rating of not below sixty percent (60%) in any subject;
- b. Any examinee who obtained an average rating of 75% or higher but with a rating of below 60% in any subject shall be required to take the examination again but only on subjects where he/she is rated below 60%. However, in order to pass the succeeding examination, he/she must obtain a rating of at least 75% in the subject or subjects repeated.
- c. Removal examination shall be taken within two years after the last failed examination.

SEC. 16. *Oath.* – All successful candidates in the examination must first take an oath of profession before the Board, a Commission official duly designated by it, or any government official authorized to administer oaths before entering upon the practice of nursing.

SEC. 17. *Issuance of Certificate of Registration/Professional License and Professional Identification Card.* – All successful candidates shall, upon payment of prescribed fees, be issued the following:

- a. Certificate of Registration/Professional License bearing the (i) full name of the registrant, (ii) serial number, (iii) the signature of the Chairperson of the Commission, (iv) signature of the Members of the Board, and (v) official seal of the Commission and of the Board; and

- b. Professional Identification card, duly signed by the Chairperson of the Commission, bearing the (i) date of registration, (ii) license number, and (iii) date of issuance and expiration date.

SEC. 18. *Fees for Examination and Registration.* – Applicants for licensure and for registration shall pay the prescribed fees set by the Commission.

SEC. 19. *Automatic Registration of Nurses.* – All nurses whose names appear at the Roster or Registry Book of Nurses shall be automatically or *ipso facto* registered as nurses under this Act upon its effectivity.

SEC. 20. *Registration by Reciprocity.* – A foreign nurse shall be registered without examination and issued with a certificate of registration/professional license and a professional identification card provided that he/she is a nurse registered under the laws of a foreign state or country, subject to the following conditions:

- a. That the requirements for registration or licensing of nurses in said country are substantially the same as those prescribed under this Act; and
- b. That the laws of such state or country grant the same privileges to registered nurses of the Philippines on the same basis as the subjects or citizens of such foreign state or country.

SEC. 21. *Practice Through Special/Temporary Permit.* – Subject to the prior approval of the Commission and upon payment of the prescribed fees, the Board may issue a Special/Temporary Permit which shall be effective only for the duration of the project, medical mission or employment of contract, to the following:

- a. Licensed nurses from foreign countries/states whose service are either for a fee or free if they are internationally well-known specialists or outstanding experts in any branch of specialty of nursing;
- b. Licensed nurses from foreign countries/states on medical mission whose services shall be free in a particular hospital, center or clinic; and
- c. Licensed nurses from foreign countries/states employed by schools/colleges as exchange professors in any branch of specialty nursing.

SEC. 22. *Non-Registration and Non-issuance of Certificates of Registration/Professional License or Special /Temporary Permit.* – The following shall not be registered and issued Certificate of Registration/Professional License and Professional Identification Card or granted Special/Temporary Permit:

- a. Any Person convicted by final judgment of any criminal offense involving moral turpitude;

- b. Any person guilty of immoral or dishonorable conduct; and
- c. Any person declared by the court to be of unsound mind.

The Board shall furnish the applicant a written statement setting forth the reasons for its actions, which shall be incorporated in the records of the Board.

SEC. 23. – Revocation and Suspension of Certificate of Registration/Professional License and Cancellation of Special/Temporary Permit. – The following shall be grounds for the Board to exercise its power to revoke and suspend Certificate of Registration/Professional License and to cancel Special/Temporary Permit of a nurse:

- a. For any of the causes mentioned in Section 22 of RA No. 9173;
- b. For unprofessional and unethical conduct;
- c. For gross incompetence or serious ignorance;
- d. For malpractice or negligence in the practice of nursing;
- e. For the use of fraud, deceit, or false statements in obtaining a certificate of registration/professional license or a special/temporary permit;
- f. For violation of RA No. 9173 and this IRR, Code of Ethics for nurses and Code of Technical Standards for nursing practice, policies of the Board and the Commission, or the conditions and limitations for the issuance of the special/temporary permit; or
- g. For practicing his/her profession during his/her suspension from such practice.

For this purpose, the suspension of the Certificate of Registration/Professional License shall be for a period not to exceed four (4) years.

SEC. 24. – Re-issuance of Revoked Certificate and Replacement of Lost Certificates. - Upon proper application and payment of the required fees, the Board may, for reasons of equity and justice and subject to the rules of the Board, issue another copy of the Certificate of Registration/Professional License under the following instances only:

- a. After the expiration of a maximum period of four (4) years from the date of revocation of a certificate;
- b. When the cause for revocation has disappeared or has been cured and corrected; and
- c. When the request is to replace lost, destroyed or mutilated certificate/license.

R U L E I V

NURSING EDUCATION

SEC. 25. *Nursing Education Program.* - The nursing education program shall provide sound general and professional foundation for the practice of nursing taking into consideration the learning outcomes based on national and universal nursing core competencies..

The learning experiences shall adhere strictly to specific requirements embodied in the prescribed curriculum as promulgated by the Commission on Higher Education's policies and standards of nursing education.

SEC. 26. *Requirement for Inactive Nurses Returning to Practice.* - Nurses who have not actively practiced the profession for five (5) consecutive years and are returning to the practice of the nursing profession shall undergo one (1) month of didactic training and three (3) months of practicum. For this purpose, the Board shall accredit hospitals to conduct the said training.

The accredited hospitals shall develop training programs based on guidelines formulated by the Board of Nursing.

SEC. 27. *Qualifications of the Faculty.* - A member of the faculty in a college of nursing teaching professional courses must:

- a. Be a registered nurse in the Philippines;
- b. Have at least one (1) year of clinical practice in a field of specialization;
- c. Be a member of good standing in the accredited professional organization of nurses; and
- d. Be a holder of a master's degree in nursing, education, or other allied medical and health sciences conferred by a college or university duly recognized by the Government of the Republic of the Philippines.

For a Dean of a college of nursing, in addition to the above requirements must have a master's degree in nursing and at least five (5) years of experience in teaching and supervising a nursing education program.

RULE V

NURSING PRACTICE

SEC. 28. *Scope of Nursing.* - A person shall be deemed to be practicing nursing within the meaning of RA No. 9173 when he/she singly or in collaboration with another, initiates and performs nursing services to individuals, families and communities in any health care setting. It includes, but not limited to, nursing care during conception, labor, delivery, infancy, childhood, adulthood and old age. As member independent practitioners, nurses are primarily responsible for the promotion of health and prevention of illness. As members of the health team, nurses shall collaborate with other health care providers for the curative, preventive, and rehabilitative aspects of cares, restoration of health, alleviation of suffering, and when recovery is not possible, towards a peaceful death.

Duties and responsibilities of a Nurse:

- a. Provide nursing care through the utilization of the nursing process. Nursing care includes, but not limited to, traditional and innovative approaches, therapeutic use of self, executing health care techniques and procedures, essential primary health care, comfort measures, health teachings, and administration of written prescription for treatment, therapies, oral, topical and parenteral medications, internal examination during labor in the absence of antenatal bleeding and delivery. In case of suturing of perineal laceration, special training shall be provided according to protocol established;
- b. Establish linkages with community resources and coordination with the health team;
- c. Provide health education to individuals, families and communities;
- d. Teach, guide and supervise students in nursing education programs including the administration of nursing services in varied settings such as hospitals and clinics;
- e. Undertake consultation services;
- f. Engage in such activities that require the utilization of knowledge and decision-making skills of a registered nurse; and
- g. Undertake nursing and health human resource development training and research, which shall include, but not limited to, the development of advance nursing practice.

The above enumerated provisions shall not apply to nursing students who perform nursing functions under the direct supervision of a qualified faculty. However, a nurse, while in the practice of nursing in all settings, is duty-bound/required to:

- a. Observe the Code of Ethics and the Code of Technical Standards for nurses;

- b. Uphold the standards for safe nursing practice; and
- c. Maintain competence by continual learning through continuing professional education to be provided by the accredited professional organization or any recognized professional nursing organization. For this purpose, the program and activity for the continuing professional education shall be submitted to and approved by the Board.

SEC. 29. *Qualifications of Nursing Service Administrators.* - The following are the mandatory requirements for Nursing Service Administrators occupying positions as follows:

1 Supervisory or Managerial positions

- a. Be a registered nurse in the Philippines;
- b. Have at least two (2) years experience in general nursing service administration;
- c. Possess a degree of Bachelor of Science in Nursing, with at least nine (9) units in management and administration courses at the graduate level; and
- d. Be a member of good standing of the accredited professional organization of nurses.

2. Chief Nurse or Director of Nursing

In addition to the above requirements must also have:

- a. At least five (5) years of experience in a supervisory or managerial position in nursing; and
- b. A master's degree in nursing.

3. Chief Nurse for Primary Hospitals

- a. Be a registered nurse in the Philippines;
- b. Have at least two (2) years experience in general nursing service administration; and
- c. Possess a degree of Bachelor of Science in Nursing, with at least nine (9) units in management and administration course at the graduate level.

SEC. 30. *Priority in appointments* - The following shall strictly be observed/complied with:

1. Appointment for a Chief Nurse in the public health agencies. - Priority shall be given to those who have a master's degree in public health/community health nursing.

2. Appointment for a Chief Nurse in Military Hospitals. – Priority shall be given to those who have finished a master's degree in nursing and the completion of the General Staff Course (GSC).

Those occupying such positions before the effectivity of this Act shall have a period of five (5) years within which to comply with the above requirements to qualify thereof.

R U L E V I

HEALTH HUMAN RESOURCE PRODUCTION, UTILIZATION AND DEVELOPMENT

SEC. 31. *Studies for Nursing Manpower Needs, Production, Utilization and Development.* - The Board, in coordination with the accredited professional organization and appropriate government or private agencies, shall initiate, undertake, and conduct studies on health human resource production, utilization, and development.

SEC. 32. *Comprehensive Nursing Specialty Program.* - The Board, in coordination with the accredited professional organization, recognized specialty organizations, and the DOH, is hereby mandated to formulate and develop a comprehensive nursing specialty program that would upgrade the level of skill and competence of specialty nurse clinicians in the country, such as but not limited to the areas of critical care, oncology, renal and such other areas as may be determined by the Board. The Board resolution thereon shall be subject to approval by the Commission and shall be effective after its complete or full publication in the official Gazette or newspaper of general circulation, which ever is earlier.

The beneficiaries of the said program are issued a certificate of completion and obliged to serve in any Philippine Hospital for at least two (2) years of continuous service.

SEC. 33. *Salary.* - The minimum base pay of nurses working in the public health institutions shall not be lower than the 1st step or hiring rate prescribed for Salary Grade 15 pursuant to RA No. 6758, otherwise known as the "Compensation and Classification Act of 1989". However, for nurses working in local government units, adjustments to their salaries shall be in accordance with Section 10 of the same Act.

The implementation of this Section shall strictly be in accordance with the rules and regulations that will be prescribed in a Circular that will be issued by the DBM.

SEC. 34. *Funding for the Comprehensive Nursing Specialty Program.* – The annual financial requirement to train at least ten percent (10%) of the nursing staff of the participating government hospital shall be chargeable against the income of the Philippine Charity Sweepstakes Office and the Philippine Amusement and Gaming Corporation, which shall equally share in the cost and shall release said funds to the DOH subject to the usual accounting and auditing procedures. For this purpose, the DOH shall set the criteria for the availment of this program.

SEC. 35. *Incentives and Benefits.* – The incentives and benefits referred to in subject Nursing Act shall be limited to non-cash benefits, such as, free hospital care for nurses and their dependents, scholarship grants and other similar non-cash benefits. For this purpose, (i) The Board, DOH, DBM, in coordination with other concerned government agencies, association of hospitals and the accredited professional organization shall formulate and establish the necessary incentives and benefits system and the corresponding rules and regulations for its implementation, and (ii) as part of the improved working condition of nurses, the government and private hospitals are mandated to maintain the standard nurse-patient ratio set by the DOH.

R U L E V I I

PENAL AND MISCELLANEOUS PROVISIONS

SEC. 36. *Prohibition in the Practice of Nursing.* – A fine of not less than Fifty thousand pesos (P50,000.00) nor more than One hundred thousand pesos (P100,000.00) or imprisonment of not less than one (1) year nor more than six (6) years, or both, upon the discretion of the court, shall be imposed upon:

1. any person practicing nursing in the Philippines within the meaning of this Act:
 - a. without a certificate of registration/professional license and professional identification card or special temporary permit or without having been declared exempt from examination in accordance with the provision of RA No. 9173; or
 - b. who uses as his/her own certificates of registration/professional license and professional identification card or special temporary permit of another; or
 - c. who uses an invalid certificate of registration/professional license, a suspended or revoked certificates of registration/professional license, or an expired or cancelled special/temporary permit; or
 - d. who gives any false evidence to the Board in order to obtain a certificate of registration/professional license, a professional identification card or special permit; or

- e. who falsely poses or advertises as a registered and licensed nurse or uses any other means that tend to convey the impression that he/she is a registered and licensed nurse; or
 - f. who appends B.S.N., R.N. (Bachelor of Science in Nursing Registered Nurse) or any similar appendage to his/her name without having been conferred said degree or registration; or
 - g. who, as a registered and licensed nurse, abets or assists the illegal practice of a person who is not lawfully qualified to practice nursing.
- 2. any person or the chief executive officer of a juridical entity who undertakes in-service educational programs or who conducts review classes for both local and foreign examination without permit/clearance from the Board and the Commission; or
 - 3. any person or employer of nurses who violate the minimum base pay of nurses and the incentives and benefits that should be accorded them as specified in Sections 32 and 34, Article VII of RA No. 9173, as implemented by Sections 33 and 35 of this IRR; or
 - 4. any person or the chief executive officer of a juridical entity violating any provision of RA No. 9173, as implemented by this IRR.

R U L E V I I I

FINAL PROVISIONS

SEC. 37. *Enforcement of the Provisions of RA No. 9173, as Implemented by this IRR.* - It shall be the primary duty of the Commission and the Board to effectively implement the provisions of RA No. 9173 and this IRR.

SEC. 38. - Assistance of Law Enforcement Agency. - Any duly authorized law enforcement agencies and officers of national, provincial, city or municipal governments shall upon the call or request of the Commission or the Board, render assistance in enforcing the provisions of RA No. 9173 and this IRR and to prosecute any person violating the same.

For orderly implementation of this provision, the Commission and the Board may enter into a Memorandum of Agreement with each law enforcement agency and subject government offices providing for the procedures to be followed for the call or request for assistance.

SEC. 39. *Appropriations.* - The amount necessary to carry out the initial implementation of RA No. 9173 shall be charged against the current year's appropriations of the Commission for the purpose as provided in the General Appropriations Act (GAA). Thereafter, such amount as may be necessary for the continued implementation of the said Act shall be included in the program of the Commission in the succeeding GAA. For this purpose, the Board and the Commission shall issue the necessary rules and regulations, in coordination with the professional organization, DOH, DBM and other concerned agencies.

SEC. 40. *Separability Clause.* - If any provision of this IRR or the application of such provision to any person or circumstances is declared invalid or unconstitutional, the remainder of this RRI or application of such provisions to other persons or circumstance shall not be affected by such declaration.


SEC. 41. *Repealing Provisions.* - Any issuance of the Board or Commission or of their respective chairpersons, including resolutions, memorandum, office orders/circulars, etc., or any part thereof which is/are in conflict with the provisions of this herein IRR are deemed superseded or modified accordingly.

SEC. 42. *Effectivity.* - This IRR shall take effect after fifteen (15) days following its complete or full publication in the Official Gazette or in any two (2) newspapers of national circulation in the Philippines, whichever comes first.

PROMULGATED in the City of Manila, Philippines on this 22nd day of October, 2003.


EUFEMIA F. OCTAVIANO
Board Chairperson


REMEDIOS L. FERNANDEZ
Board Member


ANESJA B. DIONISIO
Board Member

FLORENCE C. CAWAUN
Board Member


LETTY G. KUAN
Board Member

SALUD B. ZALDIVAR
Board Member

JOSEFINA M. SISON
Board Member

ATTESTED:


CARLOS G. ALMELOR

Secretary, Professional Regulatory Boards (PRBs)

APPROVED:


ANTONIETA FORTUNA-IBE
Commission Chairperson


AVELINA DE LA REA-TAN
Commissioner


LEONOR T. ROSERO
Commissioner

O-COMI/D-SRB/PRB-NRS
BON/CGA/NSP/RRJ/edz