
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1404 Session of
2015

INTRODUCED BY BROWNE, NOVEMBER 16, 2016

REFERRED TO CONSUMER PROTECTION AND PROFESSIONAL LICENSURE,
NOVEMBER 16, 2016

AN ACT

1 Amending the act of May 22, 1951 (P.L.317, No.69), entitled, as
2 amended, "An act relating to the practice of professional
3 nursing; providing for the licensing of nurses and for the
4 revocation and suspension of such licenses, subject to
5 appeal, and for their reinstatement; providing for the
6 renewal of such licenses; regulating nursing in general;
7 prescribing penalties and repealing certain laws,"
8 establishing the Nurses Health Program; and making an
9 allocation.

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

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

15 Section 14.2. Nurses Health Program.--(a) The Board, in
16 conjunction with the Professional Health Monitoring Programs
17 within the Bureau of Professional and Occupational Affairs,
18 shall establish a Statewide peer assistance program to be known
19 as the Nurses Health Program, for registered nurses and licensed
20 practical nurses, which will identify, assist and monitor nurses
21 experiencing mental health, alcohol and drug problems which may

1 impair their ability to practice, so that they may return or
2 continue to practice safe nursing. The Nurses Health Program
3 shall include, but not necessarily be limited to, a voluntary
4 program for nurses who, by reason of mental or physical illness,
5 use of alcohol, drugs, narcotics, chemicals or other type of
6 material, are at risk for being unable to practice their
7 profession with reasonable skill and attention to the safety of
8 patients, with the goal of getting the licensee into treatment
9 and monitoring the licensee's recovery.

10 (b) The Board shall enter into a memorandum of understanding
11 with an independent contractor to administer the Nurses Health
12 Program. The memorandum of understanding shall include program
13 eligibility criteria and reporting information.

14 (c) The Board and the Bureau of Professional and
15 Occupational Affairs through the Professional Health Monitoring
16 Programs and the contractor shall coordinate their activities
17 regarding impaired professionals in order to facilitate
18 performance of the disciplinary role of the Board and the bureau
19 with the rehabilitative role of the contractor and to avoid
20 duplication of effort and misunderstandings to the extent
21 possible in cases of simultaneous involvement. The contractor
22 shall be experienced in the identification, treatment and
23 rehabilitation of persons with physical or mental impairments
24 and shall utilize registered nurses to provide the peer
25 assistance services.

26 (d) An annual report on the activities of the Nurses Health
27 Program shall be made to the Board.

28 Section 2. The State Board of Nursing, in conjunction with
29 the Commissioner of Professional and Occupational Affairs, shall
30 determine the cost to be allocated from the State Board of

1 Nursing annual fees for payment of the Nurse Health Program,
2 including the voluntary program.

3 Section 3. This act shall take effect in 60 days.