

Pennsylvania Code

Subchapter B. PRACTICAL NURSES

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Authority

The provisions of this Subchapter B issued under the Practical Nurse Law (63 P. S. § § 651-667.8), unless otherwise noted.

Source

The provisions of this Subchapter B adopted January 20, 1967; amended March 26, 1976, effective March 27, 1976, 6 Pa.B. 610, unless otherwise noted.

GENERAL PROVISIONS

§ 21.141. Definitions.

The following words and terms, when used in this subchapter, have the following meanings, unless the context clearly indicates otherwise:

Act—The Practical Nurse Law (63 P. S. § § 651-667) which establishes standards for the education of practical nurses and the practice of practical nursing.

Approved—Approved by the Board.

Board—The State Board of Nursing of this Commonwealth.

Graduate practical nurse—An individual who has graduated from an approved program of practical nursing in this Commonwealth or a comparable program in another state.

LPN—Licensed practical nurse. A nurse licensed under this subchapter to practice in this Commonwealth.

Oral order—A spoken order issued by a practitioner authorized by law and by facility policy to issue orders for medical and therapeutic measures.

Patient (includes residents and clients)—A person, other than a spouse or immediate family member, who receives professional services from a licensed practical nurse, regardless of whether or not the nurse receives remuneration for the services.

Practice of practical nursing—The performance of 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.

Professional relationship—The relationship which shall be deemed to exist for a period of time beginning with the first professional contact or consultation between a licensed practical nurse and a patient and ending with the final professional contact between them. The administration of emergency medical treatment or transitory trauma care will not be deemed to establish a professional relationship.

Sexual impropriety—The term includes the following offenses:

(i) Making sexually demeaning or sexually suggestive comments about or to a patient, including comments about a patient's body or undergarments.

(ii) Unnecessarily exposing a patient's body or watching a patient dress or undress, unless for therapeutic purposes or the patient specifically requests assistance.

(iii) Examining or touching genitals without the use of gloves when performing an otherwise appropriate examination.

(iv) Discussing or commenting on a patient's potential sexual performance or requesting details of a patient's sexual history or preferences during an examination or consultation, except when the examination or consultation is pertinent to the issue of sexual function or dysfunction or reproductive health care. Discussion of a patient's sexual practices and preferences shall be fully documented in the patient's chart.

(v) Soliciting a date from a patient.

(vi) Volunteering information to a patient about one's sexual problems, preferences or fantasies.

Sexual violation—The term includes the following offenses:

(i) Sexual intercourse between a licensed practical nurse and a patient during the professional relationship.

(ii) Genital to genital contact between a nurse and a patient during the professional relationship.

(iii) Oral to genital contact between a nurse and a patient during the professional relationship.

(iv) Touching breasts, genitals or any other body part for any purpose other than appropriate examination or treatment, or using prolonged or improper examination techniques, or after the patient has refused or withdrawn consent.

(v) Encouraging a patient to masturbate in the presence of the nurse or masturbating while the patient is present.

(vi) Providing or offering to provide drugs or treatment in exchange for sexual favors.

(vii) Using or causing the use of anesthesia or any other drug affecting consciousness for the purpose of engaging in any conduct that would constitute a sexual impropriety or sexual violation.

Authority

The provisions of this § 21.141 amended under section 2.1(k) of the Professional Nursing Law (63 P. S. § 212.1(k)); and section 17.6 of the Practical Nurse Law (63 P. S. § 667.6).

Source

The provisions of this § 21.141 amended July 1, 1983, effective July 2, 1983, 13 Pa.B. 2061; amended September 8, 2000, effective September 9, 2000,

30 Pa.B. 4730; amended December 19, 2003, effective December 20, 2003,
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Pa.B. 6219; amended May 19, 2006, effective May 20, 2006, 36 Pa.B. 2402.

Immediately preceding text appears at serial pages (302264) to (302266).

§ 21.142. Scope.

(a) The Board administers the act by promulgating rules and regulations which establish standards for practical nursing programs and for the conduct of programs.

(b) The Board provides for licensure of graduate practical nurses from approved programs by examination, by endorsement and by programs renewal of licenses.

(c) The Board may suspend or revoke licenses for cause.

(d) The Board, with the approval of the Commissioner of Professional and Occupational Affairs, will appoint a committee of two licensed practical nurses and one licensed professional nurse experienced in practical nurse education and, in consultation with this committee, will have the power and duty to establish reasonable rules and regulations for the administration of the act.

(e) The Board may approve basic practical nursing programs conducted in hospitals, community colleges, universities and public school districts and vocational education programs under the Department of Education and promulgate a list of approved programs of practical nursing.

(f) The Board will regulate the practice of practical nursing.

Authority

The provisions of this § 21.142 amended under section 506 of The Administrative Code of 1929 (71 P. S. § 186); and section 8 of the Practical Nurse Law (63 P. S. § 658).

Source

The provisions of this § 21.142 amended July 1, 1983, effective July 2, 1983, 13 Pa.B. 2061. Immediately preceding text appears at serial pages (78863) and (26485).

§ 21.143. Surveys; list of approved programs.

(a) Survey visits will be made of basic practical nursing programs conducted in hospitals, community colleges, universities and public school districts and vocational education programs under the Department of Education. The survey

report will be presented to the Board and a written report of recommendations

or requirements or both will be sent to the school, community college, university, hospital or vocational education program.

(b) A classified list of approved programs of practical nursing will be compiled and published annually and made available for distribution.

Authority

The provisions of this § 21.143 amended under section 506 of The Administrative Code of 1929 (71 P. S. § 186); and section 8 of the Practical Nurse Law (63 P. S. § 658).

Source

The provisions of this § 21.143 amended July 1, 1983, effective July 2, 1983, 13 Pa.B. 2061. Immediately preceding text appears at serial page (26485).

§ 21.144. Purpose of the Board.

The Board will insure safe nursing services for the citizens of this Commonwealth. Embodied in this purpose are the following responsibilities:

(1) To establish safe standards for the preparation of registered and practical nurses in approved educational programs.

(2) To assure safe standards of nursing practice through examination and licensure of graduates of approved educational programs, through endorsement of registered and practical nurses from other jurisdictions and through the regulation of the practice of nursing in this Commonwealth.

Authority

The provisions of this § 21.144 amended under section 506 of The Administrative Code of 1929 (71 P. S. § 186); and section 8 of the Practical Nurse Law (63 P. S. § 658).

Source

The provisions of this § 21.144 amended July 1, 1983, effective July 2, 1983, 13 Pa.B. 2061. Immediately preceding text appears at serial page (26485).

§ 21.145. Functions of the LPN.

(a) The LPN is prepared to function as a member of the health-care team by

exercising sound nursing judgment based on preparation, knowledge, skills,

understandings and past experiences in nursing situations. The LPN participates in the planning, implementation and evaluation of nursing care in

settings where nursing takes place.

(b) The LPN administers medication and carries out the therapeutic treatment

ordered for the patient in accordance with the following:

(1) The LPN may accept a written order for medication and therapeutic treatment from a practitioner authorized by law and by facility policy to issue orders for medical and therapeutic measures.

(2) The LPN may accept an oral order if the following conditions are met:

(i) The practitioner issuing the oral order is authorized by law and by facility policy to issue oral orders for medical and therapeutic measures.

(ii) The LPN has received instruction and training in accepting an oral order in an approved nursing education program or has received instruction and training in accepting an oral order in accordance with the established policies and protocols of the facility.

(iii) The policy of the facility permits an LPN to accept an oral order.

(iv) The regulations governing the facility permit an LPN to accept an oral order.

(3) The LPN shall question any order which is perceived as unsafe or contraindicated for the patient or which is not clear and shall raise the issue with the ordering practitioner. If the ordering practitioner is not available, the LPN shall raise the issue with a registered nurse or other responsible person in a manner consistent with the protocols or policies of the facility.

(4) The LPN may not accept an oral order which is not within the scope of functions permitted by this section or which the LPN does not understand.

(5) An oral order accepted by the LPN shall be immediately transcribed by the LPN in the proper place on the medical record of the patient. The transcription shall include the prescriber's name, the date, the time of acceptance of the oral order and the full signature of the LPN accepting the oral order. The countersignature of the ordering practitioner shall be obtained in accordance with applicable regulations of the Department of Health governing the licensed facility.

(c) The LPN participates in the development, revision and implementation of

policies and procedures designed to insure comfort and safety of patients in

collaboration with other health care personnel.

(d) The Board recognizes codes of behavior as developed by appropriate

practical nursing associations as the criteria for assuring safe and effective

practice.

(e) The LPN may administer immunizing agents and do skin testing only if the

following conditions are met:

(1) The LPN has received and satisfactorily completed a Board approved

educational program which requires study and supervised clinical practice

intended to provide training necessary for administering immunizing agents and

for performing skin testings.

(2) A written order has been issued by a licensed physician pertaining to

an individual patient or group of patients.

(3) Written policies and procedures under which the LPN may administer

immunizing agents and do skin testing have been established by a committee

representing the nurses, the physicians and the administration of the agency

or institution employing or having jurisdiction over the LPN. A current copy

of the policies and procedures shall be provided to the LPN at least once

every 12 months. The policies and procedures shall provide for:

(i) Identification of the immunizing and skin testing agents which the

LPN may administer.

(ii) Determination of contraindications for the administration of

specific immunizing and skin testing agents.

(iii) The listing, identification, description and explanation of

principles, including technical and clinical indications, necessary for the

identification and treatment of possible adverse reactions.

(iv) Instruction and supervised practice required to insure competency

in administering immunizing and skin testing agents.

(f) The LPN may perform venipuncture and administer and withdraw intravenous

fluids only if the following conditions are met:

(1) The LPN has received and satisfactorily completed a Board approved

educational program which requires study and supervised clinical practice

intended to provide training necessary for the performance of venipuncture and the administration and withdrawal of intravenous fluids as authorized by this section.

(2) A specific written order has been issued by a licensed physician for an individual patient under the care of a licensed physician.

(3) The LPN complies with written policies and procedures which are established by a committee of nurses, physicians, pharmacists and the administration of the agency or institution employing or having jurisdiction

over the LPN and which set forth standards, requirements and guidelines for

the performance of venipuncture by the LPN and for the administration and

withdrawal of intravenous fluids by the LPN. A current copy of the policies

and procedures shall be provided to the LPN at least once every 12 months. The

policies and procedures shall include standards, requirements and guidelines

which:

(i) List, identify and describe the intravenous fluids which may be

administered by the LPN. The LPN is not authorized to administer the following

intravenous fluids:

(A) Antineoplastic agents.

(B) Blood and blood products.

(C) Total parenteral nutrition.

(D) Titrated medications and intravenous push medications

other than

heparin flush.

(ii) List, identify and describe the circumstances under which venipuncture may be performed, including technical and clinical indications.

(iii) List, identify, describe and explain principles, including technical and clinical indications, necessary for the identification and

treatment of possible adverse reactions.

(iv) Provide for and require inservice instruction and supervised

practice to insure competent performance of venipuncture and competent administration and withdrawal of intravenous fluids.

(4) An accurate record is made concerning:

(i) The time of puncture or injection or withdrawal of the intravenous fluid.

(ii) The type of intravenous fluid injected.

(iii) The amount of intravenous fluid injected.

(iv) The site of the puncture or injection.

(v) Reactions to the puncture or the intravenous fluid injected.

(g) The Board will issue annually to the LPN definitive information

describing the nature, scope and extent of authorized functions and practice concerning immunization, skin testing, venipuncture and the administration and withdrawal of intravenous fluids.

Authority

The provisions of this § 21.145 amended under section 506 of The Administrative Code of 1929 (71 P. S. § 186); sections 8 and 17.6 of the Practical Nurse Law (63 P. S. §§ 658 and 667.6); and section 2.1(k) of the Professional Nursing Law (63 P. S. § 212.1(k)).

Source

The provisions of this § 21.145 amended July 1, 1983, effective July 2, 1983, 13 Pa.B. 2061; amended August 4, 1989, effective August 5, 1989, 19 Pa.B. 3281; amended December 19, 2003, effective December 20, 2003, 33 Pa.B. 6219. Immediately preceding text appears at serial pages (268677) to (268680).

Cross References

This section cited in 49 Pa. Code § 21.414 (relating to interpretations regarding the functions of Licensed Practical Nurses (LPN)—statement of policy).

§ 21.146. Applicability of general rules.

Under 1 Pa. Code § 31.1 (relating to scope of part) 1 Pa. Code Part II (relating to general rules of administrative practice and procedure) is applicable to the activities of the proceedings before the Board.

Authority

The provisions of this § 21.146 issued under section 506 of The Administrative Code of 1929 (71 P. S. § 186); and section 8 of the Practical Nurse Law (63 P. S. § 658).

Source

The provisions of this § 21.146 adopted July 1, 1983, effective July 2, 1983, 13 Pa.B. 2061.

§ 21.146a. Procedural matters.

(a) The consent of the patient to any sexual impropriety or violation is not

a defense to any disciplinary charge for violation of the act or this subchapter.

(b) Evidence of specific instances, opinion evidence, or reputation evidence

of a patient's past sexual conduct is not admissible in proceedings brought

under § 21.148(b)(9) (relating to standards of nursing conduct). The Board

may consider sexual relationships between the nurse and the patient occurring

prior to the professional relationship.

(c) A nurse who attempts to raise as a defense an argument that conduct

prohibited as a sexual violation or sexual impropriety was necessary or appropriate to the treatment of a patient shall be required to demonstrate

competency in practice which relates directly to the treatment of sexual

function or dysfunction. This competence may be demonstrated through educational training and supervised clinical experience. Appropriate discussions of sexual matters between a nurse and a patient shall be fully

documented in patient records.

Authority

The provisions of this § 21.146a issued under section 17.6 of the Practical Nurse Law (63 P. S. § 667.6).

Source

The provisions of this § 21.146a adopted September 8, 2000, effective

September 9, 2000, 30 Pa.B. 4730.

§ 21.147. Fees.

(a) The following fees are charged by the Board:

Examination and licensure ...\$35
Reexamination ...\$30
Licensure by endorsement ...\$100
Temporary permit ...\$35
Extension of temporary permit ...\$60
Application for approval of new nursing program ...\$935
Fee for review and challenge of PN exams ...\$170
Application fee for out-of-State graduates ...\$100
Biennial renewal of license ...\$40
Verification of licensure ...\$15
Reactivation of license (after 5 years or longer) ...\$50
Restoration after suspension or revocation ...\$50
Certification of scores ...\$25
Certification of license history ...\$40

(b) In addition to the examination and licensure fee of \$35 prescribed in

subsection (a), which is payable directly to the Board, a candidate for the

practical nurse licensing examination shall also pay a fee of \$40 to the

National Council of the State Boards of Nursing to cover costs associated with

the preparation and administration of the practical nurse licensing

examination. Effective April 1994, or upon implementation of the computer adapted examination, the fee paid directly to the National Council of the State Boards of Nursing or its designated agent is \$88.

Authority

The provisions of this § 21.147 issued under section 17.6 of the Practical Nurse Law (63 P. S. § 667.6); amended under section 812.1 of The Administrative Code of 1929 (71 P. S. § 279.3a); section 11.2 of The Professional Nursing Law (63 P. S. § 221.2); and sections 13.1 and 17.5 of the Practical Nurse Law (63 P. S. §§ 663.1 and 667.5).

Source

The provisions of this § 21.147 adopted December 25, 1987, effective December 26, 1987, 17 Pa.B. 5329; amended June 8, 1990, effective June 9, 1990, 20 Pa.B. 3078; amended July 27, 1990, effective July 28, 1990, 20 Pa.B. 4086; amended June 12, 1992, effective immediately and applies to biennial renewals commencing May 1, 1992, 22 Pa.B. 2976; amended June 18, 1993, effective June 19, 1993, 23 Pa.B. 2827; amended November 26, 1993, effective November 27, 1993, 23 Pa.B. 5634; amended June 16, 2000, effective June 17, 2000, 30 Pa.B. 3040; amended November 17, 2000, effective November 18, 2000, 30 Pa.B. 5952; amended June 2, 2006, effective June 3, 2006, 36 Pa.B. 2673.
Immediately preceding text appears at serial pages (302271) to (302272).

Cross References

This section cited in 49 Pa. Code § 21.149 (relating to temporary practice permits); 49 Pa. Code § 21.156a (relating to continued competency); and 49 Pa. Code § 21.605 (relating to biennial renewal).
§ 21.148. Standards of nursing conduct.

(a) A licensed practical nurse shall:

(1) Undertake a specific practice only if the licensed practical nurse has the necessary knowledge, preparation, experience and competency to properly execute the practice.

(2) Respect and consider, while providing nursing care, the individual's right to freedom from psychological and physical abuse.

(3) Act to safeguard the patient from the incompetent, abusive or illegal

practice of any individual.

(4) Safeguard the patient's dignity, the right to privacy and the confidentiality of patient information. This standard does not prohibit or

affect reporting responsibilities under 23 Pa.C.S. Chapter 63 (relating to the

Child Protective Services Law), the Older Adults Protective Services Act (35

P. S. § § 10211-10224) and other statutes which may mandate reporting of this information.

(5) Document and maintain accurate records.

(b) A licensed practical nurse may not:

(1) Knowingly aid, abet or assist another person to violate or circumvent

a law or Board regulation.

(2) Discriminate, while providing nursing services, on the basis of age,

marital status, sex, sexual preference, race, religion, diagnosis, socioeconomic status or disability.

(3) Knowingly permit another individual to use his license or temporary

permit for any purpose or knowingly permit the unlicensed person under the

licensed practical nurse's jurisdiction or supervision to misrepresent that

the individual is a licensed nurse.

(4) Misappropriate equipment, materials, property, drugs or money from an

employer or patient.

(5) Solicit, borrow or misappropriate money, materials or property from a

patient or the patient's family.

(6) Leave a nursing assignment prior to the proper reporting and notification to the appropriate department head or personnel of such an action.

(7) Knowingly abandon a patient in need of nursing care.

Abandonment is

defined as the intentional deserting of a patient for whom the nurse is responsible.

(8) Falsify or knowingly make incorrect entries into the patient's record

or other related documents.

(9) Engage in conduct defined as a sexual violation or sexual impropriety

in the course of a professional relationship.

(c) Failure to comply with an obligation or prohibition imposed by this

section is subject to disciplinary and corrective measures under section 16 of

the act (63 P. S. § 666).

(d) The Board may, in addition to any other disciplinary or corrective

measure set forth in this section, levy appropriate civil penalties as

authorized by section 15 of the act (63 P. S. § 665) upon a nurse found to have engaged in conduct constituting a sexual impropriety or sexual violation.

Authority

The provisions of this § 21.148 amended under section 17.6 of the Practical Nurse Law (63 P. S. § 667.6).

Source

The provisions of this § 21.148 adopted April 30, 1993, effective May 1, 1993, 23 Pa.B. 2115; amended September 8, 2000, effective September 9, 2000, 30 Pa.B. 4730. Immediately preceding text appears at serial pages (267600) to (267601) and (214445).

Notes of Decisions

Nursing Standards

The standard of nursing conduct promulgated by these regulations provides a definite warning to a licensee, in addition to the provisions of the law as

interpreted by the Board of Nursing, of what may constitute unprofessional

conduct by setting forth an ascertainable standard against which conduct can

be measured. *Stephens v. State Board of Nursing*, 657 A.2d 71 (Pa. Cmwlth.), appeal denied, 664 A.2d 978 (Pa. 1995).

Unprofessional Conduct Established

These standards of nursing conduct provide a definite warning to a licensee, in addition to the provisions of the law as interpreted by the State

Board of Nursing, of what may constitute unprofessional conduct by setting

forth an ascertainable standard against which conduct can be measured. Thus, a

licensed practical nurse could be assessed a civil penalty and formally reprimanded based on allowing a nurse's aide to ingest patient medication and

provoke patients into agitation. *Stephens v. State Board of Nursing*, 657 A.2d 71 (Pa. Cmwlth.), appeal denied, 664 A.2d 978 (Pa. 1995).

Cross References

This section cited in 49 Pa. Code § 21.146a (relating to procedural matters).

§ 21.148a. Impaired professional program.

When the Board is empowered to take disciplinary or corrective action against

a practical nurse for conduct defined as a sexual violation or sexual

impropriety, the nurse will not be eligible for placement into an impaired professional program under section 16.2 of the act (63 P. S. § 666.2).

Authority

The provisions of this § 21.148a issued under section 17.6 of the Practical Nurse Law (63 P. S. § 667.6).

Source

The provisions of this § 21.148a adopted September 8, 2000, effective

September 9, 2000, 30 Pa.B. 4730.

§ 21.149. Temporary practice permits.

(a) A graduate practical nurse may only practice practical nursing under

supervision and if the graduate practical nurse holds a current temporary

practice permit. ``Supervision`` means that a licensed registered nurse is

physically present in the area or unit where the graduate practical nurse is

practicing. The Board may grant a temporary practice permit to a graduate

practical nurse as follows:

(1) An individual who wishes to practice as a graduate practical nurse

during the period from the date of completion of the Board-approved educational program to the notification of the results of the licensing examination shall submit an application for temporary practice permit for a

graduate practical nurse on a form provided by the Board and remit the fee

specified in § 21.147 (relating to fees). A temporary practice permit granted

under this section is valid for up to 1 year from the date of issuance unless

extended under paragraphs (3) and (4), and immediately expires if the applicant fails the licensing examination.

(2) At least 90 days prior to the expiration date of the temporary practice permit, the graduate practical nurse shall:

(i) Submit an application for licensure by examination as a practical nurse.

(ii) Remit the fee specified in § 21.147.

(iii) Submit the licensure examination registration form and fee required to the professional testing organization.

(3) At least 60 days prior to the expiration date of the temporary practice permit, the graduate practical nurse who wishes to extend the expiration date of the temporary practice permit because of illness or extreme

hardship shall:

(i) Submit an application for temporary practice permit extension on a

form provided by the Board.

(ii) Remit the fee specified in § 21.147.

(iii) Provide a detailed, written explanation of the reasons the extension is requested. If requesting an extension due to illness, the applicant shall provide certification of the illness from the applicant's treating physician.

(4) The Board will not grant an extension to an individual who fails to meet the requirements of paragraphs (2) and (3).

(b) The Board may grant a temporary practice permit to an individual who

holds a current practical nurse license issued by another state, territory or

possession of the United States or Canada (a currently-licensed practical

nurse). The temporary practice permit will expire in 1 year, unless the individual fails the licensure examination, in which case the temporary practice permit will immediately expire. The Board may extend the temporary

practice permit in cases of illness or extreme hardship, as set forth in

paragraph (5).

(1) A currently-licensed practical nurse who wishes to practice practical

nursing during the period from the date of submission of the Applicant Data

Sheet of the application for licensure until the Board makes a determination

on the application for licensure or 1 year, whichever comes first, shall:

(i) Submit an application for temporary practice permit for a currently-licensed practical nurse on a form provided by the Board.

(ii) Remit the fee specified in § 21.147.

(2) An individual applying for a temporary practice permit for a currently-licensed practical nurse shall demonstrate proficiency in English by

submitting proof that the individual's nursing education program was conducted

in English or that the individual has received a passing score on a Board-approved English proficiency examination. A list of Board-approved

English proficiency examinations is available upon request to the Board. This

information shall be submitted with the Applicant Data Sheet of the application for licensure.

(3) Within 45 days of the date the temporary practice permit is issued, an

individual who has been granted a temporary practice permit for a currently-licensed practical nurse shall submit the Verification of Licensure

Form of the application for licensure and shall:

(i) Request verification of licensure from the foreign jurisdiction and

retain documentation of submission of the request to provide to the Board upon request.

(ii) Request certification of the applicant's nursing education program

from the licensing board or appropriate educational authorities. The certification of nursing education must be submitted to the Board in English

directly from the appropriate educational authorities. The applicant shall

retain documentation of submission of the request to submit to the Board upon request.

(iii) Submit the Commission on Graduates of Foreign Nursing Schools

(CGFNS) application if the applicant is required to meet CGFNS requirements

set forth in § 21.155(d) (relating to licensure by endorsement) and retain

documentation of the submission of the CGFNS application to provide to the

Board upon request.

(iv) If the applicant is required to take the licensure examination,

submit the licensure examination registration form and fee required to the

professional testing organization and retain documentation of the submission

of the application to take the examination to provide to the Board upon request.

(4) An individual who has been granted a temporary practice permit for a

currently-licensed practical nurse shall ensure that all documentation in

support of the application for licensure is received by the Board at least 90

days prior to the expiration date of the temporary practice permit. An

individual whose supporting documentation has not been received by the Board

at least 90 days prior to the expiration date of the temporary practice permit

shall submit, within 10 days of receiving notice of the deficiency from the

Board, a detailed written explanation of why the supporting documentation has

not been supplied to the Board in a timely manner.

(5) An individual who has been granted a temporary practice permit for a

currently-licensed practical nurse and who has complied with paragraphs (2)-(4) may request an extension of the temporary practice permit

because of

illness or extreme hardship by:

(i) Submitting a temporary practice permit extension application on a

form provided by the Board.

(ii) Remitting the fee specified in § 21.147.

(iii) Submitting a written, detailed explanation of the reasons the

extension is requested. If requesting an extension due to illness, the applicant shall provide certification of the illness from the applicant's

treating physician.

(v) Providing proof of the timely request for verification of licensure referenced in paragraph (3)(i).

(6) The request for temporary practice permit extension must be submitted

to the Board at least 60 days prior to the expiration date of the temporary practice permit.

(7) The Board will not grant an extension to an individual who fails to meet the requirements of paragraphs (2)-(6).

Authority

The provisions of this § 21.149 issued under sections 3.1 and 17.6 of the Practical Nurse Law (63 P. S. §§ 653.1 and 667.6).

Source

The provisions of this § 21.149 adopted May 19, 2006, effective May 20, 2006, 36 Pa.B. 2402.

LICENSURE

§ 21.151. Application for examination.

(a) The Board will conduct licensing examinations at least twice a year, and more often when necessary. A list of examination dates will be published annually.

(b) An application for the licensing examination, without a transcript, may be submitted during the last term of the nursing program. The applicant will be scheduled for the subsequent examination.

(c) A candidate will not be admitted to the examination unless the candidate has satisfied the requirements of the act necessary for eligibility, including the completion of an approved educational program.

(d) A copy of the transcript validating program completion shall be filed at least 2 weeks prior to the testing dates.

(e) The Board will not proctor an applicant for another state board. The

Board will not permit an applicant for Commonwealth licensure to be proctored by another state board.

Authority

The provisions of this § 21.151 amended under: section 506 of The Administrative Code of 1929 (71 P. S. § 186); section 8 of the Practical Nurse Law (63 P. S. § 658); and section 812.1 of The Administrative Code of 1929 (71 P. S. § 279.3a).

Source

The provisions of this § 21.151 amended July 1, 1983, effective July 2, 1983, 13 Pa.B. 2061; amended June 8, 1990, effective June 9, 1990, 20 Pa.B. 3078. Immediately preceding text appears at serial page (123285). § 21.152. Date and location of examinations. Candidates for practical nursing licensure shall achieve a minimum standard score as mandated by the Board.

Authority

The provisions of this § 21.152 amended under section 506 of The Administrative Code of 1929 (71 P. S. § 186); and section 8 of the Practical Nurse Law (63 P. S. § 658).

Source

The provisions of this § 21.152 amended July 1, 1983, effective July 2, 1983, 13 Pa.B. 2061. Immediately preceding text appears at serial page (30267). § 21.153. Reexamination. (a) Candidates shall submit the required fee to be scheduled for reexamination. (b) Candidates may take the licensing examination as many times as necessary to complete licensure process.

Authority

The provisions of this § 21.153 amended under section 506 of The Administrative Code of 1929 (71 P. S. § 186); and section 8 of the Practical Nurse Law (63 P. S. § 658).

Source

The provisions of this § 21.153 amended March 25, 1977, effective March 26, 1977, 7 Pa.B. 841; amended July 1, 1983, effective July 2, 1983, 13 Pa.B. 2061. Immediately preceding text appears at serial pages (30267) and (30268).

§ 21.154. Unlicensed candidate.

The candidate may practice as a graduate practical nurse until the examination is passed subject to the following:

(1) Unless licensed, the candidate may be employed as a graduate practical nurse for 1 year only from completion of the program except in the case where special permission is granted by the Board due to extenuating circumstances.

In such a case the candidate shall present validating documentation.

(2) The candidate shall practice under the supervision of an experienced registered nurse. Supervision is defined to mean that the registered nurse is physically present in the area or unit where the unlicensed graduate is practicing.

Authority

The provisions of this § 21.154 amended under section 506 of The Administrative Code of 1929 (71 P. S. § 186); and section 8 of the Practical Nurse Law (63 P. S. § 658).

Source

The provisions of this § 21.154 amended March 11, 1977, effective March 12, 1977, 7 Pa.B. 704; amended March 25, 1977, effective March 26, 1977, 7 Pa.B. 841; amended July 1, 1983, effective July 2, 1983, 13 Pa.B. 2061. Immediately preceding text appears at serial page (30268).

§ 21.155. Licensure by endorsement.

(a) Licensure as a practical nurse in this Commonwealth by endorsement of the original licensing board is granted to a graduate of an approved practical nursing program who is licensed in another jurisdiction by an examination considered by the Board to be equivalent to the examination required for licensure in this Commonwealth.

(b) Applicants for licensure in this Commonwealth by endorsement shall meet the requirements regarding age, good moral character, preliminary education and practical nursing education as outlined in the act.

(c) An applicant for licensure by endorsement whose license in the other jurisdiction is not current for 5 years or longer shall, prior to receiving a license in this Commonwealth, satisfy the requirements of § 21.156a(1) or (2)

(relating to continued competency).

(d) A practical nurse who has graduated from a practical nursing program in

a country or territory outside of the United States or Canada and who is licensed by completing the National Council Licensure Examination in another jurisdiction of the United States or Canada may be granted licensure in this Commonwealth without examination if the applicant's program of study is deemed equivalent to the program of study required in this Commonwealth at the time the program was completed. The Board will base equivalency upon an evaluation performed by the Commission on Graduates of Foreign Nursing Schools (CGFNS) as to the foreign nursing program.

Authority

The provisions of this § 21.155 amended under section 506 of The Administrative Code of 1929 (71 P. S. § 186); and section 8 of the Practical Nurse Law (63 P. S. § 658).

Source

The provisions of this § 21.155 amended July 1, 1983, effective July 2, 1983, 13 Pa.B. 2061; amended June 18, 1993, effective June 19, 1993, 23 Pa.B. 2827; amended November 28, 1997, effective November 29, 1997, 27 Pa.B. 6210. Immediately preceding text appears at serial page (214447).

Cross References

This section cited in 49 Pa. Code § 21.149 (relating to temporary practice permits).

§ 21.156. Renewal of license.

(a) Licenses for practical nurses expire on June 30 of each biennium in the even-numbered years.

(b) Application for renewal of a license will be forwarded biennially to each active registrant prior to the expiration date of the current renewal biennium.

(c) Application forms shall be completed and returned, accompanied by the required renewal fee. Upon approval of an application, the applicant will receive a license for the current renewal period. The display portion of the renewal license shall be retained by the current employer of the registrant.

The pocket card portion shall be retained by the registrant.

(d) When communicating with the Board, registrants shall identify themselves

by their full name, including maiden name, current address and their Commonwealth certification number, which shall be typed or printed.

§ 21.156a. Continued competency.

A nurse whose license has lapsed for 5 years or longer or whose license has

been placed on inactive status for 5 years or longer, as permitted in section

13.1(b) of the act (63 P. S. § 663.1(b)), may reactivate the license by doing

one of the following:

(1) Successfully completing the initial licensing examination approved by

the Board and submitting the examination fee as set forth in § 21.147 (relating to fees).

(2) Successfully completing a Board-approved reactivation program, which

includes as a prerequisite to completion the passing of a Board-approved

nursing achievement examination.

(3) Providing evidence to the Board that the applicant has practiced

nursing in another jurisdiction at some time within the last 5 years under a

current license during that time.

Source

The provisions of this § 21.156a adopted June 18, 1993, effective June 19, 1993, 23 Pa.B. 2827.

Cross References

This section cited in 49 Pa. Code § 21.155 (relating to licensure by

endorsement); and 25 Pa. Code § 21.602 (relating to volunteer license).

§ 21.157. Employment of practical nurses licensed outside of the United States, its territories or Canada.

A person who holds a current and valid license or other evidence of the right

to practice practical nursing issued by another country other than Canada may

not be employed as a practical nurse in this Commonwealth until licensed by

the Board.

Authority

The provisions of this § 21.157 amended under section 506 of The Administrative Code of 1929 (71 P. S. § 186); and section 8 of the Practical

Nurse Law (63 P. S. § 658).

Source

The provisions of this § 21.157 amended July 1, 1983, effective July 2, 1983, 13 Pa.B. 2061. Immediately preceding text appears at serial page (78865).

§ 21.158. Qualifications of application for examination.

Additional applicant qualifications are contained in section 5 of the act (63 P. S. § 655). Every applicant for examination as a licensed practical nurse shall furnish evidence satisfactory to the Board that the applicant is 18 years of age or older, is of good moral character, has completed at least 12 years of education with diploma in public, parochial or private school, or its equivalent as evaluated by the Department of Education; and 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 1,500 hours and within a period of not less than 12 months.

Authority

The provisions of this § 21.158 issued under section 506 of The Administrative Code of 1929 (71 P. S. § 186); and section 8 of the Practical Nurse Law (63 P. S. § 658).

Source

The provisions of this § 21.158 adopted July 1, 1983, effective July 2, 1983, 13 Pa.B. 2061.
§ 21.159. [Reserved].

Source

The provisions of this § 21.159 adopted December 10, 1982, effective December 11, 1982, 12 Pa.B. 4236; amended September 20, 1985, effective September 21, 1985, 15 Pa.B. 3345; reserved December 25, 1987, effective December 26, 1987, 17 Pa.B. 5329. Immediately preceding text appears at serial page (101303).

APPROVAL OF PRACTICAL NURSING PROGRAMS

§ 21.161. Objectives.

Practical nurse programs require approval for the following reasons:

(1) To safeguard the preparation of practical nurses, and to assure safe standards of nursing practice in this Commonwealth.

(2) To guide prospective students in the selection of approved programs which offer adequate resources for sound basic practical nursing education.

(3) To insure the graduates of practical nursing programs of eligibility for admission to examination for licensure.

(4) To assist graduates of programs of practical nursing in this Commonwealth to qualify for licensure by endorsement in other jurisdictions.

(5) To stimulate and maintain continued growth and improvement of practical nursing education in this Commonwealth.

§ 21.162. Types of approval.

(a) Initial. The Board may grant initial approval to new programs, with evidence that acceptable standards are being met, for a period of time necessary to evaluate the results of the licensing examination taken by the first graduates.

(b) Full. The Board will place those programs on full approval which attain or maintain acceptable standards and adhere to the policies and regulations of the Board considered essential for a sound program of practical nursing education.

(c) Provisional. The Board may place on provisional approval a program not meeting acceptable standards. Full approval status will not be granted until acceptable standards are met. If acceptable standards are not met, the program will be removed from the approved list.

Authority

The provisions of this § 21.162 amended under section 506 of The Administrative Code of 1929 (71 P. S. § 186); and section 8 of the Practical Nurse Law (63 P. S. § 658).

Source

The provisions of this § 21.162 amended July 1, 1983, effective July 2, 1983, 13 Pa.B. 2061. Immediately preceding text appears at serial page (26491).
§ 21.163. [Reserved].

Source

The provisions of this § 21.163 reserved July 1, 1983, effective July 2, 1983, 13 Pa.B. 2061. Immediately preceding text appears at serial page (26491).
§ 21.164. [Reserved].

Source

The provisions of this § 21.164 amended July 1, 1983, effective July 2, 1983, 13 Pa.B. 2061. Immediately preceding text appears at serial page (26492).
§ 21.165. [Reserved].

Source

The provisions of this § 21.165 reserved July 1, 1983, effective July 2, 1983, 13 Pa.B. 2061. Immediately preceding text appears at serial page (26492).

APPROVED PROGRAM OF PRACTICAL NURSING

§ 21.171. [Reserved].

Source

The provisions of this § 21.171 reserved July 1, 1983, effective July 2, 1983, 13 Pa.B. 2061. Immediately preceding text appears at serial page (26492).

§ 21.172. Establishment.

(a) A controlling agency may be a hospital, educational institution or combination thereof. The controlling agency desiring to establish or conduct

an approved program of practical nursing shall submit a written proposal to

the Board. If the practical nursing program is in the public school system,

the proposal shall be submitted to the Board through the Department of Education, Bureau of Vocational Education.

(b) A controlling agency desiring to establish a program of practical nursing is required to:

(1) Employ the nurse administrator of the educational unit at least 6 months prior to the intended admission date of students. Board approval of the nurse administrator's credentials shall be obtained prior to the appointment.

(2) Employ teaching faculty for the educational program at least 1 month prior to the initiation of their teaching responsibilities.

(3) Submit 15 copies of the tentative planned educational program to the Board at least 4 months prior to the intended admission date of students.

(4) Complete a feasibility study which shall include:

(i) Sufficient statistical data to support the need for a program within the community and to assure availability of an adequate supply and flow of interested candidates.

(ii) Identification of available clinical resources for program implementation based on the projected enrollment and faculty. In viewing the clinical resources, the study shall speak to other nursing programs that share the teaching facilities identified in the study.

(iii) Letters of intent from the cooperating agencies indicating positive commitment to the nursing program and the availability of sufficient clinical resources to meet the educational requirements of the program.

(5) Submit 15 copies of the feasibility study and the written decision of the health planning agency, if obtained, to the Board for approval.

(c) The planned educational program shall include the following:

(1) Organization and administrative policies of the controlling agency.

(2) Educational preparation and nursing experience of the faculty members employed.

(3) Statement of philosophy and objectives of the program.

(4) Proposed curriculum including detailed course descriptions and identification of clinical areas of practice.

(5) Admission policies.

(6) Educational standards.

(7) Advisory committee membership and functions if one is appointed.

(8) Copies of written agreements with cooperating agencies and facilities

to be used in the program. A cooperating agency is any educational or health-care delivery system.

(9) A copy of the proposed budget projected.

(10) Administrative structure and functions of the practical nursing program.

(d) Following the review of the practical nursing program and before final

Board action is taken to grant permission to recruit students, an initial

facility survey will be made by a Board's nursing education advisor.

Authority

The provisions of this § 21.172 amended under section 506 of The Administrative Code of 1929 (71 P. S. § 186); and section 8 of the Practical

Nurse Law (63 P. S. § 658).

Source

The provisions of this § 21.172 amended July 1, 1983, effective July 2,

1983, 13 Pa.B. 2061. Immediately preceding text appears at serial pages (26492) and (26493).

§ 21.173. Discontinuance or interruption of a program of practical nursing.

(a) Written notification of intent to discontinue a program of practical nursing shall be submitted to the Board within a reasonable period of time, but not less than 6 months prior to a discontinuance.

(b) When a class is not admitted in a given year, the practical nursing program shall close unless approval has been granted by the Board based on the justification for continuation as submitted to the Board.

(c) If a practical nursing program is discontinued, it is the responsibility of the controlling agency to provide for the completion of the program for students currently enrolled either by placing the students in an approved program or continuing the enrolled class until completion. If the program is continued until graduation, approved and qualified instruction shall be assured.

(d) The controlling agency also has the legal responsibility to make provisions for permanent retention of student and graduate records in conformity with § 21.233 (relating to custody of records).

Authority

The provisions of this § 21.173 amended under section 506 of The Administrative Code of 1929 (71 P. S. § 186); and section 8 of the Practical Nurse Law (63 P. S. § 658).

Source

The provisions of this § 21.173 amended July 1, 1983, effective July 2, 1983, 13 Pa.B. 2061. Immediately preceding text appears at serial page (26493).

ORGANIZATION AND ADMINISTRATION OF PRACTICAL NURSING PROGRAMS

§ 21.181. Administrative authority.

(a) The practical nursing program shall be established as an educational unit of the controlling agency.

(b) The authority and the administrative responsibility for the program shall be delegated by the governing body of the controlling agency to the registered professional nurse in charge of the program.

(c) The organizational plan for the program of practical nursing shall provide for relationships with the governing body of the controlling agency, individuals and cooperating agencies responsible for and participating in the program operation.

(d) Adequate funds shall be allocated and properly budgeted for sound and effective operation of the program.

(e) The faculty shall formulate policies which relate to the operation of the program.

(f) Approval by the Board shall be obtained before the educational unit in practical nursing may utilize a new clinical agency for learning experiences.

An Agency Data form, provided by the Board, shall be submitted for each new clinical agency. A clinical agency is one in which clinical experience can be obtained.

Authority

The provisions of this § 21.181 amended under section 506 of The Administrative Code of 1929 (71 P. S. § 186); and section 8 of the Practical Nurse Law (63 P. S. § 658).

Source

The provisions of this § 21.181 amended July 1, 1983, effective July 2, 1983, 13 Pa.B. 2061. Immediately preceding text appears at serial page (26494).
§ 21.182. Advisory committee.

(a) If an advisory committee exists, the membership shall consist of representatives from practical nursing, professional nursing, general education and other community groups. The nurse in charge of the practical nursing program shall be a member of this committee.

(b) The function of this committee is to act in an advisory capacity to the faculty and as a liaison group between the faculty, the agency and the community.

Authority

The provisions of this § 21.182 amended under section 506 of The Administrative Code of 1929 (71 P. S. § 186); and section 8 of the Practical Nurse Law (63 P. S. § 658).

Source

The provisions of this § 21.182 amended July 1, 1983, effective July 2,

1983, 13 Pa.B. 2061. Immediately preceding text appears at serial page (26494).

§ 21.183. Budget.

Budgetary funds shall be allocated by the controlling agency to administer the program effectively. The nurse in charge of the program and the administrative officers of the controlling agency shall prepare an annual budget based on desired needs for growth and change.

Authority

The provisions of this § 21.183 amended under section 506 of The Administrative Code of 1929 (71 P. S. § 186); and section 8 of the Practical Nurse Law (63 P. S. § 658).

Source

The provisions of this § 21.183 amended July 1, 1983, effective July 2, 1983, 13 Pa.B. 2061. Immediately preceding text appears at serial page (26494).

§ 21.184. Cooperating agencies.

(a) The agreement between the program and each of the cooperating agencies shall be written and signed by the administrators of the program and the cooperating agency and shall identify the responsibility and authority of each party. The agreement shall be reviewed annually and a copy of the current agreement shall be filed in the office of the Board.

(b) Approval of the cooperating agency shall be secured prior to the placement of students within the agency.

(c) Before an established program changes its clinical facilities through a new or additional cooperating agency, Board approval of the agency is required. A request shall be presented to the Board in writing. Upon receipt of the request, the Board will require information to be submitted on an Agency Data form and returned for review and action. Final approval of the cooperating agency will depend upon a survey of the facilities.

ADMINISTRATIVE AND INSTRUCTIONAL PERSONNEL

§ 21.191. Faculty and staff complement.

The minimum faculty and clerical personnel required in each program is as follows:

- (1) A full-time nurse director or nurse coordinator.
- (2) Full-time nursing instructors must be adequate in number to provide a

maximum student-teacher ratio of 15 to 1 in the clinical area.

(3) Additional instructors consistent with the size and needs of the programs.

(4) Adequate secretarial assistance.

Source

The provisions of this § 21.191 amended March 25, 1977, effective March

26, 1977, 7 Pa.B. 841. Immediately preceding text appears at serial page

(26495).

§ 21.192. Faculty qualifications.

(a) The qualifications of the nurse director or nurse coordinator shall be

as follows:

(1) Graduation from an approved school of professional nursing.

(2) Current registration as a professional nurse in this Commonwealth.

(3) A baccalaureate degree, preferably in nursing, with experience in the areas of nursing, nursing education and educational administration. The nurse

director or coordinator shall give evidence of ability to provide leadership

and shall have a specific plan for completing work towards a master's degree

with evidence of consistent effort toward completion of the plan.

(b) The qualifications of the instructors shall be as follows:

(1) Graduation from an approved school of professional nursing.

(2) Current registration as a professional nurse in this Commonwealth.

(3) A baccalaureate degree, preferably in nursing, with additional preparation for teaching appropriate to the teaching of practical nursing.

(4) Experience and skill in the practice of nursing.

(5) Nursing experience involving direct patient care or teaching experience within 2 years of employment. Faculty and instructors shall give

evidence of maintaining expertness in clinical and functional areas of responsibility.

(c) The employment of less qualified instructors. Faculty or instructors

with less academic preparation may be employed if qualified personnel is not

available provided that less qualified faculty and instructors shall function

under the direct guidance of a fully qualified faculty member and shall give

evidence of continuing their academic preparation.

§ 21.193. Faculty policies.

(a) The faculty shall be employed by and responsible to the educational

institution.

(b) Faculty members shall meet the requirements of the parent institution for faculty appointments.

(c) Policies, including personnel policies, in effect for nursing faculty, shall be those in effect for faculty members throughout the educational institution, with adjustments for differences that may be required in education for practical nursing.

(d) Policies for selection, appointment and promotion of faculty shall be defined in writing.

(e) Functions and responsibilities of each faculty member shall be defined in writing.

(f) Full-time faculty of the nursing program may not carry responsibilities for administration, curriculum development or teaching for other types of educational programs, nor may the nursing faculty be responsible for student health services or first aid.

(g) Changes in status of faculty from full-time to part-time or vice versa shall be reported to the Board.

(h) The director or coordinator and nursing faculty of the program shall be afforded the time and opportunity to engage in leadership activities within their profession as are commensurate with their educational responsibilities.

(i) In determining teaching load of the faculty the following criteria shall be considered:

(1) Number of individual courses or units of study assigned with consideration of differences in scope and depth.

(2) Number and size of scheduled weekly classes, including laboratory and clinical teaching contact hours.

(3) Additional assignments relative to the functions and responsibilities of the faculty member; such as guidance of students, student evaluation, program revision, participation in activities of faculty organization.

(j) There shall be a planned and active faculty development program designed by the faculty to meet their perceived needs.

§ 21.194. Faculty organization.

(a) There shall be a nursing faculty organization appropriate to the size of the group.

(b) Policies and rules of procedure of the faculty organization shall be in written form and shall be reviewed periodically by the faculty.

(c) Members of the faculty shall participate in the activities of the

faculty organization.

(d) Committees shall be established as needed to implement the functions of the faculty effectively, and the purposes and membership of each committee shall be defined clearly.

(e) Committee reports and faculty actions shall be recorded, filed systematically and kept available for reference.

CURRICULUM

§ 21.201. Philosophy, purposes and objectives.

(a) The philosophy and objectives of the program shall be formulated, agreed

upon and implemented by the faculty and shall be in accordance with the philosophy and objectives of the controlling agency. The philosophy and objectives of the program shall reflect the following:

(1) The belief of the faculty about nursing, practical nursing education and education in general.

(2) The concept that practical nursing is an integral part of nursing.

(3) The fact that the educational needs of the students are being met.

(4) The concept of preparing a practitioner who shares in the giving of direct care to patients and who functions within the accepted roles of the L.P.N.

(b) The philosophy and objectives shall provide the basis for the development, the conduct and the evaluation of the total program.

(c) The expected changes in student behavior identified in the statement of objectives shall be realistic and attainable within the program of instruction.

Authority

The provisions of this § 21.201 amended under section 506 of The Administrative Code of 1929 (71 P. S. § 186); and section 8 of the Practical Nurse Law (63 P. S. § 658).

Source

The provisions of this § 21.201 amended July 1, 1983, effective July 2, 1983, 13 Pa.B. 2061. Immediately preceding text appears at serial pages (26499) and (26500).

§ 21.202. General curriculum requirements for practical nursing programs.

(a) The curriculum shall be designed to meet the stated objectives of the program.

(b) The program of study shall reflect sound principles of general education and practical nursing education.

(c) The curriculum shall be based on broad areas of learning but shall be limited in depth.

(d) The curriculum shall be flexible enough to permit adaptations according to individual student needs as well as to changing concepts relative to emerging roles.

(e) The curriculum shall provide for instruction and practice in the care of selected individuals with different degrees of illness, with various types of incapacities and from all age groups.

(f) Scientific facts and concepts selected to be taught shall be limited to those that are essential as a basis for nursing action and are applicable to patient care.

(g) Learning experiences shall be selected and arranged to provide opportunity for the student to learn how to function within the role of the LPN and for the personal growth of students.

(h) Learning experiences shall focus on direct nursing care, and effort shall be made to arrange experiences in a pattern of logical sequence that demonstrates continuity of care.

(i) The plan of instruction shall enable students to develop understanding of the functions of the LPN within different patterns of nursing service.

(j) Course outlines shall include specific behavioral objectives anticipated and shall contribute to the objectives of the total curriculum.

(k) Learning experiences selected shall focus on the needs of the student and may not be structured to render service to the cooperating agency. § 21.203. Specific curriculum requirements for practical nursing programs.

(a) The curriculum shall be based upon the philosophy and objectives of the program and shall be developed, implemented and evaluated by the faculty.

(b) The curriculum shall be organized and developed to include the knowledge, attitudes, skills and abilities necessary for the specific levels of student achievement.

(c) The curriculum shall be planned to promote measurable abilities, as contained in the Test Plan for the Practical Nurse Licensing Examination, published by Council of State Boards of Nursing, Inc.

(d) The curriculum shall provide instruction in the following areas:

(1) Physical and biological sciences, including appropriate content from

basic human anatomy and physiology as well as elementary principles of chemistry, microbiology, physics and normal nutrition.

(2) Social and behavioral sciences including psycho-social facts and principles basic to personal adjustment and to nursing practice as well as

appropriate content on the family and development stages from birth to senescence.

(3) Concurrent or sequential theory and clinical experience in:

(i) The care of patients with simple nursing needs.

(ii) The care of patients with short-term nursing needs.

(iii) The care of patients with long-term nursing needs.

(4) Clinical experience, as provided in paragraph (3), in the care of men,

women and children in a variety of age groups with health problems characteristic of the age group involved.

(5) Theory, as required in paragraph (3), including appropriate knowledge

from diet therapy and pharmacology, as well as scientific facts and selected

clinical concepts which are essential as a basis for nursing action and are

applicable to patient care.

(6) Learning experiences, as required in paragraph (3), providing opportunities for the student to:

(i) Develop an awareness of the needs of patients.

(ii) Learn to plan and give nursing care to selected individuals in

various nursing situations that are relatively free of complexity.

(iii) Learn to plan and give nursing care to a group of selected patients.

(iv) Learn to assist the professional nurse in more complex nursing

situations.

(7) Content, as required in paragraph (3), drawn from information about

ethical, moral and legal responsibilities of the practical nurse, current

trends in nursing and health delivery systems and vocational development.

(8) Technical and clinical aspects of immunization, skin testing, the

performance of venipuncture and the administration and withdrawal of intravenous fluids to the extent each function is an authorized

function of an

LPN under this chapter. This curriculum shall be incorporated into the Practical Nursing Program by August 5, 1990.

(e) The total curriculum shall include a minimum of 1500 hours offered

within a time period of not less than 12 months. The Board recommends that a

minimum of 40% of the total curriculum be theoretical and the remaining 60% be in appropriate clinical experience.

(f) Evening and night assignments shall be considered part of the curriculum only in terms of the objectives to be achieved and if supervision is provided by the nursing faculty. Learning experiences during evening and night hours shall be planned only after the termination of the first 4 months of the program.

(g) Total hours of theory and clinical experience should be planned on a 35-hour week basis.

(h) The curriculum shall be evaluated according to a plan developed by the faculty and shall include the following:

(1) A careful review of aspects of the educational program based on the stated philosophy and objectives.

(2) A continuous evaluation of instructional procedures, learning experiences and student progress.

(3) Opportunities for students to participate in self-evaluation of their own learning experiences.

(4) Performance of graduates on the State Board Test Pool Examination.

(5) Opinions of graduates regarding the adequacy of their nursing program.

(6) Evaluation of graduates by their employers.

(7) A record system in operation which will assist in the evaluation of the educational program.

Authority

The provisions of this § 21.203 amended under section 506 of The Administrative Code of 1929 (71 P. S. § 186); and section 8 of the Practical Nurse Law (63 P. S. § 658).

Source

The provisions of this § 21.203 amended July 1, 1983, effective July 2, 1983, 13 Pa.B. 2061; amended August 4, 1989, effective August 5, 1989, 19 Pa.B. 3281. Immediately preceding text appears at serial pages (123297) to (123299).

§ 21.204. Changes in curriculum.

(a) Changes that are a departure from the requirements of the program and

which shall be submitted to the Board for approval include the following:

(1) Changes in the objectives of the program which require alteration of the present curriculum or courses or which increase or decrease the length of the program.

(2) Reorganization of the entire curriculum.

(3) Changes in clinical facilities involving contractual agreements.

(4) Changes in administrative control.

(b) When a program change is contemplated, a plan shall be presented to the

Board showing:

(1) Rationale for the change.

(2) Present program.

(3) Proposed changed program.

(4) Philosophy and objectives of the proposed program.

(5) Old and new master rotation or organizational curriculum plans.

(6) Program bulletin and any other pertinent information.

(c) Fifteen copies of the materials listed in subsection (b) shall be submitted at least 3 weeks prior to the Board meetings at which the matters

are to be considered.

Authority

The provisions of this § 21.204 issued under section 506 of The Administrative Code of 1929 (71 P. S. § 186); and section 8 of the Practical

Nurse Law (63 P. S. § 658).

Source

The provisions of this § 21.204 amended July 1, 1983, effective July 2, 1983, 13 Pa.B. 2061. Immediately preceding text appears at serial page (26504).

FACILITIES FOR ADMINISTRATION AND TEACHING

§ 21.211. Facility and resource requirements.

(a) The physical structures that serve the purpose of the practical nursing

program and are available for student or faculty or both use include those

that are provided in the immediate environment and also those that are off the

school premises. Facilities and resources of the program shall include the

following:

(1) Administrative and instructional and office personnel shall be provided with the appropriate and adequate space and equipment essential for

attainment of the objectives of the program.

(2) The number and size of accessible classrooms, conference rooms and laboratories shall be sufficient to meet the needs of the program. The number and size of classrooms shall be determined by the maximum student enrollment.

(i) Educational facilities shall be attractive, adequately heated, lighted and ventilated.

(ii) Educational facilities shall be provided with the equipment and supplies necessary to meet the teaching and learning requirements of both students and teachers.

(iii) The curriculum outline and instructional methods utilized by the faculty shall be determinative in the selection and maintenance of the facilities needed in the individual practical nursing program.

(b) Concerning adequate storage space for general supplies and equipment, policies shall be in existence for the replacement of equipment, furnishings, and supplies.

(c) Library facilities and resources, which are planned and maintained to meet the specific needs of the student and the faculty shall be as follows.

(1) The physical equipment of the library shall include adequate lighting and ventilation, sufficient tables and comfortable chairs, space for proper display of library holdings and exhibits and appropriate work space for the librarian.

(2) Provision shall be made for adequate storage space to maintain the safety and security of the library materials and holdings.

(3) Library holdings shall include sufficient reference titles, periodicals and other educational materials, as well as supplementary aids to achieve the objectives of the program.

Source

The provisions of this § 21.211 amended July 1, 1983, effective July 2, 1983, 13 Pa.B. 2061.

STUDENTS

§ 21.221. Selection and admission.

(a) Admission standards shall conform with the following:

(1) Policies and procedures related to the selection and admission of

students are the responsibility of the individual program.
Consideration shall

be given to scholastic aptitude, academic achievement, personal
qualities and
physical and emotional health.

(2) Applicants shall have completed work equal to a standard high
school
course as evaluated by the Credentials Evaluation Division of the
Pennsylvania
Department of Education.

(b) The Board recommends that only one class be admitted per year.
The

number of candidates for each class shall be determined by the
educational and
clinical resources which the program can provide.

(c) Advanced standing shall conform with the following:

(1) The Board encourages practical nursing programs to thoughtfully
review

their respective curricula to identify where opportunity can be
provided for

the recognition and validation of previous education and experience of
prospective applicants. Advanced placement proposals developed may then
be

submitted for review and approval by the Board.

(2) Programs submitted shall be developed for either a specific,
identified individual or for a theoretical group of individuals. The
extent of

the approval granted will be based on the nature and content of the
program
submitted.

§ 21.222. Student services.

(a) Health program. There shall be written objectives and policies
for the
health program.

(b) Program requirements. The health program shall include at least
the
following:

(1) Preentrance and periodic health examinations.

(2) Provisions for necessary immediate professional health care.

(3) An immunization policy.

(4) A policy addressing student absences due to illness which gives
the

student the opportunity to attain the learning objectives not achieved
due to
absences.

(c) Maintenance of health records. Appropriate cumulative student
health

records shall be maintained throughout the enrollment of the student.

(d) Student employment. When part-time student employment is
permitted,

written policies shall include the type of employment and conditions
regulating the employment, such as health, academic load and scholastic
progress and consideration of current Federal and State laws affecting
employment. When students are employed in health agencies, they may not

perform the functions normally assigned to a professional or practical nurse

unless they are currently licensed. Students in this role cannot be assigned

as charge nurse of a unit. Student employment shall be on a voluntary basis

and not a requirement of the institution. Remuneration for employment shall be

within the range of the salary scale for the position.

(e) Student housing. Policies concerning housing shall include the following:

(1) Adequate space, equipment and furnishings for each student, such as

desk, chairs, proper lighting, ventilation and closet space.

(2) Safe and adequately maintained facilities directly related to personal

hygiene and personal security measures which include appropriate supervision

of housing facilities and periodic inspection of safety devices, such as fire

extinguishers, housing exits and fire drills.

(3) Provision of facilities which promote recreational and social activities.

(4) Facilities for obtaining adequate, well-balanced meals.

(f) Counseling and guidance. The scope of the counseling program shall be

clearly defined in accordance with the objectives of the program. A program

shall include academic counseling, initiated by either faculty or students.

Adequate provision shall be made for the student's referral to or consultation

with skilled counselors, psychiatrists, psychologists or religious advisors

when professional and personal assistance is needed for individual student

problems.

(g) Financial aid. Policies and procedures relating to scholarships, loans

and grants shall be developed within the framework of the philosophy of the

controlling institution and defined in writing.

Authority

The provisions of this § 21.222 issued under section 506 of The Administrative Code of 1929 (71 P. S. § 186); and section 8 of the Practical

Nurse Law (63 P. S. § 658).

Source

The provisions of this § 21.222 amended March 25, 1977, effective March

26, 1977, 7 Pa.B. 841; amended July 1, 1983, effective July 2, 1983, 13 Pa.B.

2061; amended November 15, 1991, effective November 16, 1991, 21 Pa.B. 5342;

amended April 26, 1996, effective April 27, 1996, 26 Pa.B. 2005.
Immediately

preceding text appears at serial pages (210007) to (210008).

§ 21.223. Student's rights.

There shall be written specified policies relating to students' rights and grievances with procedures for implementation.

Source

The provisions of this § 21.223 adopted July 1, 1983, effective July 2, 1983, 13 Pa.B. 2061.

RECORDS

§ 21.231. Program records and record maintenance.

A record system essential to the operation of the program shall be maintained. Records shall be kept in locked fire-proof files. A nursing faculty shall select record forms specifically for the practical nursing

program which shall include the following:

(1) Student records. Student records shall conform with the following:

(i) Permanent record, on students admitted, including both clinical and theoretical experience and achievement shall be kept ad infinitum.

(ii) Health records shall be kept for 5 years following completion of the program.

(2) Faculty records. Faculty records shall conform with the following:

(i) ``Display Portion`` of current nursing license.

(ii) Records of preparation and experience, including college transcripts.

(iii) Current record of continuing education activities.

(3) Administrative records. Administrative records shall conform with the following:

(i) Affiliation agreements with cooperating agencies.

(ii) Minutes of meetings.

(iii) Annual reports.

(iv) Follow-up studies of graduates.

(v) Budgets.

(vi) Current written policies.

(4) Program bulletin. Program bulletins shall:

(i) Be comprehensive and current since they serve as contracts of agreement between the applicant or student and the program.

(ii) Include clearly defined refund policies governing all fees and tuition paid by the students.

Authority

The provisions of this § 21.231 issued under section 506 of The Administrative Code of 1929 (71 P. S. § 186); and section 8 of the Practical Nurse Law (63 P. S. § 658).

Source

The provisions of this § 21.231 amended July 1, 1983, effective July 2, 1983, 13 Pa.B. 2061. Immediately preceding text appears at serial pages (30278) to (30279).

§ 21.232. Records required to be filed in the Board office.

(a) An annual report of the practical nursing program shall be sent to the Board using the form supplied by the Board.

(b) Upon completion of the entire program a transcript or photocopy of the

final record of the student shall be submitted along with the application for

admission to the State Board Test Pool Examination. The transcript shall bear

the impression of the school seal and signature of the nurse in charge of the program or authorized representative.

(c) A notarized list of nurses employed in the program shall be submitted by

January 15 of each year. This list shall include the full name including

maiden name, current address, license number and date of original employment

in this Commonwealth.

Authority

The provisions of this § 21.232 issued under section 506 of The Administrative Code of 1929 (71 P. S. § 186); and section 8 of the Practical

Nurse Law (63 P. S. § 658).

Source

The provisions of this § 21.232 amended July 1, 1983, effective July 2, 1983, 13 Pa.B. 2061. Immediately preceding text appears at serial page (30279).

§ 21.233. Custody of records.

(a) When a program closes, the controlling agency shall be responsible for

the safekeeping of the records of its students; and official copies shall be

made available upon request. If the controlling agency also closes, advice

should be obtained from the Board concerning the permanent safekeeping and

availability of the records of the practical nursing program.

(b) The Board shall be informed in writing concerning permanent placement of these records.

Authority

The provisions of this § 21.233 issued under section 506 of The Administrative Code of 1929 (71 P. S. § 186); and section 8 of the Practical Nurse Law (63 P. S. § 658).

Source

The provisions of this § 21.233 amended July 1, 1983, effective July 2, 1983, 13 Pa.B. 2061. Immediately preceding text appears at serial page (30279).

Cross References

This section cited in 49 Pa. Code § 21.173 (relating to discontinuance or interruption of a program of practical nursing). § 21.234. Access and use of records.

(a) Students shall have access to personal records as provided by Federal and State legislation.

(b) Information shall be released from a student's record only in accordance with Federal and State law.

Authority

The provisions of this § 21.234 issued under section 506 of The Administrative Code of 1929 (71 P. S. § 186); and section 8 of the Practical Nurse Law (63 P. S. § 658).

Source

The provisions of this § 21.234 adopted July 1, 1983, effective July 2, 1983, 13 Pa.B. 2061.

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