

Pennsylvania Code

Subchapter A. REGISTERED NURSES

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Authority

The provisions of this Subchapter A issued under The Professional Nursing Law (63 P. S. § § 211-225.5), unless otherwise noted.

Source

The provisions of this Subchapter A adopted May 22, 1951, unless otherwise noted.

GENERAL PROVISIONS

§ 21.1. Definitions.

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

Act—The Professional Nursing Law (63 P. S. § § 211-225), which establishes standards for nursing schools and the conduct of nursing programs.

Approved—Approved by the Board.

Board—The State Board of Nursing of the Commonwealth.

Diagnosing—Identification of and discrimination between physical and psychosocial signs and symptoms essential to effective execution and management of the nursing regimen.

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

Human responses—Those signs, symptoms and processes which denote the interaction of the individual with an actual or potential health problem.

Patient (includes residents and clients)—A person, other than a spouse or immediate family member, who receives professional services from a registered nurse, regardless of whether the nurse receives remuneration for the services.

Practice of professional nursing—Diagnosing and treating human responses to

actual or potential health problems through such services as casefindings, health teaching, health counseling, provision of care supportive to or restorative of life and well-being, and executing medical regimens as prescribed by a licensed physician or dentist. The term does not include acts of medical diagnosis or prescription of medical therapeutic or corrective measures, except as may be authorized by rules and regulations jointly promulgated by the State Board of Medicine and the Board, which rules and regulations will be implemented by the Board.

Professional relationship—

- (i) For a registered nurse not involved in providing mental health services, the relationship which shall be deemed to exist for a period of time beginning with the first professional contact or consultation between a registered nurse and a patient and ending with the patient's discharge from or discontinuance of services by the nurse or by the nurse's employer. The administration of emergency medical treatment or transitory trauma care will not be deemed to establish a professional relationship.
- (ii) For a registered nurse involved in providing mental health services, the relationship which shall be deemed to exist for a period of time beginning with the first professional contact or consultation between the nurse and patient and ending 2 years after discharge from or discontinuance of services. For a patient who is a minor, a professional relationship shall be deemed to exist for 2 years or until 1 year after the age of majority, whichever is longer, after discharge from or discontinuance of services.

Registered nurse—A nurse licensed under this subchapter to practice in this Commonwealth.

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 registered 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 a 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 conduct that would constitute a sexual impropriety or sexual violation.

Treating—Selection and performance of those therapeutic measures essential to the effective execution and management of the nursing regimen and execution of the prescribed medical regimen.

#### Authority

The provisions of this § 21.1 amended under section 2.1(k) of the Professional Nursing Law (63 P. S. § 212.1(k)).

Source

The provisions of this § 21.1 amended October 22, 1976, effective October 23, 1976, 6 Pa.B. 2677; amended September 16, 1983, effective September 17, 1983, 13 Pa.B. 2829; amended September 8, 2000, effective September 9, 2000, 30 Pa.B. 4730; amended May 19, 2006, effective May 20, 2006, 36 Pa.B. 2402.

Immediately preceding text appears at serial pages (268656) to (268658).

§ 21.2. Scope.

(a) The Board administers the act by providing rules and regulations on

standards for nursing schools and the conduct of the programs.

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

(c) The Board has the right to establish rules and regulations for the practice of nursing.

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

(e) The Board will approve basic nursing programs conducted in hospitals,

colleges, universities; approve foreign exchange visitor programs; and promulgate a list of approved programs.

(f) The Board will approve applications for inactive status.

(g) The Board will regulate the practice of nursing.

Source

The provisions of this § 21.2 amended October 22, 1976, effective October 23, 1976, 6 Pa.B. 2677; amended September 16, 1983, effective September 17, 1983, 13 Pa.B. 2829. Immediately preceding text appears at serial page

(47490).

§ 21.3. Purposes 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.

Source

The provisions of this § 21.3 amended October 22, 1976, effective October

23, 1976, 6 Pa.B. 2677. Immediately preceding text appears at serial page

(9689).

§ 21.4. 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 and proceedings before the Board.

Source

The provisions of this § 21.4 adopted January 30, 1976, effective January

31, 1976, 6 Pa.B. 160; amended October 22, 1976, effective October 23, 1976, 6

Pa.B. 2677.

§ 21.4a. 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 § 21.18(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 any 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 § 21.4a issued under section 2.1(k) of the Professional Nursing Law (63 P. S. § 212.1(k)).

Source

The provisions of this § 21.4a adopted September 8, 2000, effective September 9, 2000, 30 Pa.B. 4730.

§ 21.5. 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 RN exams ...\$170  
Application fee for out-of-State graduates ...\$100  
Biennial renewal of license ... \$45  
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 registered 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 registered nurse licensing examination. Effective April 1994, or upon implementation of the computer adaptive 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 § 21.5 issued under section 11.2(a) and (d) of The Professional Nursing Law (63 P. S. § 221.2(a) and (d)); amended under section 812 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 § 21.5 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 November 29, 1991, effective November 30, 1991, 21 Pa.B. 5521; 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 (271704) and (268661).

#### Cross References

This section cited in 49 Pa. Code § 21.7 (relating to temporary practice

permit); 49 Pa. Code § 21.30a (relating to continued competency); and 49 Pa.

Code § 21.605 (relating to biennial renewal).

§ 21.6. Professional corporations.

A registered nurse may form a professional corporation with other registered

nurses or other health care practitioners who treat human ailments and conditions, and who are licensed to provide health care services in this

Commonwealth without receiving a referral or supervision from another health

care practitioner.

#### Source

The provisions of this § 21.6 adopted November 29, 1991, effective November 30, 1991, 21 Pa.B. 5521.

§ 21.7. Temporary practice permits.

(a) A graduate registered nurse may only practice professional nursing under

supervision and if the graduate registered 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 registered nurse is

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

registered nurse as follows:

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

during the period from the date of completion of the educational program to

the notification of the results of the licensing examination shall submit an

application for a temporary practice permit for a graduate registered nurse on

a form provided by the Board and remit the fee specified in § 21.5 (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 registered nurse shall:

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

(ii) Remit the fee specified in § 21.5.

(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 registered 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 § 21.5.

(iii) Provide a detailed, written explanation of the reason 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 registered nurse license issued by another state, territory or

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

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 period in cases of illness or extreme hardship, as set forth

in paragraph (5).

(1) A currently-licensed registered nurse who wishes to practice professional 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:

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

(iii) Remit the fee specified in § 21.5.

(2) An individual applying for a temporary practice permit for a currently-licensed registered 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 must 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 registered 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 the 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 the submission of the request to provide 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 in

§ § 21.23(c) and 21.28(c) (relating to qualifications of applicant for examination; and 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 registered nurse shall ensure that all documentation in

support of the application for licensure is received by the Board no later

than 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 registered nurse and who has complied with paragraphs

(2)–(4) may request an extension of the individual's temporary practice permit

because of illness or extreme hardship by:

(i) Submitting a temporary practice permit extension application provided by the Board.

(ii) Remitting the fee specified in § 21.5.

(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.

(iv) 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 no less than 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 § 21.7 issued under section 2.1(k) of the Professional Nursing Law (63 P. S. § 212.1(k)).

#### Source

The provisions of this § 21.7 adopted May 19, 2006, effective May 20, 2006, 36 Pa.B. 2402.

#### RESPONSIBILITIES OF THE REGISTERED NURSE

##### § 21.11. General functions.

(a) The registered nurse assesses human responses and plans, implements and evaluates nursing care for individuals or families for whom the nurse is

responsible. In carrying out this responsibility, the nurse performs all of

the following functions:

(1) Collects complete and ongoing data to determine nursing care needs.

(2) Analyzes the health status of the individuals and families and compares the data with the norm when possible in determining nursing care needs.

(3) Identifies goals and plans for nursing care.

(4) Carries out nursing care actions which promote, maintain and restore the well-being of individuals.

(5) Involves individuals and their families in their health promotion, maintenance and restoration.

(6) Evaluates the effectiveness of the quality of nursing care provided.

(b) The registered nurse is fully responsible for all actions as a licensed nurse and is accountable to clients for the quality of care delivered.

(c) The registered nurse may not engage in areas of highly specialized practice without adequate knowledge of and skills in the practice areas involved.

(d) The Board recognizes standards of practice and professional codes of behavior, as developed by appropriate nursing associations, as the criteria for assuring safe and effective practice.

#### Source

The provisions of this § 21.11 amended October 22, 1976, effective October 23, 1976, 6 Pa.B. 2677. Immediately preceding text appears at serial page (9690).

#### Notes of Decisions

##### Nursing Care Actions

Where nurse had disconnected patient from respirator to perform unauthorized evaluation of spontaneous respiration, failed to perform external

cardiac resuscitation, etc., subsection (a)(2) and (4) was not unconstitutionally vague with respect to nurse's conduct since nurse's actions

were "unauthorized, contra-indicated and a serious deviation from acceptable

nursing practice." Rafferty v. State Board of Nurse Examiners, 505 A.2d 357

(Pa. Cmwlth. 1986).

A nurse violated subsection (a)(4) by leaving patient experiencing rare

premature ventricular contractions failing to call code team when so

instructed and failing to attach cardiac monitor strip to patient's chart, but

such actions did not constitute violations of 49 Pa. Code § 21.13 which

merely establishes limitations on who may perform resuscitation and respiration and circumstances under which those procedures may be performed.

State Board of Nurse Examiners v. Rafferty, 499 A.2d 289 (Pa. 1985).

Nurse violated subsection (a)(4) by disconnecting comatose patient from

respirator to check for spontaneous respirations, leaving patient without

oxygen for 30 seconds, when there had been no special circumstances such as

patient displaying signs of becoming conscious. State Board of Nurse Examiners

v. Rafferty, 499 A.2d 289 (Pa. 1985).

A nurse did not wilfully violate subsection (a)(4) in lightly slapping the

hand of a patient who had a grip on her arm, since the nurse had to have the

use of her arm in order to keep the patient from falling and other attempts to

make the patient loosen his grip had failed. Leukhardt v. State Board of Nurse

Examiners, 403 A.2d 645 (Pa. Cmwlth. 1979).

Vagueness

Where the Board of Nurse Examiners found no willful, repeated, deliberate

or knowing violation, but merely acts which were deemed to deviate from accepted practice and errors of judgment, the court held that there was no

violation of subsection (a) (1) and (4). Rafferty v. State Board of Nurse

Examiners, 471 A.2d 1339 (Pa. Cmwlth. 1984).

Willful Violations

Board of Nurse Examiners need not prove specific intent to violate the

statute or regulations in order to establish a ``willful`` violation. State

Board of Nurse Examiners v. Rafferty, 499 A.2d 289 (Pa. 1985).

Cross References

This section cited in 49 Pa. Code § 21.411 (relating to interpretations

regarding the general functions of registered nurses—statement of policy); 49

Pa. Code § 21.412 (relating to interpretations regarding venipuncture, intravenous fluids, resuscitation and respiration—statement of policy); and 49

Pa. Code § 21.413 (relating to interpretations regarding the administration

of drugs—statement of policy).

§ 21.12. Venipuncture; intravenous fluids.

Performing of venipuncture and administering and withdrawing intravenous fluids are functions regulated by this section, and these functions may not be

performed unless:

(1) The procedure has been ordered in writing for the patient by a licensed doctor of the healing arts.

(2) The registered nurse who performs venipunctures has had instruction and supervised practice in performing venipunctures.

(3) The registered nurse who administers parenteral fluids, drugs or blood has had instruction and supervised practice in administering parenteral fluids, blood or medications into the vein.

(4) A list of medications which may be administered by the registered nurse is established and maintained by a committee of physicians, pharmacists and nurses from the employing agency or the agency within whose jurisdiction the procedure is being performed if no employing agency is involved.

(5) The intravenous fluid or medication to be administered is the fluid or

medication specified in the written order.

(6) The blood is identified as the blood ordered for the patient.

(7) An accurate record is made concerning the following:

(i) The time of the injection.

(ii) The medication or fluid injected.

(iii) The amount of medication or fluid injected.

(iv) Reactions to the fluid.

#### Source

The provisions of this § 21.12 amended October 22, 1976, effective October 23, 1976, 6 Pa.B. 2677; amended September 16, 1983, effective September 17, 1983, 13 Pa.B. 2829. Immediately preceding text appears at serial pages (47492) and (44732).

#### Cross References

This section cited in 49 Pa. Code § 21.412 (relating to interpretations regarding venipuncture, intravenous fluids, resuscitation and respiration--statement of policy); and 49 Pa. Code § 21.413 (relating to interpretations regarding the administration of drugs--statement of policy).

§ 21.13. Resuscitation and respiration.

External cardiac resuscitation and artificial respiration, mouth-to-mouth,

are procedures regulated by this section, and these functions may not be

performed unless both of the following provisions are met:

(1) External cardiac resuscitation and artificial respiration,

mouth-to-mouth, shall only be performed by a nurse on an individual when

respiration or pulse, or both, cease unexpectedly.

(2) A nurse may not perform external cardiac resuscitation and artificial

respiration, mouth-to-mouth, unless the nurse has had instruction and supervised practice in performing the procedures.

#### Source

The provisions of this § 21.13 amended October 22, 1976, effective October

23, 1976, 6 Pa.B. 2677. Immediately preceding text appears at serial page

(9691).

#### Notes of Decisions

Nurse violated 49 Pa. Code § 21.11(a)(4) by leaving patient experiencing

rare premature ventricular contractions, failing to call code team when so

instructed and failing to attach cardiac monitor strip to patient's chart, but

such actions did not constitute violations of § 21.13 which merely establishes limitations on who may perform resuscitation and respiration and

circumstances under which those procedures may be performed. State Board of

Nurse Examiners v. Rafferty, 508 Pa. 566, 570, 499 A.2d 289, 293 (1985).

§ 21.14. Administration of drugs.

(a) A licensed registered nurse may administer a drug ordered for a patient

in the dosage and manner prescribed.

(b) A licensed registered nurse, responsible for administering a drug, may

supervise a graduate nurse or a nursing student in an approved nursing education program in the administration of the drug. In this section, 'supervise' means the licensed registered nurse is physically present in the

area or unit where the student or unlicensed graduate is practicing.

This

definition is not intended to limit in any way the practice of practical

nursing as defined in the Practical Nurse Law (63 P. S. §§ 651-667).

#### Authority

The provisions of this § 21.14 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 § 21.14 amended October 22, 1976, effective October

23, 1976, 6 Pa.B. 2677; amended November 4, 1977, effective November 5, 1977,

7 Pa.B. 3263; amended December 19, 2003, effective December 20, 2003, 33 Pa.B.

6219. Immediately preceding text appears at serial pages (261719) to (261720).

#### Cross References

This section cited in 28 Pa. Code § 107.64 (relating to administration of drugs); and 49 Pa. Code § 21.413 (relating to interpretations regarding the administration of drugs—statement of policy).

§ 21.15. Monitoring, defibrillating and resuscitating.

The use of monitoring, defibrillating or resuscitating equipment, or a combination of the three, hereinafter called ``therapy,`` is a proper function

of a registered nurse and is a function regulated by this section; the function may not be performed unless all of the following provisions are met:

(1) The employer, through written policy, has agreed that the registered nurse may administer the therapy.

(2) A committee of licensed physicians and nurses within the employing agency has established written criteria prescribing when the therapy shall be administered by a registered nurse either in the presence or absence of the attending physician.

(3) The techniques for administering the therapy have been established by a committee of licensed physicians and registered nurses within the employing agency.

(4) The registered nurse has had instruction and supervised practice in administering the therapy.

(5) The registered nurse has demonstrated competency in administering the therapy to the satisfaction of the employer.

(6) The registered nurse shall have employed the prescribed techniques in administering the therapy in accordance with the established criteria.

#### Source

The provisions of this § 21.15 amended November 19, 1970, effective November 20, 1970, 1 Pa.B. 804; amended October 22, 1976, effective October

23, 1976, 6 Pa.B. 2677. Immediately preceding text appears at serial pages

(9691) to (9692).

#### Cross References

This section cited in 28 Pa. Code § 21.413 (relating to interpretations regarding the administration of drugs—statement of policy).

§ 21.16. Immunizations.

(a) Immunization and skin testing is a proper function of a registered nurse and is a function regulated by this section, and the function may not be performed unless all of the following conditions are met:

(1) A written order has been issued by a licensed physician. The order may

be a standing order applicable to individuals or groups.

(2) The policies and procedures under which the registered nurse 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. These written policies and procedures shall be

available to the nurse. The committee shall also perform the following functions:

(i) Identify the immunizing and skin testing agents which the nurse may administer.

(ii) Determine contraindications for the administration of specific immunizing and skin testing agents.

(iii) Outline medical principles governing the treatment of possible anaphylactic reactions.

(iv) Establish instruction and supervised practice required to insure competency in administering immunizing and skin testing agents.

(b) Following skin testing, the size of the induration or its absence may be observed and recorded by the properly instructed registered nurse.

Source

The provisions of this § 21.16 amended October 22, 1976, effective October

23, 1976, 6 Pa.B. 2677. Immediately preceding text appears at serial page

(9692).

§ 21.17. Anesthesia.

The administration of anesthesia is a proper function of a registered nurse

and is a function regulated by this section; this function may not be performed unless:

(1) The registered nurse has successfully completed the educational program of a school for nurse anesthetists accredited by the Council on Accreditation of Education Programs of Nurse Anesthesia of the American Association of Nurse Anesthetists.

(2) The registered nurse is certified as a Registered Nurse Anesthetist by the Council on Certification or on Recertification of Nurse Anesthetists of the American Association of Nurse Anesthetists.

(3) The certified nurse anesthetist is authorized to administer anesthesia in cooperation with a surgeon or dentist. The nurse anesthetist's performance shall be under the overall direction of the chief or director of anesthesia services. In situations or health care delivery facilities where these services are not mandatory, the nurse anesthetist's performance shall be under the overall direction of the surgeon or dentist responsible for the patient's care.

(4) Except as otherwise provided in 28 Pa. Code § 123.7(c) (relating to dental anesthetist and nurse anesthetist qualifications), when the operating/anesthesia team consists entirely of nonphysicians, such as a dentist and a certified registered nurse anesthetist, the registered nurse anesthetist shall have available to her by physical presence or electronic communication an anesthesiologist or consulting physician of her choice.

(5) A noncertified registered nurse who has completed an approved anesthesia program may administer anesthesia under the direction of and in the presence of the chief or director anesthesia services or a Board certified anesthesiologist until the announcement of results of the first examination given for certification for which she is eligible. If a person fails to take or fails to pass the examination, the person shall immediately cease practicing as a nurse anesthetist. If the applicant, due to extenuating circumstances, cannot take the first scheduled examination following completion of the program, the applicant shall appeal to the Board for authority to continue practicing.

(b) For purposes of this section, "cooperation" means a process in which the nurse anesthetist and the surgeon work together with each contributing an area of expertise, at their individual and respective levels of education and training.

Source

The provisions of this § 21.17 adopted October 22, 1976, effective October 23, 1976, 6 Pa.B. 2677; amended September 16, 1983, effective September 17,

1983, 13 Pa.B. 2827. Immediately preceding text appears at serial page (81100).

#### Notes of Decisions

##### Willful Violation

The provisions of 49 Pa. Code § 21.17 (relating to anesthesia) are wilfully violated even though a physician is present at the time the anesthetic is administered if the nurse administers the anesthetic without the

physician's direction or awareness. *McCarl v. State Board of Nurse Examiners*,

396 A.2d 866 (Pa. Cmwlth. 1979).

§ 21.18. Standards of nursing conduct.

(a) A registered nurse shall:

(1) Undertake a specific practice only if the registered 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 registered 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

registered 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) A registered nurse who fails to comply with an obligation or prohibition

under this section is subject to disciplinary and corrective measures under

section 14 of the act (63 P. S. § 224).

(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 13(b) of the act (63 P. S. § 223(b)) upon a nurse found

to have engaged in conduct constituting a sexual impropriety or sexual violation.

Authority

The provisions of this § 21.18 amended under section 2.1(k) of the Professional Nursing Law (63 P. S. § 212.1(k)).

Source

The provisions of this § 21.18 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 (261722) and (209951).

Cross References

This section cited in 49 Pa. Code § 21.4a (relating to procedural matters); and 49 Pa. Code § 21.369 (relating to general curriculum requirements).

§ 21.18a. Impaired professional program.

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

a 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 14.1 of the act (63 P. S. § 224.1).

Authority

The provisions of this § 21.18a issued under section 2.1(k) of the Professional Nursing Law (63 P. S. § 212.1(k)).

Source

The provisions of this § 21.18a adopted September 8, 2000, effective September 9, 2000, 30 Pa.B. 4730.

LICENSES

§ 21.21. Application for examination.

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

(b) 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.

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

(d) 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 § 21.21 issued under: section 506 of The Administrative Code of 1929 (71 P. S. § 186); and section 1 of The Professional Nursing Law (63 P. S. § 212.1); amended under section 812.1 of The Administrative Code of 1929 (71 P. S. § 279.3a).

Source

The provisions of this § 21.21 amended October 22, 1976, effective October 23, 1976, 6 Pa.B. 2677; amended March 20, 1981, effective March 21, 1981, 11 Pa.B. 1027; amended April 29, 1983, effective April 30, 1983, 13 Pa.B. 1439; amended June 8, 1990, effective June 9, 1990, 20 Pa.B. 3078.

Immediately

preceding text appears at serial pages (123248) to (123249).

§ 21.22. Date and location of examinations.

(a) The Board conducts licensing examinations at least twice a year.

(b) A list of examination dates and locations are published annually.

Authority

The provisions of this § 21.22 issued under section 506 of The

Administrative Code of 1929 (71 P. S. § 186); and section 1 of The Professional Nursing Law (63 P. S. § 212.1).

#### Source

The provisions of this § 21.22 amended October 22, 1976, effective October 23, 1976, 6 Pa.B. 2677; amended April 29, 1983, effective April 30, 1983, 13 Pa.B. 1439. Immediately preceding text appears at serial page (60509).

§ 21.23. Qualifications of applicant for examination.

(a) An applicant shall pass a written examination as provided by the Board.

(b) Additional applicant qualifications are contained in sections 5 and 6 of the act (63 P. S. §§ 215 and 216).

(c) Nurses educated in schools of nursing outside of the United States or

Canada shall have successfully completed the English language and nursing

practice proficiency examination of the Commission on Graduates of Foreign

Nursing Schools. A school of nursing located outside of the United States or

Canada will be considered a foreign nursing school.

#### Authority

The provisions of this § 21.23 issued under section 506 of The Administrative Code of 1929 (71 P. S. § 186); and section 1 of The Professional Nursing Law (63 P. S. § 212.1).

#### Source

The provisions of this § 21.23 amended October 22, 1976, effective October 23, 1976, 6 Pa.B. 2677; amended May 22, 1981, effective May 23, 1981, 11 Pa.B. 1802; amended April 29, 1983, effective April 30, 1983, 13 Pa.B. 1439. Immediately preceding text appears at serial pages (60509) and (61942).

#### Cross References

This section cited in 49 Pa. Code § 21.7 (relating to temporary practice permits).

§ 21.24. Examination score requirements.

The candidate for licensure shall achieve a minimum score as mandated by the Board.

#### Authority

The provisions of this § 21.24 issued under section 506 of The Administrative Code of 1929 (71 P. S. § 186); and section 1 of The Professional Nursing Law (63 P. S. § 212.1).

#### Source

The provisions of this § 21.24 amended October 22, 1976, effective October 23, 1976, 6 Pa.B. 2677; amended April 29, 1983, effective April 30, 1983, 13

Pa.B. 1439. Immediately preceding text appears at serial page (61942).  
§ 21.25. Reexamination.

(a) A candidate shall submit the required fee in the form of a check for reexamination.

(b) [Reserved].

(c) The candidate may take the licensing examination as many times as necessary to complete licensure process.

(d) A request to retake an examination for the purpose of elevating a passing score will not be granted.

#### Authority

The provisions of this § 21.25 issued under section 506 of The Administrative Code of 1929 (71 P. S. § 186); and section 1 of The Professional Nursing Law (63 P. S. § 212.1).

#### Source

The provisions of this § 21.25 amended October 22, 1976, effective October 23, 1976, 6 Pa.B. 2677; amended April 29, 1983, effective April 30, 1983, 13

Pa.B. 1439. Immediately preceding text appears at serial page (61942).  
§ 21.26. Failing rate of a school in examination.

If 40% or more of the first-time examinees of a school of nursing writing the examination in this Commonwealth fail the examination, the school will be placed on provisional approval status. The Board may consider additional documented statistics concerning the examination scores received in other states by Commonwealth graduates in determining the status of the school.

#### Source

The provisions of this § 21.26 amended October 22, 1976, effective October 23, 1976, 6 Pa.B. 2677; amended September 16, 1983, effective September 17,

1983, 13 Pa.B. 2829. Immediately preceding text appears at serial page (30243).

§ 21.27. Unlicensed candidate.

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

(1) Unless licensed, the candidate may be employed as a graduate nurse for

1 year only from the date of completion of a nursing 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,`` as used in this paragraph, means that the registered nurse is physically present in the area or unit where the unlicensed candidate is practicing.

Source

The provisions of this § 21.27 amended October 22, 1976, effective October 23, 1976, 6 Pa.B. 2677; amended September 16, 1983, effective September 17, 1983, 13 Pa.B. 2829. Immediately preceding text appears at serial page (30243).

§ 21.28. Licensure by endorsement.

(a) A registered nurse who has graduated from an approved nursing program in another state or territory of the United States or Canada and who is licensed by writing the National Council Licensure Examination in another jurisdiction of the United States or Canada may be granted licensure in this Commonwealth by endorsement of the original licensing board.

(b) An applicant for licensure in this Commonwealth by endorsement shall meet the requirements as stated in the act.

(c) A registered nurse who has graduated from a 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.

(d) An applicant for 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 § 21.30a(1) or (2) (relating to continued competency).

#### Source

The provisions of this § 21.28 amended October 22, 1976, effective October 23, 1976, 6 Pa.B. 2677; amended September 16, 1983, effective September 17, 1983, 13 Pa.B. 2829; amended March 22, 1991, effective March 23, 1991, 21 Pa.B. 1165; 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 (209954).

#### Cross References

This section cited in 49 Pa. Code § 21.118 (relating to post-basic nursing programs); and 49 Pa. Code § 21.7 (relating to temporary practice permits).

§ 21.29. Expiration and renewal of license.

(a) Registered nurses whose licenses expire on October 31, 1985 will thereafter be subject to the following license renewal schedule:

(1) Licenses of registered nurses whose license numbers end in the numbers

01 through 25 will expire on April 30, 1986 and, following renewal, will

thereafter expire on April 30 in the even-numbered years. The license renewal

fee for licenses that expire on April 30, 1986 will be 25% of the renewal fee

for the usual 2-year renewal period. The renewal fee for licenses that expire

on an anniversary of April 30, 1986 will be the renewal fee for the usual

2-year renewal period.

(2) Licenses of registered nurses whose license numbers end in the numbers

26 through 50 will expire on October 31, 1986 and, following renewal, will

thereafter expire on October 31 in the even-numbered years. The license renewal fee for licenses that expire on October 31, 1986 will be 50% of the

renewal fee for the usual 2-year renewal period. The renewal fee for licenses

that expire on an anniversary of October 31, 1986 will be the renewal fee for

the usual 2-year renewal period.

(3) Licenses of registered nurses whose license numbers end in the numbers

51 through 75 will expire on April 30, 1987 and, following renewal, will

thereafter expire on April 30 in the odd-numbered years. The license renewal

fee for licenses that expire on April 30, 1987 will be 75% of the renewal fee

for the usual 2-year renewal period. The renewal fee for licenses that expire on an anniversary of April 30, 1987 will be the renewal fee for the usual 2-year renewal period.

(4) Licenses of registered nurses whose license numbers end in the numbers 76 through 00 will expire on October 31, 1987 and, following renewal, will thereafter expire on October 31 in the odd-numbered years. The license renewal fee for licenses that expire on October 31, 1987 will be the renewal fee for the usual 2-year renewal period. The renewal fee for licenses that expire on an anniversary of October 31, 1987 will be the renewal fee for the usual 2-year renewal period.

(5) Registered nurses who obtain initial licensure on or after November 1, 1985 and registered nurses who reactivate their licenses on or after November 1, 1985 will be assigned to one of the following license expiration dates:

- (i) April 30 in the even-numbered years.
- (ii) October 31 in the even-numbered years.
- (iii) April 30 in the odd-numbered years.
- (iv) October 31 in the odd-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) The application form shall be completed and returned, accompanied by the required renewal fee. Upon approval of the application, the applicant will receive a license for the current renewal period. The display portion of the renewed license shall be retained by the current employer of the registrant; the wallet card portion shall be retained by the registrant.

(d) When communicating with the Board, the registrant shall identify herself by using full name, including maiden name; current address; and the Commonwealth certificate number, which shall either be typed or printed.

#### Authority

The provisions of this § 21.29 amended under sections 2.1 and 11 of The Professional Nursing Law (63 P. S. §§ 212.1 and 221).

#### Source

The provisions of this § 21.29 amended October 22, 1976, effective October 23, 1976, 6 Pa.B. 2677; amended September 16, 1983, effective September 17, 1983, 13 Pa.B. 2829; amended March 22, 1985, effective March 23, 1985, 15 Pa.B. 1082. Immediately preceding text appears at serial page (84358).

#### Cross References

This section cited in 49 Pa. Code § 21.331 (relating to biennial renewal

of certification).

§ 21.30. Registered nurses licensed outside of the United States, its territories or Canada.

(a) A nurse educated and licensed in another country other than Canada may not be employed as a nurse in this Commonwealth until the requirements for Commonwealth licensure have been met.

(b) A graduate nurse licensed in another country may participate in an approved exchange-visitor program or in an accreditation graduate program in nursing for a period of 2 years without licensure and compensation in this Commonwealth.

(c) An applicant coming from a country outside of the United States or Canada who is from a nondegree granting institution shall obtain a Certificate of Preliminary Education through the Department of Education.

#### Source

The provisions of this § 21.30 amended October 22, 1976, effective October 23, 1976, 6 Pa.B. 2677; amended June 17, 1977, effective June 18, 1977, 7 Pa.B. 1641; amended September 16, 1983, effective September 17, 1983, 13 Pa.B. 2829. Immediately preceding text appears at serial page (30244).

§ 21.30a. 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

11(b) of the act (63 P. S. § 221(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 § 21.5 (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 period of time within the last 5 years under a current license during that time.

#### Source

The provisions of this § 21.30a adopted June 18, 1993, effective June 19, 1993, 23 Pa.B. 2827.

#### Cross References

This section cited in 49 Pa. Code § 21.28 (relating to licensure by endorsement); and 49 Pa. Code § 21.602 (relating to volunteer license).

#### APPROVAL OF SCHOOLS OF NURSING

§ 21.31. Surveys; list of approved schools.

(a) Survey visits are made of basic nursing programs conducted in hospitals, colleges or universities of exchange visitor programs and of cooperating agencies. In this section, ``cooperating agency`` means an educational institution or health care delivery system which cooperates with the controlling institution. The survey report is presented to the Board and a written report of recommendations or requirements, or both, is sent to the school, college or university.

(b) Classified lists of approved schools of nursing and of exchange visitor programs are compiled and published annually and are made available for distribution.

(c) A list of approved cooperating agencies that provide educational programs for schools of nursing is compiled and published annually and is made available for distribution.

#### Source

The provisions of this § 21.31 amended October 22, 1976, effective October 23, 1976, 6 Pa.B. 2677; amended September 16, 1983, effective September 17, 1983, 13 Pa.B. 2829. Immediately preceding text appears at serial pages (30244) to (30245).

#### § 21.32. Objectives.

Nursing schools in this Commonwealth are approved to effectuate the

following:

- (1) Safeguard the preparation of nurses and assure safe standards of nursing practice in this Commonwealth.
- (2) Stimulate and maintain continued growth and improvement of nursing education in this Commonwealth.
- (3) Guide prospective students in the selection of approved schools which offer adequate resources for sound basic nursing education.
- (4) Assure the graduates of nursing programs of eligibility for admission to examination for licensure.
- (5) Assist graduates of schools of nursing in this Commonwealth to qualify for licensure by endorsement in other jurisdictions.

Source

The provisions of this § 21.32 amended October 22, 1976, effective October 23, 1976, 6 Pa.B. 2677. Immediately preceding text appears at serial page (9696).

§ 21.33. Types of approval.

(a) Initial. The Board may grant initial approval to new schools, 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 on full approval those schools which attain and maintain the acceptable standards and adhere to the policies and regulations of the Board considered essential for a sound program of nursing education.

(c) Provisional. The Board may place on provisional approval a school not meeting the acceptable standards. A period of 2 years will be the maximum time allowed for the correction of deficiencies resulting in provisional approval. If the standards are not met within this designated time, the school will be removed from the approved list.

Source

The provisions of this § 21.33 amended October 22, 1976, effective October 23, 1976, 6 Pa.B. 2677; amended September 16, 1983, effective September 17, 1983, 13 Pa.B. 2829. Immediately preceding text appears at serial page (30245).

#### Cross References

This section cited in 49 Pa. Code § 21.51 (relating to establishment).

§ 21.34. Removal from approved list.

The Board will give sufficient notification of intent of removal from the approved list and provide an opportunity for school officials to show cause as to why approval should not be withdrawn.

#### Source

The provisions of this § 21.34 amended October 22, 1976, effective October 23, 1976, 6 Pa.B. 2677; amended September 16, 1983, effective September 17, 1983, 13 Pa.B. 2829. Immediately preceding text appears at serial pages (30245) to (30246).

#### DISCONTINUANCE OF A SCHOOL OF NURSING

§ 21.41. Notification; completion of program; records.

(a) Written notification of intent to discontinue a program of nursing shall

be submitted to the Board within a reasonable time, but not less than 6 months prior to discontinuance.

(b) When a class is not admitted in a given year, the nursing program shall

close unless approval has been granted by the Board based on the justification

for continuation submitted to the Board.

(c) If a program is discontinued, it is the responsibility of the controlling institution 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 classes until completion. If the program is

continued until completion, approved and qualified instruction shall be assured. A controlling institution is a university, college or hospital which

conducts programs of education in nursing.

(d) The controlling institution has the legal responsibility to make provision for permanent retention of student and graduate records in conformity of § 21.125 (relating to custody of records).

#### Source

The provisions of this § 21.41 amended October 22, 1976, effective October 23, 1976, 6 Pa.B. 2677; amended September 16, 1983, effective September 17, 1983, 13 Pa.B. 2829. Immediately preceding text appears at serial page (30246).

Cross References

This section cited in 49 Pa. Code § 21.364 (relating to removal from approved list; discontinuance of CRNP program).

APPROVED PROGRAMS OF NURSING

§ 21.51. Establishment.

(a) A nursing education program shall be developed under the leadership of a registered nurse as follows:

(1) A nursing education program may be developed under the authority of a regionally accredited university or college and will be known as a degree-granting nursing education program.

(2) A nursing education program may be developed under the authority of a hospital approved by the Joint Commission on Accreditation of Hospitals and will be known as a diploma nursing education program.

(3) A Board-approved diploma nursing education program may transition to a degree-granting nursing education program under the authority of a university or college pursuing regional accreditation and will be known as a program in transition.

(b) A nursing education program may be developed only if there is an adequate faculty and adequate clinical facilities and the philosophy of the parent institution encompasses dual programs of education.

(c) Prior to establishment or transition, a nursing education program shall:

(1) Complete a feasibility study which includes:

(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 recourses for program implementation based on the projected enrollment and faculty. In viewing the clinical resources, the study must speak to other nursing education programs that share the teaching facilities identified in the study.

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

(iv) Actual cost of the program including faculty needed, clinical teaching resources, education supplies, office supplies, and the like, and sufficient evidence of stable financial support.

(2) Submit 18 copies of the feasibility study to the Board for approval.

(3) Employ the nurse administrator of the educational unit at least 12 months prior to the intended admission date of students. Board approval of the nurse administrator's credentials shall be obtained prior to the appointment.

For a program in transition, the nurse administrator may serve as administrator of both the degree-granting and diploma nursing education program during the transition period.

(4) Submit 18 copies of the tentative planned education program to the Board. For degree-granting and diploma nursing education programs, the submission shall be made at least 8 months prior to the intended admission date of students. For a program in transition, the submission shall be made at

least 3 months prior to the intended admission date of students.

(5) Employ the teaching faculty at least 1 semester before the initiation of their teaching responsibilities.

(d) Change of ownership shall be processed as the establishment of a new program.

(e) The planned educational program must include:

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

(2) Administrative structure and functions of the nursing school.

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

(4) Statement of the philosophy, purposes and objectives of the program.

(5) Proposed curriculum design based on sound educational concepts and including detailed course descriptions and identification of clinical practice.

(6) Admission policies.

(7) Educational standards.

(8) Copy of proposed budget projected for a minimum of 5 years.

(9) Copies of written agreements with cooperating agencies and facilities to be used in the program.

(f) A program in transition shall submit the following to the Board with the program's feasibility study:

(1) A copy of the certificate of authority to operate a degree-granting

institution from the Department of Education.

(2) Documentation of the university or college's pursuit of regional accreditation.

(3) Documentation that the diploma program has maintained full approval status under § 21.33 (relating to types of approval) for at least 3 years prior to the intended date for admission of students.

(g) A program in transition shall:

(1) Submit an annual report detailing the progress of the transition to the Board. If requested by the Board's educational advisor, a program in transition shall appear before the Board to respond to questions or concerns that arise from the annual progress report.

(2) Be subject to a site review by the Board's education advisor after the first class has been awarded degrees and the results of the licensing examination taken by the first class are available.

(3) Continue on initial approval under § 21.33(a) until the university or college has obtained full regional accreditation.

(h) Following the review of the program and before final Board action is taken to grant permission to recruit students, an initial faculty and nursing education program survey will be made by a nursing educational advisor of the Board.

#### Authority

The provisions of this § 21.51 amended under sections 2.1(k) and 6.1 of the Professional Nursing Law (63 P. S. §§ 212.1(k) and 216.1).

#### Source

The provisions of this § 21.51 amended October 22, 1976, effective October 23, 1976, 6 Pa.B. 2677; amended September 16, 1983, effective September 17, 1983, 13 Pa.B. 2829; amended December 2, 2005, effective December 3, 2005, 35 Pa.B. 6527. Immediately preceding text appears at serial pages (209959) to (209960).

#### ORGANIZATION AND ADMINISTRATION OF NURSING PROGRAMS

§ 21.61. Baccalaureate and associate degree programs: organizational requirements.

(a) The educational unit in nursing shall be established as a department, division, school or college of the controlling institution in accordance with the structural plan of the institution.

(b) Relationships with central administrative officers, interrelationships among other disciplines and services of the institution and representation on institutional councils and committees for faculty of the educational unit in nursing shall be consistent with the interaction and responsibilities accorded to other faculty members of the institution.

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

(d) Policies in effect for faculty members of the educational unit in nursing shall be those in effect for faculty members throughout the controlling institution, except where specified otherwise in this chapter.

(e) The educational unit in nursing shall have administrative authority and responsibility consonant with the general policies of the controlling institution.

(f) The resources, facilities and services of the controlling institution shall be available to and used by the educational unit in nursing and shall be adequate to meet the needs of the faculty and the students.

(g) Cooperating agencies shall be subject to the following provisions:

(1) Agreements to utilize field agencies outside the structural control of the controlling institution shall be initiated by the educational unit in nursing.

(2) Cooperating agencies or services selected by the school shall be approved by the appropriate State and National bodies, if such exist.

(3) The agreement between the educational unit in nursing and the cooperating agency shall be developed jointly, recorded in writing, reviewed periodically by both parties, revised as occasion requires and consistently adhered to by those responsible for implementing the provisions.

(4) The agreement shall insure full control of student education by the faculty of the program; faculty shall have the freedom to teach and guide students and to select appropriate learning experiences in consultation with designated members of the agency staff.

(5) The field agencies selected for use shall have the quality and variety of resources for planned learning experiences needed for the program of the educational unit in nursing.

(6) Approval by the Board shall be obtained before the educational unit in nursing may utilize a new field agency for learning experiences. An Agency Data form, provided by the Board, shall be submitted for each new field agency used for the first time.

(h) The faculty of the educational unit in nursing shall conduct planned periodic evaluation of its organization and administration.

Source

The provisions of this § 21.61 amended October 22, 1976, effective October 23, 1976, 6 Pa.B. 2677; amended September 16, 1983, effective September 17, 1983, 13 Pa.B. 2829. Immediately preceding text appears at serial pages (30247) to (30248).

§ 21.62. Diploma programs; organizational requirements.

(a) The nursing school shall be established as an educational unit of the governing body.

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

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

(d) The authority and the administrative responsibility for the school shall be delegated by the governing body to the director of the school.

(e) The faculty shall formulate policies that relate to the operation of the school.

(f) Approval by the Board shall be obtained before the educational unit in nursing may utilize a cooperating agency or a new field agency for learning experiences. An Agency Data form, provided by the Board, shall be submitted for each new cooperating agency and field agency.

Source

The provisions of this § 21.62 amended October 22, 1976, effective October 23, 1976, 6 Pa.B. 2677. Immediately preceding text appears at serial pages

(9699) to (9700).

§ 21.63. Diploma programs utilizing cooperating agencies.

(a) Cooperating agencies within this Commonwealth shall be subject to the following:

(1) The agreement between the educational unit in nursing and the cooperating agency shall be developed jointly, recorded in writing, reviewed periodically by both parties, revised as occasion requires and consistently adhered to by those responsible for implementing the provisions.

(2) Cooperating agencies on the approved list shall submit changes on curriculum content to the Board for approval before schools are notified of the changes.

(b) Cooperating agencies outside of this Commonwealth shall be subject to the following:

(1) The state board of nursing of the state in which the cooperating agency is located shall be contacted to determine the approval status of that

agency in that state. Only fully approved programs may be considered.

(2) The school wishing to establish agreements with a cooperating agency shall initiate meetings with the proposed cooperating agency to determine:

(i) Compatibility of the educational philosophy and objectives of the cooperating agency with those of the parent school.

(ii) Effectiveness with which the planned program of the cooperating agency can be utilized as a part of the total educational program of the school.

(iii) Quality of the faculty of the cooperating agency.

(iv) Ability of the cooperating agency to absorb an additional affiliating school.

(3) Following the exploratory meetings, the school shall submit written notification of intent to establish an affiliation with the cooperating agency

for Board approval. The following shall accompany the letter of intent:

(i) A copy of the master curriculum plan of the school indicating the placement of the proposed program.

(ii) A copy of the course syllabus offered by the cooperating agency.

(iii) Faculty biographical forms on all faculty in the cooperating agency.

(iv) One copy of the annual report form required by the Board, completed by the cooperating agency.

(v) A copy of the agreement or contract between the cooperating agency and the affiliating school.

(vi) A list of affiliating schools utilizing the cooperating agency.

(c) A cooperating agency providing faculty and instruction for clinical nursing courses shall be responsible for submitting 15 copies of proposed curriculum changes to the Board prior to the announcement of change to the affiliating school.

(d) Diploma schools of nursing utilizing their own faculties shall be subject to the following provisions:

(1) Agreements to utilize field agencies outside the structural control of the controlling institution shall be initiated by the school of nursing.

(2) Cooperating agencies or services selected by the school shall be approved by the appropriate State and National bodies, if such exist.

(3) The agreement between the school of nursing and the cooperating agency shall be developed jointly, recorded in writing, reviewed periodically by both parties, revised as occasion requires and consistently adhered to by those responsible for implementing the provisions.

(4) The agreement shall insure full control of student education by the faculty of the program. The faculty shall have the freedom to teach and guide students and to select appropriate learning experiences in consultation with designated members of the agency staff.

(5) The field agencies selected for use shall have the quality and variety of resources for planned learning experiences needed for the purpose of the program of the school of nursing.

#### Source

The provisions of this § 21.63 amended October 22, 1976, effective October 23, 1976, 6 Pa.B. 2677; amended September 16, 1983, effective September 17, 1983, 13 Pa.B. 2829. Immediately preceding text appears at serial pages (30249) to (30250).

#### ADMINISTRATIVE AND INSTRUCTIONAL PERSONNEL

§ 21.71. Faculty and staff requirements for baccalaureate and associate degree

programs.

(a) The minimum faculty and staff requirements for each program are as follows:

(1) Full-time director of the program.

(2) Full-time qualified faculty members in the areas of specialized practice encompassed within the curriculum.

(3) Additional faculty members as needed to insure an educationally effective student-faculty ratio.

(4) A minimum of one full-time secretary and additional secretarial assistance as needed.

(b) Faculty qualifications are as follows:

(1) The director of a baccalaureate degree program, employed for the first time after January 1, 1986, shall hold a master's degree in nursing and an earned doctoral degree or a specific plan for completing doctoral preparation.

The director shall have experience in the areas of nursing practice, nursing education within an institution of higher education and educational administration. Candidates who have made outstanding contributions to nursing education shall be considered on an individual basis.

(2) The director of an associate degree program shall hold the minimum of a master's degree in nursing. The director shall have experience in the areas of nursing practice, nursing education and educational administration.

(3) The length of appointment of temporary and acting heads of nursing education programs may not exceed 1 year.

(4) Nurse faculty members shall be currently licensed as nurses in this Commonwealth.

(5) Faculty members shall have master's degrees in nursing, with graduate preparation relevant to their clinical areas of responsibility; and they shall give evidence of maintaining expertise in their clinical or functional areas of specialization.

(6) Faculty members with less than a master's degree in nursing may be employed if qualified candidates are not available; they shall function for a maximum of 5 years as assistants under the direct guidance of a faculty member

fully qualified in the specific teaching area. These assistants shall have a

minimum of a baccalaureate degree in nursing, and they shall give evidence of

actively pursuing a master's degree in nursing. The lack of availability of

qualified faculty shall be documented by, among other things, copies of advertisements placed in appropriate professional journals and newspapers,

copies of recruitment letters to appropriate institutions of higher learning,

and records of job interviews.

(7) Faculty employed to teach nutrition must be registered dietitians

(R.D.) and eligible for membership in the American Dietetic Association.

Source

The provisions of this § 21.71 amended October 22, 1976, effective October

23, 1976, 6 Pa.B. 2677; amended February 25, 1977, effective February 26,

1977, 7 Pa.B. 521; amended January 20, 1978, effective January 21, 1978, 8

Pa.B. 201; amended September 16, 1983, effective September 17, 1983, 13 Pa.B.

2829. Immediately preceding text appears at serial pages (30250) and (34221).

§ 21.72. Faculty policies.

(a) The faculty shall be employed by and responsible to the controlling institution.

(b) Policies, including personnel policies in effect for nursing faculty,

shall be those in effect for faculty members throughout the controlling institution except where specified otherwise in this chapter.

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

(d) Teaching hours of nurse faculty shall be consistent with the policies of

the controlling institution. Seminar, discussion and laboratory contact hours

shall be equated. Where additional expectations in terms of research, counseling, committee work or other institutional responsibilities are present, the teaching load shall be decreased accordingly.

(e) The nurse administrator and nursing faculty shall be afforded the time

and opportunity to engage in leadership activities within their profession

commensurate with the responsibilities inherent in the role of institutions of

higher education in our society.

(f) There shall be a planned and active faculty development program designed

to meet the perceived needs of the faculty.

Source

The provisions of this § 21.72 amended October 22, 1976, effective October

23, 1976, 6 Pa.B. 2677; amended February 25, 1977, effective February 26, 1977, 7 Pa.B. 521; amended September 16, 1983, effective September 17, 1983, 13 Pa.B. 2829. Immediately preceding text appears at serial pages (34221) to (34222).

§ 21.73. Internal nursing faculty organizations.

(a) There shall be a nursing faculty organization appropriate to its size and in harmony with other educational units within the controlling institution.

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

(c) Members of the faculty shall participate in the activities of the faculty organization in ways consistent with their rank and responsibilities.

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

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

Source

The provisions of this § 21.73 amended October 22, 1976, effective October 23, 1976, 6 Pa.B. 2677; amended September 16, 1983, effective September 17, 1983, 13 Pa.B. 2829. Immediately preceding text appears at serial page (34222).

§ 21.74. Faculty and staff requirements for diploma programs.

(a) The minimum faculty and staff requirements for each program shall be as follows:

(1) When the responsibility of the director encompasses nursing service as well as responsibility for the school, there shall be a full-time person who is responsible for the operation of the school.

(2) Full-time faculty member for each clinical nursing course.

(3) Additional faculty members as needed to insure an educationally effective student-faculty ratio.

(4) Minimum of one full-time secretary and additional secretarial assistants as needed.

(5) A full-time librarian.

(b) Faculty qualifications are as follows:

(1) The director of the school shall have a master's degree in nursing applicable to directors. School directors appointed after July 1, 1977, shall

have a master's degree in nursing and experience in the areas of nursing practice, nursing education and educational administration. Candidates who have made outstanding contributions to nursing education will be considered on an individual basis.

(2) Nurse faculty members shall be currently licensed as nurses in this Commonwealth.

(3) Faculty members appointed after January 1, 1986, shall have master's degrees in nursing with graduate preparation relevant to their clinical, or clinical and functional, areas of responsibility; and they shall give evidence of maintaining expertise in their clinical, or clinical and functional, areas of specialization.

(4) Faculty members with less than a master's degree in nursing may be employed if qualified candidates are not available; they shall function for a maximum of 5 years as assistants under the direct guidance of a faculty member fully qualified in the specific teaching area. Assistants shall have a minimum of a baccalaureate degree in nursing, and they shall give evidence of actively pursuing their academic preparation. The lack of availability of qualified faculty shall be documented.

(5) Faculty members shall give evidence of participation in continuing education and self development as individuals and as a faculty group.

(6) Faculty members employed to teach Nutrition must be registered dietitians (R.D.) and eligible for membership in the American Dietetic Association.

#### Source

The provisions of this § 21.74 amended October 22, 1976, effective October 23, 1976, 6 Pa.B. 2677; amended January 21, 1977, effective January 22, 1977, 7 Pa.B. 223; amended January 20, 1978, effective January 21, 1978, 8 Pa.B. 201; amended September 16, 1983, effective September 17, 1983, 13 Pa.B. 2829.

Immediately preceding text appears at serial pages (34222) to (34223). § 21.75. Faculty policies.

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

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

(c) Personnel policies for the hospital are in effect for faculty members, with adjustments made for differences that may be required in an educational program.

(d) The faculty shall assume the responsibility for planning, implementing and evaluating a program of inservice education designed to meet their perceived needs.

(e) The director of the school and nursing faculty shall be afforded the time and opportunity to engage in leadership activities within their profession, commensurate with their responsibilities.

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

(1) Number of individual courses or units of study assigned to individual faculty members, giving consideration to 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 individual faculty member, such as guidance of students, student evaluation, class and laboratory preparation, program revision, improvement of teaching methods and participation in the activities of the faculty organization.

#### Source

The provisions of this § 21.75 amended October 22, 1976, effective October

23, 1976, 6 Pa.B. 2677. Immediately preceding text appears at serial page

(9704).

§ 21.76. Faculty organizations.

(a) Rules and regulations of the faculty organization shall be in writing

and shall be revised by the faculty periodically.

(b) The committee structure shall be consistent with the size and needs of the faculty.

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

#### Source

The provisions of this § 21.76 amended October 22, 1976, effective October

23, 1976, 6 Pa.B. 2677. Immediately preceding text appears at serial pages (9704) to (9705).  
§ 21.77. [Reserved].

Source

The provisions of this § 21.77 reserved October 22, 1976, effective October 23, 1976, 6 Pa.B. 2677. Immediately preceding text appears at serial page (9705).

CURRICULUM FOR BACCALAUREATE, ASSOCIATE DEGREE,  
AND DIPLOMA PROGRAMS

§ 21.81. General curriculum requirements.

(a) The curriculum shall be developed, implemented and evaluated by the faculty and shall implement the philosophy and objectives of the school.

(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) Physical and biological sciences shall include content from the areas of anatomy and physiology, chemistry, microbiology, physics and nutrition, which may be integrated, combined or presented as separate courses; the scientific facts and principles drawn from these areas serve as a basis for planning and implementing nursing care. When the basic sciences are presented as distinct academic courses—that is, chemistry, anatomy and physiology and microbiology—there shall be a related laboratory experience. A related laboratory experience is defined as an assigned period of time during which students participate in the testing of scientific principles.

(d) Selected courses shall be included in the humanities and social and behavioral sciences that support the philosophy, purposes, educational concepts and terminal objectives of the program.

(e) The curriculum shall provide concurrent theory and clinical experience in the care of men, women and children in age groups and with the health problems characteristic of each group. Experiences shall be provided which include preventive aspects of nursing care during acute and chronic illness and rehabilitative care. Opportunities shall be provided for the student to

participate in case findings, health teaching and health counseling for patients and their families. Evening and night assignments are considered part

of the curriculum only in terms of the objectives to be achieved and if faculty supervision is provided.

(f) Content related to history, trends and professional responsibilities of nursing may be integrated, combined or taught as separate courses.

(g) The Board encourages curriculum experimentation designed to replicate or validate educational theories or to promote open-ended career development.

#### Authority

The provisions of this § 21.81 issued under section 506 of The Administrative Code of 1929 (71 P. S. § 186).

#### Source

The provisions of this § 21.81 amended October 22, 1976, effective October 23, 1976, 6 Pa.B. 2677; amended June 12, 1980, effective June 14, 1980, 10

Pa.B. 2404; amended September 16, 1983, effective September 17, 1983, 13 Pa.B.

2829. Immediately preceding text appears at serial pages (34224) and (50845).

§ 21.82. Curriculum evaluation.

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

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

(2) 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 licensing examination.

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

(6) Evaluation of graduates by their employers.

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

#### Source

The provisions of this § 21.82 amended October 22, 1976, effective October 23, 1976, 6 Pa.B. 2677. Immediately preceding text appears at serial

page (9707).

§ 21.83. Curriculum changes requiring Board approval.

(a) Major curriculum changes that require Board approval include:

(1) Alteration of the program philosophy, purposes and objectives which influences or affects the integration of material into the total curriculum, such as changes in course content or instruction, shifting content, changing course placement, adding or deleting courses, changing the length of a course or the program and changing the allotment.

(2) Reorganization of the entire curriculum.

(3) Changes in clinical facilities involving contractual agreements.

(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) The school bulletin and other pertinent information.

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

the matters are considered.

Source

The provisions of this § 21.83 amended October 22, 1976, effective October 23, 1976, 6 Pa.B. 2677; amended January 18, 1980, effective January 19, 1980, 10 Pa.B. 217; amended September 16, 1983, effective September 17, 1983, 13 Pa.B. 2829. Immediately preceding text appears at serial pages (50846) to (50847).

§ 21.84. Baccalaureate curriculum philosophy; purposes and objectives.

(a) A clear statement of philosophy and purposes of the baccalaureate nursing program, consistent with the philosophy and purposes of the controlling institution, shall be formulated and adopted.

(b) The philosophy, purposes and objectives of the educational unit in nursing shall be developed and clearly stated by the faculty and shall be reviewed and revised at stated time intervals by this group.

(c) The philosophy and purposes of the educational unit in nursing shall be consistent with currently accepted social, educational and nursing standards.

(d) The objectives of the nursing program shall be consistent with the purposes of the educational unit.

(e) The terminal objectives of the program shall identify behavioral changes

that are expected to occur in the student.

Source

The provisions of this § 21.84 amended October 22, 1976, effective October 23, 1976, 6 Pa.B. 2677; amended September 16, 1983, effective September 17, 1983, 13 Pa.B. 2829. Immediately preceding text appears at serial pages (50847) and (30257).

§ 21.85. Baccalaureate general educational criteria.

(a) The educational policies of the educational unit in nursing shall be consistent with those of the controlling institution.

(b) The curriculum shall reflect the philosophy and purposes of the educational unit in nursing and shall implement the objectives of the program.

(c) There shall be an educational rationale for the selection and distribution of courses and for the selection of theoretical and clinical laboratory content in nursing courses.

(d) The rationale for the allocation of credit for nursing courses shall be consistent with the practice of the institution.

(e) The courses shall be planned on the academic term basis common to the institution.

(f) The learning experiences and methods of instruction shall provide opportunity for fulfilling the purposes of the educational unit in nursing and the objectives of the program.

(g) Learning experiences and methods that promote critical thinking and synthesis of learning shall be utilized in the teaching-learning process.

(h) Consideration shall be given to individual differences among students.

(i) The program shall build its professional education on a general education basis.

(j) Courses in general education shall be shared with students in other disciplines of the controlling institution.

(k) Provision shall be made for students to take electives in upper divisional general education courses.

(l) Nursing courses shall be organized to use and reinforce relevant learnings from preceding and concurrent nursing courses.

(m) Education in the nursing major shall be offered largely at the upper divisional level.

(n) Nursing courses and curriculum shall be organized to continue the development of values, understandings, knowledge and skills needed in all aspects of professional nursing.

(o) Preparation insuring professional nursing competencies shall be provided

through selected and supervised learning experiences.

(p) The ratio of credits in nursing, that is, the major field of study,

general education and elective credits shall be consistent with the nature,

purposes and requirements of the parent institution.

(q) The ratio of students to faculty shall assure optimal learning opportunities in clinical laboratory sessions and shall be consistent with the

objectives of the clinical nursing courses.

(r) The curriculum for baccalaureate nursing programs shall give evidence of

providing learning experiences which will prepare graduates for professional

nursing practice. The standards of practice are defined and delineated by the

nursing profession.

(s) Course syllabi that identify all aspects of each course shall be developed and readily available.

#### Source

The provisions of this § 21.85 amended October 22, 1976, effective October

23, 1976, 6 Pa.B. 2677; amended September 16, 1983, effective September 17,

1983, 13 Pa.B. 2829. Immediately preceding text appears at serial pages (30257) to (30258).

§ 21.86. Associate degree curriculum philosophy; purposes and objectives.

(a) A clear statement of philosophy and purposes of the associate degree

program in nursing, consistent with the philosophy and purposes of associate

degree education and with the controlling institution, shall be formulated and

adopted.

(b) The philosophy, purposes and objectives of the educational unit in

nursing shall be developed and clearly stated by the faculty and shall be

reviewed and revised at stated time intervals by this group.

(c) The philosophy and purposes of the educational unit in nursing shall be

consistent with currently accepted social, associate degree education and

nursing standards.

(d) The objective of the nursing program shall be consistent with the purposes of the educational unit.

(e) The terminal objectives of the program shall identify behavioral changes

that are expected to occur in the student.

Source

The provisions of this § 21.86 amended October 22, 1976, effective October 23, 1976, 6 Pa.B. 2677; amended September 16, 1983, effective September 17, 1983, 13 Pa.B. 2829. Immediately preceding text appears at serial page (30258).

§ 21.87. Associate degree general educational criteria.

(a) The educational policies of the educational unit in nursing shall be consistent with those of the controlling institution.

(b) The curriculum shall reflect the philosophy and purposes of the educational unit in nursing and shall implement the objectives of the program.

(c) There shall be an education rationale for the selection and distribution of courses and for the selection of theoretical and clinical laboratory content in nursing courses.

(d) The rationale for the allocation of credit for nursing courses shall be consistent with the practice of the institution.

(e) The courses shall be planned on the academic term basis common to the institution.

(f) The learning experiences and methods of instruction shall provide opportunity for fulfilling the purposes of the educational unit in nursing and the objectives of the program.

(g) The nursing curriculum shall demonstrate the accepted pattern of development for associate degree education and be consistent with college policy.

(h) Courses in general education shall be shared with students in other programs of the controlling institution.

(i) Nursing courses shall be organized to use and reinforce relevant learnings from preceding and concurrent courses.

(j) Preparation insuring associate degree nursing competencies shall be provided through selected and supervised learning experiences.

(k) The ratio of credits in nursing to general education and elective credits shall be consistent with other associate degree programs in the college.

(l) The ratio of students to faculty shall assure optional learning opportunities in clinical laboratory sessions and shall be consistent with the objectives of the clinical nursing courses.

(m) The curriculum for associate degree nursing programs shall give evidence of providing learning experiences which will prepare graduates for associate degree nursing practice as defined and delineated by the nursing profession.

(n) Course syllabi that identify all aspects of each course shall be developed and readily available.

Source

The provisions of this § 21.87 amended October 22, 1976, effective October 23, 1976, 6 Pa.B. 2677; amended September 16, 1983, effective September 17, 1983, 13 Pa.B. 2829. Immediately preceding text appears at serial pages (30258) to (30259).

§ 21.88. Diploma curriculum philosophy; purposes, and objectives.

(a) A clear statement of philosophy, purposes and objectives consistent with the philosophy and objectives of the governing body shall be formulated and adopted.

(b) The philosophy, purposes and objectives of the school shall be developed by the faculty and reviewed at stated intervals.

(c) The philosophy of the school shall express beliefs about education, nursing and the responsibility of the school to the student.

(d) The terminal objectives of the school shall identify behavioral changes that are expected to occur in the student.

Source

The provisions of this § 21.88 amended October 22, 1976, effective October 23, 1976, 6 Pa.B. 2677; amended September 16, 1983, effective September 17, 1983, 13 Pa.B. 2829. Immediately preceding text appears at serial pages (30259) to (30260).

§ 21.89. Diploma general education criteria.

(a) The selection of learning experiences and methods of instruction shall provide opportunities for fulfilling the stated objectives of the program of studies or of the curriculum.

(b) Each school year shall be divided into specific time periods.

(c) The curriculum shall be planned in a sequence so that each course utilizes and strengthens the preceding and concurrent courses.

(d) Theory and practice shall be offered concurrently and be so planned that demands on the student within each time period are comparable.

(e) Course outlines that identify all aspects of each course shall be developed and readily available.

(f) The ratio of students to faculty shall assure optional learning opportunities in the clinical sessions and shall be consistent with the objectives of the clinical nursing course.

Source

The provisions of this § 21.89 amended October 22, 1976, effective October

23, 1976, 6 Pa.B. 2677. Immediately preceding text appears at serial page (9712).

#### FACILITIES FOR ADMINISTRATION AND TEACHING

§ 21.91. Facility and resource requirements.

(a) The physical structures that serve the purpose of the nursing program and are available for student or faculty use, or both, include those that are provided in the immediate environment and those that are off the school premises.

(b) Facilities and resources of the school shall include the following:

(1) Offices and administrative and instructional personnel provided with appropriate and adequate space and equipment essential for attainment of the objectives of the program.

(2) Sufficient number and size of accessible classrooms, conference rooms and laboratories to meet the needs of the program, as follows:

(i) Such facilities shall be attractive, with effective lighting, adequate heating and ventilation.

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

(iii) The selection and maintenance of the kind and quality of facilities needed in the individual nursing program shall be determined by the curriculum design and teaching methods utilized by the faculty.

(3) Adequate storage space for general supplies and equipment. Policies

shall be in existence for the replacement of equipment, furnishings and supplies.

(4) Library facilities and resources, which are planned and maintained to

meet the specific needs of the student and the faculty, as follows:

(i) 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.

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

(iii) Library holdings shall include sufficient reference titles,

periodicals and other educational materials to achieve the objectives of the curriculum.

Source

The provisions of this § 21.91 amended October 22, 1976, effective October 23, 1976, 6 Pa.B. 2677. Immediately preceding text appears at serial pages (9712) to (9713).

STUDENTS

§ 21.101. Selection and admission standards.

(a) Policies and procedures related to the selection and admission of students are the responsibility of the individual school. Consideration shall be given to scholastic aptitude, academic achievement, personal qualities and physical and emotional health necessary to fulfill the objectives of the program.

(b) Students admitted to baccalaureate and associate degree programs shall meet the requirements for admission to the university or college and additional requirements that may be established for the nursing major.

(c) Applicants shall have completed work equal to a standard high school course with a minimum of 16 units, including 4 units of English, 3 units of Social Studies, 2 units of Mathematics (1 of which is Algebra) and 2 units of Science with a related laboratory or the equivalent.

Source

The provisions of this § 21.101 amended October 22, 1976, effective October 23, 1976, 6 Pa.B. 2677; amended September 16, 1983, effective September 17, 1983, 13 Pa.B. 2829. Immediately preceding text appears at serial pages (30261).

§ 21.102. Admission of classes.

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 school can provide.

Source

The provisions of this § 21.102 amended October 22, 1976, effective October 23, 1976, 6 Pa.B. 2677. Immediately preceding text appears at serial page (9713).

§ 21.103. Transfer of students or advanced standing.

The school shall have a written policy consistent with its philosophy and objectives concerning criteria for granting advanced standing or accepting transfer students. The policies of the baccalaureate and associate degree programs shall be consistent with those of the controlling institution. Diploma programs shall assume responsibility for formulating their own policies and submitting them for Board approval. The Board requires that transfer students complete, as a minimum, the senior or final level in the school granting the diploma or degree.

Source

The provisions of this § 21.103 amended October 22, 1976, effective October 23, 1976, 6 Pa.B. 2677; amended September 16, 1983, effective September 17, 1983, 13 Pa.B. 2829. Immediately preceding text appears at serial pages (30261) to (30262).

STUDENT SERVICES

§ 21.111. Health program.

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

(b) 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) Appropriate cumulative student health records shall be maintained throughout the enrollment of the student.

Source

The provisions of this § 21.111 amended October 22, 1976, effective October 23, 1976, 6 Pa.B. 2677; amended September 16, 1983, effective September 17, 1983, 13 Pa.B. 2829; amended March 22, 1991, effective March 23, 1991, 21 Pa.B. 1165; amended April 26, 1996, effective April 27, 1996, 26 Pa.B. 2005. Immediately preceding text appears at serial pages (209976) to (209977).

§ 21.112. Student employment.

(a) If students are employed in health agencies, they may not be employed as registered or practical nurses unless they are currently licensed.

(b) Student employment shall be on a voluntary basis and not a requirement of the institution.

(c) Remuneration for employment shall be within the range of the salary scale for the position.

Source

The provisions of this § 21.112 amended October 22, 1976, effective October 23, 1976, 6 Pa.B. 2677. Immediately preceding text appears at serial page (9715).

§ 21.113. Student housing.

Policies concerning student housing provided by the institution 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 extinguishers, housing exits and fire drills.

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

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

Source

The provisions of this § 21.113 amended October 22, 1976, effective October 23, 1976, 6 Pa.B. 2677. Immediately preceding text appears at serial page (9716).

§ 21.114. Counseling and guidance.

(a) The scope of the counseling program shall be clearly defined in accordance with the objectives of the program.

(b) A program should include personal, professional and academic counseling, initiated by either faculty or students.

(c) Adequate provisions should be made for referral of students to appropriate counselors when assistance is needed for solving problems of students.

Source

The provisions of this § 21.114 amended October 22, 1976, effective October 23, 1976, 6 Pa.B. 2677; amended September 16, 1983, effective September 17, 1983, 13 Pa.B. 2829. Immediately preceding text appears at

serial pages (30263) to (30264).

§ 21.115. Financial aid.

- (a) 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.
- (b) It is recommended that each school maintain a list of available resources for financial assistance and that applicants and students be informed of these resources.
- (c) Students accepting financial aid should be made aware of the provisions and responsibilities incurred with such assistance.

Source

The provisions of this § 21.115 amended October 22, 1976, effective October 23, 1976, 6 Pa.B. 2677. Immediately preceding text appears at serial page (9716).

§ 21.116. Students' rights.

There shall be written specific policies pertaining to students' rights and grievances, with procedures for implementation.

Source

The provisions of this § 21.116 amended October 22, 1976, effective October 23, 1976, 6 Pa.B. 2677; amended September 16, 1983, effective September 17, 1983, 13 Pa.B. 2829. Immediately preceding text appears at serial page (30264).

STUDENTS LICENSED IN OTHER JURISDICTIONS

§ 21.118. Post-basic nursing programs.

- (a) A registered nurse currently licensed in another jurisdiction of the United States or Canada who has graduated from an approved program of nursing and who is enrolled in an accredited graduate nursing program, a bachelor of science nursing program, or a refresher course in nursing may practice nursing in a clinical setting as required by the educational program of studies without obtaining a Pennsylvania license so long as the student does not receive compensation except in the form of stipends, scholarships and other awards related to the training program.
- (b) A student who meets the description in subsection (a) and who also desires to practice as a registered nurse while participating in the training program shall submit an application for licensure by endorsement and obtain a temporary practice permit as provided by § 21.28 (relating to licensure by

endorsement).

Source

The provisions of this § 21.118 adopted March 22, 1991, effective March 23, 1991, 21 Pa.B. 1165.

RECORDS

§ 21.121. Program records.

(a) A record system essential to the operation of the program shall be maintained.

(b) Records shall be kept in locked fireproof files.

Source

The provisions of this § 21.121 amended October 22, 1976, effective October 23, 1976, 6 Pa.B. 2677. Immediately preceding text appears at serial page (9717).

§ 21.122. Record maintenance.

Each nursing faculty shall select record forms specifically for the nursing

program and shall include the following:

(1) Student records, including the following:

(i) Permanent record, 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, including the following:

(i) ``Display portion`` of current nursing licenses.

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

(iii) Current record of continuing education activities.

(3) Administrative records, including 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) School bulletin, as follows:

(i) Shall be comprehensive and current, since it serves as a contract of agreement between the applicant or student and the school.

(ii) Shall include clearly defined refund policies governing fees and

tuition paid by the students.

(iii) Shall include clearly defined policies relating to admission,

promotion, retention, transfer, advanced placement and dismissal.

Source

The provisions of this § 21.22 amended October 22, 1976, effective October

October 23, 1976, 6 Pa.B. 2677. Immediately preceding text appears at serial pages

(9717) to (9718).

§ 21.123. Access and use of records.

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

(b) No information may be released from a student's record without written permission of the student.

Source

The provisions of this § 21.123 amended October 22, 1976, effective October 23, 1976, 6 Pa.B. 2677. Immediately preceding text appears at serial

page (9718).

§ 21.124. Records to be filed with Board.

(a) An annual report of the school of nursing 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 licensing examination. The transcript shall bear the impression of the school seal and signature of the director of the school or authorized representative.

Source

The provisions of this § 21.24 amended October 22, 1976, effective October

October 23, 1976, 6 Pa.B. 2677; amended September 16, 1983, effective September 17,

1983, 13 Pa.B. 2829. Immediately preceding text appears at serial pages (78859) to (78860).

§ 21.125. Custody of records.

(a) When a school closes, the controlling institution shall be responsible for the safekeeping of the records of students, and official copies shall be made available upon request.

(b) If the controlling institution also closes, advice should be obtained from the Board concerning the permanent safekeeping and availability of the records of the school of nursing.

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

Source

The provisions of this § 21.125 adopted October 22, 1976, effective October 23, 1976, 6 Pa.B. 2677.

#### Cross References

This section cited in 49 Pa. Code § 21.41 (relating to notification; completion of program; records).  
§ 21.126. [Reserved].

#### Source

The provisions of this § 21.126 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 (103882).

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