

TITLE 3: HUMAN RESOURCES
DIVISION 2: HEALTH

§ 2306. Commonwealth Board of Nurse Examiners: Power and Duties.

The Board shall:

(a) Be responsible for enforcing the provisions of this chapter. The Board shall have all of the duties, powers and authority specifically granted by and necessary to the enforcement of this chapter, including subpoena power, the ability to promulgate rules and regulations necessary to implement the intent of the Nurse Practice Act, as well as such other duties, powers and authority as it may be granted by law;

(b) Be authorized to make, adopt, amend, repeal and enforce such administrative rules consistent with law as it deems necessary for the proper administration and enforcement of this chapter and to protect the public health, safety and welfare;

(c) Be authorized to make, adopt, amend, repeal and enforce such administrative rules consistent with law, as it deems necessary for regulation of advanced nursing practice;

(d) To meet annually in the month of January and elect from its members a chairman and a vice-chairman/secretary, and hold other meetings as necessary to transact its business; provided, that four members of the board shall constitute a quorum at any meeting.

(e) Further be authorized to do the following without limiting the foregoing:

(1) Develop and enforce qualifications for licensure;

(2) Develop and enforce standards for nursing practice and nursing education;

(3) License qualified applicants by examination or endorsement, and renew and reinstate licenses;

(4) Develop standards for maintaining the competence of licensees continuing in or returning to practice;

(5) Collect and analyze data regarding nursing education, nursing practice, and nursing resources;

(6) Discipline licensees as needed;

(7) Regulate the manner in which nurses announce their practice to the public;

(8) Issue a special license to practice nursing to an individual to practice within a modified scope of practice or with accommodations or both, as specified by the Board.

(9) Inform licensees on an established basis about changes in law and rules regarding nursing practice;

(10) Maintain records of all proceedings;

(11) Provide consultation, conduct conferences, forums, studies and research on nursing education and practice;

(12) Employ a qualified Registered Nurse to serve as executive director and approve such additional staff positions as may be necessary, in the opinion of the Board, to administer and enforce the provisions of this chapter;

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(13) Maintain membership in national organizations to include but not limited to the National Council of State Boards of Nursing that develop and regulate the national nursing licensure examinations and exclusively promote the improvement of the legal standards of the practice of nursing for the protection of the public health, safety and welfare, and follow nationally recognized guidelines for oversight of nurses and advance practice registered nurses.

(14) Determine and collect reasonable fees;

(15) Receive and expend funds in addition to appropriations from the Legislature, provided that such funds are received and expended for the pursuit of the authorized objectives of the Board of Nursing; such funds are maintained in a separate account; and periodic reports of the receipt and expenditures of such funds are submitted to the Governor and Legislature subject to audit every two years by the public auditor; and

(16) Adopt a seal which shall be in the care of the executive director and which shall be affixed only in such a manner as prescribed by the Board.

This chapter shall not be construed to require the Board to report violations of the provisions of the chapter whenever, in the Board's opinion, the public interest would be served adequately by a suitable written notice of warning.

Source: PL 14-62, § 2 (2306); (a) and (e)(13) amended by 16-34 §§ 5 and 6, respectively.