



**Pennsylvania
Psychiatric Society**

The Pennsylvania
District Branch of the
American Psychiatric Association

#2700

September 26, 2008

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2008 OCT 14 PM 1:26

INDEPENDENT REGULATORY
REVIEW COMMISSION

Mr. Arthur Coccodrilli, Chairman
Independent Regulatory Review Commission
14th Floor, Harristown 2
333 Market Street
Harrisburg, PA 17101

RE: Proposed Clinical Nurse Specialist Regulations

Dear Chairman Coccodrilli:

As President of the Pennsylvania Psychiatric Society (Society), I am writing to comment on the revised final version of the proposed clinical nurse specialist (CNS) regulations as approved by the State Board of Nursing on September 8, 2008. The Society is an organization representing approximately 1,700+ psychiatrists practicing across the Commonwealth.

When reading the Board of Nursing proposed Regulations #16A-5133, we are extremely concerned that important, agreed-upon provisions within Act 49 of 2007 (Act) are noticeably absent in the proposed regulations. We will highlight those relevant portions below:

- Section 8.6. Scope of Practice for Clinical Nurse Specialists.

In the Act, it reads as follows:

Scope of Practice for Clinical Nurse Specialist.--(a) Nothing in this act shall permit a clinical nurse specialist to engage in the practice of medicine or surgery as defined in the act of December 20, 1985 (P.L.457, No.112), known as the "Medical Practice Act of 1985"; perform acts of medical diagnosis; or prescribe medical therapeutic or corrective measures. The restrictions in this subsection apply to both physical and mental disorders. (b) Nothing in this act shall be construed to limit or prohibit a clinical nurse specialist from engaging in those activities which normally constitute the practice of nursing, including a nursing diagnosis, as defined in section 2.

As a Society, we have worked closely with House and Senate members, the PA Academy of Family Physicians, and various representatives from the CNS field over the past few years to come up with consensus language detailed within Section 8.6 that would afford the CNS title recognition that was the focus of House Bill 1254 (Act 49 of 2007), while ensuring that the CNS would continue to practice within their scope currently afforded them in statute. For that reason, we must insist that this section be included in the proposed regulations verbatim. Placing this section within the regulations also allows the State Board of Nursing (the Board) to discipline those individuals who violate this provision more effectively, as provided in § 21.831 Penalties for Violations. The Society highly recommends that the scope of practice for CNS appear in the final regulations.

President
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Melvin P. Melnick, MD

Past President
Kimberly R. Best, MD

Vice President
Michael Feinberg, MD, Ph.D.

Treasurer
James D. Hegarty, MD

Secretary
Mary Anne Delaney, MD

Executive Director
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INDEPENDENT REGULATORY
REVIEW COMMISSION

The Honorable Robert M. Tomlinson, Chair
Senate Consumer Protection and Professional Licensure Committee
Room 362, Main Capitol Building
Harrisburg, PA 17120-3006

RE: Proposed Clinical Nurse Specialist Regulations

Dear Senator Tomlinson:

As President of the Pennsylvania Psychiatric Society (Society), I am writing to comment on the revised final version of the proposed clinical nurse specialist (CNS) regulations as approved by the State Board of Nursing on September 8, 2008. The Society is an organization representing approximately 1,700+ psychiatrists practicing across the Commonwealth.

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INDEPENDENT REGULATORY
REVIEW COMMISSION

The Honorable P. Michael Sturla
Chairman, House Professional Licensure Committee
Room 333, Main Capitol Building
Harrisburg, PA 17120-2096

RE: Proposed Clinical Nurse Specialist Regulations

Dear Representative Sturla:

As President of the Pennsylvania Psychiatric Society (Society), I am writing to comment on the revised final version of the proposed clinical nurse specialist (CNS) regulations as approved by the State Board of Nursing on September 8, 2008. The Society is an organization representing approximately 1,700+ psychiatrists practicing across the Commonwealth.

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