

## **Expectations of Korean Nursing Students Regarding the Enactment of Nursing Law**

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### **ABSTRACT**

**This descriptive survey aimed to determine Korean nursing students' expectations regarding enacting the nursing law. The participants were 150 nursing students. Data were collected from October 1 to October 15, 2024. The average score for expectations and perceptions regarding the enactment of nursing law was 4.42 points (out of 5 points). The item with the highest score was: "The roles and scope of work of specialized nurses in each field will be clearer, which will help establish a specialized nurse system." The Korean Nursing Law has taken its initial steps. However, further discussion and development are necessary to safeguard nurses' rights and ensure patient safety.**

**Keywords:** nursing, law, expectation.

### **INTRODUCTION**

The Republic of Korea affirms the people's right to health in Article 36, Paragraph 3 of the Constitution. It has established the Medical law and other health and medical-related laws and regulations to outline specific provisions [1]. Specifying the responsibilities, authority, duties, and scope of work for medical professionals within systematic health and medical legislation is essential to safeguarding the health of the people who are the recipients of medical care. Recognizing this necessity, the Korean Nurses Association initiated efforts to enact a nursing-only law and formalized these activities in 2003[2].

Approximately 80 countries have enacted and implemented nursing laws as standalone laws. Further, the International Council of Nurses (ICN) proposes a standard Nursing law for each country. Additionally, the World Health Organization (WHO) suggests that nursing law should include a definition of nursing, purpose, nursing field, roles and actions of nursing personnel, education level, quality level of educational institutions, and education for quality nursing services [3].

Discussions on enacting the Nursing law in Korea have been intermittent since the early 2000s. Nonetheless, full-scale legislation began in the mid-2010s. Meanwhile, the nursing law was repeatedly proposed and abolished by the National Assembly, and its passage was frustrated by conflicts with the medical profession [4]. However, as nurses' dedication was re-examined owing to the coronavirus disease 2019 pandemic, the social demand for enacting the Nursing law grew even more potent. Additionally, as the role of nurses became more critical because of the aging population and the increase in chronic diseases, the need to enact the Nursing law gradually gained consensus [5]. Finally, discussions on Korean Nursing laws were not fully enacted until 2024. The nursing law was enacted on September 20, 2024, and is scheduled to go into effect on June 21, 2025.

The Korean Nurses Association states that the nursing law has established a legal foundation for training skilled nurses and protecting people's health in preparation for a super-aging society. They emphasized that nursing law protects people's health and patients' stability and explained that it is a law for the entire nation that is beyond the interests of nurses [6].

This study aimed to investigate the expectations of nursing law by nursing students who will play the role of prospective nurses under the law enacted in 2024. It aimed to provide basic data that can reflect the needs of nursing communities in implementing nursing laws.

## METHODS

### Study Design

This descriptive study aimed to determine Korean nursing students' expectations regarding the enactment of the nursing law.

### Participants and Data Collection

The participants were 150 nursing students. Data were collected from October 1 to October 15, 2024. The questionnaire used a structured questionnaire. In upholding ethical standards, the study's purpose and methodology were explained to participants before distributing the questionnaire. The study was conducted exclusively with individuals who voluntarily agreed to participate and provided written consent.

### Survey and Analysis Contents

The survey comprised nine questions, including eight objective and one subjective question regarding the perception of the enactment of nursing law. Eight questions were measured on a five-point Likert scale, with five points for "very much so" and 1 point for "not at all." One question required participants to subjectively describe "what needs to be revised or supplemented in the enacted nursing law." The collected data were analyzed for mean and standard deviation, while the descriptive responses were evaluated using content analysis.

## RESULT

### Nursing Students' Expectations Regarding the Enactment of The Nursing Law

Expectations for enacting the nursing law were high, with an average score of  $4.42 \pm 1.102$  (out of 5). The item with the highest expectation was "The enactment of the Nursing law will help to establish the specialized nurse system by clarifying the roles and scope of work of specialized nurses in each field" (Table 1).

**Table 1: Nursing students' expectations regarding the enactment of the nursing law**

	문항	Mean $\pm$ SD
1	It is expected that the enactment of the Nursing law will protect patients and nurses by establishing the roles and scope of work of nurses by law.	$4.33 \pm 1.202$
2	It is expected that enacting the Nursing law will help establish the specialized nursing system by clarifying the roles and scope of work of specialized nurses in each field.	$4.58 \pm 1.147$
3	It is expected that the quality of nursing will improve with the enactment of the Nursing law.	$4.41 \pm 1.072$
4	The scope of nursing is expected to become clearer with the enactment of the Nursing law.	$4.39 \pm 1.105$

5	It is expected that the enactment of the Nursing law will bring about changes in nurses' working environment.	4.37±1.149
6	It is expected that the status of nursing will be elevated with the enactment of the Nursing law.	4.35±1.107
7	It is expected that nursing will advance as a result of the enactment of the Nursing law.	4.45±1.270
8	Some parts of the current Nursing law need to be revised or supplemented.	4.45±1.202
Total		4.42±1.102

### Contents to be Revised or Supplemented in The Enacted Nursing Law

In the Nursing law, as addressed in subjective questions, the most frequently mentioned areas for revision and supplementation included clarifying the "demarcation line between doctors and nurses." Additionally, respondents suggested the need for legal improvements in areas such as "legislation on the nurse-to-patient ratio" and "enhancement of the work environment."

### DISCUSSION

In Korea, the Nursing law has been discussed for a long time, but it was not fully enacted until 2024 because of conflicts between professional nurses and political debates. This study investigated nursing students' expectations of the Nursing law.

Based on this study, the item with the highest level of expectation was "The enactment of the Nursing law will help to establish the professional nurse system by clarifying the roles and scope of work of professional nurses by field." One of the main contents of the Korean Nursing law, enacted in 2024, stipulates the qualification requirements and rights of nurses. In particular, it strengthens the qualification standards for professional nurses [7]. This section was shown to have high expectations regarding the enactment of the Nursing law among nursing students.

Additionally, the analysis results of subjective questions showed that the most necessary part for revision and supplementation in the Nursing law enacted in 2024 was "clarification of the boundaries between doctors and nurses." The main controversy surrounding enacting the Nursing law in Korea stems from conflicts among professional nurses. The Korean Medical Association argued that the Nursing law could create confusion by separating the medical system [8]. In contrast, the Korean Nurses Association maintained that the law clearly defines nurses' duties and establishes a legal foundation for delivering improved medical services to the public. Even after implementing the Nursing law in 2025, conflicts within the medical community will likely continue. Moreover, the debate over the boundaries of duties between doctors and nurses remains a task that needs to be resolved [9].

The enactment of the Nursing law in 2024 in Korea was the first step toward protecting nurses' legal status and rights. In increasing the effectiveness of the law, specific content such as the legalization of the number of patients per nurse, standards for deploying nurses in rural and fishing villages, and the expansion of community nursing services should also be reflected [10]. In the future, legal supplementation and cooperation between medical professionals will be necessary to realize the Nursing law's purpose, protect nurses' rights and interests, and enhance their professionalism.

## CONCLUSION

Nursing students showed high expectations for the development of nursing because of the enactment of the Nursing law. Along with the Nursing law's enactment, nurses' role is expected to expand further in line with the paradigm shift toward community-centered health care due to an aging society and an increase in chronic diseases. The Korean Nursing law has just taken its first steps, but more discussion and development are needed to ensure the rights of nurses and patient safety.

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