

BILL ANALYSIS

Senate Research Center

C.S.S.B. 617
By: Moncrief
Health & Human Services
3-11-97
Committee Report (Substituted)

DIGEST

Currently, the Texas Board of Nurse Examiners (board) has no system in place designed specifically to assess the clinical competency of its registered nurses. This legislation authorizes the board to develop a pilot program to evaluate the mechanisms presently in place for assuring high professional nursing standards, including targeted continuing education and proactive peer review. This bill also more closely outlines the procedure regarding disqualification of individuals from licensure as professional nurses upon graduation, and changes the composition of the board to include an advanced practice program representative, rather than a diploma program representative.

PURPOSE

As proposed, C.S.S.B. 617 establishes the licensure and regulation of nurses, including the development of certain pilot programs by the Board of Nurse Examiners.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Article 4518, V.T.C.S., by adding Section 8, as follows:

Sec. 8. Defines "pilot program," "proactive nursing peer review," and "targeted continuing nursing education." Sets forth the terms by which the Board of Nurse Examiners (board) is authorized to develop pilot programs to evaluate the effectiveness of mechanisms for assuring maintenance of clinical competency by registered nurses; and that registered nurses understand the laws and regulations governing the practice of professional nursing. Authorizes the board to expend funds to develop or fund pilot programs; and to contract and make other arrangements with entities and individuals to implement this section. Sets forth the composition of the advisory committee with which the board is required to consult in developing, administering, and funding pilot programs. Establishes the exemptions and alternatives regarding rules adopted under this chapter, mandatory reporting and peer review, and nursing peer review committees. Sets forth the terms by which the board is required to issue an annual report and status report. Requires a final report to be issued by the board not later than September 1, 2000.

SECTION 2. Amends Section 1, Article 4513, V.T.C.S., to provide that one of the six board members is required to be a registered nurse faculty member in a graduate school of nursing preparing Advanced Practice Nurses, rather than a faculty member in a school of nursing pursuing the Diploma Program. Makes a conforming change.

SECTION 3. Amends Article 4519a, V.T.C.S., to authorize the board to require individuals accepted for enrollment or enrolled in an educational program preparing students for initial licensure as registered nurses to submit certain information, and provides an alternative. Sets forth the terms by which the board is required to handle the determination that an individual may not be eligible for licensure upon graduation. Makes conforming changes.

SECTION 4. Amends Article 4525(a), V.T.C.S., as amended by Section 8, Chapter 840, Acts of the 73rd Legislature, 1993, to establish the terms by which a person is not entitled to a hearing on a refusal to renew a license.

SECTION 5. Effective date: September 1, 1997.
Effective date for SECTION 2: January 31, 1999.

SECTION 6. Emergency clause.

SUMMARY OF COMMITTEE CHANGES

Amends SECTION 1, Section 8(f), Article 4518, V.T.C.S., to require a final report to be issued by the board not later than September 1, 2000, rather than June 1, 2000.

Amends SECTION 2, Section 1, Article 4513, V.T.C.S., to make a conforming change.

Amends SECTION 3, Section 2(b), Article 4519a, V.T.C.S., to delete the provision requiring the board to notify the educational program that an individual will need to resolve the eligibility issue by a certain time; and prohibiting the school from enrolling the student beyond a certain point without the board's written approval.