

## **BILL ANALYSIS**

Senate Research Center  
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H.B. 4353  
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Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Under current law, a foreign-educated person applying for a license to practice nursing in Texas must pass a series of examinations, including the Test of English as a Foreign Language (TOEFL). Virtually the entire area along the Texas-Mexico border is classified as a medically underserved area and has a shortage of nurses. However, even though current law requires passage of other examination components that are in English, such as the National Council Licensure Examination, some qualified nurses are prevented from acquiring a license in Texas because of the score requirement on the TOEFL.

H.B. 4353 authorizes the Texas Board of Nursing to issue a special license for the purposes of practicing nursing in a county that borders Mexico. The bill provides the same licensing requirements as current state nursing licenses with the exception of requiring a score of 475 on the TOEFL, rather than 560. Additionally, the bill provides that a special license issued under this section is valid for one year and is prohibited from being renewed.

H.B. 4353 amends current law relating to the licensing of certain nurses who will practice in border counties.

### **RULEMAKING AUTHORITY**

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

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Subchapter F, Chapter 301, Occupations Code, by adding Section 301.262, as follows:

Sec. 301.262. SPECIAL LICENSE. (a) Authorizes the Texas Board of Nursing (BON) to issue a license under this section to a person licensed to practice nursing in Mexico if the person graduated from an accredited nursing program in Mexico, provides a report acceptable to BON issued by a credentials evaluation service approved by BON, applies on a form prescribed by BON and pays the fee required by BON, has received a score of at least 475 on a Test of English as a Foreign Language examination, has received a score acceptable to BON on an English language version of the appropriate National Council Licensure Examination, is eligible for employment in the United States, and will practice nursing in a county that borders Mexico.

(b) Provides that a license issued under this section is valid for one year and is prohibited from being renewed. Authorizes a person who holds or has held a license under this section to apply for another type of license under this chapter.

(c) Authorizes a person who holds a license issued under this section to practice nursing only as an employee of a hospital located in a county that borders Mexico.

(d) Provides that a person who holds a license issued under this section is not entitled to a multistate licensing privilege to practice under the Nurse Licensure Compact under Chapter 304 (Nurse Licensure Compact).

(e) Provides that this section expires September 1, 2013.

SECTION 2. Effective date: September 1, 2009.