

From: [Sunset Advisory Commission](#)
To: [Cecelia Hartley](#)
Cc: [Trisha Linebarger](#)
Subject: FW: Public Input Form for Agencies Under Review (Public/After Publication)
Date: Tuesday, November 08, 2016 4:18:20 PM

-----Original Message-----

From: sundrupal@capitol.local [<mailto:sundrupal@capitol.local>]
Sent: Tuesday, November 08, 2016 4:11 PM
To: Sunset Advisory Commission
Subject: Public Input Form for Agencies Under Review (Public/After Publication)

Agency: TEXAS BOARD NURSING BON

First Name: Patricia

Last Name: Recek

Title: Dean Health Sciences

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Your Comments About the Staff Report, Including Recommendations Supported or Opposed:

Board of Nursing: Issue 2: Broad and Subjective Standards Extending Beyond the Practice of Nursing Could Lead to Harsher Sanctions for Nurses.

Key Recommendations

- Clarify the definitions of unprofessional conduct and good professional character to limit their application to the practice of nursing.
- Direct the board to review its criminal conduct guidelines to limit disciplinary action to crimes directly related to the practice of nursing.

I have over 40 years of nursing experience, 24 being as a nurse educator. I am concerned that the recommendations would limit the Board's ability to do its job adequately to protect the public-- nursing is the most trusted profession in the country and limiting the Board could seriously erode that trust and jeopardize public safety.

The commission provided three examples of where they felt a nurse had been unfairly disciplined-- but how many cases does the board review every year?

My take on the examples was more about the fact that the nurse failed to report the crime, rather than the offense itself. That failure to report as mandated can be seen as relating to the ability or capacity required to perform duties--would they report an error? In some of my experiences, I have felt that the board too lenient?

A nurse's actions in their private lives is related to their professional role. We see many professions sanction or discipline members based on actions outside their role--i. e. DUI conviction when not on duty and law enforcement/fire department.

Our clinical partners require the background checks and designate those offenses that they feel relates to the safety

of their patients. Students with those convictions are not allowed in the clinical setting.

Any Alternative or New Recommendations on This Agency: There are always opportunities for review to provide a more objective criteria, but professional behavior is not limited to objective measures and some ability to use professional judgment to make a determination is essential to the Board's role.

My Comment Will Be Made Public: I agree