

# TEXAS BOARD OF NURSING

*H.B. 2950 Burkett (Hinojosa) — Sunset Bill*

*H.B. 2561 S. Thompson (V. Taylor) — Prescription Monitoring Program*

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## **Excelsior College Exception**

- Remove the December 31, 2017 expiration date for Excelsior College's exception to initial licensure requirements and create a process, similar to steps for an in-state nursing program, for program improvement or expiration of the exception if Excelsior's national exam passage rate falls below the board's standard.
- Require the board to develop a path to initial licensure for graduates of out-of-state nursing programs that are determined not to be substantially equivalent to Texas programs.

## **Enforcement**

- Limit the use of subjective standards for licensure decisions by requiring the board to demonstrate a connection between a nurse's conduct and the practice of nursing.
- Require the board to remove a nurse's disciplinary action from the board's website and the public coordinated licensure information system if the nurse and action meet certain criteria.
- Direct the board to review its criminal conduct guidelines to limit disciplinary action to crimes directly related to the practice of nursing. (Management action – nonstatutory)

## **Peer Assistance Program**

- Require the board's peer assistance program to develop and use flexible program requirements in line with impaired nurses' needs and diagnoses.
- Require the board to create a formal process to allow students an opportunity for re-evaluation of participation in peer assistance upon initial licensure.
- Require the board to adequately measure the effectiveness of its peer assistance program.
- Direct the board to designate a contract manager assigned to the peer assistance program. (Management action – nonstatutory)
- Direct the board to require its peer assistance program to publicly post information about the various program tracks and requirements. (Management action – nonstatutory)

**Prescription Monitoring Program**

- Beginning September 1, 2019, require advanced practice registered nurses to check the Prescription Monitoring Program database before prescribing certain controlled substances, with certain exemptions. (H.B. 2561)
- Require the board to develop guidelines for responsible prescribing of certain controlled substances and to monitor prescribing patterns of licensees, and allow the board to open investigations based on information obtained from the Prescription Monitoring Program. (H.B. 2561)
- Require the board to provide licensee information to the pharmacy Board, and require the pharmacy Board to use this information to automatically register practitioners to use the Prescription Monitoring Program. (H.B. 2561)

**Nurse Licensure Compact**

- Adopt the new Nurse Licensure Compact to ensure continued nurse mobility.

**Administrative Hearings**

- Prohibit the board from charging a nurse for the administrative costs of conducting an administrative hearing.
- Prohibit the board from changing an administrative law judge's findings of fact or conclusions of law in issuing a disciplinary order.

**Religious Freedom Protections**

- Prohibit rulemaking action that would violate religious freedom protections in Chapter 110, Civil Practice and Remedies Code.

**Certification for Death Certificates**

- Allow an advanced practice registered nurse to sign a medical certification for a death certificate if the patient received hospice or palliative care.

**Continue**

- Continue the Texas Board of Nursing for 12 years.

**Standard Review Elements**

- Update the standard across-the-board requirement related to board member training.
- Discontinue the board's two reporting requirements and eliminate associated, but duplicative, authority for nurse competency pilot programs.