

Agenda Item: 1.3
Prepared by: Bruce Holter/BNE Staff
Meeting Date: April, 2007

Legislative Report - 80th Regular Texas Legislative Session: April, 2007

The legislative report that follows includes all legislation being monitored by Board staff. The agency is currently monitoring more than 260 House and Senate bills. At the time this report was prepared, 5,921 bills had been filed in the legislature. On May 7, the 119th day of the Session, any House bill not out of committee will no longer be eligible to continue forward in the legislative process. The last day of the regular legislative session is May 28, 2007. The last day that the Governor can sign, veto or take no action on bills passed in the House and Senate is June 17. The first bills appearing in this report are those amending the Nursing Practice Act, followed by bills affecting agency operations. The remainder of the bills appearing in this report are sorted by categories.

Bills Amending Nursing Practice Act

| Bill Number | Bill Summary | Author(s) | Implications for BNE/NPA | Effective Date |
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| <p>HB 1362</p> <p>SB 761</p> <p>Reporting Protection/Peer Review</p> <p>MBT/CM/VA</p> | <p>Relating to reports of nurses of certain conduct and protection from retaliation.</p> <p>Consolidates provisions regarding patient safety reports (when a patient(s) is/are exposed to substantial risk of harm) by a nurse as well as retaliatory protection provisions. Establishes when a request for a nursing peer review determination is deemed to have been made in good faith. Increases minimum recovery for nurses who are retaliated against for filing a required report in relation to patient safety or for requesting safe harbor peer review. Employer would be required to consider PRC determination before disciplining a nurse who refused to engage in conduct.</p> | <p>HB: Howard, King</p> <p>SB: Nelson/Uresi</p> | <p>Amends NPA: 301.402, 301.413, Adds new section 301.4025.</p> <p>Strengthens retaliatory protection for nurses who report a licensed health care practitioner or facility for exposing a patient to substantial risk of harm. Also requires employers to implement peer review before disciplining a nurse who has requested a peer review determination for safe harbor for refusal to engage in certain conduct.</p> | <p>If enacted, 9/1/07</p> <p>HB 1362 to House Public Health on 2/19.</p> <p>SB761 Read 3rd time and engrossed 3/28; to House PH comm. 3/30.</p> |

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| <p>HB 1707</p> <p>Hospital Patient Protection Act</p> <p>CM</p> | <p>Would amend Tx Occ Code (NPA) Chs. 301 and delete Ch 303 Peer Review; amends Ch. 241 Health and Safety Code. Adds definition of “Direct Patient Care RN” (DPC-RN) to 301.651 (no definition or inclusion of LVNs anywhere in the bill); adds 301.652 elaborating on scope and duties a DPC-RN and provides that only a DPC-RN can assess patients and only DPC-RNs in acute care hospital settings have whistle-blower protections. Would require DSHS and BNE to determine CNO requirements in hospitals; defines “competency” broadly (241.255) and would apply to all nurses and to unlicensed assistive personnel (does not mention delegation); Min. Staffing in various units (241.257(17) & (19); Would require BNE and HHSC to collectively develop a patient classification system applicable to acute care facilities, including appointing a committee of 35, 18 of which must be RNs in direct care. Must also pay for their time at meetings and travel expenses for meetings (adopt rules re: this by 3/1/09); 241.055–adds violation of Ch 301 to civil penalty for hospital; would require BNE staff to testify in civil hearings to determine extent of factors involved in violation. Addresses pt. Advocacy in 301.355. Would amend 301.401 such that</p> | <p>Coleman</p> <p>Allen Burnham Gallego Rodriguez</p> | <p>Deletes Ch 303 Peer Review in it’s entirety Deletes 301.401, 301.402(a), (c), (e), and (f), 301.403-301.410, 301.411(b), 301.414-301.419. Adds prescriptive language defining practice of a “direct patient care RN” and amendments deal strictly with DPC-RN and practice, retaliatory protections, etc only in acute care settings.</p> | <p>Referred to PHC 2/28/07</p> <p>As of 4/6 no action.</p> |
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| <p>HB 1707</p> <p>Hospital Patient Protection Act</p> <p>CM</p> | <p>Statutory basis for rules 217.11 and 217.12 would be removed, as well as grounds for reporting a nurse who is believed to have violated the NPA or rules by another nurse (301.402), a peer review committee (301.403), an employer (301.405), or a state agency (301.407). Deletes 301.402(a), (c), (e), and (f), and amends (b) and (d) to delete mandatory reporting of another nurse to the BNE—narrows scope of mandatory reporting by a RN to only violations by an acute care hospital to DSHS. Deletes consideration of reports required under 301.403 (delete incident-based peer review), & 301.405-301.410. (Reporting of a nursing student, reporting by employer, professional organization, state agency, liability insurer, prosecuting attorney, or reporting to peer assistance program); this last deletion would place BNE in violation of Ch 467 H&S Code to provide a peer assistance program for licensees.</p> <p>Sec 301.452(b)(14) (new) related only to an acute care hospitals</p> <p>Deletes 301.411(b) permitting any agency to take action on a person whom they regulate for failure to report a nurse for violations. Deletes 301.414-.417 removing notification of nurse who is reported as well as</p> | | | |
| | <p>anonymity of person reporting the nurse & BNE cannot retain records if determine no immediate action is needed.</p> <p>Deletes 301.418 re: Disclosure of (formal) Charges against a nurse; deletes 301.419 re:Minor Incidents (which would also delete Rule 217.16).</p> | | | |

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| <p>HB 2158</p> <p>Nsg Peer Review & Reg of Nsg Practice</p> <p>Companion SB993 Nelson</p> <p>CM</p> | <p>Adds def of CNO and Pt. Safety Committee to 301.002</p> <p>Amends 301.303 (CE)–board cannot exceed requiring 20hrs CE/biennium.</p> <p>Chg Title of 301.401 to REPORTING VIOLATIONS AND PATIENT CARE CONCERNS; Amend/clarify reportable conduct & add definitions under 301.401</p> <p>Amend 301.402(b) and (e) to allow a nurse or another agency to report to a PRC instead of the BNE (would satisfy reporting requirement); A report to BNE is not required if a PRC determines conduct was minor incident OR the nurse has ALREADY been reported to the Board.</p> <p>Deletes definition of Nsg Educ Program from 301.404 as added to 301.401.</p> <p>Amends 301.405(b), (c), & (e) [and deletes (d), (f), (g), & (h)]; clarifies reporting duty of employer as related to nurse’s actions that constitute reportable conduct: PRC to determine if system factors impacted nsg error and to report same to a patient safety committee or the CNO; clarification language that admin. Decisions are not subject to peer review.</p> <p>301.407 amended to permit reporting of nurse to PRC (by another state agency) vs. BNE</p> <p>301.457 Add subsection (g) reports REQUIRING the BNE to report systems issues to patient safety committee at a facility or CNO if believe a nurse’s deficiency in care was the result of a factor beyond the nurse’s control</p> <p>303.001 add definition of Patient Safety Committee.</p> <p>303.001 Add (4-a) Definition of Patient</p> | <p>McReynolds</p> <p>Companion Nelson</p> | <p>Amends lots of small sections of 301 and 303 relating to peer review. One big change would be requiring facilities to have a Patient Safety Committee (PSC) to look at systems issues. Some good clarification changes. A few things that don’t make sense. (See add’l comments below).</p> <p>Places membership requirements back on 303.003 (RN PR = 2/3 must be RNs and only RNs vote) BIG improvement for SH PR—as long as 10 nurses—a nurse can invoke SH (current—there have to be 5 RNs for a RN to invoke SH—under bill—there could be 9 LVNs and 1 RN.</p> <p>Sharing of information re: systems to Pt Safety Committees good; however, PRC cannot wait on a report back from PSC to make a determination on the nurse from a peer review stand point, PRC has authority to decide if systems mitigating and to what extent bec. They know what should be within nurse’s responsibility regardless of systems.</p> | <p>Both bills reported favorably out of committee 4/4/07</p> <p>HB substituted (text not available).</p> <p>SB 993 to Calendars 4/12</p> <p>Effective immed if voted by 2/3 of House and Senate; otherwise 9/1</p> |
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| | <p>Safety Committee (to match 301.002) Add section 303.0015 REQUIRED ESTABLISHMENT OF NURSING PEER REVIEW COMMITTEE; requires 10 or more “nurses” for a peer review committee of EITHER LVN or RN {303.005(h) re: having at least 5 RNs to peer review a RN is deleted} Slight amendment to 303.005(b) re: request for Safe Harbor peer review “for request under 303.0015”—but no amending of “old” language that says the request is “on a form developed or approved by the board.”[Not required under rule 217.20]. Amends 303.011(Evaluation by PRC)—adds language already in Rule 217.10 re: PRC determining if errors a result of “deficiencies in...nurse’s judgment, knowledge, training, or skill rather than other factors beyond the nurse’s control.” Further requires PRC to report their findings of system issues to the Pt. Safety Committee, and for the Pt. Safety Committee to report it’s findings back to PRC. In addition to deleted sections already mentioned, deletes 310.303(d), 301.352(e), 301.402(a), and 301.419(a).</p> | | | |
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| <p>HB 2426 BNE Sunset Bill companion SB 907</p> | <p>Amends various sections of Ch. 301 and makes conforming changes to Chapters 303 and 304 Tx Occ Code. Changes the agency name; continues the Texas Board of Nursing until 2017. Adds Ch. 305 relating to Advanced Practice Nurse Compact (multi-state recognition).</p> | <p>Truitt, Cook, McLendon, Kolkhorst, Flynn Co-Author: Villarreal SB 907: Deuell</p> | <p>Continues the operations of the agency. Amends various sections of Ch. 301 and adds Ch. 305 to the NPA.; makes conforming changes to Chs. 303 and 304. Requires the Texas BON to report to the Sunset Commission by 11/1/08 regarding implementation of non-statutory recommendations. Many recommendations have already been adopted into</p> | <p>Reported favorably as substituted out of Public Health Committee 3/28; Report printed and sent to Calendars 4/5. SB 907: Referred to Government</p> |
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| | <p>Makes conforming changes in other statutes to coincide with the agency's name change.</p> <p>HB 2426: amends Occupations Code to continue the BNE until 2017; changes name of the Board of Nurse Examiners to the Texas Board of Nursing; amends grounds for removal of a member of the board; and provides for per diem travel expenses, as provided by the General Appropriations Act for board members. BNE required to create or amend rules on: establishing guidelines concerning the consequences of criminal conviction or deferred adjudication; accreditation of nursing and education programs through one or more national nursing accrediting agencies recognized by the United States Department of Education; establishing the purpose, role, responsibility, and goal of an advisory committee; the establishment of rules which encourage the use of negotiated rulemaking procedures and alternative dispute resolution; establishing examination requirements, administration, and procedures; amending requirements of a person who is required to report a nurse who is impaired or suspected of being impaired; the peer assistance program; and providing a schedule of sanctions. The bill would require the Texas Board of Nursing to accept the requirements for accrediting the governing institution of a school of nursing of the Texas Higher Education Coordinating Board. The bill would require the collaboration of the Texas Board of Nursing, the Workforce Commission, and the Texas Higher Education Coordinating Board to</p> | | <p>agency rules. There are ongoing efforts to implement recommended changes by the Sunset Commission and changes anticipated by the Legislature.</p> | <p>Organization 3/7; no further action as of 4/11.</p> <p>If enacted, 9/1/07</p> |
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| | implement a plan for the creation of innovative nursing education models that promote increased enrollment in the state's nursing programs. The bill would allow employees of the board to dismiss a complaint under certain criteria. The bill would establish a jurisprudence examination. The bill would enact the Advanced Practice Registered Nurse Multi-state Compact. | | | |
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| HB 2500 Nursing Diploma Programs (Robbin) | Relating to certain requirements for a program of study prescribed by the Board of Nurse Examiners for registered nurses. | Gonzalez Toureilles | Will require the BNE to approve any diploma program that maintains programmatic accreditation from a nursing accrediting agency recognized by the US Dept. Of Education. Diploma program must satisfy the BNE's other standards for a prescribed course of study for an approved school of nursing or educational program. | <u>Last Action:</u> H Left pending in committee 03/21/2007. H Testimony taken in committee 03/21/2007. H Considered in public hearing 03/21/2007. H Scheduled for public hearing on 3/21/2007. With 2/3 vote of both houses, bill is effective immediately or on 9/1/07. |
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| <p>HB 3000</p> <p>Therapeutic Optometrists</p> <p>(SB 1265 is companion but not indicated as such)</p> <p>CM</p> | <p>Amends several sections of Tex. Occ. Code relating to Definition of Therapeutic Optometrist; also seeks to amend definition of professional nursing to include T. O.</p> | <p>Christian</p> | <p>Would amend 301.002(2) adding therapeutic optometrists to list of practitioners RN's can take orders from—but <u>NOT</u> 301.002(5) (LVNs).</p> | <p>To PH committee 3/15; no action as of 4/6.</p> <p>If enacted, 9/1/07</p> |
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| <p>SB 78</p> <p>Continuous Sexual Abuse of a Child</p> <p>HB 436 companion</p> <p>CM</p> | <p>Amends Ch 21 of the Penal Code by adding Sec. 21.02 "Continuous Sexual Abuse of Young Child or Children." Max. sentence could be imprisonment for life; Min. sentence requires 25 calendar years to be served before becoming eligible for parole and prohibits release to mandatory supervision. Also makes conforming amendments re: procedural and sentencing requirements, and subsequent consequences following court action to the following Texas Codes: Government, Civil Practices and Remedies, Criminal Procedures, Penal, Health and Safety, Family, Education (re: students), and finally to Tx. Occ. Code Ch 301, Sec. 301.4535(a) adding to the list of criminal acts that are cause for denial, suspension, or revocation of a nurse's license. Fiscal impact could not be determined.</p> | <p>Shapiro</p> <p>HB: Madden</p> | <p>Amends Sec. 301.4535(a) adding to the list of criminal acts that are cause for denial, suspension, or revocation of a nurse's license.</p> <p>Rule 213.28(j) already states that crimes under 301.4535 shall result in revocation or denial of nursing licensure.</p> | <p>Substitute reported favorably out of CJ committee 3/26; placed on intent calendar 4/12</p> <p>HB 436 to House Criminal Justice 2/1</p> <p>(Sec. 841.002 H&SC) applies to anyone who on or after 9/1/07 is serving a sentence in TDCJ or is committed to DSHS for an offense committed before , on, or after the effective date of this Act.)</p> <p>If enacted, 9/1/07</p> |
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| <p>SB 1265</p> <p>Therapeutic Optometrists (see also HB 2993)</p> <p>CM</p> | <p>Amends several sections of Tex. Occ. Code relating to Definition of Therapeutic Optometrist; also seeks to amend definition of professional nursing to include T. O.</p> | <p>Brimer</p> <p>No companion</p> | <p>Would amend 301.002(2) adding therapeutic optometrists to list of practitioners RN's can take orders from—but NOT 301.002(5) (LVNs).</p> | <p>To HHS committee 3/14</p> <p>As of 4/5 no action</p> |
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Bills Affecting Agency Operations

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| <p style="text-align: center;">HB 1</p> <p style="text-align: center;">Budget Bill</p> <p style="text-align: center;">MM</p> | <p>Relating to the appropriations for the BNE.</p> | <p style="text-align: center;">Chisum</p> | <p>The House has completed their version of the appropriations. For the BNE it includes funding at the 100% level of Fiscal Years 2006/2007 and the regulatory response rider for up to three investigators if the number of complaints exceed our appropriations target. The House has created a “wish list” which is called Article XI and includes our request for targeted nursing salary adjustments, merit funding and a salary increase for the executive director.</p> | <p style="text-align: center;">Effective September 1, 2007</p> |
| <p style="text-align: center;">SB 1</p> <p style="text-align: center;">Budget Bill</p> <p style="text-align: center;">MM</p> | <p>Relating to the appropriations for the BNE.</p> | <p style="text-align: center;">Ogden</p> | <p>SB 1 is still pending in the Senate Finance Committee. The current version includes the 100% funding at fiscal years 2006/2007 level and the regulatory response rider for up to three additional investigators. Like the House, the Senate Finance Committee has created a “wish list” called Article XI and includes the executive director salary increase and funds agencies up to 1% of their total salary budget for merit increases.</p> | <p style="text-align: center;">Effective September 1, 2007</p> |
| <p style="text-align: center;">HB 38</p> <p style="text-align: center;">Occupational licensure based on employment eligibility in US</p> <p style="text-align: center;">BH</p> | <p>Relating to the requirement that applicants for certain licenses be eligible for employment in the United States.</p> | <p style="text-align: center;">Solomons</p> | <p>Applicants for initial licensure as nurses and candidates for renewal would be required to verify eligibility for employment in the United States through presentation of one of accepted documents such as passports, certificates of naturalization, unexpired temporary residence card, etc.</p> | <p style="text-align: center;">Meeting in House State Affairs - 4/16/07</p> <p style="text-align: center;">If enacted, 9/1/07</p> |

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| <p>HB 42</p> <p>Electronic Database of Major State Contracts</p> <p>CM</p> | <p>Amends Sec 2177.052(a) Government Code to require any state contract with a value of \$10,000 or more (previously \$5 million or greater), either initially or as a total cost, to be reflected in an electronic Database. Purpose is to comply with Sec 2177.052(c)(2) Government Code.</p> | <p>Paxton</p> <p>Coauthors: Davis, Hughes</p> | <p>No impact on NPA, but Impact on internal agency operations for any contracts valued at \$10,000 or more.</p> | <p>Left pending in Gov't Reform Committee 2/26</p> <p>As of 4/11 no action</p> <p>If enacted, 9/1/07</p> |
| <p>HB 590</p> <p>State Employee Ethics Policies</p> <p>CM</p> | <p>Amends Sec 572.051 Government Code. Current statutes refer to actions a state employ "should not" engage in related to conflicts of interest or other acts that would reasonably be expected to compromise their ethics. This bill changes the language to "shall not." Requires the AG to develop a model policy that state agencies may use in adopting an agency ethics policy no later than November 1 ,2007; requires each state agency to adopt a written ethics policy and to distribute copies of the policy to each employee no later than Jan 1, 2008 and to new employees within the first 3 days of employment.</p> | <p>Delisi</p> | <p>No impact on NPA. Would require updating of agency policies on Ethical Conduct.</p> | <p>Senate: Reported engrossed 4/4/07</p> <p>House: Read for first time and referred to State Affairs 4.11</p> <p>Effective 9/1/07 with other operational dates as noted in summary</p> |
| <p>HB 601</p> <p>Agency Environmental Justice Strategy</p> <p>BH</p> | <p>Relating to the requirement that state agencies identify and address adverse human health and environmental effects on minority populations and low-income populations.</p> | <p>Thompson</p> | <p>Each state agency shall develop an environmental justice strategy for the entire agency that identifies and addresses, as appropriate, the disproportionately high and adverse human health or environmental effects of the agency's programs, policies, and activities on areas with minority populations and low-income populations.</p> | <p>House Government Reform 2- 6-07</p> <p>If enacted, 9/1/07</p> |

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| <p>HB 765</p> <p>Restrictions on Disclosure of certain Criminal Hx Records</p> <p>CM</p> | <p>Amends Government Code by adding Sec 411.081(d) to allow persons with community supervision or adjudicated sentences to petition the court that rendered the sentence for non-disclosure of the action once the order is satisfied. Exceptions would include a Criminal Justice (CJ) agency could disclose it to other CJ agencies and for regulatory licensing purposes for agencies listed under subsection (i).</p> | <p>Dutton</p> | <p>No direct impact on NPA, but does not alter the Board's access to or authority over action relating to a licensure candidate or a licensed nurse with regard to consideration of criminal background, including adjudicated or probated sentences for denial, suspension, or revocation of a license. [Note: Gov't Code 411.083 Dissemination of Criminal Hx Record Information permits disclosure to entities such as BNE; also NPA (Tx Occ Code) 301.2511, 301.252, 301.257 and 301.3011 give statutory authority to BNE to require CJ information.]</p> | <p>Referred to CJ committee 2/7</p> <p>No action as of 4/9</p> <p>If enacted, 9/1/07</p> |
| <p>HB 640</p> <p>Online Posting of Expenditures by State Agencies</p> <p>CM</p> | <p>Amends Government Code Sec 2054.126 by adding (f) which would require each state agency to post on its web page all expenditures made by the agency, including the purpose for which each expenditure is made.</p> | <p>Hughes</p> | <p>No impact on NPA, but Impact on internal agency operations re: placing expenditures on the web page</p> | <p>Left pending in Gov't Reform Committee 2/26</p> <p>As of 4/11 no action</p> <p>If enacted, 9/1/07</p> |
| <p>HB 826</p> <p>Building Operations</p> <p>BH</p> | <p>Relating to the use of motion sensor technology in certain state buildings, public school facilities, and higher education facilities.</p> | <p>Anchia</p> | <p>Building where BNE is located would have to be retrofitted with motion sensor devices to automatically control building's lighting, heating, ventilation, and air conditioning systems based on the presence or absence of people.</p> | <p>Committee action pending in Government Reform - 3/6/07</p> <p>If enacted, 9/1/07</p> |

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| <p>HB 1497</p> <p>Closure of Requests for Public Information Due to Lack of Response by Requestor.</p> <p>CM</p> | <p>Amends Government Code Sec 552.222 regarding requests for public information when the requestor fails to respond to an inquiry from the governmental entity asking for clarification of the information requested.</p> <p>Currently there is no way to close out such inquires when the requestor fails to respond. This bill would provide that the request would be considered withdrawn and closed if the requestor fails to provide a response to the request for information within 61 days. The notice requesting additional information must include consequences of failure to respond to the governmental body's request.</p> | <p>Van Arsdale</p> | <p>No impact on NPA, but potential Impact on internal agency operations re: providing public record information to requestors.</p> | <p>Engrossed as amended by the House State Affairs Committee 3/21; read first time in Senate and referred to Senate State Affairs Committee 4/3.</p> <p>If enacted, 9/1/07</p> |
| <p>HB 941</p> <p>Penalty for Identity Theft</p> <p>CM</p> | <p>Amends Penal Code Sec 32.51(c) by increasing penalty for the offense of fraudulent use or possession of identifying information from a state jail felony to a felony of the third degree. There were 260 admission to TDCJ in FY06 for this offense. Based on a simulation model, fiscal impact was estimated to be \$194,676 in FY08, with increases every year thereafter ranging from \$1.3 million in FY09 to \$4.8 million in FY2012. Included in estimated costs are increased parole supervision costs associated with post-prison parole supervision. Costs of incarceration by TDCJ are estimate at \$40/day/inmate. No construction costs included.</p> | <p>Cook</p> | <p>No direct impact on NPA. Would impact application of rules dealing with eligibility, licensure, and disciplinary actions for candidates or licensed nurses seeking to obtain or retain licensure.</p> | <p>Left pending in Business & Industry committee 2/27</p> <p>If enacted, 9/1/07</p> |

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| <p>HB 1056</p> <p>Data Collection by SHCC</p> <p>companion (not listed as such)</p> <p>SB 29</p> <p>CM</p> | <p>The Health Professions Resource Center(HPRC)(part of the Statewide Health Coordinating Council(SHCC) collects data from 30 licensing boards. Data from all boards regarding race, ethnicity, gender, age, or practice address. This bill amends the H&S code to require collection of the above plus additional information on health professionals licensed in Texas under boards participating in SHCC. Amends Sec 105.003 Health and Safety Code</p> | <p>Truitt</p> <p>SB: Nelson</p> | <p>BNE already collects most of the required data. Do not see requirement for practice address and hours of operation applying to LVNs or RNs in any setting, but would apply to APNs.</p> | <p>Substitute, reported favorably out of PH committee 3/27; Report sent to Calendars 4/10</p> <p>SB: Left pending in HHS committee 2/20</p> <p>If enacted, 9/1/07</p> |
| <p>HB 1497</p> <p>Closure of Requests for Public Information Due to Lack of Response by Requestor.</p> <p>CM</p> | <p>Amends Government Code Sec 552.222 regarding requests for public information when the requestor fails to respond to an inquiry from the governmental entity asking for clarification of the information requested. Currently there is no way to close out such inquires when the requestor fails to respond. This bill would provide that the request would be considered withdrawn and closed if the requestor fails to provide a response to the request for information within 61 days. The notice requesting additional information must include consequences of failure to respond to the governmental body's request.</p> | <p>Van Arsdale</p> | <p>No impact on NPA, but potential Impact on internal agency operations re: providing public record information to requestors.</p> | <p>Engrossed as amended by the House State Affairs Committee 3/21; read first time in Senate and referred to Senate State Affairs Committee 4/3.</p> <p>If enacted, 9/1/07</p> |

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| <p>HB 1789</p> <p>Management & Oversight of Information Resources Projects</p> <p>CM</p> | <p>Amends Sec. 2054.055(b) Government Code. Amends requirement for state agencies to report to the Dept. Of Information Resources (DIR);. Requires state agencies to evaluate and report to the quality assurance team on whether projects meet the agency's objectives. Requires DIR to establish guidelines for project management practices that take into account varying levels of project size and complexity. DIR must consult with state agencies and accommodate existing project management practices. Each state agency is required to manage information resources in compliance with Govt' Code 2054.153. An agency must provide a post-implementation review to the agency's executive director and the QA team. DIR and the state auditor's office are removed as required recipients of this review.</p> <p>Guidelines must be adopted by DIR no later than 10/1/07. State agencies are required to comply to the guidelines no later than 11/1/07.</p> | <p>Pitts</p> | <p>No impact on NPA. Would apply to internal agency operations related to this statute in the Government Code.</p> | <p>Reported favorably as substituted out of Government Reform committee 3/29; To be placed on Local, Consent, and Res. Calendar 4/13</p> <p>If enacted, 9/1/07</p> <p>Guidelines must be adopted by DIR no later than 10/1/07.</p> <p>State agencies are required to comply to the guidelines no later than 11/1/07/.</p> |
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| <p>HB 2381 [Companion Bill SB 151/ Asking Immigration Status or Nationality Prohibited in Emergency Services CM</p> | <p>Amends section 311.002 Health and Safety Code prohibiting anyone from asking the nationality or immigration status of a person seeking emergency services.</p> | <p>Coleman Shapleigh</p> | <p>Rule 217.11 already addresses discrimination, and (1)(A) would cover this new requirement for any setting where a person could seek emergency services.</p> | <p>Referred to State Affairs 3/8 No action either bill 4/5 If enacted, 9/1/07</p> |
| <p>HB 2939 Texas Health Professions Commission SB 1907 companion BH</p> | <p>Relating to the administration of agencies responsible for the regulation of, and workforce planning and policy development for, certain licensed health professionals.</p> | <p>Callegari Ellis</p> | <p>Bill would create Texas Health Professions Commission, pulling all HPC agencies under appointee of governor with managerial and organizational background with no background in healthcare occupational licensing. Administrator to provide some autonomy to larger boards such as BNE and BME while implementing efficiency measures among all agencies similar to Texas Department of Licensing and Regulation. Data collection consistency among all licensing groups and cost saving measures among primary goals of head of THPC.</p> | <p>Committee action pending in House Government Reform - 4/2/07 Introduced and referred to committee on Senate Health and Human Services - 3/22/07 If enacted, 9/1/07</p> |

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| <p>HB 3767</p> <p>Companion SB 1848</p> <p>State Fiscal Matters</p> <p>CM</p> | <p>No fiscal impact or bill analysis statements available. Amends the Code of Criminal Procedures, Government Code, Local Government Code, Education Code, and Property Code. Addresses allocation of fees, fines, or costs remitted for services or to satisfy a court orders. Addresses certain rights of state employees regarding accrual and payment of certain paid leave. Other possible changes too numerous to mention separately.</p> | <p>HB 3767: Keffer (40 pages)</p> <p>SB 1848: Duncan</p> | <p>No impact on NPA; may have impact on internal agency policies regarding accruals of employees. Further study needed if bill passes to determine full impact.</p> | <p>HB 3767: Referred to Ways & Means 3/22</p> <p>SB 1848: Referred to Finance 3/22</p> <p>No further action either bill as of 4/11</p> <p>If 2/3 vote immediately, if not 9/1/07</p> |
| <p>HJR 59</p> <p>Legislative Override of a Veto of the Governor following Legislative Session</p> <p>companion SJR 28</p> <p>Joint Resolution</p> <p>CM</p> | <p>Amends Section 14, Article IV, Texas Constitution</p> <p>Currently if bills are vetoed by the Governor after session ends, the veto becomes final without ability of the legislature to consider amendments to address the Governor's objections. This bill would allow legislators to return to Austin to reconsider those bills vetoed by the Governor w/o being called into special session by the Governor. Does not address any recourse for bills passed by both sides of the legislature and simply not signed by the Governor.</p> <p>Must be submitted to the voters.</p> | <p>HJR: Elkins, Bailey, Bonnen, Leibowitz, Callegari</p> <p>Co-authors: 64 additional Representatives</p> <p>SJR 28: Wentworth</p> <p>Co-authors: 25 additional Senators</p> | <p>Potential impact on the NPA if a vetoed bill includes amendments, deletions, or additions to Tx Occ Code Chs 301. 303, or 304. Potential indirect impacts as well.</p> | <p>HJR 59: Engrossed and sent to Senate 3/22; Read first time in Senate and referred to State Affaris committee 3/29</p> <p>SJR: Referred to State Affairs 3/06</p> <p>Effective Date 11/6/07 or on the date the votes are canvassed, if approved, by the voters.</p> |
| <p>SB 32</p> <p>Registry of allied health professionals</p> | <p>Relating to creation of a Health Professions Council (HPC) registry of allied health professionals.</p> | <p>Nelson</p> | <p>HPC would be required to create registry of information to include for all allied health professionals: educational background, profession, specialty, place of practice and full or part-time employment status. BNE would be required to modify data collection procedures and forms to</p> | <p>Introduced and referred to committee on Senate Health and Human Services - 1/23/07</p> |

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| BH | | | implement bill. | If enacted, 9/1/07 |
| SB 37 Ombudsman Duties w/in HHSC (from Office of Pt. Protection) CM | Since the Office of Patient Protection was disbanded in the 79 th Legis Session (2005), references in statute still remain. This bill accomplishes clean up to correctly reference the Office of the Ombudsman under the Health and Human Services Commission. Specifically transfers and re-designates Sec 101.307 Tx Occ Code to Sec 531.0275 Gov't Code. | Nelson | No impact on NPA. | Left Pending in HHS committee 2/20 If enacted, 9/1/07 |
| SB 41 Disaster-Related Responsibilities of Health-Related State Agencies CM | Amends Ch 418 Government Code by adding Sec 418.049 re: Tracking System. This tracking system would be required of patients or persons with special medical needs as well as information on criminals and sexual predators so that a system of tracking the whereabouts of said persons during a disaster. Also would require DSHS to develop protocols for emergency evacuation of individuals with special needs. | Nelson | No direct impact on NPA. FYI for nurses. | Left pending in Transportation & Homeland Security Committee 1/31/07 If enacted, 9/1/07 |

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| <p>SB 223</p> <p>Loss or breach of electronic data involving sensitive personal information</p> <p>CM</p> | <p>Amends Business & Commerce Code as added by Chapter 294 (79th Legis. Regular Session, 2005). Amends 48.103 B&C Code, subsections (b),(c), (d), (g), and (h), and adds (I) relating to required notification of affected parties upon breach of a security system that compromises sensitive personal information. Subsection (I) also requires notification of the Attorney General.</p> <p>Adds sec 48.104 Registry of Persons Reporting Breach of Security or Loss of Certain Computerized Data. Requires the Attorney General to establish and maintain a central registry of persons required to provide notice of breach of information covered in the applicable code. Authorizes the A.G. to adopt rules necessary to implement this section.</p> | <p>Ellis</p> | <p>No direct impact on NPA. FYI for nurses as patient information is confidential and nurses deal with computerized systems containing sensitive personal information.</p> <p>Application to internal agency operations as the Board server contains certain confidential information regarding nurses (such as social security numbers).</p> | <p>Referred to Business and Commerce Committee 1/30; Public hearin on 4/10; no action taken in committee</p> <p>If enacted, effective 9/1/07; OAG office to establish registry not later than 1/1/08.</p> |
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| <p>SB 316</p> <p>Lying on Application for state licensure</p> <p>CM</p> | <p>Amends Govt Code Ch 2005 permitting a licensing agency to suspend, revoke, or deny licensure to anyone who falsifies information to obtain or renew the license.</p> <p>Person may be subject to criminal prosecution under Penal Code 37.10</p> <p>Requires development of rules that establish processing times for permits, and allows an applicant to complain directly to the head of the agency. Also requires reports on time lines for processing and action plan for improvement.</p> | <p>Ogden</p> | <p>Would lend further support to current rules dealing with licensure of persons who falsify applications for licensure or re-licensure. Amend rules to include these statutes (as w/Ch. 53). Ability to amend rules to include reference to this new statute.</p> <p>Applicants for licensure, endorsement, or renewal would not only face action by the BNE but could face criminal prosecution as well.</p> <p>Would have to establish time frames in rule for processing various types of applications and complaint process.</p> | <p>Engrossed 3/28; Reported to Govt Com. And read 1st time 3/30.</p> <p>If enacted, 9/1/07</p> |
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| <p>SB 366</p> <p>Criminal HX</p> | <p>Amends Tx. Occ. Code by adding Ch. 113 Criminal Background Check. Applies only to a licensing entity that does not already have a more</p> | <p>Nelson</p> | <p>No perceived impact on NPA as statutory basis for criminal background checks already well established and stricter (sec. 301.4535) than language in this bill.</p> | <p>Referred to HHS committee 2/21</p> |
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| <p>Information Submission for Healthcare Professionals</p> <p>CM</p> | <p>restrictive procedure to perform a criminal background check on an individual covered by the entity. A licensing entity must establish rules by which the entity may deny application or refuse to renew a license based on an affidavit or criminal history record of licensure candidate or licensee. Rules must also include an appeal process.</p> | | | <p>As of 4/11 no action</p> <p>If enacted, licensing entity would have until 1/08 to adopt rules, with applicants for initial licensure or renewal on or after 4/1/08. Savings clause in effect for applications submitted prior to this date.</p> |
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| <p>SB 889</p> <p>Recouping Costs of Providing Certain Information by Request</p> <p>CM</p> | <p>Amends Government Code Ch. 552 requiring the governmental body to provide a requestor with an itemized bill if the cost of requested records will exceed \$40. The governmental body must provide up to 50 pages of requested information/month without cost. After that, the body may impose a cost a \$0.10/page to photo copy requested information, as well as fees to recoup administrative costs incurred in locating, compiling, and photocopying the public information requested.</p> <p>Amends Sec 552.263 authorizing an office for public information ti require a deposit or bond for payment of anticipated costs for making the public information available for inspection or for the preparation provided the offices submitted an itemizes statement to the requestor with an estimated amount not to exceed a certain amount.</p> <p>Bill does not apply to police blotters</p> | <p>Wentworth</p> | <p>No impact on NPA, but Impact on internal agency operations re: both requesting and providing public record information.</p> | <p>Reported favorably as substituted out of State Affairs committee 4/4; place on intent calendar 4/11.</p> <p>If enacted, 9/1/07</p> |
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| <p>SB 1084</p> <p>Advertising in DPS Driver's License Mailings</p> <p>companion HB 3650</p> <p>CM</p> | <p>Amends Sec 521.006 Transportation Code to permit DPS to sell advertising in mailings regarding Driver's Licenses as a means of generating revenue to cover the increased costs of postage. Prohibits advertisements related to alcoholic beverages.</p> | <p>SB 1084: Carona</p> <p>HB 3650: Allen</p> | <p>No impact on NPA. Food for thought as a means of covering certain agency costs in the future.</p> | <p>SB 1084: Reported favorably out of Transportation & Homeland Security w/o amendments 3/26; place on local and uncontested calendar 4/12</p> <p>HB 3650: Referred to Transportation Committee 3/22; no other action as of 4/11</p> <p>If enacted, 9/1/07</p> |
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| <p>SB 1507</p> <p>Transfer of Duties from TBPC to General Land Office</p> <p>companion HB 3560</p> <p>CM</p> | <p>Would dissolve TBPC and transfer duties to the General Land Office. No fiscal impact statements or bill analysis available as of 4/11/07.</p> <p>Amends the Government Code and TX. Occ. Code in relation to the above two agencies.</p> | <p>SB 1507: Janek (73 pages)</p> <p>HB 3560: Swinford</p> | <p>FYI only.</p> | <p>SB 1507: Referred to Government Organization 3/20</p> <p>HB 3560: Referred to State Affairs 3/21</p> <p>No further action on either bill as of 4/11</p> <p>If enacted, 9/1/07</p> |
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| <p>SB 1694</p> <p>Fraud Investigations & Criminal Offenses re: Medicaid Program</p> <p>companion HB 3310</p> <p>CM</p> | <p>Amends Ch 531 Government Code by adding Sec 531.1031 Duty to Exchange information Regarding Allegations of Medicaid Fraud or Abuse.</p> <p>Authorizes information sharing between certain agencies and boards regarding investigations of Medicaid fraud and abuse. Would apply to nurses and to the BNE.</p> | <p>Nelson</p> <p>HB: Jackson</p> | <p>No direct impact on NPA. May be beneficial to include Government Code reference in Rules to clarify the BNE's responsibility to share and receive applicable information.</p> | <p>Reported favorably out of HHS committee and report printed and distributed 4/4</p> <p>HB: Reported favorably w/o amendments out of Public Health Committee 4/4</p> <p>If enacted, 9/1/07</p> |
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| <p>SB 1750</p> <p>Criminal Convictions and Occupational Licenses</p> <p>DJ</p> | <p>Relating to the issuance of an occupational license to certain applicants with criminal convictions. - voted favorably as amended. (4:22) Chairman Whitmire said that over the last decade, legislation has been approved restricting criminal offenders from receiving various state licenses to work in various professions. There are now 168 professions which offenders are prohibited from employment. Research has shown that the greatest deterrent to future crimes is meaningful full- time employment.</p> <p>Senate Bill 1750 authorizes licensing authorities to suspend or deny a license of a person who has been convicted of an offense that directly relates to the duties and responsibilities of the licensed occupation that was committed less than five years prior to the date the application</p> | <p>Whitmire</p> | <p>SB 1750 states: "notwithstanding any other law, unless convicted of an offense described in 53.021(a), the licensing authority shall issue . . . a provisional license ... for term of six months. . . ." we understand this provision to require the granting of a provisional license for any offense resulting in deferred adjunction. the "notwithstanding any other law" phrase appears to override the board's current authority to "deny" licensure for deferred offenses. see tex. occ. code section 301.452(b)(3).</p> <p>1. a related concern is the term "provisional license." the term of a provisional license is not defined except for its 6 month duration. often the board of nurse examiners issues eligibility orders and disciplinary orders based on criminal conduct which routinely set probationary conditions. probated terms include notice to their employer of board action, supervision by another nurse, random drug screening and employer</p> | <p>Heard in Criminal Justice Committee on April 3, 2007 and voted favorable to placed on consent.</p> <p>If enacted, 9/1/07</p> |
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| | <p>is filed. This bill also provides that, unless the aforementioned restrictions apply to an applicant for a license, the licensing authority is required to issue a license or provisional license to the applicant. This bill requires the licensing authority to report the issuance of such a license to the appropriate supervising department, if the person is on probation or on parole.</p> <p>Chairman Whitmire said violent and violent sexual offenders are excluded from the bill and offered an amendment, which excludes law enforcement officers and correctional officers from the licensed professions.</p> | | <p>reports. its been our experience that when probation is appropriate, it is often appropriate for 2 years and is never less than 1 year. it is our preference that the board's monitoring stipulations continue to be authorized for more than 6 months even if the licensure action is only for criminal convictions related to nursing. the amendments to ch. 53 appear to authorize an unencumbered license after 6 months has elapsed. see SB 1750, page 2, line 15 through 19 ("the licensing authority shall issue the license for which the applicant originally applied. . . on the expiration of the provisional license term. . .").</p> | |
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Other Bills by Category

Advance Directives

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| <p>HB 3474</p> <p>Advance Directives</p> <p>(Also see HB1094, SB 439, SB 26, HB 3690, and HB3970)</p> <p>CM</p> | <p>Amends H&S Code Ch166 re: Advance Directives. Revises time limit a physician and facility must provide life-sustaining treatment in a situation both have deemed to be “futile” (but you can’t call it that) for 11 business days (vs. current 10 days) following the determination by the Ethics Committee. The facility must support efforts to find another accepting facility and physician within that time frame. The patient or patient’s MPOA may submit a request to extend this time frame to a county or district court or court that has probate jurisdiction; the judge does not have to grant the request if there is not a preponderance of evidence indicating it is likely the family will find such a facility and physician during the extension.</p> | <p>Delisi, Eissler, Zerwas</p> | <p>No direct impact, but will definitely impact nurses in multiple settings. Separate bill and changes time limit (vs. doing away with it) as would HB1094 and SB439.)</p> | <p>To PHC 3/21</p> <p>If passed, statute effective 9/1/07 but HHSC has until 3/1/08 to adopt rules implementing.</p> <p>No action, FN, etc as of 4/5.</p> <p>If enacted, 9/1/07</p> |
| <p>HB 3690</p> <p>Advance Directives</p> <p>(Also see HB 3814, HB 3180, HB 3970, SB 439, HB 1094, SB 26, SB 28)</p> <p>CM</p> | <p>Amends H&S code Section 166 re continuation and means of mediating end-of-life issues</p> | <p>Coleman</p> | <p>None to NPA but FYI for nurses</p> | <p>In PH committee 3/22 As of 4/6 no action</p> <p>If enacted, 9/1/07</p> |

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| <p>SB 26</p> <p>Establish Advance Directive Registry</p> <p>CM</p> | <p>Amend Ch. 166 H&S Code. Require HHSC to adopt rules to establish and maintain HIPAA compliant advance directive registry database accessible through an Internet website. Provides authorized health care providers immediate 24/7 access. Driver's license/ID card notation that advance directive is posted in the registry.</p> | <p>Nelson</p> | <p>None. FYI for nurses if passes.</p> | <p>01-23-07 Introduced & referred to committee on Senate Health and Human Services</p> <p>No action as of 4/5 If enacted, 9/1/07</p> |
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Advanced Practice Nursing

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| <p>HB 139</p> <p>Reimbursement</p> <p>JZ</p> | <p>Amends Insurance Code requiring health care providers to provide written notice to patients when the patient is referred to an out of network provider/facility. Requires that the written notice include notice of balance billing.</p> | <p>Jackson</p> | <p>No direct implications for the agency or the NPA. However, the agency may receive complaints for those APNs who fail to comply with requirements.</p> | <p>Last Action: 3-19-2007 Left pending in House Insurance</p> <p>If enacted, 9/1/07</p> |
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| <p>HB 1096</p> <p>Companion: SB 800</p> <p>Prescriptive authority</p> <p>JZ</p> | <p>Amends Medical Practice Act regarding delegation of prescriptive authority at primary and alternate sites. Expands delegation parameters to six FTE APNs and/or PAs. Modifies alternate site to within 75 miles of physician's primary site (currently 60 miles) and eliminates requirements for physician to be on site 20 % of the time in alternate site.</p> | <p>Orr</p> <p>Companion author: Patrick</p> | <p>Will require amendments to Rule 222 and education of advanced practice nurses with prescriptive authority regarding these changes.</p> | <p>Last Action: 4-4-2007 Left pending in House Public Health</p> <p>Companion Last Action: 3-6 Referred to Senate Health & Human Services</p> <p>2/3 Vote, effective immediately, if not, 9/1/07</p> |
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| <p>HB 1435</p> <p>UIL activities and head injuries</p> | <p>Amends the Education Code to require individuals who perform physicals for UIL sponsored/sanctioned sports activities to provide students and their parents/guardians with specific information related to head trauma beginning with the 2007-2008 school</p> | <p>Rose</p> | <p>No direct implications for the agency or the NPA. However, the agency may receive complaints for those APNs who fail to comply with requirements. Language specifically addresses NPs but requirement should reasonably be applied to any category of APN who provides these services [CNSs and possibly</p> | <p>Last Action: 3-27-2007 left pending in House Public Education</p> <p>2/3 Vote, effective immediately, if not,</p> |
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| JZ | year. Individuals who evaluate students at the time and place of the injury are also required to provide this information. | | CNMs (adolescent girls)]. APNs authorized to provide these services to students need to be aware. | 9/1/07 |
| HB 2042 Reimbursement JZ | Amends Health & Safety Code to require HHSC to establish and administer a searchable internet database of providers, including advanced practice nurses, that accept Medicaid. Specific information to be included in the database is identified. | Dukes | None for the agency or NPA. Advanced practice nurses who are qualified Medicaid providers need to be aware. | Last Action: 4-10-2007 Scheduled for public hearing in House Human Services. 2/3 Vote, effective immediately, if not, 9/1/07 |
| HB 3313 Companion: SB 1314 Anesthesiologists Assts JZ | Amends Chapter 157 of the Medical Practice Act (Occupations Code) to allow physicians to delegate to anesthesiologist assistants (AAs) using language similar to that related to CRNAs. Also creates statutory basis for licensure of AAs and a regulatory board under the Medical Board. Adds a definition of anesthesiology and defines the AA's scope of practice. | Brown Companion Author: Uresti | Unknown at this time. Could have implications for CRNAs in the future as it defines anesthesiology as the practice of medicine. | Last Action: 3-20 Referred to House Public Health Companion Last Action: 3-19-2007 Referred to Senate Health & Human Services Multiple effective dates |
| HB 3530 Companion: SB 1731 Reimbursement Reqs. JZ | Amends Health & Safety Code to require DSHS to create a web-based consumer guide to health care that advises consumers of average charges for services in hospitals, ambulatory surgery centers, and birth centers. Amends Occupations Code (101). Requires facilities and health care professionals respectively to develop billing policies. Requires refund within 30 days if overpayment. Must provide itemized statements within ten days if requested. Amends Insurance Code to require similar information. | Isett Companion Author: Duncan | None for the NPA. May have implications for APNs if required to comply and for enforcement if APNs fail to comply. | Last Action: 3-21 Referred to House Public Health Companion Last Action: 3-21 Referred to Senate State Affairs If enacted, 9/1/07 |

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| HB 3684 Companion: SB 1879 Controlled substances JZ | Amends Health & Safety Code to permit charge of late fee for late renewals of controlled substances permits. Establishes requirement for patient's age or date of birth on prescriptions for controlled substances. Requires providers state controlled substances permit number in addition to DEA registration number on prescriptions for controlled substances. Creates process for assessing administrative penalties and an appeal process for violations. | Hamilton Companion author: Williams | None for the NPA. Advanced practice nurses with authority to prescribe controlled substances need to be aware. May have implications for enforcement. | Last Action: 3-22-2007 Referred to House Public Health Companion Last Action: 3-22-2007 Referred to Senate Health & Human Services Multiple effective dates, if enacted |
| HB 3784 Controlled Substances JZ | Amends Health & Safety Code (Controlled Substances Act) to include compounds or mixtures containing salvia and salvinorin A as controlled substances in Penalty Group 3. Penalty group 3 includes medications such as barbiturates and benzodiazepines. | Parker | None for the agency or the NPA. Advanced practice nurses with authority to prescribe controlled substances need to be aware. | Last Action: 3-22-2007 Referred to House Criminal Jurisprudence Committee If enacted, 9/1/07 |
| SB 24 Telemed. APN JZ | Amends Government Code to provide for Medicaid reimbursement of physicians providing telemedicine services (assessment and evaluation) from a distance site if another provider and the patient's condition is not likely to deteriorate significantly within 30 days of the date the service is provided. Agreements for reimbursement of the on-site provider are also addressed | Nelson | None for the agency or the NPA. APNs working with patients in these settings need to be aware. | Last Action: 3-30-2007 Referred to House Public Health Record vote from Senate: 3-28-2007 Multiple effective dates, if enacted |

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| <p>SB 28</p> <p>Advanced Directives</p> <p>JZ</p> | <p>Amends the Health & Safety Code to create a transferable physician order form to be used during times of transfer between facilities. The form will instruct health care providers regarding patient's end of life care wishes. "Transferable physician orders" are defined as orders executed by a physician or APN who has personally examined the patient and the patient or person authorized to speak on behalf of the patient. The orders provide instruction to health care providers regarding providing/withholding life-sustaining and related treatment based on the patient's medical condition. Provides for the minimum contents of transferable physician orders and requires a transferring facility to notify a receiving facility of the existence of transferable physician orders.. Cannot withhold life sustaining treatment from pregnant women under transferable physician orders.</p> | <p>Nelson</p> | <p>No direct implications for the agency or the NPA. However, the agency may receive complaints for those APNs who fail to comply with requirements. Nurses at all levels of licensure will need to be educated so that they are aware of and understand differences between transferable physician orders and advanced directives.</p> | <p>Last Action: 3-28 Referred to House Public Health</p> <p>Record vote from Senate: 3-14-2007</p> <p>Multiple effective dates, if enacted</p> |
| <p>SB 985</p> <p>Companion: HB 2370</p> <p>APNs and disabled parking permits</p> <p>JZ</p> | <p>Amends the Transportation Code to allow physicians to delegate authority to certify patients for disabled parking privileges.</p> | <p>Hegar</p> <p>Companion: Morrison</p> | <p>Will need to analyze the need for amendments to APN rules clarifying APN's delegated authority to perform this service within scope of authorized role and specialty. Of concern is that bill refers to persons acting under the delegation and supervision of physicians.</p> | <p>Last Action: 3-22 Referred to House Transportation</p> <p>Record vote from Senate 3-26-2007</p> <p>Companion Last Action: 3-8 Referred to House Transportation</p> <p>If enacted, 9/1/07</p> |
| <p>SB 994</p> <p>Controlled</p> | <p>Amends Health & Safety Code to permit oral, telephonic or electronic communication of prescriptions for controlled substances in</p> | <p>Nelson</p> | <p>No direct implications for the agency or the NPA. However, the agency may receive complaints for those APNs who fail to comply with requirements.</p> | <p>Last Action: 4-12-2007 Local & uncontested calendar</p> |

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| substances JZ | schedules III through V. | | | Voted favorably from Senate Health & Human Services If enacted, 9/1/07 |
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| SB 1696 Reimbursement JZ | Amends Human Resources Code to make patients eligible for Medicaid if they receive screening services for cervical or breast cancer under Title XV of the Public Health Service Act, regardless of whether federal matching funds are available. | Nelson | No direct implications for the agency or NPA. Advanced practice nurses need to be aware of reimbursement issue as well as referrals for screening. | Last Action: 3-27-2007 Left pending in Senate Health & Human Services If enacted, 9/1/07 |
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| SB 1761 State employee health services JZ | Amends Government Code regarding pilot program that provides on-site employee health services to state employees. Currently this service is limited to advanced practice nurses as providers. Bill expands pilot programs to allow physician assistants to provide services. | Uresti | No direct implications for the agency or the NPA. Nurses practicing in these settings may want to be aware. | Last Action: 4-11-2007 Scheduled for hearing in Senate Government Organization. If enacted, 9/1/07 |
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Diabetes

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| HB 276 Type 2 Diabetes Virginia | Relating to a risk assessment for Type 2 Diabetes. Identifies Border Health Office of the University of Texas - Pan American as coordinator of program. | Pena | BNE may be requested to serve as consult to determine the training requirements for nurses to conduct risk assessment activities. Similar to HB 1363 & SB 415; however, less specific | Filed in House: November 17, 2006. Referred to Committee on House Public Health on January 31, 2007 If enacted, 9/1/07 |
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| HB 1363 & SB 415 (companion) | Relating to a risk assessment program for Type 2 Diabetes and the creation of the Type 2 Diabetes Risk Assessment Program Advisory Committee. UT-Pan American | Reynolds & Lucio | BNE may serve as consultant for UT - Pan American Border Health Office to determine the training requirements necessary for nurses to conduct risk assessment activities. | Filed in House: February 12, 2007 Filed in Senate: |
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| Type 2 Diabetes Virginia | Border Health Office will coordinate assessments, inventions and evaluations for students in TEA Regions 1, 2, 3, 4, 10, 11, 13, 15, 18, 19, and 20. | | | February 1, 2007 If enacted, 9/1/07 |
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Higher Education

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| HB 237 Teaching Institutions to Study Faculty Retirement Plans through 2025 Betty | Relating to a study and report concerning predicted faculty retirement at general academic teaching institutions. | Alonzo | Directs each general academic teaching institution to conduct a study relating to faculty member retirements that may occur through the end of 2025. | House Higher Education 1/31 If enacted, 9/1/07 |
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| HB 543 Adjunct Faculty Benefit Eligibility Dorothy | Relating to the eligibility of certain adjunct faculty members of public institutions of higher education to participate in a state group benefits program. | Strama | Requires THECB (higher institutions) to participate in the group benefits program. | 2/06/07 H introduced and referred to committee on House Insurance If enacted, 9/1/07 |
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| HB 612 Tuition Equalization Grants Dorothy & Betty | Relating to participation by private or independent institutions of higher education in tuition equalization grant program. | Branch | Requires the THECB to study approved colleges and universities(students) qualifying for tuition equalization grants. The bill could impact students enrolled in nursing education programs. | Referred to Higher Education on 2/06/07 Scheduled for public hearing 4/10/07 If enacted, 9/1/07 |
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| <p>HB 830 HB 980</p> <p>TRS Benefits of RNs Returning to Public Education not Penalized</p> <p>Betty</p> | <p>Relating to monthly benefits for certain retirees of the Teacher Retirement System of Texas who return to work as registered nurses</p> | <p>Zedler</p> | <p>Prevents the retirement system from withholding a monthly benefit payment if retiree is employed in a public education institution or a health care facility associated with a public institution as a registered nurse to fulfil a critical need.</p> | <p>HB 830 - House Pensions and Investments 2/7</p> <p>HB 980 - House Pensions and Investments 2/12</p> <p>If enacted, 9/1/07</p> |
| <p>HB 894</p> <p>Faculty Compensation at Comparable Institutions</p> <p>Betty</p> | <p>Relating to faculty compensation policies at institutions of higher education.</p> | <p>McReynolds</p> | <p>Requires institutions of higher learning to compare salaries of tenured and tenure-track faculty with like 10 like institutions. Report to THECB. THECB will give information to governing board that will allow governing board to make salary adjustments.</p> | <p>House Higher Education 2/8</p> <p>If enacted, January 1, 2008</p> |
| <p>HB 1894</p> <p>Nursing Grants</p> <p>Identical Companion to SB 992</p> <p>RW</p> | <p>Relating to the use of money from the permanent fund for health-related programs to provide grants to nursing education programs.</p> | <p>Nelson</p> | <p>The THECB shall award grants to programs preparing students for initial licensure as registered nurses or programs preparing qualified faculty members with a master's or doctoral degree for the program, including programs at two-year institutions of higher education, four-year general academic teaching institutions, health science centers, and independent or private institutions of higher education.</p> <p>Grants receiving approval will need to be reviewed by BNE staff to see if a waiver of BNE education rules, under BNE Innovative Pilot Programs, will be necessary.</p> | <p>With 2/3 vote of both houses, bill is effective immediately or on 9/1/07.</p> <p><u>Last Action:</u> H Referred to Appropriations 02/27/2007. H Read first time 02/27/2007.</p> |

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| <p>HB 3443</p> <p>Partnership Grants</p> <p>Similar Companion</p> <p>SB 1419</p> <p>RW</p> | <p>Relating to the creation of the Texas Hospital-Based Nursing Education Partnership Grant Program.</p> | <p>Howard</p> | <p>THECB will administer grants to increase the number of nurses in Texas by fostering innovation through partnership models, leveraging existing expertise and infrastructure in both practice and academia, and expanding nursing education. Grants will be awarded to hospital partners.</p> <p>Grants receiving approval will need to be reviewed by BNE staff to see if a waiver of BNE education rules, under BNE Innovative Pilot Programs, will be necessary.</p> | <p>With 2/3 vote of both houses, bill is effective immediately or on 9/1/07.</p> <p><u>Last Action:</u> H Referred to Higher Education 03/21/2007. H Read first time 03/21/2007.</p> |
| <p>HB 3828</p> <p>Performance Incentive Funding</p> <p>Companion to SB 1029</p> <p>RW</p> | <p>Relating to performance incentive funding for institutions of higher education.</p> | <p>Morrison</p> | <p>Sets forth process for awarding incentive funding for institutions based on points awarded the institutions determined by the success of “at-risk students’ in “critical fields, including nursing”. The success of these students is determined in part by the degree awarded, progression since admittance and the students’ performance on the examination required for the issuance of a professional or occupational license (NCLEX) and bill sets forth the method for calculating the success score of these students’ passage of the examination required for issuance of a professional or occupational license (NCLEX).</p> <p>BNE staff will need to work with the THECB in setting up the process for reporting the NCLEX pass rates for individual students, specific institutions, and national mean scores on the NCLEX examination.</p> | <p>Bill is effective on 9/1/08, if enacted.</p> <p><u>Last Action:</u> H Referred to Higher Education 03/22/2007 1149 H Read first time 03/22/2007.</p> |

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| <p>HB 3830</p> <p>Exemption from Fees and Waivers</p> <p>RW</p> | <p>Relating to exemptions from payment of tuition and mandatory fees and waivers from payment of nonresident tuition at public institutions of higher education.</p> | <p>Morrison</p> | <p>Passage does not directly or indirectly impact the BNE.</p> | <p>With 2/3 vote of both houses, bill is effective immediately or on 9/1/07.</p> <p><u>Last Action:</u> H Referred to Higher Education 03/22/2007. H Read first time 03/22/2007.</p> |
| <p>SB 33</p> <p>Vaccines - Health Related Higher Education Courses</p> <p>Dorothy</p> | <p>Relating to Hepatitis B vaccination for students enrolled in certain health related courses to study in an institution of higher education.</p> | <p>Nelson</p> | <p>Currently all vocational and professional nursing programs require hep B vaccinations. Could impact nursing education if the decrease of the number of students (other health professions) receiving hep B vaccine to only those who are truly at high risk exposure.</p> | <p>House PH 3/26</p> <p>If enacted, 9/1/07</p> |
| <p>SB 138</p> <p>Retention of Nursing Students</p> <p>Dorothy</p> | <p>Relating to promoting the retention and graduation of students enrolled in professional nursing programs</p> | <p>Nelson</p> | <p>Requires the THECB to develop methods to retain and graduate students. (BNE has input on this committee.)THECB to implement methods considered feasible including recommendation on financial aid.</p> | <p>If enacted, 9/1/07</p> <p>Public Hearing on 2/06/07-sent to calender.</p> |

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| <p>SB 139</p> <p>Curriculum Improvement - RN/LVN Programs</p> <p>RW</p> | <p>Relating to a study on improving the curricula of professional and vocational nursing education programs.</p> <p>The Board, in consultation with the Board of Nurse Examiners, shall conduct a study to identify methods to improve the curricula of professional and vocational nursing programs. The study must focus on methods to improve instruction on providing safe and high-quality nursing care to patients.(d) This section expires January 1, 2009.</p> | <p>Nelson</p> | <p>BNE to work with THECB, providing consultation. The study shall be completed by 12/31/08. THECB will complete and distribute.</p> <p>Should complete within current fiscal resources.</p> <p>Recommendations concerning methods to improve the curricula of professional and vocational nursing programs, including instruction relating to patient care.</p> <p>Depending on the recommendations, future revisions to Rule 214 and Rule 215 will probably be required.</p> | <p>With 2/3 vote of both houses, bill is effective immediately or on 9/1/07.</p> <p><u>Last Action:</u> H Referred to Higher Education 03/26/2007. H Read first time 03/26/2007.</p> |
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| <p>SB 140</p> <p>Immunizations for Students in Health Related Programs</p> <p>Companion Bill SB 203</p> <p>Dorothy</p> | <p>Relating to a study of the feasibility of providing immunizations to certain students enrolled in health professional degree programs.</p> | <p>Nelson</p> | <p>Requires THECB to study providing immunizations to students in health programs. BNE should have input on committee.</p> | <p>SB 140 - Referred to House Committee on Higher Education on 3/26/07</p> <p>SB 203 Referred to Senate Health and Human Services on 1/30/07</p> <p>If enacted, 9/1/07</p> |
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| <p>SB 141</p> <p>Joint Health Science Courses</p> <p>RW</p> | <p>Relating to a feasibility study regarding joint health science courses at public institutions of higher education.</p> <p>The board, in consultation with the administrative head of each state agency that is a member of or otherwise represented on the Health Professions Council or with the administrative head's designee, shall conduct a study to evaluate the feasibility of institutions of higher education providing courses in which students enrolled in different health science or health profession education programs may enroll to study basic health science curricula together.</p> | <p>Nelson</p> | <p>Kathy Thomas or designee must assist THECB in conducting the study.</p> <p>Depending on the results of the study, revisions to Rule 215 and perhaps, Rule 219 may be required.</p> | <p>With 2/3 vote of both houses, bill is effective immediately or on 9/1/07.</p> <p><u>Last Action:</u> S Committee report printed and distributed 03/28/2007 01:46. Recommended for local & uncontested calendar 03/28/2007. S Reported favorably as substituted 03/28/2007.</p> |
| <p>SB 201</p> <p>Tuition Exemptions for Nursing Preceptors and Children</p> <p>Dorothy & Betty</p> | <p>Relating to tuition exemptions at public institution of higher education for certain professional nursing program preceptors and their children.</p> | <p>Nelson</p> | <p>Requires the THECB to study the tuition equalization grant programs. The bill will impact nursing education programs who use preceptors.</p> | <p>Senate Education Meeting on 4/12</p> <p>If enacted, 9/1/07</p> |
| <p>SB 202</p> <p>Tuition Assistance Allied Health Faculty</p> <p>Betty</p> | <p>Relating to incentives to recruit and retain allied health education program faculty</p> | <p>Nelson</p> | <p>Provides tuition for children of allied health faculty, including preceptors. Provides enhancement grants to allied health programs to recruit/ retain faculty. Administered by the THECB Mortgage bonds for qualified allied health faculty.</p> | <p>Senate Higher Education s/c 1/30</p> <p>If enacted, 9/1/07</p> |

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| <p>SB 289</p> <p>Encourage Part-time Faculty Usage - Nursing Shortage</p> <p>RW</p> | <p>Relating to the use of professional nursing shortage reduction program grants to encourage clinical nursing instruction by part-time faculty at public or private institutions of higher education. Amends certain language in Education Code related to the previous THECB Innovative Grant Program.</p> <p>(ii) using preceptors <u>or part-time faculty</u> to provide clinical instruction in order to address the need for <u>qualified</u> faculty to accommodate increased student enrollment in the professional nursing program.</p> | <p>Nelson</p> | <p>Grants receiving approval will need to be reviewed by BNE staff to see if a waiver of BNE education rules, under Innovative Pilot Programs, will be necessary.</p> | <p>With 2/3 vote of both houses bill is effective immediately or on 9/1/07.</p> <p><u>Last Action:</u> S Reported from s/c favorably w/o amendments 04/04/2007. S Considered by s/c in public hearing 04/04/2007. S Scheduled for public hearing in s/c on . . . 04/04/2007.</p> |
| <p>SB 365</p> <p>Health Professional Education Grants</p> <p>RW</p> | <p>Relating to the creation and implementation of the health professional education grant program.</p> <p>Health Professional Education Grants; Purpose.</p> <p>(a) The board may award health professional education grants to eligible health professional education programs at public or private institutions of higher education in this state to:</p> <p>(1) assist the programs in: (A) providing new distance learning or community-based education projects or activities; or (B) expanding or enhancing existing distance learning or community-based education projects or activities; and (2) fund other related activities.</p> | <p>Nelson</p> | <p>Includes APN and undergraduate and graduate nursing education programs.</p> <p>Grant program to assist the programs in: providing new distance learning or community-based education projects or activities; or expanding or enhancing existing distance learning or community-based education projects or activities; and funding other related activities.</p> <p>Grants receiving approval will need to be reviewed by BNE staff to see if a waiver of BNE education rules, under BNE Innovative Pilot Programs, will be necessary.</p> | <p>If enacted, 9/1/07</p> <p><u>Last Action:</u> S Refer to s/c on Higher Education by Pres 02/21/2007. S Read first time 02/21/2007.</p> |

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| <p>SB 992</p> <p>Identical Companion to HB 1894</p> <p>RW</p> | <p>Relating to the use of money from the permanent fund for health-related programs to provide grants to nursing education programs.</p> | <p>Nelson</p> | <p>See HB 1894.</p> | <p>See HB 1894.</p> |
| <p>SB 1029</p> <p>Identical Companion to HB 3828</p> <p>RW</p> | <p>Relating to performance incentive funding for institutions of higher education.</p> | <p>Shapiro</p> | <p>See HB 3828.</p> | <p>See HB 3828.</p> |
| <p>SB 1055</p> <p>Projected Faculty Need Study</p> <p>RW</p> | <p>Relating to establishing a commission to study and report on the projected need for faculty at public and private institutions of higher education.</p> | <p>Zaffirini</p> | <p>Commission will be composed of a representative of each of the following appointed by the commissioner of higher education: THECB, general academic teaching institution, a medical and dental unit, private or independent institution of higher education, a public junior college, and three other persons with expertise concerning higher education in Texas (one member appointed by governor; one member appointed by the lieutenant governor & one member appointed by the speaker of the house), and the state demographer.</p> <p>Study will involve academic disciplines likely having the greatest need for new faculty, such as health care.</p> <p>Could indirectly involve BNE as a supplier of information for the commission and/or as having a representative of the BNE appointed as a member of the commission.</p> | <p>With 2/3 vote of both houses bill is effective immediately or on 9/1/07.</p> <p><u>Last Action:</u> S Reported from s/c favorably w/o amendments 03/19/2007. S Testimony taken in subcommittee 03/19/2007. S Considered by s/c in public hearing 03/19/2007. S Scheduled for public hearing in s/c on . . . 03/19/2007.</p> |

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| <p>SB 1419</p> <p>Texas Hospital-Based Nursing Education Grant</p> <p>Similar Companion HB 3443</p> <p>RW</p> | <p>Relating to the creation of the Texas Hospital-Based Nursing Education Grant Program.</p> | <p>West</p> | <p>THECB will administer grants to increase the number of nurses in Texas by fostering innovation through partnership models, leveraging existing expertise and infrastructure in both practice and academia, and expanding nursing education. Grants will be awarded to hospital partners.</p> <p>Grants receiving approval will need to be reviewed by BNE staff to see if a waiver of BNE education rules, under BNE Innovative Pilot Programs, will be necessary.</p> | <p>With 2/3 vote of both houses bill is effective immediately or on 9/1/07.</p> <p><u>Last Action:</u> 03/20/2007 S Refer to s/c on Higher Education by Pres.</p> |
| <p>SB 1860</p> <p>Professional nursing education pilot</p> <p>RW</p> | <p>Relating to a pilot project regarding funding for professional nursing education programs offered by general academic teaching institutions and health-related institutions.</p> | <p>Zaffirini</p> | <p>THECB shall require a general academic teaching institution that elects to participate in the pilot project to: (1) maintain a clinical faculty-to-student ratio in the institution's professional nursing education program of not more than 13 to 1, if the applicable faculty member will be the only person officially responsible for the clinical group and (2) submit a report regarding any effects of funding and faculty-to-student ratios provided under the pilot project, including: number of students admitted and graduated and faculty, clinical preceptors, or clinical teaching assistants and any other relative information.</p> <p>Significant: Any increase in a clinical faculty-to-student ratio in accordance with this section is not a ground for withdrawal of the approval of a professional nursing education program.</p> <p>This would be outside the current BNE education rules.</p> | <p>With 2/3 vote of both houses bill is effective immediately or on 9/1/07.</p> <p><u>Last Action:</u> S Scheduled for public hearing in s/c on . . . 04/10/20.</p> |

Hospitals

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| <p>HB 161</p> <p>Access to Spanish Interpreter Services</p> <p>CM</p> | <p>Amends Tx Occ Code 12.0151 (DSHS) to require DSHS to provide 24/7 toll-free telephone access to provide oral language interpreter services to physicians, hospital employees, and health care providers to assist w/ communicating w/patients whose primary language is Spanish</p> | <p>Gonzales Escobar Ortiz</p> | <p>None to NPA but Definitely FYI to Nurses!</p> | <p>4/4 Committee report sent to Calendars</p> <p>If enacted, 9/1/08</p> |
| <p>HB 1094 & SB 439</p> <p>Patient & Family Treatment Choice Rights Act of 2007</p> <p>CM</p> | <p>Amends Ch. 166 H&S Code. DELETES current 10-day limit on continuing life-sustaining treatment (other than artificial nutrition & hydration) after reviewed by ethics committee and both the committee and MD agree continuing treatment is futile. If no other accepting physician and facility can be found, the facility is stuck providing maximum treatment until such time as the person succumbs to their disease, illness, or injuries.</p> | <p>Hughes Rodriguez Smithee Laubenberg</p> <p>SB: Deuell</p> | <p>Facilities/Physicians/Nurses would have to continue delivering life-sustaining care in futile situations with no end-point when the family refuses to withdraw treatment (other than artificial nutrition and hydration).</p> <p>No impact on NPA but of great concern to ICU nurses.</p> <p>{Note current Austin case in news w/mother not wanting her son removed from life-support–10 day limit is mentioned}</p> | <p>If 2/3 vote, effective immediately, otherwise, 9/1/07</p> <p>HB 1094 - House PH 2/21</p> <p>SB 439 Meeting set for 4/12</p> <p>SB 439 - If enacted, 9/1/07</p> |
| <p>SB 198</p> <p>Recognition of Hospitals with Outstanding Nursing Programs</p> <p>Dorothy</p> | <p>Relating to the recognition of hospitals with outstanding nursing programs and a listing of hospital nursing staff information.</p> | <p>Nelson</p> | <p>Probably no impact on the BNE as far as licensing and education concerned.</p> | <p>If enacted, 9/1/07</p> <p>Public Hearing on 2/06/07-sent to calender.</p> |

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| <p>SB 288</p> <p>Reporting of Facility-acquired infections</p> <p>(HB 1885 companion) {Also see HB 1398}</p> <p>CM</p> | <p>Amends H&SC by adding Ch 98 to require DSHS create a panel in the regulatory licensing division to permanently oversee the reporting of iatrogenic infection rates in Texas. (Substitution 3/26).</p> | <p>Nelson</p> <p>Co-author of substitute Uresti</p> <p>HB: Nelson</p> | <p>No direct impact. Would impact Infection Control nurses and nurses in public health most as they would likely be involved in data collection/reporting.</p> | <p>To HHSC 1/30; reported favorably as substituted 3/20.</p> <p>Effective immed if 2/3 vote; otherwise 9/1/07. Report from DSHS no later than 6/1/08.</p> <p>Read 3rd time and engrossed 4/3.</p> |
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Insurance

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| <p>HB 109 SB 81</p> <p>Health Benefit Coverage Information</p> <p>MH</p> | <p>Related to changes with the child health plan program; would use net income vs gross income; would develop a community outreach campaign to include School Based Health Clinics and a toll-free telephone number so families may obtain information on health benefits coverage for children. DSHS may perform all or part of the campaign. Would change eligibility levels to be consistent with other regulations, i.e: children less than 19 years of age whose family income is at or below 200 percent of the federal poverty level is eligible for health benefits coverage.</p> | <p>Turner</p> | <p>No direct impact on the NPA and Rules; however, nurses working with children will need to know and comply.</p> <p>Amends the Health & Safety Code</p> | <p>HB 109 - Received in Senate Finance 4/11</p> <p>SB 81 - Senate HHS 1/23</p> <p>If enacted, 9/1/07</p> |
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| <p>HB 522</p> <p>Health Insurance Cards</p> <p>MH</p> | <p>Relates to identification cards provided by the insurer of a health benefit plan to each employee, including dental, vision and pharmacy. Minimum information to include on the card is defined: name of the issuer of the health benefit plan; name of the administrator of the health benefit plan; name of the policyholder or group contract holder;</p> | <p>Woolley</p> | <p>No direct impact on the NPA and Rules; however, the agency needs to know and comply. Amends the Insurance Code</p> | <p>House Insurance voted favorably as substituted 4/3</p> <p>If enacted, 9/1/07</p> |
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| | <p>policy number, contract or evidence of insurance; telephone number or electronic address for authorizations; information should be embedded in the card and accessible through magnetic strip or smart card technology; first date individual became insured; toll-free number a physician or health care provider may obtain that date. Allows for electronic technology changes. Compliance must be submitted to the commissioner by 1/1/08.</p> <p>Identification cards issued by Health Maintenance Organizations (HMO) have requirements as above. A custodial parent or adult child covered under a parent's health benefit plan must be provided with information regarding benefits including an identification card and claim forms. The card must comply with the minimum requirements specified above.</p> | | | |
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| <p>HB 1957</p> <p>Prenatal, Birth and Post-delivery Health Benefits</p> <p>MH</p> | <p>Health plan benefits for prenatal care must be provided from generally acceptable standards of medical practice or medically necessary; coverage to include care of women and children in connection with the birth of the child; coverage for women and children after birth, not less than 48 hours for uncomplicated vaginal births and 96 hours after uncomplicated cesarean sections.</p> | <p>Ortiz</p> | <p>No direct impact on NPA or Rules. CNMs/WHCNP and other nurses working with patients in these settings and/or in clinics and physician offices will need to know and comply. Amends the Insurance Code.</p> | <p>House Insurance pending 3/26</p> <p>If enacted, 9/1/07</p> |
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| <p>HB 3472</p> <p>Incentives for development of electronic medical record systems</p> <p>CM</p> | <p>Amends Insurance Code by adding Ch 1654 relating to promotion of electronic health record systems for health care programs or health insurance plans administered by the State of Texas. Proposed as incentivising health insurance programs for the State.</p> | <p>Delisi</p> <p>no companion</p> | <p>No direct impact. FYI to state employees more so than nurses.</p> <p>(See HB3471 and HB3886)</p> | <p>To PHC 3/21</p> <p>If enacted, 9/1/07</p> <p>No action 4/5</p> |
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Long Term Care

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| <p>HB 650</p> <p>Task Force to Assist LTC Facilities with Community Svcs</p> <p>JH</p> | <p>Relating to the establishment of a task force to assist certain long-term care facilities in developing the capacity to provide services to individuals with disabilities through community-based arrangements. Task force would develop a plan to assist providers of residential long-term care services to individuals with disabilities with the transition from facility-based services to community-based services.</p> | <p>Rodriguez</p> | <p>Information for nurses working in long-term care facilities with individuals with disabilities.</p> | <p>If enacted, 9/1/07</p> <p>Referred to House Public Health 2/6/07</p> |
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| <p>HB 918</p> <p>Residents Who Are Sex Offenders</p> <p>JH</p> | <p>Relating to duties of certain health care facilities in relation to residents who are sex offenders</p> | <p>Thompson</p> | <p>Facility shall determine whether a resident is required to register Under chapter 62, Code of Criminal Procedure. Facility will need to notify the Department of Public Safety that the person is a resident of the facility. Nurses may be involved.</p> | <p>If enacted, 9/1/07.</p> <p>Referred to House Human Services 2/8/07</p> |
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| <p>HB 1369</p> <p>Nursing Home Prescription Procedures</p> <p>JH</p> | <p>Relating to the procedure for filling prescriptions for nursing home residents.</p> | <p>Macias</p> | <p>None specifically identified</p> | <p>If enacted, 9/1/07</p> <p>Filed 2-13-07.</p> <p>To committee House Human Services 2/19/07</p> |
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| <p>HB 2253</p> <p>Personal ID for residents in institutions and assisted living</p> <p>JH</p> | <p>Relating to a personal (standard) identification device provided to residents of certain institutions and assisted living facilities</p> | <p>Alonzo</p> | <p>Information for nurses working in institutions involved.</p> | <p>If enacted, 9/1/07</p> <p>Referred to committee on House Human Services 3/7/07</p> |
| <p>HB 3730</p> <p>Conflict of Interest w/ psychotropic medications</p> <p>CM</p> | <p>Amends Government Code 531.0761 re development of protocols for use of psychotropic medications in Health and Human Services. Prohibits who can advise or assist in the development to prevent any conflict of interest.</p> | <p>Escobar</p> | <p>None to NPA; FYI to nurses.</p> | <p>Scheduled for public hearing in HHS committee 4/10</p> <p>If enacted, 9/1/07</p> |
| <p>HB 3766</p> <p>Pilot Program Under DADS for Self-Determination Models of Service</p> <p>CM</p> | <p>Amends Tx Gov't Code 531.001 to require DADS to establish a pilot program to deliver services to disabled individuals under 1915(c) waiver program by a self-determination model where the individual exercises control over the service plan and persons delivering services. (See HB 3760/SB 1766)</p> | <p>O'Day Bonnen</p> | <p>None to NPA; FYI to nurses.</p> | <p>To HHS committee 3/22; no action as of 4/6</p> <p>If enacted, 9/1/07</p> |

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| <p>SB 205</p> <p>Privacy of Health Information/ Sharing w/ certain entities or individuals</p> <p>CM</p> | <p>Implements results of OAG analysis of state laws based on HIPAA required by SB 1136 (79th Reg Session, 2005) Impacts DSHS and Dept of Family Protective Services; amendments to Gov't Code and Health & Safety Code; allows for sharing of certain protected health information between entities and individuals (such as adoptive parents).</p> | <p>Nelson</p> | <p>None to NPA: FYI to nurses.</p> | <p>Engrossed 3/14; to Gov't Reform Committee 3/22</p> <p>If enacted, 9/1/07</p> |
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| <p>SB 261</p> <p>Restraints Mental Illness</p> <p>JH</p> | <p>Relating to the detention and transportation of a person with a mental illness</p> | <p>Zaffirini</p> | <p>None specifically identified - pertains to restraints and detention in jail.</p> | <p>If enacted, 9/1/07</p> <p>Voted favorably from committee on Senate Health & Human Services 2/27/07; in House Committee for House Human Services 3/26/07</p> |
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Medical/Surgical

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| <p>HB 574</p> <p>Chronic Pain Treatment Identification</p> <p>CM</p> | <p>Amends Ch. 107 Occupation Code/Subchapter E Pt. Bill of Rights</p> <p>Pt has right to accept/refuse any/all modalities of pain treatment; does not have to 1st undergo surgical intervention; physician can provide information on Rx of law enforcement and emergency Tx.</p> <p>Physician may refuse to prescribe opiate meds. for severe chronic or acute pain but has a duty to provide the patient with the name of another physician qualified to treat the pain employing methods that include use of opiates.</p> | <p>McClendon</p> | <p>None. FYI for Nurses if passes.</p> | <p>As of 4/5 no action</p> <p>Immed if passed w/ 2/3 or 9/1/07</p> |
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| <p>HB 678</p> <p>Healthcare Facility Infection Rates</p> <p>CM</p> | <p>Amends Ch. 99 H&S Code to require DSHS to prepare an annual report on health-care associated infection rates in health-care facilities for distribution to the public on their web site. Data must include types of pts treated and source of infection.</p> | <p>Davis Martinez</p> | <p>None to NPA; FYI to nurses..</p> | <p>Left pending in committee 3/30</p> <p>If enacted, 9/1/07</p> |
| <p>HB 856/ SB 308</p> <p>Needle Exchange Program</p> <p>CM</p> | <p>Amends H&S Code Ch. 81. Prevent communicable diseases, including HIV, hepatitis B&C through Hypodermic needle exchange program, education and assistance in obtaining health services.</p> | <p>McClendon Deuell</p> | <p>None to NPA. Will impact public health clinic nurses or any nurse practicing in relation to a needle-exchange programs</p> | <p>SB: Scheduled for public hearing on 4/12; HB--no actions as of 4/5</p> <p>If enacted, 9/1/07</p> |
| <p>HB 1082</p> <p>MRSA Reporting Requirements</p> <p>CM</p> | <p>Require all labs to report all cases of MRSA to HHSC to track prevalence; develop methodology for electronic information exchange; collect and analyze data regarding the sources and possible prevention of MRSA & report no later than September 1, 2009</p> | <p>Straus</p> | <p>None: FYI for nurses.</p> | <p>Scheduled for Public Hearing on 4/11</p> <p>Immediately with 2/3 vote, otherwise 9/1/07</p> |

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| <p>HB 1094 & SB 439</p> <p>Patient & Family Treatment Choice Rights Act of 2007</p> <p>CM</p> | <p>Amends Ch. 166 H&S Code. DELETES current 10-day limit on continuing life-sustaining treatment (other than artificial nutrition & hydration) after reviewed by ethics committee and both the committee and MD agree continuing treatment is futile. If no other accepting physician and facility can be found, the facility is stuck providing maximum treatment until such time as the person succumbs to their disease, illness, or injuries.</p> | <p>Hughes Rodriguez Smithee Laubenberg</p> <p>SB439: Brimer, Eltife, Hegar, Nichols, Patrick, Van de Putte, Zaffirini</p> | <p>Facilities/Physicians/Nurses would have to continue delivering life-sustaining care in futile situations with no end-point when the family refuses to withdraw treatment (other than artificial nutrition and hydration). HB not moving; SB429 scheduled for public hearing 4/12 in HHSC.</p> <p>No impact on NPA but would impact nurses in many practice settings, esp. ICU/IMC, possibly LTAC's. As of 4/5, no fiscal notes for either bill; interesting considering enormous cost to the State if passed (private insurance would cut off at some point, but there would be no end to requirement to provide charity care beyond or if no insurance).</p> <p>{Note current Austin case in news w/mother not wanting her son removed from life support-10 day limit is mentioned}</p> | <p>If enacted, 9/1/07</p> <p>HB 1094 - House Public Health 2/21</p> <p>SB 439 - Meeting Senate HHS 4/12</p> |
| <p>HB 1398 Reporting of Health Care-Associated Infections (HCAI) (as substituted)</p> <p>{also see SB 288 and HB 1885}</p> <p>CM</p> | <p>SB 872 (79th) Session created a 1x advisory panel to make recommendations. This bill adopts most of their (8) recommendations. Amends H & S code by adding Ch 98. Creates an Advisory Panel on HCAI. Of 16 members, 2 members must be RNS who are certified in Infection Control/Epidemiology. DSHS must also establish the TX Health Care-Associated Infection Reporting System (THCAIR) no later than 6/1/08</p> | <p>Delisi</p> <p>Gattis, Miller, Straus, Noriega</p> | <p>None; FYI for nurses</p> | <p>Substitute reported favorably 3/28; Committee report distributed 4/5</p> <p>Effective immed if passes by 2/3; otherwise 9/1</p> |
| <p>HB 2016 SB 1170 Contractual Arrangements between Doctors</p> | <p>Relates to contractual arrangements with physicians and health care providers (nurses are defined as health care providers) and health benefit plan issuers. New sections added include: definitions; code of ethics and</p> | <p>Smithee</p> | <p>No direct impact on the NPA or Rules. APNs or other nurses involved with billing and reimbursement will need to know and comply. Amends the Insurance Code.</p> | <p>HB 2016 - Pending House Insurance 3/19</p> <p>SB 1170 - Meeting Senate State Affairs</p> |

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| and Health Care Providers MH | discrimination laws are included; prohibition of waivers of certain rights; effects on new patients; contract termination; disclosure of information; arbitration agreements; enforcement. | | | 4/12 If enacted, 9/1/07 |
| HB 3471 Pilot Programs to develop electronic medical records (also HB 3886) CM | Amends Human Resources Code Ch 32 by adding Subchapter D re: pilot programs for electronic medical records for Medicaid recipients. HHSC Commissioner must submit by 12/31/08 preliminary results of pilot projects; the pilot project would end 9/1/2011. | Delisi no companion | No direct impact. Nurses could be involved in pilot project. | To PHC 3/21 If enacted, 9/1/07 No action 4/5 |
| HB 3473 Consent for Medical Treatment (settings where 3rd party can consent) CM | Amends H&SC ch 313 relating to persons who can consent for treatment of a patient who is incompetent to consent for themselves; adds Home and Community Support Service Agencies (HCSSA) to the list of settings where a third party providing healthcare to the patient would document notification of the family/MPOA by the MD of the condition and TX for the patient in the medical record—the entry has to be co-signed by an employee of the healthcare provider and the surrogate decision-maker ASAP. | Delisi no companion | No direct Impact. Notify nurses working in hospitals, nursing homes, Home Health and anywhere else pt. receiving services from a HCSSA. | To PHC 3/21 If enacted, 9/1/07 4/5 no action |

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| <p>SB 204 Electronic Medical Records Software Requirements CM</p> | <p>Amends Ch 161 Health and Safety Code re: electronic medical records software to record immunizations shall have the ability to electronically interface with an immunization registry and generate electronic reports. Would authorize Executive Commissioner of HHSC to specify fields necessary for inclusion in immunization registry.</p> | <p>Nelson [Co-authors Van de Putte and Zaffirini]</p> | <p>None. FYI to nurses, esp. public health, school nurses, or if acute care facilities give pneumococcal ro flu vaccines.</p> | <p>Reported Engrossed 3/14/07</p> <p>If enacted, 9/1/07</p> |
| <p>SB 288 & HB1885 Advisory Panel on Infections Established (also see HB678) CM</p> | <p>Amends Ch. 98 of H&S Code. Establish a permanent Advisory Panel on Health Care-Associated Infections within the regulatory licensing unit of the health care quality section of DSHS as an advisory panel to guide the implementation, development, & evaluation of state health care-associated infection rate reporting system.</p> | <p>Nelson</p> | <p>None to NPA. FYI for Nurses: Advisory panel must have 2 infection control professionals who meet both of the following criteria—must be RN and must be certified in Infection Control and Epidemiology.</p> | <p>Engrossed 4/4; to PH committee 4/5</p> <p>HB: left pending in committee 3/25.</p> <p>Immediately with 2/3 vote, otherwise 9/1/07</p> |
| <p>SB 290 Niche Hospital Requirements CM</p> | <p>Amends section 105.002(d)(2) Of the TX Occ. Code. Quarterly niche hospital reports will be analyzed to assess effect on financial viability of other hospitals & ambulatory surgical centers; the overall cost of health care; the quality of health care; and access to health care. Niche Hospital is one in which at least 45% of Medicare claims are for cardiac, orthopedic, or surgical services OR 66% of Medicare pts classifeid in 2 major Dx-related groups w/primary dx in one of the first 3 listed. Addresses grant programs and tracking of monies for indigent health care Amends 241.0261 H&S code to establish requirement for at least one <u>Physician</u> certified in emergency medicine at all times.</p> | <p>Nelson</p> | <p>Potential to impact APNs covering ER's as specifically requires a "physician" in the ER "at all times" in a Niche Hospital.</p> <p>FYI for nurses (esp. APNs) working in Niche hospitals</p> | <p>Referred to HHSC 1/30/07. No further action as of 4/5.</p> <p>If enacted, 9/1/07</p> |

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| <p>SB 590 (as substituted)</p> <p>Designated Agent Access to Records</p> <p>CM</p> | <p>Amends Sec. 166.1641 of H&S Code to permit the person named as an agent on a MPOA for a patient access to the patient's medical records as the agent is considered a personal representative for the purpose of reviewing or determining the patient's competency.</p> | <p>Nelson</p> | <p>None. FYI for nurses.</p> | <p>Engrossed/Passed 3/28; To PH comm. 3/30</p> <p>If enacted, 9/1/07</p> |
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| <p>SB 625</p> <p>Prohibits Pharmacists from Substituting Certain Drugs</p> <p>HB 1443 companion</p> <p>CM</p> | <p>Amends TSBP statute (562.0142 Tx Occ Code) prohibiting a pharmacist from substituting an immunosuppressant drug prescribed for a transplant patient unless first obtaining a signed authorization from the prescribing MD.</p> | <p>Janek</p> <p>HB: Davis</p> | <p>None to NPA. FYI to nurses.</p> <p>HB 1443: no action</p> | <p>Placed on intent calendar 3/29</p> <p>If enacted, 9/1/07</p> |
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Other Healthcare Professionals

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| <p>HB 174</p> <p>Certificate Required for Laser Hair Removal for Non-Health Professionals</p> <p>CM</p> | <p>Relating to the regulation of laser hair removal facilities. A person may not perform or attempt to perform laser hair removal unless the person holds the appropriate certificate under this subchapter. Chapter does not require a health professional licensed under another law to hold a certificate under this chapter to perform laser hair removal if the performance of laser hair removal is within the scope of that professional's practice as determined by the professional's licensing board</p> | <p>Truitt</p> | <p>None to NPA. FYI for nurses.</p> | <p>As of 4/5 no action.</p> <p>September 1, 2007, except Sections 1604.101, 1604.151, and 1604.304, Occupations Code, and Subchapters H and I, Chapter 1604, Occupations Code, as added by this Act, take effect March 1, 2008, if enacted.</p> |
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| <p>HB 437</p> <p>Board (TMB) Guidelines for Physician Practice Re: Pain Management</p> <p>CM</p> | <p>Would Amend Ch 156 Tx Occ Code permitting TMB to establish guidelines for physician management of acute or chronic pain, but could not consider past or present chemical dependency of patient.</p> | <p>McClendon</p> | <p>None to NPA. FYI to nurses</p> | <p>Has gone no where as of 4/5</p> <p>If enacted, 9/1/07</p> |
| <p>HB 643</p> <p>Dentist/ Voluntary Charity Care</p> <p>CM</p> | <p>Amends Tx Occ Code section 257.002 to establish similar provision as done for nursing and some other health-related professions during 79th session.</p> | <p>Hughes</p> | <p>None to NPA; FYI</p> | <p>Left pending in committee 3/14</p> <p>As of 4/6 no action</p> <p>If enacted, 9/1/07</p> |
| <p>HB 703</p> <p>Lactation Consultants</p> <p>CM</p> | <p>Would add new Ch 703 to Tx Occ Code (DSHS) re: regulation of lactation consultants. Would not apply to licensed nurses who do this. (20 page bill)</p> | <p>Villareal</p> | <p>None to NPA but FYI for nurses</p> | <p>Left pending in committee 4/4</p> <p>no companion</p> <p>If enacted, 9/1/07</p> |
| <p>HB 948</p> <p>Drug Labeling Requirements</p> <p>CM</p> | <p>Amends Tx Occ Code Ch 431.1125 (TSBP) granting rulemaking authority to TSBP regarding RX labels in plain easy-to-understand language, relevant to the RX, and in font size large enough for pt to read easily</p> | <p>Davis</p> | <p>None to NPA but FYI for Nurses and APNS!</p> | <p>4/4 Committee report sent to Calendars</p> <p>If enacted, 9/1/07</p> |

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| HB 1028 Acupuncture Board CM | Would amend Tx Occ Code 205; would give this board rule-making authority and remove requirement to also have TMB approval of rules. Would permit evaluation w/o referral and broaden scope of ailments that could be treated. | King | None to NPA; FYI for nurses | As of 4/5 no action. If enacted, 9/1/07 |
| HB 1194 Criminal health care services JZ | Amends Civil Practice & Remedies Code to indemnify contract phlebotomists who work with TDCJ to collect samples on incarcerated patients. Protects phlebotomist should offender file suit. | England/Madden | No implications for the agency or the NPA. Nurses who practice in TDCJ facilities need to be aware. | Last Action: 4-3-2007 Referred to Senate State Affairs 3-22-2007 Passed through House on record vote If enacted, 9/1/07 |
| HB 1706 Require Yearly Renewal of Physician License (HB 1758 duplicate) CM | Amends Tx Occ Code section 153.053 (TMB) to require yearly licensure renewal for all physicians. Lowers all types of renewal to \$200 each year. | Chisum Coleman | None to NPA, but FYI as point of interest | As of 4/6 both pending in committee since late Feb/early March 9/1/07 w/savings clause, if enacted. |
| HB 1761 Gender & Name Chg CM | Amends Family Code Ch 45 by adding 45.107. A person can request a name and gender change, and request can be granted by a court if the person's petition is accompanied by a sworn affidavit from a physician; surgical intervention is not required. | Coleman | None to NPA. | As of 4/6 no action If enacted, 9/1/07 |

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| <p>HB 1806</p> <p>Anti-epileptic Drug Substitution (companion SB 409)</p> <p>CM</p> | <p>Amends Tx Occ Code Ch 562.0141 to prohibit a pharmacist from substituting a generic equivalent of an anti-epileptic medication without written authorization from the prescribing physician. 2% of Texans have refractory seizures and report increased seizures after long sz-free periods when changed to generic drugs. Fiscal impact over next 2 yrs = \$4,872,669 (all r/t CHIP).</p> | <p>Gattis</p> | <p>None: FYI for nurses</p> | <p>HB no action SB: substitute reported favorably 4/2; placed on intent calendar 4/12</p> <p>Effective 9/1/07</p> |
| <p>HB 1883</p> <p>Regulation of massage & bodywork therapies</p> <p>CM</p> | <p>Amends Tx Occ Code Ch 455 re: massage and “bodywork therapies” (new term added throughout). New section 455.3505 Definitions; no chg in exemption of nurses from licensure under this chapter. (36 pg bill)</p> | <p>Anchia</p> | <p>None, but FYI for nurses</p> | <p>2/27 reported to Gov’t Reform</p> <p>As of 4/5 no action</p> <p>Effective 9/1/07 with some sections effective 9/1/08, if enacted</p> |
| <p>HB 1953</p> <p>Labeling Requirements for Dispensed Drugs</p> <p>CM</p> | <p>Amends Tx Occ Code 562.006(a) re: labeling requirements for drugs dispensed by a pharmacist, including “use by” date. (TSBP) Puts rules from TSBP into statute</p> | <p>Leibowitz</p> | <p>None: FYI for nurses (including APN’s)</p> | <p>3/27 Reported Favorably; 4/5 Committee Report distributed</p> <p>TSBP must adopt rules by 12/01/07; effective on RX 1/1/08</p> <p>If enacted, 9/1/07</p> |
| <p>HB 1973</p> <p>Licensing Process for Physicians</p> <p>CM</p> | <p>Would amend Ch 155 Tx Occ Code requiring review and revision of certain processes in licensing physicians as found to expedite licensing w/o delay. Requires TMB to issue report to Governor and LBB each year.</p> | <p>Delisi</p> | <p>None to NPA. FYI.</p> | <p>4/4 Committee report sent to Calendars</p> <p>If enacted, 9/1/07</p> |

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| <p>HB 1996 Refusal to fill RX d/t Ethical or Moral Reasons</p> <p>CM</p> | <p>Amends Ch 562.057 re: TSBP prohibiting a pharmacist from refusing to issue a valid prescription for moral or ethical reasons; permits TSBP to take licensure action against the pharmacist if access to RX is not ensured at that or another pharmacy.</p> | <p>Tourelles</p> | <p>None to NPA: FYI</p> | <p>No action as of 4/4 no companion If enacted, 9/1/07</p> |
| <p>HB 2993 Dental Hygienists</p> <p>CM</p> | <p>Amends Occ. Code 262.151 re: expanding settings and time limit (under 1 yr) for a dental hygienist to deliver services before Dentist must establish relationship with the patient.</p> | <p>Villareal</p> | <p>None/FYI.</p> | <p>No action as of 4/5 If enacted, 9/1/07</p> |
| <p>SB 591 Physicians Provide Emergency Contact Info to TMB</p> <p>CM</p> | <p>Amends Ch 156 Tex. Occ. Code requiring all physicians to provide emergency contact information including e-mails, phone numbers, and fax so the TMB can contact them in an emergency. Inform. confidential and not subject to disclosure.</p> | <p>Nelson</p> | <p>None to NPA or nursing but of note—nursing could be next.</p> | <p>Read 3rd time and engrossed 3/28; to PH comm 3/30. If enacted, 9/1/07</p> |
| <p>SB 1101 Companion: HB 1755 Financial interests</p> <p>JZ</p> | <p>Amends Occupations Code adding new chapter 113. Will require health care providers licensed under subtitles B & C to disclose to financial interests/arrangements with diagnostic imaging providers/services to which referrals are made. Provider must provide specified quarterly reports to licensing authority. Provider must also disclose to patients.</p> | <p>Duncan Companion Author: Taylor</p> | <p>No direct implications for the agency or the NPA at this time. However, providers having to comply include physician assistants and direct-entry midwives. Will need to monitor whether APNs are included in any substitute bills as this language conflicts with Rule 217.12(6)(J) that defines unprofessional conduct to include receipt of fees or consideration for third party referrals.</p> | <p>Last Action: 3-14 Referred to Senate State Affairs Companion Last Action: 2-26 Referred to House Public Health If enacted, 9/1/07</p> |

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| <p>SB 1429</p> <p>MPA: delegation to Pharmacists for Drug Therapy Management</p> <p>CM</p> | <p>Amends the Medical Practice Act (Tx Occ Code Ch 157) by adding additional language re: MD delegation to pharmacists for drug therapy management is the pharmacist practices in a hospital, clinic, physician's office, or an academic health care institution. The pharmacist has to have a supervising MD, and TSBP has to provide a list of pharmacists authorized to sign prescription drug orders.</p> | <p>Van de Putte</p> | <p>No direct impact but nurses would need to know (esp. In effected settings) that it is OK to accept valid orders from a pharmacist. May have to add/combine PS for APN and Pas to include Pharmacists (ie: can accept orders but also still responsible to question, and to contact MD directly if necessary.</p> | <p>To HHS commit. 3/20</p> <p>No action 4/5</p> <p>If enacted, 9/1/07</p> |
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Pediatric

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| <p>HB 2275</p> <p>Parental Access to child's coverage under health benefit plan or status under state program</p> <p>JH</p> | <p>Relating to parental access to information concerning a child's coverage under a health benefit plan or status under certain state-funded health care programs.</p> | <p>Davis, Yvonne</p> | <p>Information for nurses only.</p> | <p>Referred to committee on House Public Health 3/7/07</p> <p>If enacted, 9/1/07</p> |
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| <p>HB 2339</p> <p>Establishment of Children's Behavioral Health Council</p> <p>JH</p> | <p>Relating to behavioral health services for children and establishment of the Children's Behavioral Health council. SB 1503</p> | <p>Naishtat</p> | <p>Information for nurses who work with children with mental health concerns.</p> | <p>If enacted, 9/1/07</p> <p>Referred to committee on House Public Health 3/8/07</p> |
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| <p>HB 2389</p> <p>Rights of Minor in Custody to Medical Care</p> <p>JH</p> | <p>Relating to the right of a minor in the custody of the Texas Dept of Criminal Justice to consent to medical, dental, psychological, and surgical treatment.</p> | <p>Madden</p> | <p>Information for nurses caring for minors in custody.</p> | <p>If enacted, 9/1/07</p> <p>Referred to committee on House Corrections 3/8/07</p> |
| <p>HB 3677</p> <p>Establishment of Children's Behavioral Health Council</p> <p>JH</p> | <p>See HB 2339 above - development and delivery of behavioral health services to children.</p> | <p>Davis, John</p> | <p>Information for nurses working with children with behavioral or severe emotional disturbances.</p> | <p>If enacted, 9/1/07</p> <p>Referred to House Appropriations 3/22/07</p> |
| <p>SB 758</p> <p>Child Protection Services</p> <p>JH</p> | <p>Relating to child protection services</p> | <p>Nelson</p> | <p>Procedures and protocols for nurses (as well as other health care providers) to follow in detecting child abuse and neglect.</p> | <p>Committee action pending, Senate Health and Human Services 3/27/07</p> <p>If enacted, 9/1/07</p> |
| <p>SB 894</p> <p>Children in Foster Care Participating in Research</p> <p>JH</p> | <p>Relating to enrollment and participation in certain research programs of certain children in foster care. Persons may not authorize the enrollment of a foster child or consent to their participation in drug research without a court order.</p> | <p>Zaffirini</p> | <p>Information for nurses working with foster children</p> | <p>If enacted, 9/1/07</p> <p>Referred to committee on House Higher Education 2/8/07</p> |

Public Health

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| <p style="text-align: center;">HB 92</p> <p style="text-align: center;">Prescription Required to Purchase AEDs</p> <p style="text-align: center;">MH</p> | <p>Related to the acquisition of automated external defibrillators (AEDs)</p> | <p style="text-align: center;">Branch</p> | <p>No direct impact on the NPA or Rules; however nurses and entities that purchase AEDs should be aware that AEDs require a prescription by a licensed practitioner in the course of his professional practice. Amends the Health & Safety Code.</p> | <p style="text-align: center;">To Senate HHS 4/3</p> <p style="text-align: center;">If enacted, 9/1/07</p> |
| <p style="text-align: center;">HB 146</p> <p style="text-align: center;">HPV Education</p> <p style="text-align: center;">MH</p> | <p>Relates to DSHS role in the producing and distributing of educational materials regarding HPV and the HPV vaccine. HB 146 emphasizes public education and the promotion of the HPV vaccine and that the vaccine is available to those who are underinsured through the “Vaccines for Children” and medical assistance programs. Requires DSHS to provide the HPV vaccine to eligible individuals following criteria established by the CDC and Vaccines for Children Program.</p> | <p style="text-align: center;">Deshotel</p> | <p>No direct impact on the NPA or Rules; however, nurses involved with vaccine education and administration must know and comply. Amends the Health & Safety Code.</p> | <p style="text-align: center;">House Public Health 1/30</p> <p style="text-align: center;">If enacted, 9/1/07</p> |
| <p style="text-align: center;">HB 246</p> <p style="text-align: center;">AIDS/HIV Reporting</p> <p style="text-align: center;">MH</p> | <p style="text-align: center;">Related to reporting cases of AIDS/HIV</p> | <p style="text-align: center;">Alonzo</p> | <p>No direct impact on the NPA or Rules; however nurses may be involved in the data collection/reporting of AIDS/HIV in their practice setting, ie: doctors offices, public health clinics, infection control, disease surveillance. Amends the Health & Safety Code.</p> | <p style="text-align: center;">Sent to Senate Health and Human Services 4/3</p> <p style="text-align: center;">If enacted, 9/1/07</p> |
| <p style="text-align: center;">HB 424</p> <p style="text-align: center;">SB 156</p> | <p>Related to a competitive grant program to fund nurse-family partnership programs or the expansion of existing programs in certain</p> | <p style="text-align: center;">Madden</p> | <p>No direct impact on the NPA or Rules; however, RNs in public health settings or employed through the nurse family partnership must know and comply.</p> | <p style="text-align: center;">HB 424 - House Public Health voted favorably as substituted 4/4</p> |

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| <p>Public Health Nursing Visits to New Mothers</p> <p>MH</p> | <p>Texas communities. Specifically includes the YWCA of Metropolitan Dallas as a recipient of a grant. The partnership programs must operate in multiple communities and provide services to approximately 1200 families. A model develop by the Nurse-Family Partnership National Service Office must be used. RNs regularly visit the homes of low-income, first time mothers to improve pregnancy outcomes; improve child health and development; improve family economic self-sufficiency and stability; reduce the incidence of child abuse and neglect. Visits begin not later tha a mother’s 28th week of gestation and end when the child reaches two years of age. Application guidelines are defined, including demonstrating the needs of a community. A state nurse consultant will be utilized. Monitoring and evaluation of the program is defined.</p> | <p>Shapiro</p> | <p>Amends the Government Code.</p> | <p>SB 156 - Senate HHS voted favorably as substituted 2/27</p> <p>If enacted, 9/1/07</p> |
| <p>HB 533 Retail Drug Price Registry</p> <p>JZ</p> | <p>Amends Government Code to require development of a registry of the retail prices for the 150 most commonly prescribe drugs. The registry is to be updated weekly and available for download by consumers.</p> | <p>Dukes</p> | <p>None for NPA or the agency. Nurses may wish to be aware and share this information with their patients.</p> | <p>Last Action: 2-06-2007 Referred to House Public Health</p> <p>If enacted, 9/1/07</p> |
| <p>HB 1370 HIV/Hepatitis Interagency Coordinating Council</p> <p>MH</p> | <p>Related to the interagency coordinating council for HIV and Hepatitis. The council will: coordinate communications on provision of services; develop a plan that facilitates coordination of agency programs concerning prevention and the delivery of services to individuals with HIV/AIDS/Hepatitis</p> | <p>Coleman</p> | <p>No direct impact on the NPA or Rules; however, <u>the BNE is required to send one representative appointed by the ED to quarterly meetings.</u> Nurses most likely will be carrying out the council’s plan and prevention programs, ie: in public health settings, clinics, physician offices, discharge teaching. Amends the Health & Safety Code.</p> | <p>Local and Consent Calendar 4/10</p> <p>If enacted, 9/1/07</p> |
| <p>HB 1373</p> | <p>Relates to the creation of a Chronic Kidney Disease Task Force for early diagnosis and</p> | <p>Guillen</p> | <p>No direct impact on the NPA or Rules; however Nurses may be members of the task force or may</p> | <p>Reported from House Public Health on 4/10</p> |

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| <p>Chronic Kidney Disease Task Force</p> <p>MH</p> | <p>treatment to prolong lives and decrease costs by delaying dialysis and transplantation.</p> | | <p>participate in training/education aspects. Amends Health & Safety Code by adding chapter 98</p> | <p>If enacted, 9/1/07</p> |
| <p>HB 1379</p> <p>HPV Education</p> <p>MH</p> | <p>Relates to the Department of State Health Services (DSHS) producing and distributing educational materials on the HPV vaccine. Specific content is listed that should be in the educational materials.</p> | <p>Deshotel</p> | <p>No direct impact on the NPA or Rules; however, nurses involved with vaccine education must know and comply. Amends the Health & Safety Code.</p> | <p>Voted favorably from Senate HHS 4/10</p> <p>If enacted, 9/1/07</p> |
| <p>HB 1725</p> <p>Organ Donation Incentive Act</p> <p>MH</p> | <p>Organ donors may register with the DSHS and designate a beneficiary to receive any death benefit payable by reason of donor's death and a beneficiary of a deceased donor may make a claim for a death benefit. An incentive fund is in the general revenue fund. The fund may pay death benefits and costs to administer the program. 5% tax on gross revenue is imposed on providers of transplant services. Residents of Texas may register as a donor by filing a gift document that includes designation of beneficiary to receive death benefit payments and the signature of the person who would have priority to make a gift of the donor's organs. A person can still make an organ gift even if not registered. A donor may revoke an anatomical gift.</p> | <p>Goolsby</p> | <p>No direct impact on the NPA or Rules. Nurses working in organ procurement and transplantation will need to know and comply. Amends the Health & Safety Code and the Penal Code.</p> | <p>House Public Health 2/26</p> <p>If enacted, 9/1/07</p> |

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| <p>HB 1743</p> <p>Tertiary Medical Services Regional Board (TMSRB) SB 1028 companion</p> <p>CM</p> | <p>Amends H&S code Ch 46B to create the TMSRB to administer the Demonstration Project relating to needs for tertiary medical services.. Boards in each region responsible to review needs and make recom-mendations to the HHSC for best use of funds, contract w/ providers to prevent overlaps and gaps in services.</p> | <p>Giddings</p> <p>SB: West</p> | <p>None to NPA; FYI for nurses</p> | <p>As of 4/6 no action either bill</p> <p>If enacted, 9/1/07</p> |
| <p>HB 1846</p> <p>Communicable Disease Reduction and Prevention</p> <p>MH</p> | <p>Relates to the efforts of reducing the spread of communicable disease, i.e: HIV, Hepatitis B & C.</p> | <p>Ortiz</p> | <p>No direct impact on the NPA or Rules; however, nurses will be involved in the disease control programs, ie: anonymous exchange of hypodermic needles and syringes; education on transmission and prevention of HIV/Hepatitis B&C; accessing health services; provision of medical waste containers and safe disposal. Amends the Health & Safety Code.</p> | <p>House Public Health 2/27</p> <p>If enacted, 9/1/07</p> |
| <p>HB 3760</p> <p>Expansion of Consumer-Directed Services for Disabled & Elderly</p> <p>SB 1766 companion also see HB3766</p> <p>CM</p> | <p>Amends Tx Gov't Code 531.051 (under the Health and Human Services Commission). Establishes an ongoing Work Group to develop expanded consumer-directed models. A provider agency would serve either as a fiscal agent (payroll, taxes) or as the employer performing administrative functions for the consumer (hiring, dismissal, etc).</p> | <p>Naishtat</p> <p>SB: Watson, Nelson</p> | <p>None on NPA, but BNE practice consultants will likely need to be involved at least initially and then available for questions re: when tasks may need to involve a nurse (such as acute condition requiring assessment).</p> | <p>HB: Scheduled for public hearing 4/5</p> <p>SB: Scheduled for public hearing 4/12</p> <p>If enacted, 9/1/07</p> |
| <p>SB 418</p> <p>Obesity Research</p> | <p>Related to evidence-based clinical interventions to prevent and treat obesity.</p> | <p>Lucio</p> | <p>No direct impact on the NPA or Rules. Informational only for possible research opportunities. Amends the Health & Safety Code.</p> | <p>Senate HHS 2/21</p> <p>If enacted, 9/1/07</p> |

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| SB 556 Interagency Obesity Council MH | Related to the creation of an interagency obesity council. | Lucio | No direct impact on the NPA or Rules. Informational only as it applies to the BNE's wellness program. Amends the Health & Safety Code by adding Chapter 114. | Voted favorably from Senate HHS on 4/10 If enacted, 9/1/07 |
| SB 810 Public Health Disasters MH | Relates to the Department of State Health Services' (DSHS) authority to designate a facility appropriate for services during a public health disaster or quarantine. When 5 or more people have been exposed to or infected with a communicable disease DSHS, through a court order may isolate/quarantine. Protective custody laws are defined, i.e: notification, legal representation, discharge, responsibility of facility | Janek | No direct impact on the NPA or Rules. However; public health nurses involved with communicable disease surveillance and treatment and infection control/hospital nursing staff should be familiar with disaster and/or quarantine plans. Amends the Health & Safety Code. | Senate Local Calendar 4/12 If enacted, 9/1/07 |
| SB 809 Automated RX Dispensing System HB2037 companion CM | Amends Ch 562.019 (TSBP);Would permit "on-site" secure pharmacy on corporate campuses that will deliver prescriptions and OTC products to employees, eliminating the need to leave a worksite in order to have a RX filled. TSBP would have to write rules re: secure location, etc. | Janek HB: Laubenberg | No impact on NPA. May involve nurses at sites depending upon implementation rules developed by TSBP if passes. | No action on HB. SB reported favorably w/o amendments 4/2 If enacted, 9/1/07 |
| SB 811 HB 532 | The Department of State Health Services (DSHS) will allow health care providers to select influenza vaccine from the entire list of | Janek | No direct impact on the NPA or Rules. Nurses administering vaccine in the Vaccine for Children program will need to know and comply. Amends the | SB 811 - Senate Local Calendar 4/4 |

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| <p>Vaccine Selection in the Vaccine for Children Program</p> <p>MH</p> | <p>available influenza vaccine approved by the US FDA, recommended by the federal Advisory Committee on Immunization Practices; and available under contract with CDC and US Public Health Service. Both trivalent virus and live attenuated influenza vaccines could be used.</p> | <p>Dukes</p> | <p>Health & Safety Code.</p> | <p>HB 532 - Voted favorably from House Public Health 4/10</p> <p>If enacted, 9/1/07</p> |
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| <p>SB 892</p> <p>Immunization Registry</p> <p>MH</p> | <p>The purpose of the registry is to establish and maintain a single repository of accurate, complete and current immunization and early childhood disease screening records to aid, coordinate and promote efficient and cost-effective communicable disease prevention and control.</p> <p>Adds the Department of State Health Services ability to screen and include the screening results in the immunization registry. Types of screening are: hearing, tuberculosis and blood lead levels and others. Provisions are listed for patient's to be removed from the registry if so chooses. DSHS may send notices to remind families when immunizations are due or overdue. Adds the required information that health care providers are to document: date of administration; vaccine manufacturer and lot number; name, address and title of provider administering the vaccine; any allergic reactions or other contraindications to a vaccine; screenings, date, results, name, address and title of provider performing the screening.</p> | <p>Zaffirini</p> | <p>No direct impact on the NPA or Rules. Nurses administering vaccines or working with the registry and screening of patients will need to know and comply. Amends the Health & Safety Code.</p> | <p>Senate HHS 3/7</p> <p>If enacted, 9/1/07</p> |
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School Nurses

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| <p>HB 214 AEDs in Schools MH</p> | <p>Related to the requirement for school districts to make available on every campus or every university interscholastic league athletic competition (UIL) an AED.</p> | <p>VO</p> | <p>No direct impact on the NPA or Rules; however school nurses will be an integral part of the purchase, training, maintenance and monitoring of a Public Access to Defibrillation (PAD) program. Amends the Education Code.</p> | <p>House Public Education 1/30 If enacted, 9/1/07</p> |
| <p>HB 215 HPV MH</p> | <p>Education Code: relates to each female student enrolling in sixth grade be fully immunized against HPV. Texas Education Agency (TEA) must direct school district on procedures that provide information to parents/guardians/students on HPV and cervical cancer. Health & Safety Code: Affidavit must be signed that information was received regarding the connection of the HPV and cervical cancer. DSHS will be required to disseminate information to parents, (information is defined in HB 215). Human Resources Code: requires DSHS to require each female child at an appropriate age be immunized against HPV. Provisional enrollment for school admission is permitted.</p> | <p>Farrar</p> | <p>No direct impact on the NPA and Rules; however, school nurses and nurses responsible for the education and administration of immunizations must know and comply. Amends the Education Code, Health & Safety Code and Human Resources Code.</p> | <p>House Public Health 1/30 9/1/07 or the 2007-08 school year.</p> |
| <p>HB 439 Special Healthcare Needs Care MH</p> | <p>Relates to students with disabilities that have special health care needs receive school health services by a qualified school nurse or other qualified and trained personnel. A teacher may request assistance from properly qualified and trained personnel to perform necessary tasks related to a student's hygiene and care, including diapering. Health and Human Services Commission will provide a website with resources for teachers with information about the treatment and management of chronic illnesses and the</p> | <p>Hochberg and Herrero</p> | <p>No direct impact on the NPA or Rules. School nurses will need to know and comply. School nurses will be called upon to perform special health care services and to train school personnel in these services. School nurses may delegate and supervise these services in accordance with Rule 225. Amends the Education Code.</p> | <p>Reported as substituted from House Public Education 4/2 If enacted, 9/1/07</p> |

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| | impact on a student's ability to succeed in school. | | | |
| HB 787 Duty-free lunch period for nurses MH | Relates to duty-free lunch periods for public school nurses employed full-time. | Dutton | No direct impact on the NPA or Rules. School nurses will need to know and comply. Amends the Education Code. | House Public Education 2/7 If enacted, 9/1/07 |
| HB 1059 School Districts Website Posting of Required Immunizations MH | Requires school districts that maintain an internet website to post: a list of immunizations required for admission to public school as set forth by the Department of State Health Services and the Public School Board of Trustees; health clinics in the school district that offer influenza vaccine; a list of recommended vaccines, ie: influenza unless it becomes required by DSHS. | Parker | No direct impact on the NPA or Rules. School nurses and nurses in physician offices and clinics need to know and comply. Amends the Education Code. | Passed out of House 4/11 If enacted, 9/1/07 |
| HB 1098 SB 438 HB 1115 HPV MH | Prohibits, as a condition for admission to public school, the immunization against Human Papilloma Virus (HPV). Preempts all contrary executive orders of the governor. | Bonnen et al | No direct impact on the NPA or Rules. School nurses and nurses administering immunizations will be required to know and comply. Amends the Education Code. | HB 1098 voted favorably from Senate HHS as amended 4/10 SB 438 - Senate HHS 2/21 HB 1115 - House Public Health 2/12 Immediate or 91 st day after session ends. |
| HB 1215 HPV | Relates to the immunization schedule and the HPV vaccine may not be included. May not require the HPV vaccine for admission to | Hughes | No direct impact on the NPA or Rules. School nurses and nurses administering immunization should know and comply. Amends the Health & Safety Code. | House Public Health 2/13 |

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| MH | elementary/secondary schools. | | | Immediate or 91 st day after session ends. |
| HB 1838 Food Allergy School Transfer MH | Relates to students with severe food allergies being able to transfer to a campus where a full-time registered school nurse is assigned. Siblings may also transfer. Transportation does not have to be provided by the school district. A student may even transfer to another district in order to be on a campus with a full-time registered school nurse. | Taylor | No direct impact on the NPA or Rules. School nurses will need to know and comply. Amends the Education Code. | House Public Education 2/27 If enacted, 9/1/07 |
| HB 1946 AED Location MH | Relates to reporting the precise location of the AED to 911 public safety answering points; if location changes an additional report is made within 30 days; public safety answering points will develop a system to receive/update this information; answering points will notify a caller of the nearest AED if a cardiac arrest condition exists. School districts will make available a "sufficient" number of AEDs to cover campuses. | Eissler | No direct impact on the NPA or Rules. Nurses involved with PAD programs will need to know and comply, ie: school nurses, BNE nurses. Amends Health & Safety Code; Education Code. | House Public Health 2/28 If enacted, 9/1/07 |
| HB 1954 SB 862 Trans Fatty Acids Eliminated in School Meals MH | Will prohibit trans fatty acids in school meals. | Farias | No direct impact on the NPA or Rules. FYI for school nurses. Amends the Education Code. | HB 1954 - House Public Education 3/1 SB 862 - Senate Education 3/1 If enacted, 9/1/07 |
| HB 1984 SB 1585 Autism | Relates to the creation of an autism spectrum disorders resource program, statewide. Resources will be coordinated for | Thompson | No direct impact on the NPA or Rules. FYI for School Nurses working with children with autism/pervasive personality disorders (PPD) will | HB 1984 - House HS 3/1 |

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| Resource Program MH | families/individuals with autism/PPD. Information will be distributed, training will be conducted, services coordinated and support will be provided to families. | | need to know and comply. Amends Human Resources Code. | SB 1585 - Senate HHS 3/21 If enacted, 9/1/07 |
| SB 7 CPR/AEDs in School Districts MH | Related to school district requirements to provide instruction on CPR and the use of AEDs. In addition, school districts must make an AED available on every campus and every university interscholastic league athletic competition (UIL). At least one district employee must be trained and present at any time. Safety procedures must be developed for the response to a medical emergency involving cardiac arrest | Hinojosa | No direct impact on the NPA or Rules; however, school nurses' (and other key school personnel) must participate in a CPR/AED certification program with the American Heart Association or the American Red Cross. School nurses will be an integral part of the purchase, training, maintenance and monitoring of a Public Access to Defibrillation (PAD) program. As well as with the development of an emergency response policy. Amends the Education Code. | House Public Education 3/26, 3 floor amendments If enacted, 9/1/07 |
| SB 416 Award for Schools Achievement in Children's Health MH | Relates to schools receiving a monetary award for achieving extraordinary status in children's health based on the School Health Index by the CDC/US Public Health Service. | Lucio | No direct impact on the NPA and Rules. School nurses will need to know and comply as they may be initiating programs and participating in the assessment process of the School Health Index. Amends the Education Code. | Senate Education 2/21 If enacted, 9/1/07 |

Women's Health

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| <p>HB 21</p> <p>Abortion Consents</p> <p>JZ</p> | <p>Amends Health & Safety Code related to consent for abortion and requires physician to provide specific information related to risks/complications. Allows physician to designate an agent to provide information regarding prenatal care, contraception, etc to patients seeking abortion.</p> | <p>Corte</p> | <p>None for the agency or NPA. Nurses who practice in these settings may be asked to serve as designated agent and will want to be aware.</p> | <p>Last Action: 4-2-2007 Left pending in House State Affairs</p> <p>If enacted, 9/1/07</p> |
| <p>HB 23</p> <p>Women's Health: Emergency Contraception</p> <p>JZ</p> | <p>Amends Health & Safety Code and establishes requirements for specific signs and patient education requirements in business establishments where emergency contraception is dispensed or distributed. Additional requirements would be imposed when distributing or dispensing emergency contraception to patients under age 18 years.</p> | <p>Corte</p> | <p>None for the agency or the NPA. Teaching requirements imposed on pharmacists; however, nurses may be working in settings where this occurs. It is not clear whether advanced practice nurses who provide emergency contraception to their patients would need to meet these requirements.</p> | <p>Last Action: 1/29/2007: Referred to House State Affairs</p> <p>If enacted, 9/1/07</p> |
| <p>HB 175</p> <p>Companion: SB 186</p> <p>Abortion</p> <p>JZ</p> | <p>Amends Health & Safety Code regarding abortion predicated on a change to federal law allowing states to ban abortion. If federal law is changed, state law would ban abortion except in cases where the mother's life is in jeopardy. Also amends Penal Code at the same time such that performing an abortion would become a felony offense. If the mother dies during the procedure, it is a first degree felony.</p> | <p>Chisum</p> <p>Companion Author: Patrick</p> | <p>None for the agency or NPA. Nurses who practice in these settings need to be aware.</p> | <p>Last Action: 4-2-2007 Left pending in House State Affairs</p> <p>Companion Last Action: 1-29-2007 Referred to Senate State Affairs</p> <p>If enacted, 9/1/07</p> |
| <p>HB 268</p> | <p>Amends the Insurance Code to require health benefit plans that provide benefits for</p> | <p>Anchia</p> | <p>None for the agency or NPA. APNs who prescribe contraceptive drugs and devices may wish</p> | <p>Last Action: 3-26-2007 Left pending in</p> |

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| Insurance coverage for contraceptives JZ | prescription drugs/devices to include coverage for prescription contraceptive drugs/devices and related services. Applies to standard health benefit plans delivered, issued for delivery, or renewed on or after 1/1/2008. | | to be aware. | House Insurance If enacted, 9/1/07 |
| HB 301 Abortion consents JZ | Amends Health & Safety Code regarding the voluntary and informed consent to abortion requirements in situations in which a severe and irreversible abnormality in the fetus is detected. | Farrar | None for the agency or NPA. Nurses who practice in these settings need to be aware. | Last Action: 4-2-2007 Left pending in House State Affairs If enacted, 9/1/07 |
| HB 306 Abortion consent JZ | Amends Health & Safety Code regarding the voluntary and informed consent to abortion requirements in situations in which the pregnancy is the result of incest or sexual assault. | Farrar | None for the agency or NPA. Nurses who practice in these settings need to be aware. | Last Action: 4-2-2007 Left pending in House State Affairs If enacted, 9/1/07 |
| HB 709 Stem cells/ cord blood JZ | Amends Health & Safety Code to require DSHS to develop a brochure regarding uses, risks and benefits of stem cells available in umbilical cord blood as well as options for future use or storage of cord blood. Health professionals who attend patients during pregnancy or delivery are required to provide the brochure to patients and permit patients to arrange for storage or donation of cord blood unless such threatens health of mother or infant or is against provider's religious beliefs. | Parker | None for the NPA. Possible implications for enforcement if advanced practice nurses fail to comply. Nurses who practice in these settings need to be aware. | Last Action: 4-10-2007 Committee substitute placed on House General State Calendar If enacted, 9/1/07 |
| HB 859 Preservation of Fetal Tissue | Amends Health & Safety Code to require preservation of fetal tissue during abortions performed on women younger than 14 years. DPS required to adopt rules related to | Talton | None for the agency or the NPA. Nurses who practice in these settings should be aware and may require additional training in forensic evidence collection | Last Action: 2/8/2007–Referred to House State Affairs |

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| <p>during Abortions for Women Age 14 and Younger</p> <p>JZ</p> | <p>preservation process, process for DNA testing and examination, chain of custody and tissue disposal. Misdemeanor if physician fails to comply.</p> | | | <p>If enacted, 9/1/07</p> |
| <p>HB 1131</p> <p>Abortion</p> <p>JZ</p> | <p>Amends Health & Safety Code to require physicians who examine patients with complications from elective termination of pregnancy to submit a report. Creates penalty to be enforced by Texas Medical Board if physician fails to follow through.</p> | <p>Zedler</p> | <p>No implications for the agency or the NPA at this time. The language is specific to physicians; however, it is reasonable to consider that advanced practice nurses who examine patients with complications of elective termination of pregnancy should also be required to report.</p> | <p>Last Action: 4-02-2007 Left pending in House State Affairs</p> <p>If enacted, 9/1/07</p> |
| <p>HB 1750</p> <p>Companion: SB 785</p> <p>Abortion</p> <p>JZ</p> | <p>Amends Health & Safety Code requiring referrals for domestic violence assistance provided to women who indicate to the person performing or inducing an abortion that they are being abused or forced to have an abortion. Requires abortion reporting form completed by patient and physician. Requires physicians to submit abortion complications reports if treating illness or injury related to abortion complications. Also requires abortion reporting forms submitted monthly to include information regarding required consent for minors and provides for public reporting of aggregate statistical data. Forms are to be developed by DSHS and distributed by medical board.</p> | <p>Morrison</p> <p>Shapiro</p> | <p>None for the agency or NPA. Nurses who practice in these settings need to be aware</p> | <p>Last Action: 4-2-2007 Left pending in House State Affairs.</p> <p>Companion Last Action: 4-2-2007 Left pending in Senate State Affairs</p> <p>Effective 9/1/07 with some sections effective 9/1/08, if enacted</p> |
| <p>HB 1760</p> | <p>Amends Health & Safety Code regarding</p> | <p>Coleman</p> | <p>None for the agency or NPA. Nurses who practice in</p> | <p>Last Action: 4-2-2007</p> |

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| <p>Abortion</p> <p>JZ</p> | <p>consent to abortion. Modifies medical risks that must be disclosed by removing requirement for disclosure of possibility of increased risk of breast cancer following induced abortion and protective effects related to completed pregnancy.</p> | | <p>these settings need to be aware</p> | <p>Left pending in House State Affairs</p> <p>Effective 9/1/07 with some sections effective 9/1/08, if enacted</p> |
| <p>HB 1829</p> <p>Companion: SB 56</p> <p>Human cloning</p> <p>JZ</p> | <p>Amends Education Code to prohibit institutions of higher education from engaging in or attempting to engage in human cloning. Makes exceptions for certain types of research and donation of oocytes. Institutions in violation are subject to loss of funding from the state. Creates a civil penalty for violations.</p> | <p>Raymond</p> <p>Companion Author: Zaffirini</p> | <p>None for the agency or the NPA. Nurses who practice in these settings and engage in clinical research need to be aware.</p> | <p>Last Action: 4-12-2007 Scheduled for hearing in House State Affairs</p> <p>Companion Last Action: 1-23-2007 Referred to Senate Health & Human Services</p> <p>If enacted, 9/1/07</p> |
| <p>HB 1842</p> <p>Companion: SB 837</p> <p>Unintended pregnancy/STDs</p> <p>JZ</p> | <p>Amends Government Code to require funding, to the extent possible, for marketing and outreach targeted for decreasing the rates of unintended pregnancies and sexually transmitted diseases. Amends Education Code to require schools to provide written notice to parents before teaching human sexuality content. Information regarding content is specified.</p> | <p>Strama</p> <p>Companion Author: Watson</p> | <p>None for the agency or the NPA. Nurses practicing in these settings need to be aware. School nurses may be involved in implementing requirements in the school districts.</p> | <p>Last Action: 3-26-2007 Left pending in House State Affairs</p> <p>Companion Last Action: 4-03-2007 Left pending in Senate Health & Human Services</p> <p>If enacted, 9/1/07</p> |
| <p>HB 2036</p> <p>Abortion</p> <p>JZ</p> | <p>Amends Health & Safety Code to require licensure for facilities that perform pregnancy tests and offer alternatives to abortion counseling. Individuals performing tests and offering counseling must be trained and</p> | <p>Dutton</p> | <p>None for the agency or the NPA. Nurses who practice in these settings need to be aware.</p> | <p>Last Action: 3-02-2007 Referred to House State Affairs</p> <p>If enacted, 9/1/07</p> |

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| | supervised by appropriately licensed personnel. Requires information to be medically and factually correct. Offers complaint, audit and disciplinary process through HHSC for organizations in violation. | | | |
| HB 2223 Crisis pregnancy centers JZ | Amends Health & Safety Code to define and regulate information provided by crisis pregnancy centers. Requires provision of factually and medically correct information. Allows state funds to be withheld for violations. | Villareal | None for the agency or the NPA. Nurses who practice in these settings need to be aware. | Last Action: 3-07-2007 Referred to House State Affairs If enacted, 9/1/07 |
| HB 2878 Companion: SB 1174 Abortion JZ | Amends Health & Safety Code to create licensure for organizations that offer alternatives to abortion. Licensure would be under the auspices of HHSC | Thompson Companion Author: Ellis | None for the agency or NPA. Nurses who practice in these settings need to be aware | Last Action: 3-14 Referred to House Public Health Companion Last Action: 3-14 Referred to Senate State Affairs If enacted, 9/1/07 |
| SB 143 *Companion: HB 420 Fetal/infant mortality JZ | Amends Health & Safety Code to establish fetal and infant mortality review committees under the authority of local health authorities; however, committee formation is not mandated. Members of the committee must be culturally diverse and represent multiple disciplines, including at least one member who is a registered nurse and another who is either a nurse-midwife or a licensed midwife. The review committee's purpose is to improve the health and well-being of women, infants and their families as well as to reduce | West Companion Author: Veasey | None for the agency or NPA. RNs and some CNMs may be asked to serve on the committees and need to be aware. | Last Action: 3-30-2007 Referred to House Public Health. Record vote from Senate on 3-28-2007 Companion Last Action: 3-7 Left pending in committee-- House Public Health |

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| | <p>racial disparities in the rates of fetal and infant mortality. De-identified records must be provided to the review team; patient consent is not required. Information provided to the review committee is confidential, and meetings of the committee are not considered open meetings. Statistical information and research reports may be published by the committee provided confidential information is not released. Makes disclosure of confidential information by committee members a class A misdemeanor.</p> <p>Second amendment to Health & Safety Code adds language to signs posted regarding sale of tobacco products addressing negative implications for the fetus when women smoke during pregnancy.</p> | | | If enacted, 9/1/07 |
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| <p>HJR 43</p> <p>Stem cells</p> <p>JZ</p> | <p>Amends the Texas Constitution to establish the Texas Institute for Regenerative Medicine that will provide grants and loans for stem cell research and other research that focuses on the cure or substantial mitigation of major diseases, injuries, and orphan diseases. Authorizes issuance of bonds to establish the institute and establishes “appropriate regulatory oversight.” Prohibits legislature from prohibiting stem cell research in Texas. Proposition to be submitted to voters in November 2007.</p> | Thompson | None for the NPA or agency at this time. May have implications for nurses practicing in research settings working with stem cells. | <p>Last Action: 4-12-2007 Scheduled for public hearing in House State Affairs.</p> <p>Enabling Legislation: HB 537 to be heard in committee the same day.</p> <p>If enacted, eligible for public vote on 11/6/07</p> |
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