

**REQUEST FOR A CHARGE FROM THE BOARD TO THE
ADVISORY COMMITTEE ON EDUCATION (ACE)
REGARDING RULE REVISIONS MANDATED BY HOUSE BILL (HB) 2426**

SUMMARY OF REQUEST:

Consider board staff's request to the Board to issue a charge to ACE regarding rule revisions mandated by HB 2426.

HISTORICAL PERSPECTIVE:

- At the April 2006 Board meeting, the Board issued a charge to ACE regarding Board approval of nursing education programs outside of Texas' jurisdiction including, but not limited to:
 - Studying the issues involved in the Board approving nursing education programs outside Texas' jurisdiction currently operating in Texas or desiring to operate in Texas.
 - Recommending new rules and regulations addressing Board approval of nursing education programs outside Texas' jurisdiction currently operating in Texas or desiring to operate in Texas.
 - Reviewing rule language for clarity and consistency between Rule 214 and Rule 215 and making recommendations regarding Rule 219.
- ACE addressed the first two areas of the charge issued at the April 2006 Board meeting, but ACE is still addressing the third area, reviewing rule language for clarity and consistency between Rule 214 and Rule 215 and making recommendations regarding Rule 219.
- At the July 2006 Board meeting, the Board issued three (3) new charges to ACE including, but not be limited to:
 - Possible rule revision to clarify Board expectations in distance education for nursing education programs.
 - Possible rule revision to clarify the role of simulation in clinical learning experiences.
 - Recommendations on possible limitations or a revised process for resubmitting a proposal for a new nursing education program after the original proposal is denied by the Board.
- ACE has addressed all of the three (3) new charges issued to ACE at the July, 2006 Board meeting.
- As a result of the Sunset Commission's report to the Texas Legislature, HB 2426 was passed into law and becomes effective on September 1, 2007.
- The agency's Sunset Implementation Plan includes statutory changes and management actions. Three of the management actions under Issue #1 - Nursing Education include areas that can be addressed by ACE, including, but not limited to:
 - Reviewing and revising the education rules, policies, and procedures to ensure that the rules, policies, and procedures do not exceed the Board's responsibility to certify minimum competence to enter the profession of nursing;
 - Recommending to the Board a process to allow for Board approval of hospital-based diploma nursing programs; and
 - Recommending to the Board to allow for Board approval of nursing education programs for a period longer than one year.

PROS AND CONS:

Pros:

- A comprehensive review of the education rules, policies, and procedures involving nursing education stakeholders will result in a more objective understanding of necessary and appropriate revisions.
- Recommendations to the Board from ACE will provide direction for the Board when considering the adoption of new rules, policies, and procedures mandated by HB 2426.
- A new charge to ACE regarding rule revisions mandated by HB 2426 will coincide easily with the remaining charge that ACE is still addressing.

Cons:

None noted.

STAFF RECOMMENDATION:

Move to issue a charge to ACE regarding rule revisions mandated by HB 2426 to include, but not limited to:

- Reviewing and revising the education rules, policies, and procedures to ensure that the rules, policies, and procedures do not exceed the Board's responsibility to certify minimum competence to enter the profession of nursing;
- Recommending to the Board a process to allow for Board approval of hospital-based diploma nursing programs; and
- Recommending to the Board to allow for Board approval of nursing education programs for a period longer than one year.