

Summary of Request:

Staff is requesting board approval to request an exception to the 2010/2011 General Appropriations Act (GAA), to exceed the employment cap of 96.7 full time equivalents (FTEs). Specifically, staff is requesting and additional 4 FTEs. The following is stated in the GAA, Article IX, Section 6.10(b)(1-4):

Sec. 6.10. Limitation on State Employment Levels.

(b) A request by a state agency or institution of higher education to exceed or reduce the FTE limitations established by this section must be submitted by the governing board of the state agency or institution of higher education and must include at a minimum:

- (1) the date on which the board approved the request;
- (2) a statement justifying the need to exceed or reduce the limitation;
- (3) the source of funds to be used to pay any additional salaries; and
- (4) an explanation as to why the functions of any proposed additional FTEs cannot be performed within current staffing levels.

Historical Perspective:

The request for additional FTEs is usually made during the legislative appropriations process. In this case, staff did not anticipate the increased workload with Advanced Practice applications and criminal background checks.

1. Advanced Practice Nurse Applications - In the past few years, the APN section has experienced a consistent high number of applications for initial approval which has created a backlog and a delay in processing applications. These applications require a high level of understanding of APRN practice and education in the State of Texas and within the United States. Along with the consistently high number of applications, the review of the applications has become more complex due to the new rules implemented by the board in the past few years. With new requirements, comes additional correspondence and phone calls. To alleviate the backlog and decrease the number of days it takes to process an application, we have hired two part-time contract workers. One is an APN and the other is an administrative assistant. We do not anticipate this trend to slow down and further anticipate additional Compact APRNs upon implementation of the APRN compact in fiscal year 2011. We are requesting two FTEs to assist in this area.

APRN Applications Received by Quarter (includes online & paper)

4th quarter 2007	467
1st quarter 2008	280
2 nd quarter 2008	457
3 rd quarter 2008	385
4 th quarter 2008	279

1 st quarter 2009	297
2 nd quarter 2009	454
3 rd quarter 2009	421
4 th quarter 2009	330

Average Days to Approve APRN Applications:

FY 2007 - 34.02

FY 2008 - 37.51

FY 2009 - 49.26

FY 2010 1st Quarter - 70.25

2. **Criminal Background Checks**

New/Accepted Student Program - This new program has been a big success and is growing faster or being implemented by schools of nursing faster than expected. We anticipated that up to 50 schools of nursing would adopt this process consistently but that number has doubled to over 100. This means the number of prospective students completing the criminal background process has grown exponentially. Along with this growth has come additional files to review for eligibility issues from both examination and endorsement applications. The average case load for one operations staff member has gone from 324 in fiscal year 2007 to 1,035 in fiscal year 2008 and 1,499 in fiscal year 2009. In that same time period, the same staff member has opened, reviewed and closed 1,139 examination and endorsement eligibility cases in fiscal year 2007, 2,031 cases in fiscal year 2008 and 2,987 cases in fiscal year 2009. One person cannot handle this consistently growing caseload. We did not anticipate the consistent growth in “hits” from our criminal background checks. The Texas Board of Nursing has hired four additional temporary staff to assist with administrative duties but we are close to filling all appropriated staff positions (96.7) and since temporary staff count towards our FTE cap, we will exceed that cap if we do not get additional FTEs and will be forced to let go all temporary staff.

Number of Schools Adopting New/Accepted Student Process:

FY 2009 - 57

FY 2010 (Through 1-13-2010) - 104

Number of New/Accepted Students entered into System:

FY 2009 - 6,948

FY 2010 (Through 1-13-2010) - 4,962

Average Number of Eligibility Cases Open and Closed by Operations:

FY 2007 - 1,139

FY 2008 - 2,031

FY 2009 - 2,987
FY 2010 1st Quarter - 891

Average Case Load in Operations (one person)

FY 2007 - 324
FY 2008 - 1,035
FY 2009 - 1,499
FY 2010 1st Quarter - 445

We are requesting two FTEs to assist in this area. One professional staff member to review cases and one administrative staff member to create and maintain eligibility logs, enter new/accepted student data and respond to schools of nursing regarding status of student background checks.

The Texas Board of Nursing will not request additional funds for these positions. We will use additional appropriated receipts to cover the four additional staff members. The cost for the four additional staff members is estimated to be approximately \$135,000 per fiscal year.

Pros and Cons:

Pros:

1. The agency would be able to continue to employ contract workers and temporary employees to reduce application backlogs, decrease the days it takes to approve an application and process additional background checks.
2. We would not require additional funding.

Cons:

1. Increasing FTEs could be seen as unnecessary in difficult economic times.
2. Staff should have anticipated this growth and requested the resources during last legislative session.

Staff Recommendation:

Move to approve a request to the Office of the Governor and the Legislative Budget Board to increase the Texas Board of Nursing FTE cap by adding four additional FTEs and increase the Texas Board of Nursing FTE cap from 96.7 FTEs to 100.7 FTEs.