

Consideration of the Proposed 2011 Board of Nursing Rule Review Schedule

Summary of Request: Consider approval of the Board's 2011 Rule Review Plan.

Background: The Government Code §2001.039 (Administrative Procedure Act) requires a state agency to review each of its rules every four years following the rule's initial effective date to determine if the reasons for originally adopting the rule continue to exist. The agency must then consider whether to re-adopt, re-adopt with amendments, or repeal each rule. The Board completed the implementation of its 2007 rule review plan on September 18, 2009. A copy of the Board's 2007 rule review plan may be found at: <http://www.sos.state.tx.us/texreg/review/2007/index.shtml>.

Attached hereto as Attachment "A" is Staff's proposed 2011 rule review plan. This rule review plan continues the timeline established by the Board's previous rule review plans.

Staff Recommendation: Move to approve the Board's 2011 Rule Review Plan as set out in Attachment "A", with authority for General Counsel to make editorial changes as necessary to clarify Board intent and to comply with the formatting requirements of the *Texas Register*. Further, move to authorize Staff to file the Board's 2011 Rule Review Plan with the Secretary of State's Office and to publish the Board's 2011 Rule Review Plan in the *Texas Register*.

Texas Board of Nursing

Rule Review Plan

Pursuant to the Government Code §2001.039, the Texas Board of Nursing files the following rule review plan for ongoing review of its rules. This plan replaces the plan filed on July 2, 2007, and published in the July 13, 2007, issue of the *Texas Register* (32 TexReg 4453).

Chapter 211. General Provisions. (July 2011)

Chapter 213. Practice and Procedure. (April 2012)

Chapter 214. Vocational Nursing Education. (January 2013)

Chapter 215. Professional Nursing Education. (January 2013)

Chapter 216. Continuing Competency. (April 2012)

Chapter 217. Licensure, Peer Assistance and Practice. (July 2011)

Chapter 219. Advanced Practice Nurse Education. (July 2011)

Chapter 220. Nurse Licensure Compact. (October 2011)

Chapter 221. Advanced Practice Nurses. (April 2012)

Chapter 222. Advanced Practice Registered Nurses with Prescriptive Authority. (January 2013)

Chapter 223. Fees. (July 2011)

Chapter 224. Delegation of Nursing Tasks by Registered Professional Nurses to Unlicensed Personnel for Clients with Acute Conditions or in Acute Care Environments. (October 2011)

Chapter 225. RN Delegation to Unlicensed Personnel and Tasks Not Requiring Delegation in Independent Living Environments for Clients With Stable and Predictable Conditions. (October 2011)

Chapter 226. Patient Safety Pilot Programs on Nurse Reporting Systems. (January 2012)

Chapter 227. Pilot Programs for Innovative Applications to Professional Nursing Education. (July 2013)

Thereafter, the Texas Board of Nursing will initiate a new review of each chapter in this plan no later than the fourth anniversary of the date the chapter was re-adopted under the preceding rule review cycle. As a result of its review, the Texas Board of Nursing will re-adopt, re-adopt with amendments, or repeal rules following its assessment of whether the reasons for initially adopting the rules continue to exist.