

**Consideration of Proposed Amendments to 22 Tex. Admin. Code §217.3,
Pertaining to *Temporary Authorization to Practice/Temporary Permit***

Background: The proposed amendments, attached as Attachment “A”, are necessary to remove outdated and/or obsolete provisions from the Board’s rule and increase the rule’s readability. Further, the amendments are necessary for consistency with current Board practice, which requires new graduates to submit their fingerprints for a complete criminal background check and pass the jurisprudence exam prior to receiving a GN or GVN permit to practice.

Board Action: Move to approve the proposed amendments to 22 Texas Administrative Code §217.3, pertaining to *Temporary Authorization to Practice/Temporary Permit*, as set out in Attachment “A”, with authority for the General Counsel to make editorial changes as necessary to clarify rule and Board intent and to comply with the formatting requirements of the *Texas Register*. If no negative comments and no request for a public hearing are received, move to adopt the proposed amendments to 22 Texas Administrative Code §217.3, pertaining to *Temporary Authorization to Practice/Temporary Permit*, as proposed.

Attachment "A"

§217.3. Temporary Authorization to Practice/Temporary Permit.

(a) A new graduate who completes an accredited basic nursing education program within the United States, its Territories or Possessions and who applies for initial licensure by examination in Texas may be temporarily authorized to practice nursing as a graduate nurse (GN) or graduate vocational nurse (GVN) pending the results of the licensing examination.

(1) In order to receive temporary authorization to practice as a GN or GVN and obtain a permit [~~Permit~~], the new graduate must:

(A) – (B) (No change.)

(C) have never taken the NCLEX-PN or NCLEX-RN. Temporary authorization to practice as a GN will not be issued to any applicant who has previously failed the licensing examination; [~~and~~]

(D) have registered to take the NCLEX-PN or NCLEX-RN with the examination administration service; [-]

(E) submit fingerprints for a complete criminal background check;

and

(F) obtain a passing score on the jurisprudence exam approved by the Board, effective September 1, 2009.

(2) (No change.)

(3) The new graduate who has been authorized to practice nursing as a GVN pending the results of the licensing examination must work under the direct supervision of a licensed vocational nurse or a registered nurse who is physically present in the facility or practice setting and who is readily available to the GVN for consultation and assistance. The new graduate who has been authorized to practice nursing as a GN pending the results of the licensing examination must work under the direct supervision of registered nurse who is physically present in the facility or practice setting and who is readily available to the GN for consultation and assistance. ~~[The new graduate who has been authorized to practice nursing as a GN or GVN pending the results of the licensing examination must work under the direct supervision of either a licensed vocational or a registered professional nurse if a GVN or a registered professional nurse if a GN, who is physically present in the facility or practice setting and who is readily available to the GN or GVN for consultation and assistance.]~~ If the facility is organized into multiple units that are geographically distanced from each other, then the supervising nurse must be working on the same unit to which the GN or GVN is assigned. The GN or GVN shall not be placed in supervisory or charge positions and shall not work in independent practice settings.

(4) (No change.)

(b) (No change.)

(c) A nurse whose license has been suspended, revoked, or surrendered through action by the board, may be issued a temporary permit for the limited purpose of meeting

any requirement(s) imposed by the board in order for the nurse's license to be reissued.

The permit is valid for six months [~~and is nonrenewable~~].