

Adoption of Amendments to 22 Tex. Admin. Code §217.4, Pertaining to Requirements for Initial Licensure by Examination for Nurses Who Graduate from Nursing Education Programs Outside of United States' Jurisdiction, including Written Comments Received and Direction from Regulatory Compliant Division, Governor's Office

Background: Proposed amendments to §217.4 were approved by the Board at its January 23-24, 2020, meeting for submission to the *Texas Register* for public comment. The proposal was published in the *Texas Register* on March 20, 2020, and the comment period ended on April 20, 2020. The Board did not receive any comments or a request for a public hearing on the proposal. On April 3, 2020, the Regulatory Compliance Division of the Office of the Governor (Division) notified Board Staff that it would be reviewing the proposal for an anticompetitive market effect prior to the adoption of the rule.

Pursuant to the Division's instructions, Board Staff submitted the required information to the Division on May 20, 2020. On June 10, 2020, the Division submitted additional questions to Board Staff. Board Staff responded to the Division's questions on June 12, 2020. Staff is currently awaiting the Division's decision. The Division may approve the Board's proposal and permit its adoption without changes; approve the Board's proposal and permit adoption with suggested changes; or deny the Board's adoption of the rule. If the Division suggests changes to the proposal or denies the proposal, the Board may be required to re-propose the rule amendments.