

### Legislative Update

The report which follows includes critical legislation currently being monitored by Board staff. The agency is following more than 500 House and Senate bills. At the time this report was prepared, 7,156 bills had been filed in the legislature. This is a decrease of 6.9% percent from the previous legislative session. In the current legislative session, 17 bills include language which would amend the Nursing Practice Act (NPA). On May 10<sup>th</sup>, the 119<sup>th</sup> day of the session, any House bill not out of committee will no longer be eligible to continue forward in the legislative process. The last day of the regular legislative session is May 31<sup>st</sup>. The last day that the Governor can sign, veto or take no action on bills passed in the House and Senate is June 20<sup>th</sup>. The bills on the following pages are divided into two groups. All bills which would amend the NPA appear first. Following these bills are other bills which, if enacted, may require further action by the Board or Board staff. A full report on enacted legislation will be provided at the July 2021 Board Meeting. This report is for information purposes. No action is required.

#### Bills Amending Nursing Practice Act

##### **Increased Penalties Against Nurses for Abuse of a Child or Disabled Person**

HB 375	By Reggie Smith	Relating to the prosecution of the offense of continuous sexual abuse of young child or disabled individual.	Set on House Calendar 4/12/21
--------	-----------------	--	----------------------------------

##### **Licensure for Military Nurses in Underserved Areas**

HB 548	By Frank James	Relating to the licensing of certain military veterans as health care providers to practice in underserved areas.	Committee action pending House Public Health 3/31/21
SB 1909	By Cesar Blanco	Identical Companion	Referred to Committee on Senate Veteran Affairs and Border Security 3/31/21

##### **Expedited APRN Licensure**

HB 982	By Donna Howard	Relating to an expedited licensing process for certain advanced practice registered nurses; authorizing a fee.	Referred to House Public Health 3/1/21
--------	-----------------	--	--

##### **Mandatory Continuing Education Training on Suicide Prevention**

HB 1384	By Shawn Thierry	Relating to required suicide prevention training for certain health care practitioners.	Referred to House Public Health 3/5/21
---------	------------------	---	--

##### **Consent and Delegation Requirements for Pelvic Exams**

HB 1434	By Tom Oliverson	Relating to limitations on pelvic examinations.	Reported from House Public Health 4/9/21
---------	------------------	---	--

### Prescriptive Authority for Psychologists

HB 1462	By Vikki Goodwin	Relating to the prescriptive authority of certain psychologists; authorizing a fee.	Referred to House Public Health 3/5/21
---------	------------------	---	--

### Increased Penalties Against Nurses for Abandonment or Endangering Client(s)

HB 1581	By Yvonne Davis	Relating to the criminal offense of abandoning or endangering a child, elderly individual, or disabled individual.	Referred to House Criminal Jurisprudence 3/8/21
---------	-----------------	--	---

### Out-of-State Nurses to Practice in Texas at no Cost

HB 1780	By Jacey Jetton	Relating to the authority of certain physicians and nurses to practice in this state.	Referred to House Public Health 3/10/21
SB 963	By Bryan Hughes	Identical Companion	Referred to Senate Health and Human Services 3/11/21

### APRN Full Practice Authority

HB 2029	By Stephanie Klick	Relating to the licensing and authority of advanced practice registered nurses.	Committee action pending House Public Health 3/24/21
SB 915	By Kelly Hancock	Identical Companion	Referred to Senate Business and Commerce 3/11/21

### Inactive Nurses Return to Current Licensure at no Cost During Disaster

HB 2409	By Jay Dean	Relating to the waiver of requirements for removing a person's license from inactive status during a state of disaster.	Referred to House Public Health 3/16/21
---------	-------------	---	---

### Disaster Response Waiver Requirements Removed – Includes Fees to Return to Practice, Simulation, and APRN Temporary Licensure

HB 2662	By Matt Krause	Relating to the elimination of certain regulations waived during the coronavirus disease (COVID-19) pandemic.	Referred to House State Affairs 3/17/21
---------	----------------	---	---

### Pilot Program for APRNs/Physician Assistants – Includes Independent Practice Language

HB 4362	By Stephanie Klick	Relating to the licensing and regulation of certain health professions.	Referred to House Public Health 3/29/21
---------	--------------------	---	---

### Mandatory Continuing Education Training on Human Trafficking

SB 1705	By Cesar Blanco	Relating to continuing education requirements for physicians and nurses regarding human trafficking.	Referred to Senate Health and Human Services 3/26/21
---------	-----------------	--	--

**Completion of Nursing Education Program Waived for Military Veteran Nurses if Passing Score Achieved on NCLEX**

SB 1708	By Cesar Blanco	Relating to the entitlement of certain military veterans to obtain a nursing license by examination.	Referred to Committee on Senate Veteran Affairs and Border Security 3/26/21
---------	-----------------	--	---

**Other Bills of Interest**

**Advance Directives – Ten bills relating to advance directives are currently being monitored. SB 1944 clarifies the review process for families when a physician disagrees with a patient’s directives.**

SB 1944	By Eddie Lucio	Relating to end-of-life issues and hospice care.	Hearing held on 4/7/21 in Senate Health and Human Services
---------	----------------	--	--

**Completion of Death Certificates by APRNS**

HB 4048	By Steve Allison	Relating to the authority of an advanced practice registered nurse or physician assistant regarding death certificates.	Referred to House Public Health on 3/29/21
SB 1752	By Nathan Johnson	Relating to the authority of an advanced practice registered nurse or physician assistant, or physician, regarding death certificates and certain do-not-resuscitate orders.	Referred to Senate Health and Human Services on 3/26/21

**Dispensing and Prescribing of Dangerous Drugs**

HB 1778	By Tom Oliverson	Relating to the authority of a physician to provide and dispense and to delegate authority to provide and dispense certain drugs.	Referred to House Public Health on 3/10/21
SB 1503	By Dawn Buckingham	(Identical)	Referred to Senate Business and Commerce on 3/24/21
HB 456	By Matt Shaheen	Relating to the dispensing of certain drugs by physicians.	Referred to House Public Health on 2/25/21

**Prescribing of Controlled Substances and Dangerous Drugs for Acute Pain**

HB 2117	By Four Price	Relating to the prescribing of controlled substances and dangerous drugs for acute pain.	Referred to House Public Health on 3/15/21
---------	---------------	--	--

**Prescribing or Ordering of Controlled Substances by APRNs and PAs**

HB 1524	By Eddie Lucio III	Relating to the prescribing and ordering of Schedule II controlled substances by certain advanced	Referred to House Public Health on 3/8/21
---------	--------------------	---	---

		practice registered nurses and physician assistants.	
--	--	--	--

**Off-Label Use of Drugs, Biological Products, and Devices**

SB 1820	By Paul Bettencourt	Relating to the promotion of off-label uses of certain drugs, biological products, and devices.	Referred to Senate Health and Human Services on 3/26/21
---------	---------------------	---	---

**Complaints Against Healthcare Providers Forwarded to Board that Licenses Providers**

HB 3735	By Donna Howard	Relating to the procedure for certain complaints against health care practitioners.	Referred to House Public Health on 3/22/21
SB 2115	By Eddie Lucio	(Identical)	Referred to Senate Health and Human Services on 3/26/21

**Open Meetings/Public Information – More than 25 bills relating to open meetings or public information are currently being monitored. Many of the bills, such as HB 327 and SB 341 reflect changes already made in response to the pandemic regarding holding meetings telephonically or online. HB 3535 and SB 926 would make dates of birth public information.**

HB 327	By Donna Howard	Relating to the Internet broadcast or audio recording of certain open meetings.	Voted Favorably from House State Affairs on 3/31/21.
SB 341	By Royce West	(Identical)	Referred to Senate Business and Commerce on 3/9/21.
HB 3535	By Todd Hunter	Relating to the availability of dates of birth under the public information law.	Referred to House State Affairs on 3/22/21
SB 926	By Judith Zaffirini	(Identical)	Referred to Senate Business and Commerce on 3/11/21

**Medical Marijuana – Thirteen bills are currently being monitored relating to medical marijuana. Only two bills have had hearings so far.**

HB 1535	By Stephanie Klick	Relating to the medical use of low-THC cannabis by patients with certain medical conditions and the establishment of compassionate-use institutional review boards to evaluate and approve proposed research program	Hearing held on 4/4/21. Left pending in House Public Health.
---------	--------------------	--	--

**Infectious Diseases – Eighteen bills relating to infectious disease are being monitored in this legislative session. SB 969 tasks DSHS with developing a standardized method for reporting infection data, releasing reports, and the authority to seek a civil penalty for a facility that does not report critical data**

SB 969	By Lois Kolkhorst	Relating to reporting procedures for and information concerning public health disasters and to certain public health studies.	Hearing held on 3/31/21 in Senate Health and Human Services
--------	-------------------	---	---

**COVID-19 – Among the eighteen bills currently monitored relating to COVID-19, HB 2211 addresses family visitation of relatives in hospitals during a disaster.**

HB 2211	By Will Metcalf	Relating to in-person visitation with hospital patients during certain periods of disaster.	Voted favorably from House Public Health as substituted on 3/31/21
---------	-----------------	---	--

**School Nurses BON staff are monitoring 25 bills relating to school nurses.**

HB 3819	By Stephanie Klick	Relating to a public school district policy providing that a school nurse may administer prescription asthma medicine to a student.	Hearing on House Public Health on 4/14/21
HB 2846	By Garnet Coleman	Relating to a notification requirement if a public school, including an open-enrollment charter school, does not have a nurse assigned to the school during all instructional hours.	Referred to House Public Education on 3/23/21
HB 1055	By Christina Morales	Relating to the employment of health care professionals at public schools. Under this bill, schools are required to employ a RN or other healthcare professional at least half a day at each campus of the school or district.	Referred to House Public Education on 3/4/21

**Workplace Violence Against Nurses**

HB 326	By Donna Howard	Relating to workplace violence prevention in certain health care facilities. HB 326 would be applicable to any facility employing at least 2 RNs.	Reported from House Public Health as substituted 4/6/21
--------	-----------------	---	---

**Photo Identification Badges Required for Staff at Freestanding or Urgent Care Clinics**

HB 2596	By Jared Patterson	Relating to the identification requirements for health professionals associated with certain health facilities.	Referred to House Public Health on 3/17/21
---------	--------------------	---	--

**Telemedicine – BON staff are monitoring more than 25 bills relating to telemedicine. HB 4 and its companion bills, HB 974 and SB 412, would create the statutory means to reimburse healthcare providers and provide greater access to healthcare services.**

HB 4	By Four Price	Relating to telemedicine, telehealth, and technology-related health care services.	Reported from House Public Health as substituted 4/6/21
HB 974	By Four Price	(Identical)	Referred to House Public Health on 3/1/21
SB 412	By Dawn Buckingham	(Identical)	Pending in Senate Health and Human Services 3/23/21

**Billing/Price Disclosure for Hospitals – HB 2487 and its companions would require disclosure of prices for services in advance of treatment**

HB 2487	By Tom Oliverson	Relating to the required disclosure by hospitals of prices for hospital services and items.	Pending in House Public Health 3/23/21
SB 914	By Kelly Hancock	(Identical)	Referred to Senate Business and Commerce 3/11/21
SB 1137	By Lois Kolkhorst	(Identical)	Referred to House Public Health on 4/6/21

**Student Loan Repayment for Rural Healthcare Workers**

HB 2493	By Eddie Morales	Relating to student loan repayment assistance for certain health care workers employed in rural counties.	Referred to House Higher Education on 3/16/21
---------	------------------	---	---

**Nursing Faculty Loan Repayment Assistance**

HB 1559	By Donna Howard	Relating to the Nursing Faculty Loan Repayment Assistance Program.	Referred to House Higher Education on 3/8/21
SB 575	By Chuy Hinojosa	(Identical)	Referred to Senate Higher Education on 3/11/21

**Student Loan Repayment for Nurses in Long Term Care Facilities**

HB 2062	By Stephanie Klick	Relating to student loan repayment assistance for certain nurses employed by a long-term care facility.	Referred to House Higher Education on 3/15/21
SB 146	By Beverly Powell	(Identical)	Referred to Senate

			Finance on 3/3/21
--	--	--	----------------------

### Student Loan Repayment for Frontline Workers During the COVID-19 Pandemic

HB 1205	By Ryan Guillen	Relating to a student loan repayment assistance program for certain professionals for exceptional service to the State of Texas during the coronavirus pandemic.	Referred to House Higher Education on 3/4/21
SB 32	By Judith Zaffirini	(Identical)	Referred to Senate Higher Education on 3/3/21

### Nursing Workforce Diversity

HB 3736	By Donna Howard	Relating to the establishment of a task force on racial diversity in the nursing workforce.	Referred to House Public Health on 3/22/21
---------	-----------------	---	--

### Nurse Aides

SB 1103	By Kel Seliger	Relating to the regulation of nurse aides. Under this bill, HHSC may receive fingerprint-based criminal background checks by DPS for nurse aides.	Referred to House Human Services on 4/6/21
HB 4159	By John Turner	(Identical)	Referred to House Human Services on 3/29/21
SB 1847	By Beverly Powell	Relating to training requirements for certain individuals for inclusion in the nurse aide registry. Bill allows nurse aides in training to substitute work performed as a temporary nurse aide during pandemic for required clinical and classroom hours.	Referred to Senate Health and Human Services 3/26/21

### Dialysis Technicians and Home Dialysis Care

HB 4529	By Oscar Longoria	Relating to the provision of home dialysis care by a dialysis technician. Work must be done under direct supervision of a RN.	Referred to House Public Health on 3/29/21
SB 1629	By Borris Miles	(Identical)	Referred to Senate Health and Human Services 3/26/21

### Continuing Competency Training on Prevention of Abuse, Neglect, Illegal, Unprofessional, and Unethical Conduct in Inpatient Mental Health Facilities, Treatment Facilities, or Rehabilitation Hospitals

HB 297	By Andrew Murr	Relating to inservice training on prevention of abuse, neglect, and illegal, unprofessional, and unethical	Referred to House Public Health on 2/25/21
--------	----------------	--	--

		conduct provided by certain health care facilities.	
--	--	---	--

**Vocational Nursing Students Providing Essential Services During State of Disaster**

SB 1856	By Beverly Powell	Relating to certain vocational nursing students providing essential services during a declared state of disaster.	Referred to Senate Health and Human Services 3/26/21
---------	-------------------	---	--