

Legislative Report – 87th Regular Texas Legislative Session

This report summarizes all bills followed by Board staff that were enacted by the Texas Legislature during the 2021 87th Regular Texas Legislative Session. Bills included in the April 2021 Board Report (Item 1.3) which were not enacted by the legislature are not included in this report. There were two bills amending the Nursing Practice Act passed in the 87th Regular Legislative Session. Nursing, Legal and Operations staff member assistance was instrumental in following and reporting on the bills included in this report. Staff members who reported on the bills are listed by their initials in the first column of the report.

This report is broken into three sections:

1. Bills amending the Nursing Practice Act;
2. Bills requiring rule making, development of frequently asked questions, that require consultation with our agency or some other type of action; and
3. All other bills relating to nursing.

Recommendation

This item is for informational purposes only. No action is required.

Bills Amending the Nursing Practice Act

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
<p style="text-align: center;">HB 375</p> <p style="text-align: center;">Increased Penalties for Conviction for Sexual Abuse of Young Child or Disabled Individual</p> <p style="text-align: center;">JA</p>	<p>Relating to the prosecution of the offense of continuous sexual abuse of young child or disabled individual.</p>	<p style="text-align: center;">Representative Reggie Smith</p>	<p>Amends NPA, specifically Subchapter G, Chapter 301, Occupations Code, Section 301.4535(a).</p> <p>Rule changes will be necessary to update the Board's Disciplinary Guidelines for Criminal Conduct for consistency with the statute.</p>	<p style="text-align: center;">9/1/2021</p>

<p style="text-align: center;">HB 1434</p> <p style="text-align: center;">Performance of pelvic exams on unconscious or anesthetized patients as grounds for discipline</p> <p style="text-align: center;">JA/JZ</p>	<p>Relating to limitations on pelvic examinations; authorizing disciplinary action, including an administrative penalty.</p> <p>Creates a new cause of action for a nurse performing or delegating to another individual the performance of a pelvic examination on an anesthetized or unconscious patient in violation of Section 167A.002, Health and Safety Code.</p> <p>Changes to the Health and Safety Code prohibit health care practitioners (including APRNs) from performing or delegating the performance of a pelvic examination on an anesthetized or unconscious patient unless the pelvis exam</p>	<p style="text-align: center;">Representative Tom Oliverson</p>	<p>Amends NPA, specifically Chapter 301, Occupations Code, Section 301.452(b)(13) and (14). Also amends Subtitle H, Title 2 Health and Safety Code Chapter 167A.</p> <p>Rule changes will be necessary to include new cause of action in the Board's Disciplinary Matrix and to re-number Matrix accordingly. Changes in agency documents, such as position statements, FAQs, and enforcement templates may be necessary to ensure appropriate reference to minimum standards of nursing practice, which is now §301.452(b)(14) and not §301.452(b)(13).</p>	<p style="text-align: center;">9/1/2021</p>
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	<p>is: within the standard scope of a procedure or diagnostic examination scheduled to be performed on the patient; the patient or patient's legally authorized representative has given informed consent as provided for in the Health and Safety Code; the pelvic examination is necessary for diagnosis or treatment of the patient's medical condition; or the pelvic exam is for the purpose of collecting evidence. Disciplinary action is authorized for health care providers who violate this section of the Health and Safety Code.</p> <p>Section 301.452(b) of the NPA was amended to reflect the disciplinary provisions noted in the Health and Safety Code. The amendment includes new (b)(13) that clarifies nurses may be subject to disciplinary action for performing or delegating the performance of a pelvic examination in violation of the Health and Safety Code. The current (b)(13) violation was renumbered to (b)(14).</p>			
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**Bills Requiring Rule Making, Development of Frequently Asked Questions, Require Consultation
with BON Staff, or relate to Agency Operations**

<p>HB 29 Weapons Locker MM/SZ</p>	<p>Relating to authority of temporary secure storage for weapons at certain public buildings.</p> <p>The bill amends Chapter 2165, Government Code to authorize state agencies to provide temporary secure storage of weapons in buildings under their control, for a person who enters the building or portion of the building with a weapon that is prohibited in that building or a portion of that building.</p>	<p>Representative Valoree Swanson</p>	<p>No amendments to the NPA.</p> <p>The Texas Facilities Commission would have the authorization to decide to provide self-service weapons lockers since they provide services to all state buildings and the contract for security services.</p> <p>This bill authorizes, but does not require agencies to provide temporary secure weapons storage for people entering state facilities. The agency would only need to change policies and procedures if the agency opted to provide secure weapons storage. If the agency does this, policies, procedures, and purchases of necessary equipment (e.g., self-service weapons lockers, etc.) will be necessary.</p>	<p>9/1/2021</p>
<p>HB 103 Active Shooter Alert System SZ</p>	<p>Relating to establishment of the Texas Active Shooter Alert System.</p>	<p>Representative Brooks Landgraf</p>	<p>No rule changes or changes to position statements are needed.</p> <p>If the agency participates in the alert system, the BON will need to:</p> <ol style="list-style-type: none"> 1) Cooperate with the Texas Department of Transportation in developing the alert system. 2) Establish a plan to share information to staff when the alert system is activated. 	<p>9/1/2021</p>

			3) May need to modify existing plans and staff communications (Disaster Recovery, COOP, Employee Handbook) to describe actions to take if the alert system is activated.	
HB 139 Occupational Licensing VA	Relating to state occupational licensing of certain military veterans and military spouses. Updates definitions for "armed forces of the United States" to reflect the inclusion of the space force.	Representative Brad Buckley	Staff will review its current rules regarding any residency requirements for licensure to determine if rule amendments are necessary for compliance with 55.004(d).	9/1/2021
HB 757 Deferred Adjudication JA	Relating to the consequences of receiving a grant of deferred adjudication community supervision and successfully completing the period of supervision. A license may not be <i>denied, suspended, or revoked</i> based upon a deferred adjudication except under certain, specified exceptions, including if the offense is related to the activity or conduct for which the person seeks or holds the license.	Representative Harold Dutton	Staff will review the Board's Disciplinary Guidelines for Criminal Conduct and Board Rule 213.28 to ensure consistency with the statutory changes. The statute prohibits denial, suspension, and licensure revocation, but does not prohibit other licensure encumbrance.	9/1/2021
HB 1322 Proposed Rule Summary JA	Relating to a summary of a rule proposed by a state agency.	Representative Matt Shaheen	Requires state agencies to publish a summary of each proposed rule on their website(s) in English and Spanish at the time of the rule proposal. Will require BON Staff to incorporate rule summaries into agency rulemaking procedures and may require interpreter services for Spanish translation.	9/1/2023
HB 1589	Relating to paid leave for public officers and employees	Representative Yvonne Davis	HB 1589 amends Section 437.202, Government Code, by adding the	9/1/2021

<p>Paid Leave for Employees in Military Reserve in Response to Disaster</p> <p>BH</p>	<p>engaged in certain military service.</p>		<p>provision of up to seven workdays of paid leave in a fiscal year to those state employees who are also military, reserve branch, or government-authorized search and rescue team members and called to state active duty by the governor or another appropriate authority in response to a disaster, as defined by Section 418.004, Government Code.</p>	
<p>HB 2063</p> <p>State Employee Family Leave Pool</p> <p>BH</p>	<p>Relating to the establishment of a state employee family leave pool.</p> <p>HB 2036 addresses gaps in existing state sick leave pools and the federal Family and Medical Leave Act of 1993, which currently prevents state employees from using leave time under the following categories for necessary family care.</p>	<p>Representative Claudia Ordaz Perez</p>	<p>Under HB 2063, an employee is eligible to use time from their respective agency’s family leave pool if they already exhausted eligible compensatory, discretionary, sick, and vacation leave for:</p> <ol style="list-style-type: none"> 1. The birth, fostering, or adoption of a child; 2. Serious illness of an immediate family member or the employee; 3. Extenuating circumstances related to a pandemic; or 4. A previous donation to the pool. 	<p>9/1/2021</p>
<p>HB 4048</p> <p>APRN Authority: Death Certificates</p> <p>JZ</p>	<p>Relating to the authority of an advanced practice registered nurse or physician assistant regarding death certificates.</p> <p>Eliminates the restriction that APRNs and PAs may only sign death certificates for patients who were certified as terminally ill and receiving hospice or palliative care services. APRNs and PAs may now sign death certificates for patients for</p>	<p>Representative Steve Allison</p>	<p>Does not require change to rules, position statements, or agency operations.</p> <p>APRNs need to be aware of the changes to the Health and Safety Code. An FAQ or <i>Bulletin</i> article may be beneficial.</p>	<p>6/15/2021</p>

	whom they were the provider of record for the treatment of the condition or disease process that contributed to the patient's death.			
SB 1 Budget Bill MM	General Appropriations Bill Senate Bill 1 (SB 1) provides revenue and spending parameters for state entities.	Senator Jane Nelson	The Texas Board of Nursing received additional funding for one-time moving expenses (\$197,136), IT infrastructure (400,376), partial restoration of 5% reduction (\$444,000) and executive director salary increase (\$5,316).	9/1/2021
SB 13 Agency Contracts AL	Relating to contracts with and investments in companies that boycott certain energy companies.	Senator Brian Birdwell	Board staff will need to check whether any of the Board's contractors are listed in the Texas Comptroller of Public Account's list of financial companies that boycott energy companies. Board staff will also need to include the required contract provision in all of its contracts.	9/1/2021
SB 44 Disaster Relief Leave SZ	Relating to leave for state employees who are volunteers of certain disaster relief organizations	Representative Judith Zaffirini	<p>The agency will need to modify our Employee Handbook to reflect changes in leave policy due to passage of this bill.</p> <p>This bill allows for up to 10 days of paid leave per year for employees volunteering with specific relief agencies during a state declared disaster. Such leave is subject to Executive Director approval. If approved, up to 10 days may be taken without using other accrued leave (sick, vacation, etc.).</p> <p>This bill may impact agency operations during disasters by affecting our staffing.</p>	9/1/2021
SB 282	Relating to a prohibition against the appropriation of money to	Senator Carol Alvarado	The legislature may not appropriate money, and a state agency may not	9/1/2021

<p>Payment of Sexual Harassment Claims</p> <p>JA</p>	<p>settle or pay a sexual harassment claim made against certain members of the executive, legislative, or judicial branch of state government and to a prohibition against the use of other public money to settle such a claim.</p>		<p>use appropriated money, to settle or otherwise pay a sexual harassment claim made against a person who is an elected member of the executive, legislative, or judicial branch of state government; is appointed by the governor to serve as a member of a department, commission, board, or other public office within the executive, legislative, or judicial branch of state government; or serves as staff for either. Further, prohibits political subdivision from using use public money to settle or otherwise pay a sexual harassment claim made against a person who is an elected or appointed member of the governing body of the political subdivision or an officer or employee of the political subdivision.</p>	
<p>SB 321</p> <p>ERS</p> <p>SZ</p>	<p>Relating to the state contribution to the Employees Retirement System of Texas.</p>	<p>Senator Joan Huffman</p>	<p>No rule changes or changes to position statements are needed.</p> <p>The agency will need to make changes to its communications to new staff starting on 9/1/2022 or after regarding their ERS retirement benefits. HR and payroll will need to ensure we are applying new contribution rates for new hires starting 9/1/2022 and after.</p> <p>Employees hired after August 31, 2022 will be enrolled in a 'cash balance benefit structure', referred to a "Group 4".</p> <p>This bill may impact agency recruitment and retention, depending on</p>	<p>9/1/2021</p> <p>The new benefit structure will only apply to new hires starting on 9/1/2022 or after.</p>

			perceptions of the retirement benefit vs. other employers.	
SB 475 Cybersecurity MM	Relating to third party cybersecurity, response team and establishing best practices. This bill amends current law relating to state agency and local government information management and security, including the establishment of the state risk and authorization management program and the Texas volunteer incident response team.	Senator Jane Nelson	No amendments to the NPA. SB 475 implements recommendations by interim committees addressing third party provider's security, establishing a volunteer cybersecurity incidence response team, implementing best practices for managing and securing data, and prohibiting state agencies from acquiring, retaining, or disseminating data used to identify an individual or the individual's location without written consent.	9/1/2021
SB 968 Infectious Diseases LL	Relating to public health disaster and public health emergency preparedness and response; providing a civil penalty.	Senator: Lois Kolkhorst	Does not amend the Nursing Practice Act. Does have direct implications for the BON: Staff will provide notice to nurses on BON website and may include in checklists for survey visits and new programs. Nurses should be aware of changes to laws and rules relating to public health disaster and emergency preparedness and response to include: limitations on medical procedure; personal protective equipment contracts; disease prevention information system; wellness checks for medically fragile individuals during certain emergencies; medically fragile individual designation; emergency assistance registry access; required wellness check; events requiring wellness check; requirement of wellness check; communicable diseases, public health, disasters,	6/16/2021

			public health emergencies; prevention and preparedness; and more related to public health.	
SB 1225 Public Information Act JA	Relating to the authority of a governmental body impacted by a catastrophe to temporarily suspend the requirements of the public information law.	Senator Joan Huffman	Permits agencies to suspend the requirements of the Public Information Act for an initial 7-day period, to be extended once for a total of 14 days during a catastrophe. A catastrophe does not include a period where agency staff are able to work remotely. The BON was able to continue meeting open records requirements during the COVID-19 pandemic; the bill does not require any change to current BON practice or policy.	9/1/2021
SB 1230 Nursing Education Program Survey Visits BS	Relating to establishing the Texas Commission on Community College Finance.	Senator Larry Taylor	<p>This will give the Education Consultants information to discuss with community and junior college administrators when conducting nursing program survey visits. This relates to agency rules regarding adequate resources including faculty salaries and faculty development.</p> <p>The commission will make recommendations for consideration by the 88th Texas Legislature to assure sufficient funding for sustaining viable community college education and training offerings.</p>	9/1/2021

All Other Legislation

<p>HB 4</p> <p>Telehealth</p> <p>EMc</p>	<p>Relating to the provision and delivery of certain health care services in this state, including services under Medicaid and other public benefits programs, using telecommunications or information technology and to reimbursement for some of those services.</p>	<p>Representative Four Price</p>	<p>Does not amend the Nursing Practice Act or have direct implications for the BON.</p> <p>Nurses practicing in a rural health clinic or a federally qualified health center, should be aware of the laws and rules associated with covered telemedicine medical service or telehealth service delivered by a health care provider to a Medicaid recipient.</p>	<p>6/15/2021</p>
<p>HB 33</p> <p>Career Schools</p> <p>JH</p>	<p>Relating to measures to facilitate the award of postsecondary course credit leading to workforce credentialing based on military experience, education, and training.</p>	<p>Representative Alex Dominguez</p>	<p>This bill does change the NPA. It may impact whether a career school or college will award credit toward a degree or certificate for the student's completion of certain military training. The commission shall evaluate programs of study to identify courses for which skills obtained through military experience, education, and training frequently align. This may apply to nursing education.</p>	<p>9/1/2021</p>
<p>HB 119</p> <p>Tissue and Organ Donation</p> <p>EMc</p>	<p>Relating to prohibiting organ transplant recipient discrimination on the basis of certain disabilities.</p>	<p>Representative Brooks Landgraf</p>	<p>Does not amend the Nursing Practice Act or have direct implications for the BON.</p> <p>Nurses who practice in settings organ donation occurs need to be aware of the changes to the law. Additionally, no later than January 1, 2022, the executive commissioner of the Health and Human Services Commission shall adopt any rules necessary to implement Subchapter S, Chapter 161, Health and Safety Code, as amended by this Act.</p>	<p>9/1/2021</p>

<p>HB 428</p> <p>Ovarian cancer detection</p> <p>JZ</p>	<p>Relating to health benefit plan coverage for ovarian cancer testing and screening.</p> <p>Amends the Insurance Code to require coverage of any FDA approved test or screening for the detection of ovarian cancer as part of annual well-woman examinations.</p>	<p>Representative Ken King</p>	<p>Does not require change to rules, position statements, or agency operations.</p> <p>Nurses who work in settings where well-woman examinations are performed need to be aware.</p>	<p>9/1/2021</p>
<p>HB 780</p> <p>Tissue and Organ Donation</p> <p>EMc</p>	<p>Relating to the establishment of a bone marrow donor recruitment program.</p>	<p>Representative Tom Oliverson</p>	<p>Does not amend the Nursing Practice Act or have direct implications for the BON.</p> <p>Nurses working in health care facilities and blood banks should be aware of access to the informational materials, including links to Internet websites and machine-readable codes, regarding: bone marrow donation; and the process of registering with the federally authorized bone marrow donor registry.</p>	<p>9/1/2021</p>
<p>HB 549</p> <p>Civil Liability Exemption: Mental Health</p> <p>DB</p>	<p>Relating to exemptions from liability for certain professionals for the disclosure of certain mental health information.</p>	<p>Representative Senfronia Thompson</p>	<p>Does not amend the Nursing Practice Act or have direct implications for the BON.</p> <p>Amends the Health and Safety Code by including <i>mental health personnel</i> among those to whom a professional may disclose confidential information in identified situations.</p>	<p>9/1/2021</p>
<p>HB 786</p> <p>Telehealth</p> <p>EMc</p>	<p>Relating to required cardiopulmonary resuscitation training for telecommunicators.</p>	<p>Representative Tom Oliverson</p>	<p>Does not amend the Nursing Practice Act or have direct implications for the BON.</p> <p>Nurses who practice in settings with telecommunicators should be aware of the training required for those</p>	<p>9/1/2021</p>

			telecommunicators related to cardiopulmonary resuscitation.	
HB 797 Immunizations AC	Relating to the possession and administration of certain vaccines by a home and community support services agency or its employees.	Representative Donna Howard	Does not amend the Nursing Practice Act or have direct implications for the BON. A home and community support service agency or its employees who are registered nurses or licensed vocational nurses may purchase, store, or transport for the purpose of administering to employees, patients or patient family members under physician standing orders now includes any other vaccine approved, authorized for emergency use, or otherwise permitted for use by the United States Food and Drug Administration to treat or mitigate the spread of a communicable disease.	5/18/21
HB 1027 TWC Regulations BS	Relating to the disclosure of certain information regarding textbooks and learning content management systems by certain institutions of higher education	Representative Tan Parker	This bill will provide the Education Consultants information on new regulations by TWC which will assist the agency working with Career Schools and Colleges. May help the agency with education program complaint issues that need to be referred to TWC.	9/1/2021
HB 1069 First Responders AC	Relating to the carrying of a handgun by certain first responders.	Representative Cody Harris	Does not amend the Nursing Practice Act or have direct implications for the BON. Nurses interacting with a first responder in their practice setting or acting in the role of a first responder, as defined in statute, should be aware of the law and rules concerning carrying of a handgun by certain first responders.	9/1/2021

<p>HB 1164</p> <p>Patient safety protocols for placenta accreta spectrum disorder</p> <p>JZ</p>	<p>Relating to patient safety practices regarding placenta accreta spectrum disorder.</p> <p>Requires level IV maternal level of care designated hospitals to develop patient safety protocols for placenta accrete spectrum disorder. Directs the Department of State Health Services and the Perinatal Advisory Council, to recommend rules on patient safety practices for the evaluation, diagnosis, treatment, management, and reporting of placenta accreta spectrum disorder. Designated hospitals would be required to have a multidisciplinary team of health professionals with training and experience in team responses for treating or managing placenta accreta spectrum disorder available to implement these rules.</p>	<p>Representative Tom Oliverson</p>	<p>Does not require change to rules, position statements, or agency operations.</p> <p>Nurses who work in Level IV maternal care hospitals and APRNs who provide care to these patients need to be aware.</p>	<p>9/1/2021</p>
<p>HB 1247</p> <p>Types of Programs</p> <p>JH</p>	<p>Relating to the development of and report of a tri-agency work-based learning strategic framework by the Texas Workforce Commission, the Texas Education Agency, and the Texas Higher Education Coordinating Board.</p>	<p>Representative J. M. Lozano</p>	<p>This bill does not change the NPA. The bill focuses on strategies to encourage work-based learning in the state. With the impetus to direct high-school students to examine career options for their future, this bill could develop a reference to nursing since it is a job market for the future. Recommend following activities for any relationship to nursing education.</p>	<p>9/1/2021</p>
<p>HB 1280</p>	<p>Relating to prohibition of abortion; providing a civil</p>	<p>Representative Giovanni Capriglione</p>	<p>Does not require change to rules, position statements, or agency operations.</p>	<p>9/1/2021</p>

<p>Future prohibition of abortion procedures</p> <p>JZ</p>	<p>penalty; creating a criminal offense.</p> <p>If the US Supreme Court issues a judgment in a decision overturning, either fully or in part, the decisions handed down in Roe v. Wade or Planned Parenthood v. Casey, this law would end the practice of abortion to the extent allowable effective 30 days after the Supreme Court decision with limited exception. Creates civil and criminal penalties</p>		<p>Nurses who work in women’s health need to be aware. May affect enforcement should this law become effective and complaints are received.</p>	
<p>HB 1307</p> <p>Correctional Health</p> <p>AC</p>	<p>Relating to the care of pregnant women in county jail or in the custody of the Texas Department of Criminal Justice.</p>	<p>Representative Mary González</p>	<p>Does not amend the Nursing Practice Act or have direct implications for the BON.</p> <p>Nurses practicing in the correctional health practice setting should be aware of the law and rules related to the care of pregnant women in county jail or in the custody of TDCJ.</p>	<p>9/1/2021</p>
<p>HB 1522</p> <p>Types of Programs</p> <p>JH</p>	<p>Relating to the transfer of Midwestern State University to the Texas Tech University System, to certain fees charged by that system’s governing board, and to mandatory venue for actions brought against that system or its institution, officers or employees.</p>	<p>Representative James Frank</p>	<p>This bill does not change the NPA. The governance, control, management, and property of Midwestern State University are transferred from the board of regents of Midwestern State University to the board of regents of the Texas Tech University System. Since Midwestern houses nursing education programs, Board Staff will be monitoring for any changes to the nursing programs.</p>	<p>9/1/2021</p>
<p>HB 1535</p>	<p>Relating to the medical use of low-THC cannabis by patients with certain medical conditions</p>	<p>Representative Stephanie Klick</p>	<p>No rule changes or changes to position statements are needed. No operational impact.</p>	<p>9/1/2021</p>

<p>Medical Cannabis/ Low THC Cannabis Treatment and Research</p> <p>SZ/KB</p>	<p>and the establishment of compassionate-use institutional review boards to evaluate and approve proposed research programs to study the medical use of low-THC cannabis in the treatment of certain patients</p>		<p>This bill amends Health and Safety Code Chapter 487 to authorize the Executive Commissioner of the Texas Health and Human Services Commission to set rules for low-THC cannabis treatment research, and authorizes the Texas Medical Board to adopt rules for certifying physicians by an institutional review board. According to the bill, patient treatment provided as part of a review program must be administered only by a physician certified by an institutional review board. The bill does not mention any authorized role for nurses in patient treatment or research.</p> <p>The bill also amends Occupations Code Chapter 169 to expand the list of conditions for which a physician could prescribe low-THC cannabis to a patient to include cancer beyond terminal cancer, post-traumatic stress disorder, or a medical condition approved for a research program under Chapter 487.</p>	
<p>HB 1616</p> <p>Interstate Medical Compact</p> <p>JA</p>	<p>Relating to the Interstate Medical Licensure Compact; authorizing Fees.</p>	<p>Representative Greg Bonnen</p>	<p>Authorizes the Interstate Medical Licensure Compact. No direct impact to BON.</p>	<p>9/1/2021</p>
<p>HB 1935</p> <p>Diabetes Supplies</p> <p>TS</p>	<p>Relating to emergency refills of insulin and insulin-related equipment and supplies</p>	<p>Representative John Bucy</p>	<p>HB 1935 permits pharmacists to dispense emergency refills of insulin and insulin-related equipment and supplies. The bill details the requirements for pharmacists to provide emergency refill(s) which include: making a reasonable effort to contact</p>	<p>9/1/2021</p>

			the original ordering practitioner without success, and making a reasonable attempt to contact the practitioner at the earliest reasonable time. No amendments to the NPA. Pharmacists will contact APRNs as required by this bill.	
<p>HB 1967</p> <p>Uterine fibroid tracking and awareness campaign</p> <p>JZ</p>	<p>Relating to a database of information about women with uterine fibroids and to uterine fibroid education and research.</p> <p>Creates a database of information about uterine fibroids to include incidence of uterine fibroids in the state, demographic attributes of diagnosed individuals, and treatments for the conditions. The database will not include any personally identifying elements about the patient. The Department of State Health Services to work with TMA to develop an informative campaign on uterine fibroids in order to increase public awareness.</p>	<p>Representative Senfronia Thompson</p>	<p>Does not require change to rules, position statements, or agency operations.</p> <p>Nurses who work in women’s health need to be aware. Patients may benefit from educational resources developed.</p>	<p>9/1/2021</p>
<p>HB 2056</p> <p>Teledentistry</p> <p>EMc</p>	<p>Relating to the practice of dentistry and the provision of teledentistry dental services.</p>	<p>Representative Stephanie Klick</p>	<p>Does not amend the Nursing Practice Act or have direct implications for the BON.</p> <p>Nurses who practice in settings that include the practice or provision of dentistry or teledentistry should be aware of the laws and rules associated with such practice including orders that nurses can accept from dentists, what</p>	<p>9/1/2021</p> <p>Sections 1455.004 and 1455.006 of the Insurance Code: 9/1/2022</p>

			can be delegated from a dentist and to whom, as well as what services can be provided via teledentistry.	
HB 2211 Hospital Licensing LL	Relating to in-person visitation with hospital patients during certain periods of disaster.	Representative Will Metcalf	Does not amend the Nursing Practice Act or have direct implications for the BON. Nurses practicing in hospitals need to know the laws and rules related to in-person visitation with hospital patients during certain periods of disaster.	9/1/2021
HB 2462 SANE AC	Relating to the reporting of a sexual assault, to evidence of a sexual assault or other sex offense, and to other law enforcement procedures occurring with respect to a sexual assault or other sex offense.	Representative Victoria Neave	Does not amend the Nursing Practice Act or have direct implications for the BON. Nurses practicing in settings where sexual assault exams occur or are practicing SANE nurses, should be aware of changes to the law and rules related to the reporting of a sexual assault, to evidence of a sexual assault or other sex offense, and to other law enforcement procedures occurring with respect to a sexual assault or other sex offense.	9/1/2021
HB 3121 Residential Psychiatric Treatment Facilities (youth): Voluntary Certification DB	Relating to a voluntary quality standards certification process for certain private residential psychiatric treatment facilities that provide treatments and services to youth; imposing fees; authorizing civil and administrative penalties.	Representative John Turner	Does not amend the Nursing Practice Act or have direct implications for the BON. (Amends the Health and Safety Code.) 24-hour nursing services are required for the voluntary certification process.	9/1/2021
SB 8 Prohibition of abortion if	Relating to abortion, including abortions after detection of an unborn child's heartbeat;	Senator Bryan Hughes	Does not require change to rules, position statements, or agency operations.	9/1/2021

<p>fetal heartbeat detected</p> <p>JZ</p>	<p>authorizing a private civil right of action.</p> <p>Mandates that the physician determine if a fetal heartbeat is present. If a heartbeat is detected, the physician is prohibited from knowingly performing or inducing an abortion with limited exception and can be held civilly liable. Private civil enforcement for this violation, violation of the chapter, and aiding and abetting is available once the bill becomes effective. Sets out what must be noted in the pregnant woman's medical record. This includes formatting and notes on why the abortion was performed or induced if permitted under exception. If a physician performs or induces an abortion under the medical emergency exception, the reason for the abortion must be noted in the pregnant woman's medical records</p>		<p>Nurses who work in women's health need to be aware. Potential implications for enforcement should complaints be received.</p>	
<p>SB 25</p> <p>Resident Rights: Essential Caregiver</p> <p>DB</p>	<p>Relating to the right of certain facility residents to designate an essential caregiver for in-person visitation.</p>	<p>Senator Lois Kolkhorst</p>	<p>Does not amend the Nursing Practice Act or have direct implications for the BON.</p> <p>Nurses who practice in settings where this applies need to be aware of the new resident right.</p>	<p>9/1/2021</p>

<p>SB 40</p> <p>Telehealth</p> <p>EMc</p>	<p>Relating to the use of telehealth in health professional programs administered by the Texas Department of Licensing and Regulation.</p>	<p>Senator Judith Zaffirini</p>	<p>Does not amend the Nursing Practice Act or have direct implications for the BON.</p> <p>Nurses who practice in settings with other health professionals licensed by TDLR, should know those services that are approved to be delivered via telehealth.</p>	<p>6/3/2021</p>
<p>SB 45</p> <p>Prohibition of Sexual Harassment</p> <p>SZ</p>	<p>Relating to the prohibition of sexual harassment in the workplace.</p>	<p>Senator Judith Zaffirini</p>	<p>This bill amends the Texas Labor Code, and establishes that an employer commits an unlawful employment practice if sexual harassment occurs and the employer (including its agents and supervisors) do not take appropriate corrective action.</p> <p>No changes to agency positions or policies are needed. The BON employee handbook already states “all employees are obligated to report any incident of sexual harassment immediately on occurrence. Except for the victim, failure to report sexual harassment may result in disciplinary action up to and including termination of employment.”</p> <p>The agency should continue current practices, and emphasize the importance of reporting to both employees and supervisors, so HR and Directors can investigate and take appropriate corrective action as needed.</p>	<p>9/1/2021</p>

<p>SB 165</p> <p>Dropped Course Limitations</p> <p>VA</p>	<p>Relating to an exception to dropped course limitations at public institutions of public education for courses dropped during a disaster that results in a bar or limit on in-person course attendance. Will provide flexibility to undergraduate students who may be facing significant academic challenges due to circumstances beyond their control related to the ongoing coronavirus pandemic by authorizing students to drop classes without penalty due to the COVID-19 pandemic.</p>	<p>Senator Cesar Blanco</p>	<p>None</p>	<p>6/14/2021</p>
<p>SB 199</p> <p>Facility Regulations</p> <p>AC</p>	<p>Relating to automated external defibrillators.</p>	<p>Senator Jane Nelson</p>	<p>Does not amend the Nursing Practice Act or have direct implications for the BON.</p> <p>Nurses that work in a practice setting that owns or leases an automated external defibrillator shall know the law and rules related to acquisition, maintenance, and inspection of automated external defibrillators.</p>	<p>9/1/2021</p>
<p>SB 226</p> <p>Virtual Learning</p> <p>VA</p>	<p>Relating to instruction in educator training programs regarding digital learning, virtual learning, and virtual instruction. Developed to improve the online education experience and results for both teachers and students who have been forced to rely on remote learning as a result of the recent pandemic.</p>	<p>Senator Angela Paxton</p>	<p>None</p>	<p>9/01/2021</p>

<p>SB 239</p> <p>Educational Materials During a Disaster</p> <p>LL/MM</p>	<p>Relating to the provision of educational materials regarding disease prevention during a disaster.</p> <p>This bill would require the Department of State Health Services (DSHS) to develop and implement a disease prevention information system for dissemination of immunization information during a declared state or local disaster.</p>	<p>Senator Beverly Powell</p>	<p>Does not amend the Nursing Practice Act or have direct implications for the BON.</p> <p>Requires DSHS, as soon as practicable, but no later than August 31, 2022, to implement a disease prevention information system.</p> <p>Nurses should be aware of the laws and rules establishing The Department of State Health Services, using existing resources, shall develop and implement a disease prevention information system for dissemination of immunization information during a declared state of disaster or local state of disaster.</p>	<p>9/1/2021</p>
<p>SB 279</p> <p>School Nursing</p> <p>LL</p>	<p>Relating to the inclusion of suicide prevention information on certain student identification cards issued by a public school or public institution of higher education.</p>	<p>Senator Chuy Hinojosa</p>	<p>Does not amend the Nursing Practice Act or have direct implications for the BON.</p> <p>Nurses practicing in the school setting should be aware of the law relating to the inclusion of suicide prevention information on certain student identification cards issued by a public school or public institution of higher education.</p>	<p>6/14/2021</p>
<p>SB 284</p> <p>Out-of-state Physician Study</p> <p>TS</p>	<p>Relating to a study of out-of-state physicians who practiced in this state during the COVID-19 pandemic.</p>	<p>Senator Kel Seliger</p>	<p>Directs The Texas Medical Board (TMB) to conduct a study regarding out-of-state physicians who practiced medicine in this state during the COVID-19 pandemic pursuant to board rules providing for the waiver of licensing requirements during disasters and emergencies. TMB shall provide a written report that includes a summary of the study and any legislative</p>	<p>9/1/2021</p>

			recommendations based on the study. No amendments to the NPA or implications for the BON.	
SB 437 Personal Protective Equipment Reserve KB	Relating to the establishment of a personal protective equipment advisory committee	Senator Cesar Blanco	No rule changes or changes to position statements are needed. No operational impact. This bill amends Health and Safety Code Chapter 81 to require the Texas Division of Emergency Management (TDEM) by rule to establish guidelines for the procurement, storage, and distribution of personal protective equipment (PPE). It also requires TDEM to establish a 14-member Personal Protective Equipment Advisory Committee to make recommendations to TDEM as necessary for rulemaking regarding PPE standards. Among the advisory committee composition is a representative of an association representing nurses.	6/16/2021
SB 464 Infectious Diseases LL	Relating to reports on deaths from reportable and other communicable diseases to county health authorities and health departments.	Senator Eddie Lucio	Does not amend the Nursing Practice Act or have direct implications for the BON. Nurses should be aware that if the health department provides to a health authority information on a death from a reportable or other communicable disease reported to the department under this section, the department shall also provide the information to the director of the local health department for the county served by the health authority.	9/1/2021

<p>SB 476</p> <p>SANE</p> <p>AC</p>	<p>Relating to establishment of county adult sexual assault response teams</p>	<p>Senator Jane Nelson</p>	<p>Does not amend the Nursing Practice Act or have direct implications for the BON.</p> <p>Nurses practicing as Sexual Assault Nurse Examiners of working in a large health care facility should be aware that now included in Local Government Code, each county shall establish an adult sexual assault response team that includes, among other things, a sexual assault nurse examiner or forensic examiner from a facility that conducts sexual assault forensic exams for the county; or a representative from the largest health care provider operating in the county if the county does not have a sexual assault nurse examiner or forensic examiner.</p>	<p>9/1/2021</p>
<p>SB 640</p> <p>Electronic Health Record</p> <p>EMc</p>	<p>Relating to a study on the interoperability needs and technology readiness of behavioral health service providers in this state.</p>	<p>Senator Jose Menendez</p>	<p>Does not amend the Nursing Practice Act or have direct implications for the BON.</p> <p>Nurses who practice in behavioral health settings should be aware that a study will be conducted to determine the interoperability needs and technology readiness of their setting to allow HHSC to establish a plan for aligning the interoperability and technological capabilities in the provision of behavioral health services with applicable law.</p>	<p>9/1/2021</p>
<p>SB 713</p> <p>Sunset Review</p> <p>JA</p>	<p>Relating to sunset review process and certain governmental entities subject to that process.</p>	<p>Senator Dawn Buckingham</p>	<p>Amends dates for Sunset review of several agencies. No direct impact to BON.</p>	<p>6/16/21</p>

<p>SB 799</p> <p>Government Contracting</p> <p>AL</p>	<p>Relating to contracting procedures and requirements for governmental entities.</p>	<p>Senator Jane Nelson</p>	<p>This bill amends several Government Code sections related to contracting. The bill amends the definition of a “major information resources project”; amends the criteria for determining “best value”; and increases the monetary thresholds for contracts that require competitive bidding. The bill also states that contracts for professional services of physicians, optometrists, and registered nurses are not subject to competitive advertising and proposal evaluation requirements.</p>	<p>9/1/2021</p>
<p>SB 809</p> <p>Infectious Disease</p> <p>LL</p>	<p>Relating to health care institution reporting of federal money received for the coronavirus disease public health emergency.</p>	<p>Senator Lois Kolkhorst</p>	<p>Does not amend the Nursing Practice Act or have direct implications for the BON.</p> <p>Nurses working for health care institutions should be aware of the reporting requirement of federal money received for the coronavirus disease public health emergency.</p>	<p>9/1/2021</p>
<p>SB 930</p> <p>Communicable Disease Disclosure</p> <p>DB</p>	<p>Relating to the disclosure of certain information regarding the occurrence of communicable diseases in residential facilities.</p>	<p>Senator Judith Zaffirini</p>	<p>Does not amend the Nursing Practice Act or have direct implications for the BON.</p> <p>Specific information (<i>name or location of facility and number of residents diagnosed with a communicable disease</i>) may be disclosed unless confidential under other law.</p>	<p>9/1/2021</p>
<p>SB 969</p> <p>Infectious Disease</p> <p>LL</p>	<p>Relating to reporting procedures for and information concerning public health disasters and to certain public health studies; providing a civil penalty.</p>	<p>Senator Lois Kolkhorst</p>	<p>Does not amend the Nursing Practice Act or have direct implications for the BON.</p> <p>Nurses should be aware of reporting procedures for and information concerning public health disasters and certain public health studies.</p>	<p>9/1/2021</p>

<p>SB 1103</p> <p>Nurse Aides</p> <p>TS</p>	<p>Relating to the regulation of nurse aides; requiring an occupational registration.</p>	<p>Senator Kel Seliger</p>	<p>Directs the Health and Human Services Commission (HHSC) to require an individual to hold a certificate of registration to be listed on the nurse aide registry. HHSC is to adopt rules to issue and renew certificates of registration. No amendments to the NPA or implications for the BON.</p>	<p>9/01/2021</p>
<p>SB 1137</p> <p>Hospital Licensing</p> <p>AC</p>	<p>Relating to the required disclosure of prices for certain items and services provided by certain medical facilities; providing administrative penalties.</p>	<p>Senator Lois Kolkhorst</p>	<p>Does not amend the Nursing Practice Act or have direct implications for the BON.</p> <p>Nurses practicing in facilities should be aware of the laws and rules that establish that the requirement to make public a list of all standard charges for all facility items or services and a consumer-friendly list of standard charges for a limited set of shoppable services.</p>	<p>9/1/2021</p>
<p>SB 1578</p> <p>Child Abuse/Neglect</p> <p>AC</p>	<p>Relating to the use of opinions from medical professionals in making certain determinations relating to the abuse or neglect of a child.</p>	<p>Senator Lois Kolkhorst</p>	<p>Does not amend the Nursing Practice Act or have direct implications for the BON.</p> <p>Advanced Practice Registered Nurses and nurses who report suspected abuse or neglect of a child should be aware of changes in law related to the use of their opinions in making certain determinations relating to the abuse or neglect of a child.</p>	<p>9/1/2021</p>
<p>SB 1692</p> <p>Home Dialysis Care</p> <p>TS</p>	<p>Relating to the provision of home dialysis care by a dialysis technician.</p>	<p>Senator Borris Miles</p>	<p>Details the requirements for a dialysis technician to perform dialysis in a patient's home or a nursing facility. The requirements include "personal supervision" by a registered nurse with the required training and competency to provide care at training and competency for registered nurses to</p>	<p>9/01/2021</p>

			provide care at end stage renal disease facilities. The bill defines “personal supervision” to mean supervision by a registered nurse who is physically present in the room during the administration of dialysis services by the dialysis technician. No amendments to the NPA. RNs working in with dialysis technicians should be aware of their supervision requirements.	
<p>SB 1780</p> <p>Protection of public health in the state</p> <p>GV</p>	<p>Relating to the establishment of the Texas Epidemic Public Health Institute.</p>	<p>Representative Brandon Creighton</p>	<p>Does not require change to rules, position statements, or agency operations.</p> <p>The Texas Epidemic Public Health Institute, led by the UTHealth School of Public Health in partnership with state and local public health agencies, healthcare organizations, and university partners, will plan and develop a public health reserve force that would include needed public health workforce ranging from epidemiologists to contact tracers and case investigators for future pandemics.</p>	<p>9/1/2021</p>
<p>SB 1827</p> <p>Opioid settlement funds</p> <p>JZ</p>	<p>Relating to the creation of the opioid abatement account, an opioid abatement trust fund, and a statewide opioid settlement agreement.</p> <p>Establishes an Opioid Abatement Fund from any settlements received from the multi-state law suits seeking financial damages from opioid manufacturers and distributors. Texas is party to many of these</p>	<p>Senator Joan Huffman</p>	<p>Does not require change to rules, position statements, or agency operations.</p> <p>Nurses should be aware of new resources that may be available for training, education and patient care.</p>	<p>6/16/2021</p>

	<p>suits, and this bill creates a mechanism to dedicate the state portion of these funds to opioid abatement. Establishes the Texas Opioid Abatement Fund Council to ensure any funds received are allocated and utilized to combat the opioid crisis in Texas. Establishes the activities for which funds may be dispensed.</p>			
<p>SB 1856 General JH</p>	<p>Relating to certain vocational nursing students providing essential services during a declared state of disaster.</p>	<p>Senator Beverly Powell</p>	<p>This bill does not change the NPA. It allows vocational nursing students to be considered essential workers in times of disaster provided they comply with facility policies regarding health screening policies including the use of personal protective equipment and student services are in compliance with facility policies. This information will be helpful when Board Staff receive questions about vocational nursing education clinicals in times of disaster.</p>	<p>9/1/2021</p>
<p>SB 1876 Facility Regulations AC</p>	<p>Relating to emergency planning for the continued treatment and safety of end stage renal disease facility patients.</p>	<p>Senator Boris Miles</p>	<p>Does not amend the Nursing Practice Act or have direct implications for the BON.</p> <p>Nurses who practice in end stage renal disease facilities should be aware of the development of an emergency plan for patients who are unable to receive scheduled dialysis treatment due to facility's closure or reduction in hours.</p>	<p>9/1/2021</p>
<p>SJR 19 Resident Rights: Essential Caregiver</p>	<p>Proposing a constitutional amendment establishing a right for residents of certain facilities to designate an essential caregiver for in-person visitation.</p>	<p>Senator Lois Kolkhorst</p>	<p>Does not amend the Nursing Practice Act or have direct implications for the BON.</p> <p>Requires a vote related to a proposed constitutional amendment. If approved</p>	<p>Pending voter approval (vote to be held November 2, 2021)</p>

DB			by the voters, then nurses who practice in settings where this applies need to be aware of the new constitutional resident right for in-person visitation and the associated facility policies & procedures.	
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