

**Consideration of Proposed Amendments to 22 Texas Administrative Code §217.2,  
Relating to Licensure by Examination for Graduates of Nursing Education  
Programs Within the United States, its Territories, or Possessions**

**Background:** At the April 2017 Board meeting, the Board charged the Advisory Committee on Education (ACE) with recommending rules to: (1) define *substantially equivalent education* standards for the purpose of ensuring out of state nursing education programs are substantially equivalent to Board standards for licensure purposes; and (2) provide a pathway for initial licensure for graduates of out of state programs that are not substantially equivalent to Board standards for Texas education programs. These charges were the result of the Sunset Advisory Commission's adopted recommendations, codified in House Bill (HB) 2950, and amending Tex. Occ. Code §301.157 (effective September 1, 2017).

ACE met on June 22, 2017; July 25, 2017; and September 25, 2017, to consider the Board's charges. The Board reviewed ACE's recommendations at the October 2017 Board meeting and approved rule amendments to Board Rule 217.2 for publication in the *Texas Register* for public comment. The Board considered the written comments it received at its January 2018 Board meeting and voted to adopt the proposed amendments with changes. The adopted rule amendments to Board Rule 217.2 were published in the *Texas Register* and became effective on February 28, 2018.

The proposed amendments to Board Rule 217.2 are attached as Attachment "A" and are necessary to correct typographical errors in the rule text and make minor changes for consistency with amendments being simultaneously proposed to Board Rule 217.5 (see Agenda Item 7.6).

**Board Action:** Move to approve the proposal of amendments to 22 Texas Administrative Code §217.2, Relating to Licensure by Examination for Graduates of Nursing Education Programs Within the United States, its Territories, or Possessions, 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 amendments to 22 Texas Administrative Code §217.2, Relating to Licensure by Examination for Graduates of Nursing Education Programs Within the United States, its Territories, or Possessions, as proposed.

## Attachment “A”

§217.2. Licensure by Examination for Graduates of Nursing Education Programs Within the United States, its Territories, or Possessions.

(a) All applicants for initial licensure by examination shall:

(1) – (3) (No change.)

(4) graduate from an [a] approved Texas nursing education program or a program with substantially equivalent education standards to a Texas approved nursing program as defined below.

(A) – (B) (No change.)

(C) A clinical competency assessment program shall be deemed substantially equivalent to a Texas approved nursing program while compliant with Tex. Occ. Code §301.157(d-8) and (d-9). A clinical competency assessment program will be deemed to not be substantially equivalent to a Texas approved nursing program if the program fails to meet applicable requirements of Tex. Occ. Code §301.157(d-11) and (d-12)~~[(d-2)]~~.

(D) If an applicant does not have substantially equivalent education under ~~[this]~~ paragraph (A) or (B), the applicant may become eligible for licensure if the applicant enrolls in an approved Texas program and completes the necessary educational requirements.

(E) If an applicant for licensure as a registered nurse has completed a clinical competency assessment program which is deemed not to be substantially equivalent to Board standards for Texas programs under paragraph (C), the Board may issue a provisional license to the applicant once the applicant has passed the National

Council Licensure Examination for Registered Nurses (NCLEX-RN® Examination). The applicant will be eligible for full licensure if the applicant completes the requirements of clause (i) or (ii) below:

(i) (No change.)

(ii) The applicant completes an educational program at an approved Texas program which is designed to assess and improve clinical skills for applicants who have not completed supervised clinical experiences in their prior educational program. The applicant must seek and receive the Board's approval prior to entering into the program to ensure that the program will allow the applicant may be eligible for full licensure. The applicant must provide the Board evidence of completion of the approved program;[-]

(5) – (6) (No change.)

(b) – (e) (No change.)