

**PROPOSED AMENDMENTS TO §214.3 AND §215.3 RELATING TO  
STREAMLINING OF THE TEXAS BOARD OF NURSING'  
INITIAL APPROVAL PROCESS FOR NURSING EDUCATION PROGRAMS**

**SUMMARY OF REQUEST:**

Consider the proposed amendments to §214.3 and §215.3 relating to the streamlining of the Texas Board of Nursing' (BON) initial approval process for nursing educational programs.

**HISTORICAL PERSPECTIVE:**

- The Sunset Advisory Commission Report to the 80<sup>th</sup> Legislature, May 2007, under Recommendations, Change in Statute 1.4 states "Require the Board to streamline its initial approval process for nursing education programs."
- House Bill (HB) 2426 Section 301.157(d-5) requires that "The board shall streamline the process for initially approving a school of nursing or educational program under this section by identifying and eliminating tasks performed by the board that duplicate or overlap tasks performed by the Texas Higher Education Coordinating Board or the Texas Workforce Commission."
- House Bill (HB) 2426 Section 301.157(d-6) requires that "The board, in cooperation with the Texas Higher Education Coordinating Board and the Texas Workforce Commission, shall establish guidelines for the initial approval of schools of nursing or educational programs. The guidelines must: (1) identify the approval processes to be conducted by the Texas Higher Education Coordinating Board or the Texas Workforce Commission; (2) require the approval process identified under Subdivision (1) to precede the approval process conducted by the board; and (3) be made available on the board's internet website and in a written form."

**ACTIONS TO DATE:**

- Board staff conducted meetings with the Texas Workforce Commission (TWC) beginning in December 2006 with a goal of identifying duplicative processes between the Texas BON's new program approval process and the TWC new school/college/program approval process.
- Board staff conducted meetings with the Texas Higher Education Coordinating Board (THECB) beginning in June 2007 with the goal of identifying duplicative processes between the Texas BON's new program approval process and the THECB program approval process.
- In August 2007, Board staff developed a matrix table to facilitate a comparison of the steps in the Texas BON's new program approval process for both Rule 214 and 215 versus the steps in the TWC and THECB approval processes.
- The respective matrix table was emailed to both agencies, TWC and THECB, in September 2007, with instructions for TWC and THECB staff to review the table and indicate areas in the Texas BON approval process that are reviewed as part of the current TWC or THECB approval process for new nursing educational programs.
- To date a completed matrix table has been received from both TWC and THECB and Board staff has begun discussion of the information with TWC and THECB staff.

**FUTURE ACTIONS:**

- Once an extensive review of the information on the completed matrix table is completed by Board staff, additional meetings with TWC and THECB will be conducted to verify the delineation of responsibilities among the Texas BON, TWC, THECB in the respective approval processes.
- When a final delineation of responsibilities is completed, a Texas BON approval process to establish a new nursing education program will be developed by Board staff for both new vocational nursing educational programs and new professional nursing educational programs.

- Board staff anticipate that in addition to eliminating duplicative approval steps among the Texas BON, TWC, and THECB, the new Texas BON new program approval process will be designed to:
  - reduce the amount of required written information that the applicant must provide;
  - allow the applicant to complete standardized tables for providing required data; and
  - allow the applicant to submit copies of documentation required in the TWC or THECB approval process in order to meet certain requirements in the Texas BON approval process.
- Once the new program approval process is approved, new Texas BON education guidelines will be developed and made available to the public on the Texas BON web site.

**PROPOSED RULE CHANGES:**

- §214.3 Program Development, Expansion and Closure
  - (a) New programs.
    - (1) Proposal to establish a new vocational nursing educational program.
      - (B) The new vocational nursing educational program must be approved/licensed by the appropriate Texas agency, i.e., THECB, TWC, before approval can be granted by the Texas Board of Nursing for the program to be implemented.
      - (i) The approval process conducted by THECB or TWC must precede the approval process conducted by the Board.
      - (ii) The proposal to establish a new vocational nursing educational program may be submitted to the Board at the same time that an application is submitted to THECB or TWC, but the proposal cannot be approved by the Board until such time as the proposed program is approved by THECB or TWC.
      - (C) The process to establish a new vocational nursing educational program shall be initiated with the Board office one year prior to the anticipated start of the program.
      - (M) If the Board denies further consideration of a proposal, the educational unit in nursing within the structure of a school, including a college, university, or proprietary school (career school or college), or a hospital must wait a minimum of twelve calendar months from the date of the denial before submitting a new proposal to establish a vocational nursing educational program.
- §215.3 Program Development, Expansion and Closure
  - (a) New programs.
    - (1) Proposal to establish a new professional pre-licensure ~~or post-licensure~~ nursing educational program.
      - (A) ~~A governing institution accredited by a Board-recognized accrediting body is eligible to submit a~~ The proposal to develop establish a professional nursing educational program may be submitted by:
        - (i) a college or university accredited by an agency recognized by the THECB or holding a certificate of authority from the THECB under provisions leading to accrediting of the institution in due course; or
        - (ii) a single-purpose school, such as a hospital, proposing a new diploma program.
      - (B) The new professional nursing educational program must be approved/licensed by the

appropriate Texas agency, i.e., THECB, TWC, before approval can be granted by the Texas Board of Nursing for the program to be implemented.

(i) The approval process conducted by THECB or TWC must precede the approval process conducted by the Board.

(ii) The proposal to establish a new professional nursing educational program may be submitted to the Board at the same time that an application is submitted to THECB or TWC, but the proposal cannot be approved by the Board until such time as the proposed program is approved by THECB or TWC.

~~(B)~~ (C) The process to establish a new professional nursing educational program shall be initiated with the Board office one year prior to the anticipated start of the program.

(N) If the Board denies further consideration of a proposal, the educational unit in nursing within the structure of a school, including a college, university, or proprietary school (career school or college), or a hospital must wait a minimum of twelve calendar months from the date of the denial before submitting a new proposal to establish a professional pre-licensure nursing educational program.

**PROS AND CONS:**

**Pro -**

- The proposed amendments to Ch. 214 and Ch. 215 reflect statutory changes and operationalize the statute.
- The actions to date provide a foundation for development of a streamlined approval process for new nursing educational programs with delineated responsibilities for each of the agencies, the Texas BON, THECB, and TWC, involved in the approval processes.
- A streamlined approval process will be more customer-friendly and reduce current duplication between the agencies involved in approving new nursing education programs in Texas.

**Cons -**

None noted.

**STAFF RECOMMENDATION:**

- The motion to approve the proposed amendment to 214.3 relating to the streamlining of the Texas Board of Nursing' initial approval process for vocational nursing educational programs will be included as part of Agenda Item 7.10.12.
- The motion to approve the proposed amendment to 215.3 relating to the streamlining of the Texas Board of Nursing' initial approval process for professional nursing educational programs will be included as part of Agenda Item 7.10.13.