

**Request for Charge to Nursing Practice Advisory Committee (NPAC) to Review Rule 217.16, Minor Incidents as a Result of SB 993 and Proposed Changes to the Peer Review Rules**

**Summary of Request:**

Consider a request to charge the Nursing Practice Advisory Committee (NPAC) with review and recommendations regarding Rule 217.16, Minor Incidents.

**Historical Perspective:**

The minor incident rule was last amended in May of 2006 and has been in existence since 1994. The intent of the minor incident rule is to promote the identification of a potential pattern of poor practice by a given nurse, and to establish when this nurse's practice must be reviewed by a group of peers to determine appropriate actions. Though focused on the nurse's practice, peer review may include recommendations for both the nurse's individual practice and systems issues found within the employing facility.

During the 80<sup>th</sup> Legislative Session, SB 993 (Nelson) was passed, amending the Texas Occupations Code Chapters 301, related to reportable conduct, and 303, related to nursing peer review. As a result of these amendments, Rule 217.19, Incident-Based Nursing Peer Review and Rule 217.20, Safe Harbor Peer Review for Nurses are under revision. Because the evaluation of minor incidents utilizes the nursing peer review rules, staff believes that Rule 217.16, Minor Incidents may require updating to comply with the changes to the nursing peer review rules.

**Pros and Cons:**

**Pros:** NPAC's review and recommendations to Rule 217.16, Minor Incidents provides an opportunity for stakeholder's to update and improve the rule, as well as to make conforming changes resulting from SB 993 and revisions to Rules 217.19 and 217.20. Consistency between the three rules helps to provide clarification for nurses and their employers.

**Cons:** None

**Staff Recommendations:**

I move to make a charge to the Nursing Practice Advisory Committee to review and recommend revisions to Rule 217.16, Minor Incidents, as a result of changes made to the nursing peer review rules.