

Agenda Item: 1.3
Prepared by: Bruce Holter/BON Staff
Meeting Date: April, 2009

Legislative Report - 81st Regular Texas Legislative Session: April, 2009

The legislative report that follows includes all legislation being monitored by Board staff. The agency is currently monitoring more than 350 House and Senate bills. At the time this report was prepared, 7,144 bills had been filed in the legislature. This is an increase of 21 percent from the previous legislative session. On May 11, the 119th 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 June 1, 2009. The last day that the Governor can sign, veto or take no action on bills passed in the House and Senate is June 21. The bills are organized sequentially starting with the House bills.

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
<p>HB 36</p> <p>Companion: SB 182</p> <p>(JZ)</p> <p>Abortion</p>	<p>Requires physician or designated agent to provide obstetric ultrasound and auscultate fetal heartbeat and explain each in layperson's terms. Pregnant woman must have opportunity to view ultrasound and hear heart tones. Exceptions made for medical emergency. Defines medical emergency.</p>	<p>Corte</p> <p>Patrick, Dan</p>	<p>TBD</p>	<p>Effective: Immediately if 2/3 vote or 9/1/2009</p> <p><u>Last Action:</u> House: Referred to State Affairs, 2/12/2009</p> <p>Senate: Substitute reported favorably from committee 3/26/2009</p>
<p>HB 40</p> <p>(JH)</p> <p>Complementary Health Care</p>	<p>Relating to regulations on certain complementary and alternative health care services.</p>	<p>Corte</p>	<p>TBD</p>	<p>Effective: 6/1/09 (2/3 Majority, if enacted), otherwise 9/1/09</p> <p><u>Last Action:</u> H Filed 11/10/2008. Referred to Public Health 2/12/09 H Public Hearing 4/7/09</p>

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
<p>HB 70</p> <p>Companion: SB 809</p> <p>(Legal)</p> <p>Occupational Licenses and Criminal Convictions</p>	<p>Relating to the issuance of an occupational license to certain applicants with criminal convictions.</p>	<p>Guillen</p>	<p>The bill amends chapter 53 of the Texas Occupations Code. There is a companion bill in the Senate, SB 809.</p> <p>The bill provides that an occupational licensing agency will be required to license persons previously convicted of felonies if those felonies are over 5 years old. Certain very serious crimes, but not others, will still render a applicant ineligible even if they are over 5 years old. There will be a problem reconciling this bill with NPA 301.4535 and the BON's probationary stipulations normally in declaratory orders of eligibility.</p>	<p>Effective: 9/1/09</p> <p><u>Last Action:</u> Reported from House Licensing and Administrative Procedures as substituted 4/3/09.</p> <p>SB 809 on Senate Intent Calendar for 4/15/09</p>
<p>HB 142</p> <p>Companion: SB 188</p> <p>(MH)</p> <p>Needle Exchange</p>	<p>Relating to needle exchange.</p> <p>identical</p>	<p>McClendon/ Crabb/Ortiz, Jr./ Naishtat</p> <p>Deuell/Van de Putte</p>	<p>TBD</p>	<p>Effective: 9/1/2009</p> <p><u>Last Action:</u> H Referred to Public Health 02/12/2009</p> <p><u>Last Action:</u> 03/31/2009 H Referred to Public Health</p>

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
<p>HB 151</p> <p>Companion: SB 158</p> <p>(MH)</p> <p>Public school notification of School Nurse Assignment</p>	<p>Public schools that do not have a full-time school nurse will be required to notify parents in writing that a school nurse is not assigned to a campus after 30 days.</p>	<p>Coleman</p> <p>Ellis</p>	<p>Amends Education Code. No impact to BON or NPA. Effects school nursing.</p>	<p>Effective immediately with 2/3 vote or 9/1/09.</p> <p><u>Last Action:</u> Referred to House Public Education Committee on 2/12/09</p> <p>House Public Hearing on 3/24/09</p> <p>Pending in House Education Committee on 3/24/09</p> <p>Senate engrossed on 3/24/09</p> <p>Referred to House Public Education on 3/31/09</p>
<p>HB 168</p> <p>Companion: SB 536</p> <p>(JZ)</p> <p>Delegation by dentists</p>	<p>Allows dentists to delegate the administration of certain anesthesia services to dental hygienists. Limits delegation to local anesthetics. Intraoral, block or infiltration anesthesia may be provided under direct supervision after completion of a course approved by the Dental Board.</p>	<p>Crownover</p> <p>Van de Putte</p>	<p>TBD</p>	<p>Effective: 9/1/2009</p> <p><u>Last Action:</u> HB left pending in Public Health committee 3/31/2009</p> <p>SB Referred to Health & Human Services 2/17/2009</p>

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
<p>HB 448</p> <p>Companion: SB 479</p> <p>(MH)</p> <p>Provider Choice System</p>	<p>Allows for vaccine providers to select any equivalent licensed vaccines.</p>	<p>Hopson</p> <p>Carona</p>	<p>Amends the Health & Safety Code. No direct impact on the NPA and BON. Nurses ordering and administering vaccine will need to know and comply.</p>	<p>Effective 9/1/09.</p> <p><u>Last Action:</u> House Engrossed on 3/26/09 Referred to Senate Health & Human Service Committee on 4/7/09</p> <p>Voted favorably as Substituted in Senate Health & Human Services Committee on 3/17/09</p> <p>Removed from local & Uncontested Calendar on 4/2/09</p>

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
<p>HB 506</p> <p>Companion: SB 424</p> <p>(MH)</p> <p>School-based Influenza Programs</p>	<p>DSHS and TEA shall conduct a joint study of school-based influenza pilot program.</p>	<p>Howard</p> <p>Van de Putte</p>	<p>No direct impact on the NPA or BON. School nurses will need to know and comply.</p>	<p>Effective immediately with 2/3 vote or on 9/1/09.</p> <p><u>Last Action:</u> Filed on 1/8/09 Referred to House Public Health Committee on 2/18/09</p> <p>Filed on 3/25/09 Senate Engrossed on 3/25/09</p> <p>Referred to House Public Health Committee on 3/31/09</p>
<p>HB 574</p> <p>(MH)</p> <p>Laser Cosmetic Procedures</p>	<p>Relating to laser cosmetic procedures.</p>	<p>Sheffield/Legler</p>	<p>TBD</p>	<p>Effective immediately with 2/3 vote or on 9/1/09.</p> <p><u>Last Action:</u> 04/07/2009 H Scheduled for public hearing</p>

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
<p>HB 591</p> <p>Companion: SB 476</p> <p>(MBT, DB, MH, VA, AH + Legal)</p> <p>Employment Protections for Nurses</p>	<p>Establishes the requirement for a joint process about nurse staffing decision. A hospital shall develop and enforce a written plan that ensures adequate number and skill mix of nurses to meet patient needs. The plan will be based on each patient care unit, shift and evidence related to patient care needs. The plan must provide how adjustments will be made to meet the needs of patients. The hospital will establish a nurse staffing committee and the bill language defines: the committee membership; voting members; frequency of meetings; evaluation of the staffing plan; reports to DSHS. Defines mandatory overtime and prohibits hospitals from requiring nurses to work overtime except in declaration of emergencies, unforeseen event, actively engaged in a procedure and then may ask for voluntary overtime. Prohibits retaliation by hospitals if a nurse refuses to work overtime.</p>	<p>Donna Howard</p> <p>Nelson</p>	<p>TBD.</p>	<p>Effective 9/1/09 (if enacted).</p> <p>Last Action: Sent to H Public Health 2/18/2009.</p> <p>SB 476 sent to H Public Health 3/31/2009.</p>

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
<p>HB 605 (MM) Travel Requirements for State Employees</p>	<p>The number of miles traveled that are eligible for reimbursement under this subchapter may not exceed the number of miles of the most cost-effective <u>reasonably safe</u> route between the origin of the state employee's travel and the final duty point of the state employee.</p>	<p>Farabee</p>	<p>Could add number of miles traveled by staff and increase cost to agency.</p>	<p>Effective 9/1/09 (if enacted). <u>Last Action:</u> H Filed 1/14/2009.</p>
<p>HB 607 Companion: SB 433 (JZ) Physical Therapists</p>	<p>Permits PTs to treat patients within their scope of practice without referral requirements. Must confer with appropriate health care practitioner if no improvement noted in patient's condition or for emergency situations.</p>	<p>Farabee Carona</p>	<p>TBD</p>	<p>Effective 9/1/2009. <u>Last Action:</u> HB Referred to Public Health 2/18/2009 SB Referred to Health & Human Services 2/17/2009</p>
<p>HB 643 (DB) Surgical Technologists</p>	<p>Relating to the qualifications of surgical technologists; Creates retired status for optometrists or therapeutic optometrist allowing for voluntary charity care.</p>	<p>Zerwas</p>	<p>TBD</p>	<p>Effective 9/1/09 (if enacted). <u>Last Action:</u> 04/08/2009 H Scheduled for public hearing</p>

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
<p>HB 675 (PW)</p> <p>Retired Status for Optometrists and Therapeutic Optometrists</p>	<p>Relating to a retired status license for an optometrist or therapeutic optometrist.</p>	<p>Bonnen</p>	<p>Creates retired status for optometrists or therapeutic optometrist allowing for voluntary charity care.</p>	<p>Effective 9/1/09 (if enacted).</p> <p><u>Last Action:</u> Passed on Local House Calendar 4/9/09</p>
<p>HB 680 (JZ)</p> <p>Abortion</p>	<p>Relates to abortion consent requirements for victims of incest or sexual assault.</p>	<p>Farrar</p>	<p>TBD</p>	<p>Effective 9/1/2009 or immediately if 2/3 vote.</p> <p><u>Last Action:</u> Referred to State Affairs 2/18/2009</p>
<p>HB 684 (JZ)</p> <p>Abortion</p>	<p>Relates to abortion requirements when severe and irreversible abnormality in the fetus is detected.</p>	<p>Farrar</p>	<p>TBD</p>	<p>Effective 9/1/2009 or immediately if 2/3 vote.</p> <p><u>Last Action:</u> Referred to State Affairs 2/18/2009</p>
<p>HB 696</p> <p>Companion: SB 680 (JZ)</p>	<p>Makes explicit that prescriptive authority also applies to medication orders (currently separate definitions in statute). Current language is silent on medication orders. Requires a QA-type plan to be developed for monitoring prescribing practices. Requires an</p>	<p>Orr Hegar</p>	<p>Does not make changes to NPA. Will require significant revision of Rule 222 and education of APRNs.</p>	<p>Effective 9/1/2009.</p> <p><u>Last Action:</u> Referred to Public Health 2/18/2009</p> <p>Committee action</p>

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Prescriptive authority	appropriate link between the APRN's area of practice and physician's specialty. Physicians would be permitted to collaborate with up to eight FTE APRNs and PAs, although exceptions are also provided. Eliminates the site-based criteria currently required. Appears to extend prescribing authority to include Schedule 2. Still requires physician delegation requirements for prescriptive authority.			pending in Senate Health and Human Services 3/17/09
HB 732 (PW) Physician Profiles	In annual update of physician's profile, allows removal of any record of a claim or complaint against a physician if the claim or complaint was dismissed more than three years before the date of the update.	Hartnett	TBD.	Effective 9/1/09 (if enacted). <u>Last Action:</u> Introduced to House Licensing and Procedures 2/19/09
HB 735 (Legal) Inclusion of License Number on Certain Documents	Relating to inclusion by individuals regulated by this state of the individual's license or certificate of registration number on certain documents; providing a civil penalty.	Quintanilla	TBD.	Effective 9/1/09 (if enacted). <u>Last Action:</u> S Filed 1/22/2009.

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
<p>HB 766 (MM) 4-Day Work Week</p>	<p>The comptroller of public accounts shall conduct a study on the establishment of a four-day work week for state employees.</p>	<p>Guillen</p>	<p>TBD</p>	<p>Effective 9/1/09 (if enacted). <u>Last Action:</u> Pending in House State Affairs 3/17/09</p>
<p>HB 800 Companions: HB 2709 SB 532 (JZ) Prescriptive Authority</p>	<p>Allows APRNs to prescribe controlled substances in Schedule 3-5 for 90 days rather than the current 30. Requires physicians who delegate prescriptive authority to register with Medical Board. Expands definition of primary practice site to include a site for an APRN or PA who practices on-site with the physician more than 50% of the time. Extends location requirement for alternate sites to within 75 miles of physician's primary practice site or residence. Alternate sites would require physician to be on site 10% of hours of operation of the site each month. Adds fifth type of site/condition: voluntary charity care at a nonprofit clinic—no onsite supervision or chart reviews required in this site. Expands options for Medical Board to grant waivers.</p>	<p>Orr Coleman Patrick</p>	<p>Does not make changes to NPA. Will require revision of Rule 222 and education of APRNs.</p>	<p>Effective 9/1/2009. Delays implementation to 2/1/2010. <u>Last Action:</u> H800 Referred to public health 2/23/2009. HB 2709 Referred to public health 3/17/2009 SB 532 Referred to House Public Health Committee 3/31/2009</p>

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
<p>HB 802 (VA) Lifespan Respite Services Program</p>	<p>Would amend the Health Resources Code to create a lifespan respite services program. Respite services include support services, in-home services or adult day-care services, that are provided for the purpose of temporarily giving relief to a primary caregiver who provides care to an individual with a chronic serious health condition or disability. The program would implement the lifespan respite services program to promote the provision of respite services.</p>	<p>John Davis</p>	<p>TBD</p>	<p>Effective 9/01/09. <u>Last Action:</u> H Filed 01/27/09 House Committee Substitute 03/30/09 House Committee Report 03/31/09</p>
<p>HB 822 Companion: SB 2027 (JZ) Women's Health</p>	<p>Amends the Family Code to permit gestational agreements between a gestational mother and an intended parent. Removes requirement for intended parents to be married to each other.</p>	<p>Gonzalez-Tourelles Companion: Watson</p>	<p>TBD.</p>	<p>Effective 9/1/2009 <u>Last Action:</u> H left pending in Judiciary & Civil Jurisprudence 3/9/2009 S scheduled for hearing in Jurisprudence 4/8/2009</p>

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

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<p>HB 849</p> <p>Companion: SB 1150</p> <p>(MM)</p>	<p>The sovereign immunity of the state government from suit and from liability is waived for the limited purpose of allowing any person to maintain a lawsuit in state or federal court and obtain relief from the state government under the Americans with Disabilities Act.</p>	<p>Strama</p> <p>Hinojosa</p>	<p>TBD</p>	<p>Effective 9-1-2009.</p> <p><u>Last Action:</u> H left pending in Judiciary & Civil Jurisprudence 3/30/2009</p> <p>Introduced to Senate State Affairs 3/30/09</p>
<p>HB 852</p> <p>Companion: SB 353</p> <p>(VA)</p> <p>Payment for Preventable Adverse Conditions</p>	<p>Would amend the Human Resources Code to assure that a hospital may not receive additional payment associated with preventable adverse conditions if acquired by a recipient of medical assistance during the recipient's hospitalization.</p>	<p>Todd Smith</p> <p>Shapleigh</p>	<p>TBD</p>	<p>Effective 9/01/09.</p> <p><u>Last Action:</u> H Filed 01/29/09 Referred to Committee House Public Health 02/26/09</p> <p>S Filed 12/10/08 Referred to Committee Senate Health & Human Services 02/17/09</p>
<p>HB 891</p> <p>Companion: SB 592</p>	<p>Amends Family Code to allow children who are 16 years of age or older, unmarried, and the mother of a child to consent to examination or other medical</p>	<p>Villareal</p> <p>Van de Putte</p>	<p>TBD</p>	<p>Effective 9/1/2009.</p> <p><u>Last Action:</u> H referred Public</p>

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
(JZ) Women's Health	treatment related to contraception. Not limited to abortion or emergency contraception.			Health 2/23/2009 S Scheduled for hearing in Health & Human Services 4/7/2009
HB 892 Companion: SB 594 (JZ) Women's Health	Amends Human Resources code related to Women's Health Program. Requires Medicaid to provide adequate resources to increase outreach for enrollment/ utilization of the program. Services designed to reduce unintended pregnancies and lower sexually transmitted disease rates retained at current level. Requires Medicaid assist women to transition to program when Medicaid coverage terminates after birth of child. Requires Medicaid continue eligibility during transition. Addresses physician liability. Requires outreach pilot program assist women to enroll. HHSC to provide cost/benefit analysis to establish statewide outreach and discuss problems encountered in pilot with recommended solutions.	Villareal Van de Putte	TBD	Effective 9/1/2009. <u>Last Action:</u> H left pending in Human Services 3/26/2009 S referred to Health & Human Services Effective 2/23/2009
HB 893 Companion: SB 593 (JZ)	Amends Health & Safety Code to require HHSC to ensure adolescents at least 16 years of age have access to comprehensive family planning services if adolescent already has a child.	Villareal Van de Putte	TBD	Effective 9/1/2009 <u>Last Action:</u> H referred to Public Health 2/23/2009

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Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
Women's Health				S referred to Health & Human Services 2/23/2009
HB 998 (DJ) Occupational Licensing Hearing Decisions ALJ	Relating to the hearing and final decision of certain occupational licensing contested cases by a State Office of Administrative Hearings administrative law judge.	Fred Brown	This bill would make the Administrative Law Judge the final decision maker without the PFD returning to the Board for decision. The Board would be permitted to appeal the decision to District Court if it did not agree with the decision.	Effective 09/01/09 <u>Last Action:</u> Committee action pending in House Judiciary and Civil Jurisprudence
HB 1035 (MM) Exams & Applications in English	Application and examination in English. Notwithstanding any law other than federal law, including the federal Voting Rights Act (42 U.S.C. Section 1973c et seq.), an application or examination required to obtain or renew a license must be in English.	Jackson	None	Effective 9-1-2009 <u>Last Action:</u> Introduced to House State Affairs 2/23/09

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
<p>HB 1081 (VA) TDADS Compliance Data</p>	<p>Would amend the Health and Safety Code to require detailed compliance data with monthly updating of facility compliance by the Texas Department of Aging and Disability Services (DADS).</p>	<p>Herrero</p>	<p>TBD</p>	<p>Effective 09/01/09 <u>Last Action:</u> H Filed 02/05/09 Referred to Committee on House Human Services 02/24/09 Third Reading & Passed 04/02/09</p>
<p>HB 1107 (JZ) Prescriptive Authority</p>	<p>Defines APRN and APRN scope of practice. Adds explicit requirement for licensure. Provides for BON granted prescriptive authority without physician delegation. Adds APRNs to definition of practitioner under Pharmacy Act , Dangerous Drug Act, and Controlled Substances Act. Amends Insurance Code for reimbursement.</p>	<p>Christian</p>	<p>Amends NPA by adding subchapter N as well as amendments to 301.152. Bill language is based on NCSBN's Model NPA and Rules. Will require significant rule changes and education of APRNs.</p>	<p>Effective 9/1/2009 BON Rules adopted by 1/1/2010 Licensure required by 3/1/2010. <u>Last Action:</u> Referred to public health 2/25/2009</p>

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<p>HB 1128</p> <p>Companion: SB 1415</p> <p>(DJ)</p> <p>Corrective Actions Texas Board of Nursing</p>	<p>Relating to certain corrective actions by the Texas Board of Nursing including a pilot program on deferred disciplinary action; providing corrective actions.</p>	<p>McReynolds</p> <p>Hegar</p>	<p>These bills including committee substitutes are designed to be identical.</p> <p>The amendments to the NPA will create a new ground for action which would not be considered a disciplinary action. The Board would by rule establish what types of violations would allow an agreed resolution of fine with remedial education that would not be considered discipline or public information.</p> <p>The bill also creates a pilot whereby the Board by 2010 would determine if its feasible to implement a disciplinary proceeding that defers final action unless and until a Respondent successfully completes a probationary stipulation issued by the Board. If feasible, then a pilot would be permitted beginning in 2011.</p>	<p>Effective 9/1/09.</p> <p><u>Last Action:</u> Committee Action in House Public Health pending 3/31/09</p> <p>Meeting in Senate Health and Human Services 4/14/09</p>
<p>HB 1130</p> <p>(MH)</p> <p>School Nurse Salary Schedule</p>	<p>The minimum salary schedule for professional public school employees, ie: school nurses, would be expanded.</p>	<p>McReynolds</p>	<p>Amends the Education code. No impact on the NPA or to the BON. Effects school nursing.</p>	<p>Effective 9/1/10.</p> <p><u>Last Action:</u> Referred to Public Education Committee on 2/25/09</p>
<p>HB 1190</p> <p>Companion: SB 641</p> <p>(JZ)</p>	<p>Prohibits human cloning, making it a first degree felony.</p>	<p>Homer</p> <p>Ellis</p>	<p>TBD</p>	<p>Effective 9/1/2009</p> <p><u>Last Action:</u> H referred to State Affairs 2/26/2009</p> <p>S Referred to Health</p>

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

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Cloning				& Human Services 2/23/2009
HB 1218 Companion: SB 1768 (VA) Exchange of Secure Electronic Health Information	Would amend Chapter 531, Government Code to establish a pilot project in at least one urban area of the state to determine the feasibility, costs and benefits of exchanging secure electronic health information between the Health and Human Services Commission and local or regional health information exchanges.	Donna Howard Watson	TBD	Effective 9/01/09 Last Action: H Filed 02/12/09 Referred to Committee on House Public Health 02/26/09 Committee Action Pending 04/08/09 S Filed 03/11/09 Referred to Committee on Senate Health and Human Services 03/20/09

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<p>HB 1232</p> <p>Companion: SB 1197</p> <p>(MBT)</p> <p>Bexar County Behavior Health Screening Program</p>	<p>Relating to establishing a local behavioral health intervention pilot project.</p>	<p>Menendez</p> <p>Van de Putte</p>	<p>Pilot to be conducted for children in Bexar County. Health screening, early intervention and treatment, disclosure of information to several agencies.</p>	<p>Effective 9/01/09</p> <p><u>Last Action:</u> 4-09-09 Passed to Local Calendar</p> <p>3-13-09 Referred to Health & Human Services Committee</p>
<p>HB 1233</p> <p>Companion: SB 1198</p> <p>(MBT)</p> <p>Court-Ordered Psychoactive Medications</p>	<p>Relating to the court-ordered administration of psychoactive medication to certain criminal defendants.</p>	<p>Menendez</p> <p>Van de Putte</p>	<p>Expands the definition of who the court may order the administration of psycho-active medications including those in an correctional facility awaiting transfer to an inpatient mental health facility.</p>	<p>Effective 9/01/09</p> <p><u>Last Action:</u> 2-26-09 House Public Health</p> <p>3-13-09 Senate Criminal Justice</p>
<p>HB 1235</p> <p>(RW)</p> <p>Legislative Education Board</p>	<p>Relating to establishing the Legislative Education Board and transferring to the Legislative Education Board the statutorily assigned functions and activities of the State Board of Education and certain functions of the Legislative Budget Board.</p>	<p>Menendez</p>	<p>Should have little impact on the BON's activities.</p> <p>Establishes a Legislative Education Board. Changes the "board" in the Education Code to the "Legislative Education Board" and allows this entity to adopt rules relating to school districts, open-enrollment charter schools, or regional education service centers. Clarifying language added throughout the bill.</p>	<p>Effective 1/01/2010</p> <p><u>Last Action:</u> H Referred to Public Education 02/26/09.</p>

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<p>HB 1317 (MBT) Protection of Residents in State Development Centers</p>	<p>Relating to the protection and care of individuals with mental retardation</p>	<p>Rose</p>	<p>Addresses criminal behavior against residents in “State Development Centers” and the ICF-MR component in Rio Grande State Center. Sharing of criminal background check information and utilizing peace officers to participate in criminal investigations</p>	<p>Effective 9/1/2009 or immediately if 2/3 vote. <u>Last Action:</u> 4-7-09 voted favorably from House Human Service Committee</p>
<p>HB 1357 (DB) HB 2183 Freestanding Emergency Clinics</p>	<p>Relating to the regulation of freestanding emergency medical care facilities; providing an administrative penalty; creating an offense. HB 2183 adds regulation of urgent care facilities and provisions relating to reimbursement.</p>	<p>Isett/Rios/Ybarra Zerwas/Fletcher</p>	<p>TBD</p>	<p>Effective 9/01/09 <u>Last Action:</u> 03/31/2009 H Left pending in committee 03/31/2009 H Left pending in committee</p>

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
<p>HB 1362</p> <p>SB 1816</p> <p>(MH)</p> <p>MRSA Reporting Procedures</p>	<p>DSHS will establish an electronic reporting program to research and track methicillin-resistant Staphylococcus Aureus (MRSA). Will include the electronic sharing of information within the area served.</p> <p>As above</p>	<p>Gutierrez</p> <p>Van de Putte</p>	<p>Amends the Health and Safety Code. No impact to the BON or NPA. Nurses may be tracking and reporting to DSHS. May improve reporting procedures for rapid response and efficiency.</p> <p>As above</p>	<p>Takes effect immediately with 2/3 vote otherwise on 9/1/09</p> <p><u>Last Action:</u> Filed 2/17/09</p> <p>Filed on 3/11/09</p> <p>Left pending in House Public Health Hearing on 4/7/09</p>
<p>HB 1363</p> <p>Companion: SB 1817</p> <p>(VA)</p> <p>Diabetes Mellitus Registry</p>	<p>Would amend the Health and Safety Code to create a voluntary statewide diabetes mellitus registry. The Department of State Health Services would create and maintain an electronic diabetes mellitus registry to track the glycosylated hemoglobin level of each person who has a laboratory test to determine that level performed at a clinical laboratory in the participating district.</p>	<p>Gutierrez</p> <p>Van de Putte</p>	<p>TBD</p>	<p>Effective 9/01/09</p> <p><u>Last Action:</u> H Filed 02/17/09 House Committee Substitute 03/30/09</p> <p>S Filed 03/11/09</p>

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
<p>HB 1365</p> <p>(MH)</p> <p>School Nurse Service Records and Salary Schedule</p>	<p>Former employing school districts will provide school nurse service records in order for a new employing school district to properly place a school nurse within a salary structure based on years of service.</p>	<p>Eissler</p>	<p>Amends the Education Code. No impact on the NPA or to the BON. Effects school nursing.</p>	<p>Takes effect immediately with 2/3 vote, otherwise on 9/1/09.</p> <p><u>Last Action:</u></p> <p>Reported favorably as substituted in Public Education Committee on 3/26/09</p>
<p>HB 1379</p> <p>Companion: SB 877</p> <p>(DB)</p> <p>HIV Testing</p>	<p>Relating to the provision of HIV and AIDS tests and to health benefit plan coverage of HIV and AIDS tests</p>	<p>Davis, Yvonne</p> <p>Ellis</p>	<p>TBD</p>	<p>Effective 9/01/09</p> <p><u>Last Action:</u></p> <p>H 03/02/2009 Referred to Public Health</p> <p>03/09/2009 S Referred to Health & Human Services</p>
<p>HB 1381</p> <p>(DB)</p> <p>HIV Testing</p>	<p>Relating to the provision of HIV and AIDS tests.</p>	<p>Davis, Yvonne</p>	<p>TBD</p>	<p>Effective 9/01/09</p> <p><u>Last Action:</u></p> <p>H 03/02/2009</p>

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
				Referred to Public Health
HB 1383 Companion: SB 331 (MM) Public Information	An Act relating to access to certain information under the public information law concerning public officers and employees.	Davis	Currently, the law allows state employees to voluntarily sign a document to exempt certain employee information to be exempt from open records. This law would automatically make the same information exempt.	Effective 9-1-2009 <u>Last Action:</u> Introduced to House State Affairs 3/2/09 Committee action pending Senate State Affairs 4/9/09
HB 1386 (MH) Reporting Infection Rates	Requires health care facilities to report to the DSHS the incidence of health care-associated infections. DSHS will compile required information and provide to the public a summary report.	Davis	Amends the Health and Safety Code. No impact to the BON or NPA. Nurses may be tracking within health care facilities and compiling reports to DSHS. "Cost"minimal", not designed to be punitive, but informational adding to body of knowledge of the problem. 8 million fiscal note for additional FTEs, funding may be available from federal stimulus package.	Effective 9/1/09 <u>Last Action:</u> Left pending in House Public Health Hearing on 4/7/09

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
<p>HB 1394</p> <p>(MH)</p> <p>Registries Disclosure</p>	<p>Registries for home health, hospice and personal assistance services will be required to disclose certain information</p>	<p>Leibowitz</p>	<p>Amends the Health and Safety Code. Nurses working in home health, hospice or personal assistance services, e.g. assisted living facilities will be effected.</p>	<p>Takes effect immediately if 2/3 vote otherwise on 9/1/09.</p> <p><u>Last Action:</u> Referred to House Human Services on 3/2/09</p>
<p>HB 1400</p> <p>(MM)</p> <p>Public Integrity Unit</p> <p>Attorney General's Office</p>	<p>Relating to the creation of a public integrity unit in the office of the attorney general to prosecute offenses against public administration, including ethics offenses, and offenses involving insurance fraud.</p>	<p>Christian</p>	<p>None</p>	<p>Effective 1-1-2010 if Constitutional Amendment is approved by voters.</p> <p><u>Last Action:</u> Meeting on 4/14/09 in House State Affairs</p>
<p>HB 1409</p> <p>(PW)</p> <p>Minimum Age for Flu Vaccines</p>	<p>Relating to the minimum age for administration of an influenza vaccination by a pharmacist</p>	<p>Hopson</p>	<p>TBD</p>	<p>Effective 9/1/09</p> <p><u>Last Action:</u> Passed on House Local Calendar 4/9/09</p>

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
<p>HB 1410 (MH) Parent Disclosure of Severe Food Allergy to public schools.</p>	<p>Public schools will request from parents a written disclosure if a child has a severe food allergy in order for the school to take precautions for the child's safety. This information will be place in the child's medical record.</p>	<p>Ortiz</p>	<p>Amends the Education Code. No impact on the NPA or to the BON. Effects school nursing.</p>	<p>Takes effect immediately with 2/3 vote or on 9/1/09. <u>Last Action:</u> Referred to House Public Education Committee on 3/2/09 Public Hearing on 4/16/09</p>
<p>HB 1426 (JZ) Newborn Screening</p>	<p>Establishes pilot program in certain counties to provide preventative screening for fetal alcohol spectrum disorders. Program to be jointly developed by DSHS, DFPS, and Office for Prevention of Developmental Disabilities.</p>	<p>Bohac</p>	<p>TBD</p>	<p>Effective 9/1/2009 <u>Last Action:</u> H referred to Public Health 3/2/2009</p>
<p>HB 1453 (VA) DADS Web Site</p>	<p>Would amend Chapter 531, Government Code, to make information provided to consumers on an internet site maintained by the Department of Aging and Disability Services, more accessible and more understandable.</p>	<p>Naishtat</p>	<p>TBD</p>	<p>Effective 09/01/09 <u>Last Action:</u> H Filed 02/18/09</p>
<p>HB 1478 Companion: SB 977 Debt for</p>	<p>Relating to the reporting of information regarding debt incurred for necessary medical treatment. (What information can and cannot be released.)</p>	<p>Bohac Ellis</p>	<p>TBD</p>	<p>Effective 09/01/09 <u>Last Action:</u> 04/15/2009 H Scheduled for public</p>

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
<p>Medical Treatment (DB) Debt for Medical Treatment</p>				<p>hearing 03/09/2009 S Referred to Business & Commerce</p>
<p>HB 1485 (MM) Agency Performance Excellence</p>	<p>The bill would amend the Government Code to require each state agency to establish a six-year plan to assess its management, accountability, performance and customer service using the Malcolm Baldrige Criteria for Performance Excellence. The bill would also require agencies to provide progress assessments every two years and to submit the most recent biennial assessment to the Quality Texas Foundation no later than March 1 of each even numbered year.</p>	<p>Pitts</p>	<p>Would require the BON to establish a six-year plan.</p>	<p>Effective 3-1-2012 <u>Last Action:</u> Reported favorably from House State Affairs 4/9/09</p>
<p>HB 1487 Companion: SB 1881 (JZ) Reimbursement</p>	<p>Requires HHSC to align Medicaid procedures for ordering diabetic equipment and supplies with Medicare procedures to the extent possible. Nurse practitioners and clinical nurse specialists are specifically identified as providers authorized to provide the necessary information to dispense diabetic equipment and supplies.</p>	<p>Pitts Nelson</p>	<p>TBD. NPs and CNSs need to be aware.</p>	<p>Effective 9/1/2009 <u>Last Action:</u> HB left pending in Public Health 3/17/2009 SB Referred to Health & Human Services</p>

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
				3/24/2009
HB 1489 Companion SB 1000 (DB) "Hospital Patient Protection Act"	Relating to the practice of nursing; providing civil penalties. Also known as "Hospital Patient Protection Act." Includes provisions for setting nursing staffing ratios in hospital settings.	Thompson Gallegos	TBD	Effective 9/1/2009 <u>Last Action:</u> 03/02/2009 H Referred to Public Health 03/09/2009 S Referred to Health & Human Services
HB 1510 (JZ) Newborn Health	Requires individuals who provide prenatal care during gestation or at delivery of infant to provide information regarding sudden infant death syndrome (SIDS) to include current recommendations for infant sleeping conditions to lower risk of SIDS.	Bonnen	Nurse-midwives and certain other APRNs will need to be aware.	Effective 9/1/2009 <u>Last Action:</u> H passed to engrossment S received from House 3/30/2009
HB 1543 (MM) Sunset Review Criteria	Relating to the criteria for review by the Sunset Advisory Commission of an agency that licenses an occupation.	Callegari	Applicable only if under Sunset Review	Effective 9-1-2009 <u>Last Action:</u> Introduced to House State Affairs 3/2/09

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
<p>HB 1574</p> <p>Companion: SB 2393</p> <p>(MH)</p> <p>Autism Spectrum Disorders Resource Program</p>	<p>Coordination of resources for individuals with autism and other pervasive developmental disorders and their families.</p>	<p>Thompson</p> <p>Gallegos</p>	<p>Amends the Human Resources Code. No direct impact on the NPA or BON. School nurses will need to know and comply.</p>	<p>Takes effect on 9/1/09</p> <p><u>Last Action:</u> House Committee Report Sent to Calendars on 4/7/09</p> <p>Referred to Senate Health & Human Services Committee on 3/31/09</p>
<p>HB 1589</p> <p>SB 1060</p> <p>Companion</p> <p>(MBT)</p> <p>Strategic Plan for Long Term Care</p>	<p>Relating to the creation of a strategic plan to reform long-term services and supports for individuals with disabilities</p>	<p>Rose</p> <p>Ellis</p>	<p>Comprehensive plan including benchmarks to measurable progress during an 8 year period following submission of the plan.</p> <p>May impact the rules and regulations governing nurses in institutions and community based settings providing care to persons with disabilities.</p>	<p>Takes effect on 9/1/09</p> <p><u>Last Action:</u> 4-16-09 Hearing in House Human Services</p> <p>4-16-09 Hearing in Health & Human Services Committee</p>
<p>HB 1672</p> <p>Companion: SB 2421</p> <p>(JZ)</p>	<p>Allows DSHS to retain genetic material and share limited de-identified information from newborn screening tests for genetic disorders. Providers who attend deliveries are required to notify parents of their right to prohibit DSHS from retaining genetic material.</p>	<p>Crownover</p> <p>Deuell</p>	<p>TBD. Nurse-midwives will need to be aware.</p>	<p>Effective immediately if 2/3 vote, or 9/1/2009.</p> <p><u>Last Action:</u> CSHB out of committee postponed on 2nd reading</p>

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
Newborn Screening				4/2/2009 SB Referred to Health & Human Services 3/31/2009
HB 1694 (MH) Texas Prevention Works Act	TX Health and Human Services Commission will implement education and outreach as a part of a demonstration project to reduce the number of unintended pregnancies and sexually transmitted disease rates. Course materials will be selected by school boards and school health advisory councils (SHACs).	Strama	Amends the Government Code and Education Code. No impact to NPA or to the BON. School nurses will have an integral role in these demonstration projects. Effects school nursing.	Takes effect on 9/1/09 <u>Last Action:</u> Filed on 2/24/09 Pending in Public Health Committee on 3/31/09
HB 1738 (RW) Nurse Clinical Competency	Relating to a study of nursing educational programs that require a single clinical competency assessment. Related bills: HB 3230 and SB 1397; both amend the NPA requiring the BON's acceptance of out-of-state nursing programs as approved programs.	Howard, Donna	Amends the NPA to allow the BON to study nursing educational programs that require a single clinical competency assessment. Study will evaluate the clinical competency of graduates from nursing educational programs that require a single clinical competency assessment to practice in a clinical setting at a level substantially equivalent to the graduates of nursing educational programs that require students to complete a required number of supervised clinical learning experiences involving multiple ongoing assessments and feedback.	Effective 09/01/09 (if enacted) <u>Last Action:</u> H Referred to Public Health 03/03/09.
HB 1795	Allows DSHS to expand newborn screening tests to screen for additional	Pierson	Amends the Health and Safety Code. No impact to the NPA and BON. Nurses involved in the	Effective 9/1/2009

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
<p>Companion: SB 1720</p> <p>(JZ, MH)</p> <p>Newborn Screening - Greyson's Law</p>	<p>disorders or conditions. Establishes a Newborn Screening Advisory Committee that must meet at least three times per year.</p>	<p>Uresti</p>	<p>delivery, follow-up or treatment of newborns will be effected.</p>	<p><u>Last Action:</u> HB referred to Public Health 3/4/2009</p> <p>SB referred to Health & Human Services 3/20/2009</p>
<p>HB 1828</p> <p>Companion: SB 1251</p> <p>(MH)</p> <p>Immunization Registry</p>	<p>HHSC will establish rules surrounding the Imm Trac program and what information is collected, maintained and released in an effort to coordinate communicable disease prevention and control during disasters, public health emergencies, terrorist attack, hostile military action or law enforcement emergencies.</p>	<p>Howard</p> <p>Zaffirini</p>	<p>Amends the Health and Safety Code. No direct impact on the NPA or to the BON. Nurses administering immunizations will be effected.</p> <p>Amends the Health and Safety Code. No direct impact on the NPA or to the BON. Nurses administering immunizations will be effected.</p>	<p>Takes effect on 9/1/09</p> <p><u>Last Action:</u> Filed on 2/25/09 Referred to House Public Health Committee</p> <p>Filed on 3/2/09 Referred to Senate Health and Human Services on 3/17/09</p>
<p>HB 1864</p> <p>Companion: SB 45</p> <p>(RW)</p> <p>Tuition Exemption for</p>	<p>Relating to tuition exemptions at public institutions of higher education for students enrolled in certain interinstitutional academic programs.</p>	<p>Hochberg</p> <p>Zaffirini</p>	<p>Passage of this bill would not directly impact the activities of the BON.</p> <p>There could implications for individuals related to the reeducation of nursing graduates not passing the NCLEX examination within 4 years of graduation or nursing students failing or not completing just a few courses in the program of study at one institution and wanting to complete a</p>	<p>Effective 09/01/09</p> <p><u>Last Action:</u> H Referred to Higher Education 03/04/09.</p>

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
Interinstitutional Academic Programs			nursing program at another institution. If this bill passes, deans/directors of nursing education need to be aware of the provisions in this bill.	
HB 1876 (RW) Health Care Access Fund	Relating to creating the health care access fund to recruit health care providers in health professional shortage areas and to support federally-qualified health centers and to using for those purposes revenue from a tax imposed on certain tobacco products.	Chisum Co-authors: Fababee/ Hernandez/ Isett	Passage of this bill would probably not affect the BON directly. It would provide assistance in the repayment of education loans for APNs.	Effective 09/01/09 <u>Last Action:</u> H Referred to Public Health 03/05/09.

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
<p>HB 1879</p> <p>Companions: SB 347</p> <p>HB 2383</p> <p>(MH)</p> <p>Immunization Registry in a Disaster</p>	<p>DSHS will release registry data to other registry databases if a person has relocated due to a disaster and will accept immunization information from a health authority of another state if a person has evacuated as a result of a disaster.</p>	<p>Davis</p> <p>Nelson</p> <p>Kolkhorst</p>	<p>Amends the Health and Safety Code. No direct impact on the NPA or to the BON. Nurses working with immunization records will be effected.</p>	<p>Takes effect on 9/1/09.</p> <p><u>Last Action:</u> Filed on 2/26/09. Referred to House Public Health Committee on 3/5/09</p> <p>Senate Engrossed on 3/19/09 Referred to House Public Health on 3/31/09</p> <p>Referred to House Public Health on 3/31/09</p> <p>Referred to Public Health on 3/31/09</p>
<p>HB 1924</p> <p>(PW)</p> <p>Pharmacists in Rural Hospitals</p>	<p>Relating to performance of pharmacy services in certain rural hospitals, including certified pharmacy technicians use of an automated medication supply system</p>	<p>Heflin</p>	<p>TBD</p>	<p>Effective immediately if 2/3 Majority or 9/1/09.</p> <p><u>Last Action:</u> Voted favorably as substituted 3/31/09</p>
<p>HB 1935</p> <p>(RW)</p>	<p>Relating to the establishment of the Texas Adult Career Education Grant Program to support community-based</p>	<p>Villarreal</p> <p>Joint author:</p>	<p>Passage of this bill would not affect the NPA, but could have implications for the BON Rules 214 & Rule 215 related to approval of programs.</p>	<p>Effective 09/01/09 (if enacted)</p>

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
Texas Adult Career Education Grant Program	initiatives that assist unemployed and underemployed adults in receiving postsecondary education necessary to obtain employment in local, high-demand occupations.	Gillen	It would provide grants for non-profit organizations, in partnership with public junior colleges, to administer community-based initiatives. It could affect VN and ADN nursing education programs approved by the BON.	<u>Last Action:</u> H Scheduled for Public Hearing 03/23/09.
HB 1948 (MH) Public Health Extension Service	DSHS will establish a public health extension service pilot through contracts with TAMU & UT in Region 11 that will increase the infrastructure and promote disease control, medical preparedness, disaster response and biosecurity.	Ybarra	Amends the Health and Safety Code. No impact on the NPA or to the BON. Public health nurses will be effected.	Takes effect immediately if 2/3 vote otherwise on 9/1/09. <u>Last Action:</u> Pending in Public Health on 3/31/09
HB 1950 Companion: SB 745 (MM) Travel Vouchers	As proposed, SB 745 authorizes a state agency to allow the electronic submission of travel vouchers, thus streamlining the process of travel reimbursement and providing employees with another means of submission.	Solomons Duncan	None	Effective 9/1/2009 <u>Last Action:</u> Meeting in House State Affairs 4/14/09 Meeting in House State Affairs 4/14/09
HB 2028 Companions: SB 2346 SB 2427	Identifies administration of botox, dermal fillers, cosmetic or aesthetic medical treatments or use of laser of intense pulsed light device as the practice of medicine. Limits provision of such services to physicians or	Zerwas Hinojosa Deuell	Appears to remove nurses at all levels of licensure from practice in settings providing cosmetic services. Unknown how many nurses currently practice in this area.	Effective 9/1/2009 <u>Last Action:</u> HB 2028: Referred to Public Health 3/9/2009

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
(JZ) Cosmetic Procedures	physician assistants.			SB 2346: Filed 3/13/2009 SB 2427: Filed 3/13/2009
HB 2029 Companions: SB 2347 SB 2426 (JZ) Cosmetic Procedures/ Laser	Limits ability to purchase and own laser or similar medical device to practitioners who are permitted to use such devices under their prescriptive authority. DSHS required to develop a central registry of lasers and similar medical devices.	Zerwas Hinojosa Duell	TBD	Effective 9/1/2009 <u>Last Action:</u> HB 2029 Refer to Public Health 3/9/2009 SB 2347 Refer to Health & Human Services 3/31/2009 SB 2426 Refer to Health & Human Services 3/31/2009

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
<p>HB 2098</p> <p>Companion: SB 1225</p> <p>(PW)</p> <p>Temporary Licenses for Doctors</p>	<p>Relating to faculty temporary licenses to practice medicine, allowing physician(s) with license in another state or Canada or have completed at least three years graduate residency with practice limited to teaching confines of institution and affiliates.</p>	<p>Eissler</p> <p>Huffman</p>	<p>TBD</p>	<p>Immediately (2/3 Majority or 9/1/09 if enacted)</p> <p><u>Last Action:</u> Meeting in House Public Health on 4/14/09</p> <p>Recommended for Senate Local/Uncontested Calendar 4/6/09</p>
<p>HB 2154</p> <p>(PW)</p> <p>Physician Loan Repayment Program</p>	<p>Relating to physician education loan repayment program—amends fees and handling</p>	<p>Edwards</p>	<p>TBD</p>	<p>Effective 9/1/09 (if enacted)</p> <p><u>Last Action:</u> Pending in House Public Health 3/31/09</p>
<p>HB 2190</p> <p>(VA)</p> <p>Adult Diabetes Education</p>	<p>Would amend the Health and Safety Code to provide, in counties with more than 100,000 residents, an adult diabetes education program based on a curriculum developed by the Texas Diabetes Council. Program would be based in hospital systems and hospital districts.</p>	<p>Veasey</p>	<p>TBD</p>	<p>Effective 09/01/09</p> <p><u>Last Action:</u> H Filed 03/03/09 Referred to Committee House Public Health 03/09/09</p>

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
<p>HB 2191 (VA) Long Term Care</p>	<p>Would amend the Health and Safety Code to prohibit contact between an employee of a facility that serves the elderly or disabled persons, whose criminal history has not been verified, and a patient or resident of the facility.</p>	<p>Veasey</p>	<p>TBD</p>	<p>Effective 09/01/09 Last Action: H Filed 03/03/09 Referred to Committee House Human Services 03/09/09</p>
<p>HB 2197 (VA) Quality Improvement in Medical Assistance</p>	<p>Would amend the Human Resources Code to implement a quality improvement initiative in the medical assistance program designed to improve the quality of care provided to medical assistance recipients. The initiative would include: establishment of a disease management outcomes measurement system; establishment of a pay-for-performance reimbursement system; expanding the use of evidence-based standards of care; and developing the use of a medical home through which a primary care physician provides preventive and primary care services on an ongoing basis.</p>	<p>John Davis</p>	<p>TBD</p>	<p>Effective 09/01/09 Last Action: H Filed 03/03/09 Referred to Committee on House Public Health 03/09/09</p>

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
<p>HB 2220 (MH) HPV Requirements</p>	<p>HHSC's Executive Commissioner may require immunization against HPV for admission into elementary or secondary school.</p>	<p>Farrar</p>	<p>Amends the Health and Safety Code and the Education Code. Nurses administering immunizations or working in public schools will be effected.</p>	<p>Takes effect on 9/1/09. <u>Last Action:</u> Referred to House Public Health Committee on 3/9/09</p>
<p>HB 2221 (JZ) Emergency Contraception</p>	<p>Requires DSHS to develop standard information related to emergency contraception. Requires settings that provide emergency treatment to sexual assault victims to provide the information, counsel the victim and offer/provide emergency contraception if medically indicated.</p>	<p>Farrar</p>	<p>TBD</p>	<p>Effective 9/1/2009 <u>Last Action:</u> Referred to Public Health 3/9/2009</p>
<p>HB 2271 (PW) Chiropractic Clinics</p>	<p>Relating to regulation of certain chiropractic clinics, allowing licensure of "non-doctor-of-chiropractic-owned chiropractic clinics"</p>	<p>Truitt</p>	<p>TBD</p>	<p>Effective 9/1/09 (if enacted) <u>Last Action:</u> Meeting set in House Public Health 4/14/09</p>
<p>HB 2279 (PW) Diagnostic Imaging Services</p>	<p>Relating to provision of and billing for certain diagnostic imaging services</p>	<p>Thompson</p>	<p>Includes language about disciplinary action by licensing authority.</p>	<p>Effective 9/1/09 (if enacted) <u>Last Action:</u> Pending in House Public Health 4/7/09</p>

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
HB 2288 (PW) TDCJ Psychological Counseling	Relating to license requirements for certain government employees providing psychological counseling.	Madden	TBD	Effective 9/1/09 (if enacted) <u>Last Action:</u> Meeting set for House Corrections 4/16/09
HB 2294 (MH) Registry for Undiagnosed Diseases	Will be known as the Undiagnosed Disease Reporting Act. When undiagnosed diseases result in death, certain information will be collected to serve in the early recognition, prevention, cure and control of undiagnosed diseases.	Gattis	Amends the Health and Safety Code. No direct impact to the NPA or to the BON. Nurses working in acute care settings may be effected.	Takes effect on 9/1/09. <u>Last Action:</u> Referred to House Public Health Committee on 3/9/09
HB 2362 (MH) Electronic Diagnostic Database	DSHS will create an electronic database to assist rural physicians to diagnose rare and unusual illnesses or conditions.	Farias	Amends the Health and Safety Code. No direct impact to the NPA or to the BON. Nurses working in clinics or hospitals may be effected.	Effective immediately with 2/3 vote or on 9/1/09. <u>Last Action:</u> Referred to House Public Health Committee on 3/10/09

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
<p>HB 2380</p> <p>Companion: SB 87</p> <p>(VA)</p>	<p>Relating to adverse licensing, listing, or registration decisions by certain health and human services agencies</p>	<p>Kolkhorst</p> <p>Nelson</p>	<p>TBD</p>	<p>Effective 09/01/09</p> <p><u>Last Action:</u> H Filed 03/04/09 Referred to House Committee on House Public Health 04/06/09</p>
<p>HB 2382</p> <p>Companion: SB 346</p> <p>(MH)</p> <p>Immunization Registry in Adults</p>	<p>Relates to the information submitted to and maintained in the immunization registry after an individual becomes an adult.</p>	<p>Kolkhorst</p> <p>Nelson</p>	<p>Amends the Health and Safety Code. No direct impact on the NPA or BON.</p>	<p>Takes effect on 9/1/09</p> <p><u>Last Action:</u> Referred to House Public Health Committee on 4/6/09</p> <p>Senate Engrossed on 4/2/09</p>
<p>HB 2426</p> <p>(VA)</p> <p>Inspector General for HHS, TYC, TDCJ</p>	<p>Would establish the Office of Inspector General and the appointment of deputy inspector generals at the Health and Human Services Commission, Texas Youth Commission, Texas Department of Criminal Justice, Texas Education Agency, and Texas Department of Transportation in order to investigate fraud and abuse.</p>	<p>Gattis</p>	<p>TBD</p>	<p>Effective 09/01/09</p> <p><u>Last Action:</u> H Filed 03/04/09</p>

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
<p>HB 2444</p> <p>Companion: SB 70</p> <p>(VA)</p> <p>Investigation of Abuse and Neglect in ICFs for Mentally Retarded</p>	<p>Would amend the Health and Safety Code relating to the investigation of abuse, neglect, or exploitation in an intermediate care facility for the mentally retarded. The bill would also establish additional guidelines for the Department of Family and Protective Services subsequent to reports of abuse, neglect, or exploitation, including analysis of data to determine patterns and trends of incidents of deaths.</p>	<p>Rose</p> <p>Nelson</p>	<p>TBD</p>	<p>Effective 09/01/09</p> <p>Last Action: S Filed 03/04/09 Referred to Committee on House Human Services 03/11/09</p> <p>S Filed 11/10/08 Referred to Committee on Senate Health and Human Services 02/10/09</p>
<p>HB 2480</p> <p>(RW)</p>	<p>Relating to school district agreements with junior colleges for courses for joint high school and junior college credit.</p>	<p>Hochberg</p>	<p>Passage of this bill would not affect the NPA, but could have implications for the BON Rules 214 & Rule 215 related to approval of programs.</p> <p>VN and ADN programs could enter into agreements with school districts for joint high school and college credit for nursing courses. The BON would need review and probably approve these initiatives.</p>	<p>Effective 09/01/09 (if enacted)</p> <p>Last Action: H Referred to Public Education 03/11/09.</p>

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
HB 2498 (VA) Registered Sex Offenders in Long Term Care	Would amend the Health and Safety Code to restrict admission of registered sex offenders to long term care and other facilities. If the facility does admit the aforementioned offenders, then provisions would be in place to require the institution to provide a separate and secure facility for those residents.	Rep. Dunnam	TBD	Effective 09/01/09 <u>Last Action:</u> H Filed 03/05/09 Referred to Committee House Human Services 03/11/09
HB 2504 (RW) Course Information for Institutions of Higher Education	Relating to requiring a public institution of higher education to make available to the public on the institution's Internet website certain course information; authorizing a penalty.	Kolkhorst	Does not directly affect the NPA. Some implication for nursing educational programs approved by the BON. Rule 214 and Rule 215 may need to be revised to include requirements. Bill would require that all course syllabi be posted on the website of each public institution of higher education with certain course information. This requirement would apply to nursing courses.	Effective 09/01/09 (if enacted) <u>Last Action:</u> H Referred to Higher Education 03/11/09.
HB 2538 (RW) Career and Technology Education Programs	Relating to the career and technology education program.	Guillen	Little impact on the NPA or BON rules. Some possible impact for nursing education programs approved by the BON. Requires implementation of a clearinghouse of information related to "best practices" in career and technology education.	Effective 09/01/09 (if enacted) <u>Last Action:</u> H Referred to Public Education 03/11/09.
HB 2545	Relating to an exemption from certain	Isett	Little impact on the NPA or BON rules.	Effective 09/01/09

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
(RW) End-of-Course Assessment Instruments	end-of-course assessment instruments for a high school student earning college credit.		Some possible impact for nursing education programs approved by the BON that have a portion or all of the program of study in high schools through partnerships with independent school districts. The BON approves these initiatives. Nursing program deans/directors need to be aware.	<u>Last Action:</u> H Referred to Public Education 03/11/09.
HB 2585 (RW) Advance Directives	Relating to advance directives.	Hartnett	No impact on the NPA or BON rules. Would allow the use of a digital or electronic signature for signing an advance directive or a written revocation of an advance directive. If this bill is passed, BON staff in the Nursing Department would need to be aware of these requirements. Nurses need to be aware of this bill.	Effective 09/01/09 (if enacted) <u>Last Action:</u> H Filed 03/05/09.
HB 2592 (JZ) Abortion	Creates a licensure process at HHSC for alternatives to abortion organizations. Organizations must be licensed in order to receive state funding.	Thompson	TBD.	Effective 9/1/2009 <u>Last Action:</u> H referred to state affairs 3/12/2009
HB 2597 (DB) Companion SB 1990 Safe Patient	Relating to safe patient handling and health care worker injury prevention policies for certain hospitals.	Thompson Gallegos	TBD	Effective 9/1/2009 <u>Last Action:</u> 03/12/2009 H Referred to Public Health 03/24/2009 S Referred

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
Handling				to Health & Human Services
HB 2612 (RW) Salary Supplements for Nursing Faculty	Relating to salary supplements and enhancements for qualified professional nursing program faculty members at public junior colleges.	Shelton	No impact on the NPA or BON rules. Could positively impact the nursing faculty shortage in VN and ADN programs located in public junior colleges. Nursing program deans/directors need to be aware.	Effective 9/1/2009 <u>Last Action:</u> H Filed 03/05/09.
HB 2621 (MH) Lead Poisoning Assessment	Children who receive Medicaid and are less than 7 years old will be assessed for their risk of lead exposure. Health care providers will report to DSHS will collect and report on the data.	Gutierrez	Amends the Health and Safety Code. No direct effect on the NPA or to the BON. Nurses who work with children will be effected.	Takes effect on 9/1/09. <u>Last Action:</u> Filed on 3/5/09. Referred to House Public Health on 3/12/09
HB 2626 Companion: SB 2239 (JZ, MH) Victims Rights	Amends Code of Criminal Procedure and Health and Safety Code to expand victim rights by providing the right to a forensic medical examination to victims of sexual assault who have not reported the assault to a law enforcement agency, if the forensic exam is otherwise conducted at a health care facility within 96 hours of the assault.	Naishtat Zaffirini	Amends the Code of Criminal Procedure. No direct impact on the NPA or BON. Nurses in emergency departments and sexual assault nurse examiners will need to know and comply.	Effective 9/1/2009 <u>Last Action:</u> CSHB voted from committee 3/26/2009 SB Referred to Criminal Justice 3/31/2009

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
<p>HB 2627 (JZ) APRN Scope</p>	<p>Provides for home health services under Medicaid Texas Health Steps Comprehensive Care Program to be provided in accordance with authorization by a licensed nurse practitioner or physician assistant.</p>	<p>Naishtat</p>	<p>TBD. APRNs will need to be aware.</p>	<p>Effective 9/1/2009 <u>Last Action:</u> H referred to Public Health 3/16/2009</p>
<p>HB 2660 (PW) Therapeutic Optometry</p>	<p>Relating to regulation of the practice of therapeutic optometry, defining scope of practice of therapeutic optometrist (including other titles), including administration and prescription of medications</p>	<p>Rodriguez</p>	<p>TBD</p>	<p>Effective 9/1/2009 <u>Last Action:</u> Introduced in House Public Health 3/16/09</p>
<p>HB 2700 (JZ) Prescribing/ Controlled Substances</p>	<p>Establishes electronic system for monitoring controlled substances and for submitting prescription drug orders. Prescriptions for controlled substances will be tracked and dispensing of controlled substances will be monitored. Will allow providers to have real time Internet access to data for prescribing and patient safety reasons. Will alert TSBP and law enforcement of inappropriate activity. Allows limited access to the data by regulatory entities. Creates an advisory committee to TSBP that includes a representative from the BON.</p>	<p>McClendon</p>	<p>BON is identified as an entity that may access the controlled substances database for specified purposes. Will create direct access to this information for investigatory purposes. Requires a representative from BON to participate on advisory committee.</p>	<p>Effective 9/1/2009 <u>Last Action:</u> Referred to public health 3/17/2009</p>

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
<p>HB 2711 (MH) School Nurses Assigned to Campuses</p>	<p>School districts that have at least 1,000 students shall employ at least one full-time school nurse for each 500 students enrolled. One full-time school nurse shall be assigned to each campus and any additional nurses assigned to campuses based on medical needs of students.</p>	<p>Coleman</p>	<p>Amends the Education Code. No direct impact on the NPA or to the BON. Nurses working in school or school-based health centers will be effected.</p>	<p>Effective immediately with 2/3 vote or on 9/1/09. Filed on 3/6/09. Referred to House Public Education Committee on 3/17/09</p>
<p>HB 2715 (MH) School-based Health Center Grants</p>	<p>DSHS shall develop grant programs to assist school districts develop school-based Health Centers.</p>	<p>Coleman</p>	<p>Amends the Education Code. No direct impact on the NPA or to the BON. Nurses working in schools or school-based health centers will be effected.</p>	<p>Effective immediately with 2/3 vote or on 9/1/09. Filed on 3/6/09 Referred to House Public Education Committee on 3/17/09</p>
<p>HB 2718 Companion SB 791 (DB) Nurse Aide Registry</p>	<p>Relating to the certified nurse aide registry and the regulation of certified nurse aides by the Texas Board of Nursing.</p>	<p>Howard, Donna Nelson</p>	<p>TBD</p>	<p>Effective 9/1/2009 <u>Last Action:</u> 03/17/2009 H Referred to Public Health 04/09/2009 H Received from the Senate</p>
<p>HB 2731</p>	<p>Relating to attorney general</p>	<p>Gattis</p>	<p>This bill would make the Office of Attorney General the lawyers who would represent all the</p>	<p>Effective 9/1/2009</p>

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
<p>(DJ)</p> <p>Attorney General Representation</p>	<p>representation in a contested case hearing of a person licensed or regulated by certain state agencies.</p>		<p>health occupations agencies before the SOAH.</p> <p>The files would be persecuted by the OAG and not Staff attorneys.</p>	<p><u>Last Action:</u> Committee action pending in House Judiciary and Civil Jurisprudence 4/6/09</p>
<p>HB 2800</p> <p>(VA)</p> <p>Nonprofit Educational Institutions Exempt from State Regulation</p>	<p>Would amend the Education Code to exempt certain private nonprofit educational institutions from state regulation applicable to degree-granting institutions.</p>	<p>Berman</p>	<p>TBD</p>	<p>Effective 9/1/2009</p> <p><u>Last Action:</u> H Filed 03/09/09 Referred to Committee on House Higher Education 03/17/09</p>

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
HB 2812 (VA) Public Educational Institutions	Relating to the curriculum, funding, promotion, and economic impact of career and technology education in public educational institutions	Swinford	TBD	Effective 9/1/2009 <u>Last Action:</u> H Filed 03/09/09 Referred to Committee on House Public Education 03/17/09
HB 2845 (PW) EMS Personnel	Relating to certification of and disciplinary actions against EMS personnel, including criminal background check and authority to revoke, suspend, disqualify, or deny certification	Riddle	TBD	Effective 9/1/2009 <u>Last Action:</u> Introduced to House Urban Affairs 3/17/09
HB 2868 (DB) Full Disclosure	Relating to full disclosure of certain events for a health care practitioner or health care institution.	Strama	TBD	Effective immediately with 2/3 vote or on 9/1/09. <u>Last Action:</u> 03/17/2009 H Referred to Public

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
for Practitioners				Health
HB 2885 (JH) NCLEX Pass Rate	Relating to determination of the examination pass rate for nursing educational programs.	Martinez	Would change calculation of NCLEX examination pass rates determining program approval.	Effective 9/1/2009 <u>Last Action:</u> Referred to Public Health 3/17/09 Public Hearing 3/31/09 Pending in committee
HB 2942 (MM) SAO/TFRO	The bill would have the effect of renaming the State Auditor's Office (SAO) as the Texas Fiscal Responsibility Office (TFRO) and prescribe new requirements and responsibilities for the TFRO. The Legislative Audit Committee would be renamed as the Legislative Audit Board.	Dunnam	None	Effective 9/1/2009 <u>Last Action:</u> Pending in House State Affairs 4/7/09
HB 2964 (RW) Advance Directives	Relating to advance directives and health care and treatment decisions.	Coleman	Could have some impact on the NPA and BON rules related to the nurse's duty to the patient. Related to an attending physician refusing to honor a patient's advance directive or health care or treatments decision. Amends current law: If artificial nutrition and hydration are the only life-sustaining treatment being provided to a patient with a terminal condition, the process of a ethics or medical committee review process cannot be invoked unless provision of artificial nutrition and hydration may hasten the	Effective 9/1/2009 <u>Last Action:</u> H Filed 03/10/09

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
			<p>patient's death or exacerbate other medical problems or risk serious pain or discomfort that cannot be alleviated.. Requires that a patient liaison be appointed to assist the person in these decisions. Nurses need to be aware of the implications of this bill if passed.</p>	
<p>HB 2965 (DB) Fees - Health Care Information</p>	<p>Relating to the fee for providing copies of health care information.</p>	<p>Coleman</p>	<p>TBD</p>	<p>Effective 9/1/2009 Last Action: 04/07/2009 H Left pending in committee</p>
<p>HB 2968 (JZ) Abortion</p>	<p>Amends Health & Safety Code to remove language linking abortions and breast cancer from the consent form for abortion procedures.</p>	<p>Coleman</p>	<p>TBD</p>	<p>Effective 9/1/2009 Last Action: H Referred to State Affairs 3/17/2009</p>
<p>HB 3066 (VA) Access to Confidential Patient Information</p>	<p>Would amend the Health and Safety Code to allow access to certain confidential patient information within the Department of State Health Services. Data would not contain patient and/or physician identifiers. Institutional Review Board would be established to review and approve requests for access to data not contained in public use data.</p>	<p>Gonzales</p>	<p>TBD</p>	<p>Effective 9/1/2009 Last Action: H Filed 03/10/09</p>

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
HB 3099 (DB) Report Adverse Preventable Events	Relating to the reporting of preventable adverse events and the establishment of a patient safety program in hospitals and ambulatory surgical centers; providing an administrative penalty.	Leibowitz	TBD	Effective 9/1/2009 <u>Last Action:</u> 03/18/2009 H Referred to Public Health
HB 3100 (DB) Billing Adverse Events	Relating to billing for certain adverse events that occur during the provision of health care services.	Leibowitz	TBD	Effective 9/1/2009 <u>Last Action:</u> 03/18/2009 H Referred to Public Health
HB 3101 (DB) Adverse Events	Relating to the deceptive trade practice of charging for certain preventable adverse health care events.	Leibowitz	TBD	Effective 9/1/2009 <u>Last Action:</u> 03/18/2009 H Referred to Judiciary & Civil Jurisprudence
HB 3127 (JH) Psychoactive & Psychotropic Medications & Children	Relating to the provision of certain psychoactive and psychotropic medications to children in substitute care or in the juvenile justice system.	Turner, Sylvester	TBD	Effective 9/1/2009 <u>Last Action:</u> H Biled 3/10/09 Referred to Corrections 3/18/09

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
<p>HB 3135 (RW) Texas Grant</p>	<p>Relating to a TEXAS grant pilot project to provide incentives for students to attend certain underutilized public institutions of higher education.</p>	<p>Gallego</p>	<p>No impact on the NPA or BON rules. Provides for grant incentives for students to attend certain underutilized public institutions of higher education. Sul Ross University and Angelo State University are mentioned specifically. Could impact the nursing programs at these institutions and possibly increase student enrollment in the nursing programs at these institutions.</p>	<p>Effective 9/1/2009 <u>Last Action:</u> H Referred to Higher Education 03/18/09.</p>
<p>HB 3141 (JZ) Reimbursement</p>	<p>Requires HHSC to issue temporary provider numbers to providers who enroll in the Medicaid Vendor Drug Program and reimburse pharmacies/providers for prescriptions written by providers with temporary numbers.</p>	<p>Gonzalez-Tourelles</p>	<p>None for BON/NPA. Advanced practice nurses who enroll as providers in Medicaid Vendor Drug Program need to be aware.</p>	<p>Effective 9/1/2009 <u>Last Action:</u> H referred Public Health 3/18/2009</p>
<p>HB 3152 (JZ) Abortion</p>	<p>Amends Health & Safety Code to prohibit termination of pregnancy on a woman who is not known to be pregnant. Class A misdemeanor.</p>	<p>Christian</p>	<p>TBD</p>	<p>Effective 9/1/2009 <u>Last Action:</u> H referred to State Affairs 3/18/2009</p>
<p>HB 3156 (DB) Drug Donation</p>	<p>Relating to a drug donation program.</p>	<p>Cook</p>	<p>TBD</p>	<p>Effective 9/1/2009 <u>Last Action:</u> 03/18/2009 H Referred to Public Health</p>

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
<p>HB 3173</p> <p>SB 1487</p> <p>(MH)</p> <p>Statewide Plan for Delivery of Services to Students with Disabilities</p>	<p>A statewide design for the delivery of services to children with disabilities, including qualified school nurses.</p>	<p>Allen</p> <p>Watson</p>	<p>Amends the Education Code. No direct impact on the NPA or to the BON. Nurses working with children in the school health setting will be effected.</p>	<p>Effective immediately with 2/3 vote or on 9/1/09.</p> <p><u>Last Action:</u> Filed on 3/10/09 Referred to House Public Education Committee on 3/18/09 House Public Hearing on 4/7/09 Pending in Committee</p> <p>Filed on 3/6/09. Referred to Senate Education Committee on 3/17/09</p>
<p>HB 3230/ SB 1397</p> <p>Companion: SB 1397 Deuell (Similar)</p> <p>(RW)</p> <p>Approval of Out-of-State Nursing Education Programs</p>	<p>Relating to the approval of out-of-state nursing education programs by the Texas Board of Nursing.</p> <p>Note: This bill is similar to SB 1397, but this bill addresses out-of-state nursing education programs in the general sense and does not include language related to a graduate from this type of professional nursing education program being eligible for licensure as a registered nurse.</p>	<p>Pitts</p> <p>Companion: SB 1397 Deuell (Similar)</p>	<p>Passage of this bill would significantly amend the NPA.</p> <p>If this bill passes, out-of-state nursing education programs approved by the regulatory authorities of that state and meeting certain other criteria outlined in the bill, would be considered to meet standards substantially equivalent to the BON's standards. These out-of-state nursing programs would be exempt from standards that all Texas pre-licensure nursing educational programs are required to meet.</p>	<p>Effective 9/1/2009</p> <p><u>Last Action:</u> H Referred to Public Health 03/18/09.</p> <p>Pending in Senate Health and Human Services 4/7/09</p>

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
<p>HB 3233</p> <p>Companion: SB 1535</p> <p>(JH)</p> <p>Non-payment for Adverse Events</p>	<p>Relating to nonpayment of hospitals under the state Medicaid program for certain preventable adverse events and to the reporting of occurrences of those events at certain health care facilities</p>	<p>John Davis</p> <p>Hinojosa</p>	<p>TBD</p>	<p>Effective 9/1/2009</p> <p><u>Last Action:</u> H Introduced to House Public Health on 3/18/09</p> <p>S Filed 3/9/09 Referred to HHS 3/17/09</p>
<p>HB 3234</p> <p>Companion: SB 1769</p> <p>(JH, MH)</p> <p>Medicaid Telehealth and Telemonitoring</p>	<p>DSHS will establish pilot studies for telemedicine medical service delivery and telehealth service delivery. Reimbursement for state Medicaid program for home telemonitoring services. BON is mentioned as a representative on the state advisory committee.</p>	<p>Davis, J</p>	<p>Amends the Government Code. No direct impact on the NPA, however, a representative from the BON will be a representative on the advisory committee. Nurses working with patients receiving telehealth services will be effected.</p>	<p>Effective 9/1/2009</p> <p><u>Last Action:</u> H Referred to House Public Health Committee on 3/18/09</p> <p>S Introduced to Senate Health and Human Services on 3/20/09</p>

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
<p>HB 3235 (RW, VA) Exchange of Secure Electronic Health Information</p>	<p>Would amend Chapter 531, Government Code to establish procedures for the exchange of secure electronic health information between the Health and Human Services Commission and local or regional health information exchanges. In addition, the bill discusses the proposed role of the Health and Human Services Commission in the establishment and maintenance of a Health Passport.</p>	<p>John Davis</p>	<p>Would have minimal impact on the NPA and BON rules related to the nurse's duty to the patient. The bill revises process for challenging a treatment decision and outlines the court proceedings. Nurses would need to be aware of the provisions in this bill.</p>	<p>Effective 9/1/2009 <u>Last Action:</u> H Filed 03/10/09</p>
<p>HB 3260 Companion: SB 1484 (MH) Consumer-Directed Services</p>	<p>Aligns the Government Code with the Occupations Code Section 301.251(a) and BON Rule 225 after during the 80th Legislative Session this language was inadvertently deleted.</p>	<p>Naishtat Watson</p>	<p>Amends the Government Code. No direct impact to the NPA or to the BON. Nurses working in consumer directed services to the elderly and persons with disabilities will be effected.</p>	<p>Effective immediately with 2/3 vote or on 9/1/09. <u>Last Action:</u> Filed on 3/10/09. Referred to House Health & Human Services on 3/18/09 House Public Hearing on 4/16/09 Referred to Senate Health & Human Services on 3/17/09</p>

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
<p>HB 3301</p> <p>Companion SB 286</p> <p>(MH, VA)</p> <p>Health Passports for Medicaid Clients</p>	<p>Would amend Chapter 531, Government Code to develop and provide a Health Passport for each person receiving medical assistance under the state Medicaid program though a managed care plan and who is not provided a Health Passport under another state law. The bill describes elements to be included in the Health Passport such as health care provider identifier, immunization record, visits to providers and medications prescribed to the individual.</p>	<p>Kolkhorst</p> <p>Nelson</p>	<p>Amends the Government Code and the Human Resources Code. No Impact to the BON or on the NPA. Nurses working with clients receiving medicaid will be effected.</p>	<p>Effective 9/1/2009</p> <p><u>Last Action:</u> Scheduled for Public Hearing on 4/8/09</p> <p>Voted favorably in Senate HHS on 2/24/09. Senate Substitute Committee filed on 3/2/09</p>
<p>HB 3320</p> <p>Companion: SB 1724</p> <p>(JZ)</p> <p>Women & Children</p>	<p>Amends Health & Safety Code to clarify legislature's intent that all persons be informed of rights of breast-feeding mothers and children and be prohibited from interfering with those rights. Requires state agencies to develop policies supporting mother-friendly worksite. Creates civil penalties for violation of rights. Comptroller required to provide notice annually in tax policy e-newsletter as well as have notice available in taxpayer seminars.</p>	<p>Farrar</p> <p>Companion: Van de Putte</p>	<p>Agency required to develop policy creating a mother-friendly workplace</p>	<p>Effective 9/1/2009</p> <p><u>Last Action:</u> H referred to Public Health 3/18/2009</p> <p>S referred to State Affairs 3/20/2009</p>
<p>HB 3325</p> <p>(RW)</p> <p>Advance Directives</p>	<p>Relating to advance directives or health care or treatment decisions made by or on behalf of patients.</p>	<p>Hughes</p>	<p>Would have minimal impact on the NPA and BON rules related to the nurse's duty to the patient.</p> <p>The bill revises process for challenging a treatment decision and outlines the court proceedings. Nurses would need to be aware of</p>	<p>Effective 9/1/2009</p> <p><u>Last Action:</u> H Filed 03/11/09</p>

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
			the provisions in this bill.	
HB 3326 (DB) Health Risk Assessment of State Employees	Relating to health risk assessments of state employees.	Castro	TBD	Effective 9/1/2009 <u>Last Action:</u> 03/18/2009 H Referred to Public Health
HB 3328 (JH) Immunization Requirements for Children	Relating to immunization requirements for children.	Howard, Charlie	TBD	Effective 9/1/2009 <u>Last Action:</u> H Filed 3/11/09 Referred to Public Health 3/18/09

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
<p>HB 3362</p> <p>Companions: SB 1841 SB 1842</p> <p>(MH)</p> <p>Birth Cost- Containment Pilot Program</p>	<p>DSHS will establish a pilot program in Bexar County to deliver health care services for an additional 18 months after Medicaid benefits have been stopped for pregnant coverage to women who delivered premature or low-birth weight infants.</p>	<p>Villarreal</p> <p>Van de Putte</p> <p>Uresti</p>	<p>Amends Human Resources Code. No direct impact on the NPA and BON. Nurses working in managed care or with low-income pregnant women will need to know and comply.</p>	<p>Effective 9/1/2009</p> <p><u>Last Action:</u> Referred to House Public Health Committee on 3/18/09</p> <p>Referred to Senate Health & Human Service Committee on 3/20/09</p> <p>Scheduled for a Senate Public Hearing on 4/14/09</p>
<p>HB 3363</p> <p>Companion SB 1842</p> <p>(JZ)</p> <p>Reimbursement</p>	<p>Requires HHSC to establish task force to develop concept paper on the pilot project to extend coverage to women who delivered premature or low birth weight infant for submission to CMS.</p>	<p>Villareal</p> <p>Companion: Van de Putte</p>	<p>None for BON/NPA.</p> <p>Nurses need to be aware.</p>	<p>Effective 9/1/2009</p> <p><u>Last Action:</u> Filed 3-11-2009</p>
<p>HB 3371</p> <p>(PW)</p> <p>Geriatric Medicine</p>	<p>Relating to required training in geriatric medicine as a requisite for certain medical degrees,</p>	<p>Rose</p>	<p>Requires classroom instruction and clinical experience.</p>	<p>Effective immediately if 2/3 Majority or 9/1/09.</p> <p><u>Last Action:</u> Introduced to House Higher Education 3/31/09</p>

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
<p>HB 3376</p> <p>Companion: SB 1749</p> <p>(JZ, PW)</p> <p>Anesthesia Assistants</p>	<p>Creates licensure process for anesthesiologist assistants and creates a board to oversee their practice that would be advisory to the Texas Medical Board. Only anesthesiologists can delegate to anesthesiologist assistants. Practice protocols are required. States anesthesiologist is responsible for oversight of all care provided by anesthesiologist assistants at all times.</p>	<p>John Davis</p> <p>Uresti</p>	<p>Creates new licensed health care provider role and licensing board of six members.</p>	<p>Effective 9/1/2009</p> <p>Licensure not required until 9/1/2010.</p> <p><u>Last Action:</u> HB Referred to Public Health 3/18/2009</p> <p>SB referred to Health & Human Services</p>
<p>HB 3465</p> <p>(JZ)</p> <p>Prescribing</p>	<p>Expands definition of practitioner in the Dangerous Drug Act to include acupuncturists, chiropractors, professional counselors, and psychologists.</p>	<p>Keffer</p>	<p>TBD</p>	<p>Effective immediately if 2/3 Majority or 9/1/09.</p> <p><u>Last Action:</u> Filed 3-11-2009</p>
<p>HB 3472</p> <p>Companion: SB 1886</p> <p>(JZ)</p> <p>Women & Children</p>	<p>Adds requirement for HIV testing of pregnant women in 3rd trimester. Provides for testing at time of delivery if results not found in prenatal record. Provisions for testing of newborns within first two hours of life if prior testing not completed.</p>	<p>Coleman</p> <p>Ellis</p>	<p>TBD. Nurse-midwives will need to be aware.</p>	<p>Effective 9/1/2009 for implementation on 1/1/2010</p> <p><u>Last Action:</u> HB: Referred to Public Health 3/19/2009</p> <p>SB: Referred to Health & Human Services 3/24/2009</p>

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
<p>HB 3473 (DB) Charity Care</p>	<p>Relating to charity care.</p>	<p>Coleman/ Naishtat</p>	<p>TBD</p>	<p>Effective 9/1/2009 <u>Last Action:</u> 03/19/2009 H Referred to Public Health</p>
<p>HB 3631 Companion: SB 2298 (MM) Disaster Compensatory Time</p>	<p>An employee may be paid for the hours of compensatory time the employee earns for work directly related to a disaster or emergency declared by the appropriate officer of the state or federal government.</p>	<p>Farabee</p>	<p>None</p>	<p>Effective 9/1/2009 <u>Last Action:</u> Referred to House State Affairs 3/19/09 Meeting in Senate Government Organization 4/15/09</p>
<p>HB 3657 (DB) DNR Protocol</p>	<p>Relating to the protocol for certain do not resuscitate orders.</p>	<p>Hughes</p>	<p>TBD</p>	<p>Effective immediately if 2/3 Majority or 9/1/09. <u>Last Action:</u> 03/19/2009 H Referred to Public Health</p>
<p>HB 3665 Companion</p>	<p>Relating to the review of a Medicaid recipient's electronic medication history by a Medicaid provider.</p>	<p>Kolkhorst</p>	<p>TBD</p>	<p>Effective 9/1/2009 <u>Last Action:</u></p>

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
<p>SB 288</p> <p>(DB)</p> <p>Review of Electronic Medication History</p>		<p>Nelson</p>		<p>03/19/2009 H Referred to Public Health</p> <p>03/19/09 Referred to House Public Health</p>
<p>HB 3667</p> <p>(MM)</p> <p>Catastrophic Care by Health Care Providers</p>	<p>Relating to allowing health care providers to provide services across state lines in catastrophic circumstances.</p>	<p>Hopson</p>	<p>None</p>	<p>Effective 9/1/2009</p> <p><u>Last Action:</u> Introduced to House Public Health 3/19/09</p>
<p>HB 3707</p> <p>Companion: SB 188</p> <p>(DB)</p> <p>Communicable Disease Reduction Program</p>	<p>Relating to county-regulated disease control programs to reduce the risk of certain communicable diseases for certain counties.(Includes needle-exchange program.)</p>	<p>Coleman</p> <p>Deuell</p>	<p><u>TBD</u></p>	<p>Effective 9/1/2009</p> <p><u>Last Action:</u> 03/19/2009 H Referred to Public Health</p>

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
<p>HB 3714 (VA) High-Demand Occupations</p>	<p>Relating to public school career and technology education program curriculum and funding and to development of a list of high-demand occupations for career and technology education students.</p>	<p>Susan King</p>	<p>TBD</p>	<p>Effective 9/1/2009 <u>Last Action:</u> Pending in House Public Education 4/7/09</p>
<p>HB 3718 (VA) Registries for Home Health, Hospice, or Personal Assistance Services</p>	<p>Would amend the Health and Safety Code to address disclosure of identified data by certain registries for home health, hospice, or personal assistance services, and would impose a civil penalty for violations. The bill would be applicable only to a registry that operates as a clearinghouse to put clients in contact with persons who provide home health, hospice, or personal assistance services without regard to whether the registry maintains official client records, directs client services, or compensates the person who is providing the service.</p>	<p>Susan King</p>	<p>TBD</p>	<p>Effective 9/1/2009 <u>Last Action:</u> H Filed 03/12/09 Referred to Committee on House Human Services 03/19/09</p>

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
<p>HB 3737 (PW) Criminal History Checks at Special Care Facilities</p>	<p>Relating to criminal history checks for employees of, and applicants for employment at, special care facilities including nursing homes, custodial care homes, assisted living facilities, home and community support services agencies, adult day care facilities, facilities for persons with mental retardation, adult foster care providers, facilities that provide mental health services , etc.</p>	<p>Anchia</p>	<p>TBD</p>	<p>Effective 9/1/2009 <u>Last Action:</u> Pending in House Human Services 4/9/09</p>
<p>HB 3755 (JZ) Medicaid/ Prescription</p>	<p>Relating to the period for which a prescription written for a Medicaid recipient is valid.</p>	<p>Howard</p>	<p>TBD</p>	<p>Effective immediately if 2/3 vote or 9/1/2009 <u>Last Action:</u> Filed 3-12-2009</p>
<p>HB 3790 (VA) Incentive Funding for Degree Completion</p>	<p>Would amend the Education Code by providing performance incentive funding for certain general academic teaching institutions and recognition of certain student achievement on degree completion.</p>	<p>Morrison</p>	<p>TBD</p>	<p>Effective 9/1/2009 <u>Last Action:</u> Referred to Committee on House Higher Education 03/23/09 Action Pending 04/08/09</p>

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
<p>HB 3796 (JZ) Abortion</p>	<p>Amends the Health & Safety Code to include language regarding prevention of coerced abortions. Woman must consent that she has not been coerced. Situations involving patient reports of coercion to be reported as abuse or neglect. Coerced abortion form to be developed by DSHS. Physicians performing abortions required to submit de-identified report on each that includes reasons patient sought abortion. Complications required to be reported. DSHS to issue annual reports summarizing aggregate data.</p>	<p>Morrison</p>	<p>TBD</p>	<p>Majority effective 9/1/2009. Portions pertaining to facility licenses effective 1/1/2010</p> <p><u>Last Action:</u> H referred to State Affairs 3/23/2009</p>
<p>HB 3831 (DB) Authorization to receive Certain Information</p>	<p>Relating to persons authorized to receive certain medical or treatment information.</p>	<p>Hilderbran</p>	<p><u>TBD</u></p>	<p>Effective 9/1/2009</p> <p><u>Last Action:</u> 03/23/2009 H Referred to Public Health</p>
<p>HB 3898 (MH) Alzheimer's Disease Registry</p>	<p>HHSC will establish an Alzheimer's disease registry. Data will be collected to aid in early recognition, prevention, cure and control.</p>	<p>Oliveira</p>	<p>Amends the Health and Safety Code. No direct impact on the NPA or BON. Nurses working in facilities or in physician offices may be involved with reporting to the registry.</p>	<p>Effective 9/1/2009</p> <p><u>Last Action:</u> Referred to Public Health Committee on 3/23/09</p>

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
<p>HB 3904 (MM) Confidential Information State Agencies</p>	<p>Relating to personal confidential information accessed by an employee of a state governmental body; imposing penalties.</p>	<p>Paxton</p>	<p>None</p>	<p>Effective immediately if 2/3 vote or 9/1/2009 <u>Last Action:</u> Referred to House State Affairs 3/23/09</p>
<p>HB 3907 (MBT) Court Ordered Psychoactive Medications</p>	<p>Relating to the court-ordered administration of psychoactive medication to certain criminal defendants and to the release of those defendants from certain facilities.</p>	<p>Madden</p>		<p>Effective immediately if 2/3 vote or 9/1/2009 <u>Last Action:</u> 4-16-09 meeting set for House Corrections</p>
<p>HB 3949 (MM) Eligibility for Employment in US</p>	<p>Relating to the requirement that applicants for certain licenses be eligible for employment in the United States.</p>	<p>Solomons</p>	<p>Would require the BON to receive employment documentation on licensees prior to licensure.</p>	<p>Effective 9/1/2009 <u>Last Action:</u> Referred to House State Affairs 3/23/09</p>
<p>HB 3961 Companion: SB</p>	<p>Relating to the regulation of nursing. Addresses clarification of statutes relating to continuing education and</p>	<p>McReynolds Nelson</p>	<p>These companion bills are general amendments to the nursing practice act or chapter 301 of the Texas Occupations Code.</p>	<p>Effective immediately if 2/3 vote or 9/1/2009</p>

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
<p>1880 (DB, DJ) Physical & Psychological Examination of Nurses</p>	<p>pilot programs; maintains confidentiality of BON records relating to disaster volunteers; and grants authority to require physical and psychological examinations of nurses in certain instances.</p>		<p>HB 3961 heard public testimony on April 7, 2009. The amendments contain general clean up provisions as well as some substantive changes which would strengthen enforcement authority most notably in how the Board would deal with violations of Board orders dealing with chemical and alcohol dependency or abuse..</p> <p>The bill makes certain information collected for emergency response purposes confidential.</p> <p>Sen. Nelson's bill differs slightly from McReynolds' in that SB 1880 includes an amendment which requires a respondent when answering formal charges to either admit or deny those charges in a manner similar to the Board's current rule 213.16.</p>	<p><u>Last Action:</u> 03/31/2009 H Left pending in committee</p> <p>04/14/2009 S Voted favorably from Senate Health and Human Services</p>
<p>HB 3962 (JZ) Controlled Substances</p>	<p>Increases the role of the TSBP with regard to monitoring and regulation of controlled substances. DPS and TSBP required to develop an MOU to identify each entity's role. Retains the advisory committee for prescription monitoring program.</p>	<p>McReynolds</p>	<p>TBD. BON representative will continue to serve on the committee. Changes from this bill may impact APRNs who prescribe controlled substances.</p>	<p>Effective 9/1/2009</p> <p><u>Last Action:</u> H referred to Public Health 3/23/2009</p>

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
HB 3964 (PW) Advertising Review Committee Texas Medical Board	Relating to a requirement that physicians file certain advertising with the Texas Medical Board, and board to establish an advertising review committee	Dunnam	TBD	Effective 9/1/2009 <u>Last Action:</u> Introduced in House Public Health 3/23/09
HB 3981 (PW) Texas Optometry Board Composition	Relating to composition of the Texas Optometry Board, with increase from nine to thirteen members, to include seven optometrists or therapeutic optometrists, three “learned and eminent” physicians specializing in ophthalmology, and three public members	Thompson	TBD	Effective 9/1/2009 <u>Last Action:</u> Introduced in House Public Health 3/23/09
HB 4023 (MH) Fatherhood Involvement During Pregnancy	HHSC shall conduct a feasibility study of providing benefits or services under certain federally funded benefit programs to encourage fathers involvement during pregnancy.	Villarreal	Amends the Government Code. No direct impact on the NPA or BON.	Effective immediately with 2/3 vote or on 9/1/09. Filed: 3/12/09 Referred to House Health & Human Services Committee on 3/23/09
HB 4029	Relating to written authorization for	Marquez	<u>TBD</u>	Effective immediately

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
(DB) Release of Health Care Information	the release of certain health care information.			with 2/3 vote or on 9/1/09. Last Action: 04/14/2009 H Scheduled for public hearing
HB 4087 (JZ) Ultrasound	Restricts who may possess and utilize ultrasound machines. Creates a registry for ultrasound machines at DSHS and includes provision for inspection for compliance. Creates civil penalty for non-compliance.	Farrar	TBD.	Effective 9/1/2009 Last Action: Referred to Public Health 3/23/2009
HB 4146 (MM) Military Temporary Occupational Licenses	Relating to the temporary occupational licensing of members of the military.	Rose	The BON already does this.	Effective 9/1/2009 Last Action: Referred to House Defense and Veteran's Affairs 3/24/2009
HB 4150 (RW) Career and Technology Programs	Relating to the collection and provision of information concerning public school career and technology education programs.	Rose	Should have minimal impact on the NPA or the BON's activities. Might impact possible partnerships between Independent School Districts and VN programs that the BON approves.	Effective 9/1/2009 Last Action: H Referred to House Public Education 03/24/09.

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
<p>HB 4173 SB 1648 (MBT) Outreach & Behavioral Health Services for Veterans</p>	<p>Relating to providing outreach and behavioral health services to certain military service veterans and their families and providing for the creation of clinical practice guidelines.</p>	<p>Maldonado Van de Putte</p>	<p>DSHS will implement extensive behavioral health services for veterans. Also to establish and train health professionals on protocols to be developed from the National Center for Posttraumatic Stress Disorder of the federal Veterans Health Administration, the trauma registry and research database of the United States Army Institute of Surgical Research, and other appropriate and reputable sources of clinical research.</p>	<p>Effective 9/1/2009 <u>Last Action:</u> 3-13-09 Referred to House Public Health 4-1-09 Committee on Senate Veteran Affairs action pending</p>
<p>HB 4245 (RW) Career and Technical Education</p>	<p>Relating to a pilot program to expand access to career and technical education partnerships in rural areas.</p>	<p>Keffer</p>	<p>Should have minimal impact on the NPA or the BON's activities. Might impact possible partnerships between Independent School Districts and VN programs that the BON approves.</p>	<p>Effective 9/1/2009 <u>Last Action:</u> H Files 03/13/09.</p>
<p>HB 4289 Companions: HB 1392 SB 1396 (PW) Physician Ranking</p>	<p>Relating to required procedures regarding the ranking of physicians by health benefit issuers.</p>	<p>Hunter Leibowitz Deuell</p>	<p>TBD</p>	<p>Effective 9/1/2009 <u>Last Action:</u> Introduced in House Public Health 3/24/09 Pending in House Public Health 3/17/09 Introduced in Senate State Affairs 3/17/09</p>

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
<p>HB 4290</p> <p>Companion: SB 2200</p> <p>(JH)</p> <p>Utilization Review for Health Care Service</p>	<p>Relating to retrospective utilization review and utilization review to determine the experimental or investigational nature of a health care service.</p>	<p>Smithee</p> <p>Duncan</p>	<p>TBD</p>	<p>Effective 9/1/2009</p> <p><u>Last Action:</u> H Filed 3/13/09 Referred to Insurance 3/24/09 Public Hearing 3/31/09 Amendment(s) considered in committee 4/1/09 Recommended to Local & Consent reported favorably as amended 4/1/09</p>
<p>HB 4326</p> <p>Companion: SB 1270</p> <p>(MM)</p> <p>Online Agency Reports</p>	<p>Relating to the online availability of state agency reports required by law.</p>	<p>Strama</p> <p>Shapleigh</p>	<p>Will require all reports of the BON to be accessed online.</p>	<p>Effective 9/1/2009</p> <p><u>Last Action</u> Introduced to House State Affairs 3/24/09</p> <p>Passed on Senate Local Calendar 4/09/09</p>
<p>HB 4353</p> <p>(MM)</p> <p>Border Nurses</p>	<p>Relating to the licensing of certain nurses who will practice in border counties.</p>	<p>Gonzales</p>	<p>Will require the BON to grant authority to qualified nurses from Mexico to take the NCLEX with a TOEFL score of 475 instead of 560.</p>	<p>Effective 9/1/2009</p> <p><u>Last Action</u> Reported as substituted from House Border and Intergovernmental Affairs 4/14/09</p>

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
<p>HB 4355 (MBT) Study on Alternate Ways to Assure Nursing Clinical Competency</p>	<p>Relating to the conducting of a research study on alternate ways to assure clinical competency of graduates of nursing educational programs.</p>	<p>Howard</p>	<p>Calls for a study to identify student clinical judgement and behavior outcomes and exit evaluation tools to measure them. Also whether single competency evaluation programs are equivalent to traditional programs. TCNWFS to conduct or contract for the study and may solicit funds to do so and complete by 2014. Single assessment programs have until 2018 to meet any new standards. If study not funded, graduates of single assessment will continue to be licensed until 2018.</p>	<p>Effective immediately with 2/3 vote or on 9/1/09.</p> <p><u>Last Action</u> 3-31-09 Public Health Committee action pending</p>
<p>HB 4366 (PW) Texas Medical Board</p>	<p>Relating to powers and duties of Texas Medical Board,</p>	<p>Riddle</p>	<p>TBD</p>	<p>Effective 9/1/2009</p> <p><u>Last Action:</u> Introduced in House Public Health 3/25/09</p>
<p>HB 4407 (MH) Anaphylaxis Medication at School</p>	<p>Relates to schools maintaining a supply of anaphylaxis medications when a school nurse is available. Commissioner will determine how much medication schools will receive and will consult with a physician.</p>	<p>Taylor</p>	<p>Amends the Education Code. No direct impact on the NPA and BON. Effects school nursing practice. Does not address that school nurses will need physician standing orders to administer, which may be difficult for districts without a medical director.</p>	<p>Effective immediately with 2/3 vote or on 9/1/09.</p> <p><u>Last Action:</u> Referred to House Public Education on 3/25/09</p> <p>Scheduled for Hearing on 4/16/09</p>

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
<p>HB 4431 (PW) Texas Medical Board</p>	<p>Relating to composition of the Texas Medical Board, to increase from 19 to 31 members, adding “twelve members who are learned and eminent non-physician health care providers . . .” including 2 licensed therapeutic optometrists, 2 licensed dentists, 2 licensed podiatrists, 2 licensed chiropractors, 2 licensed nurses, and 2 licensed acupuncturists</p>	<p>Christian</p>	<p>TBD</p>	<p>Effective 9/1/2009 <u>Last Action:</u> Introduced in House Public Health 3/25/09</p>
<p>HB 4451 (JH) Youth Discharged from TYC</p>	<p>Relating to provision of continuity of care services for youth with mental illness or mental retardation who are paroled or discharged from the Texas Youth Commission.</p>	<p>Zerwas</p>	<p>TBD</p>	<p>Effective 9/1/2009 <u>Last Action:</u> H Filed 3/13/09 Referred to Corrections 3/25/09 Hearing 4/2/09 Pending in committee</p>

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
<p>HB 4471 (VA) Nursing Shortage</p>	<p>Would amend the Education Code to restrict use of grant funds from the professional nursing shortage reduction program to a professional nursing education program. The bill would provide criteria for grant expenditures by limiting use of monies to: enrolling additional students; nursing faculty enhancement; encouraging innovating in the recruitment and retention of students, especially Spanish-speaking and bilingual students; and providing the most effective utilization of resources.</p>	<p>Kolkhorst</p>	<p>TBD</p>	<p>Effective 9/1/2009 <u>Last Action:</u> Filed 03/13/09 Referred to Committee on House public Health 03/25/09</p>
<p>HB 4504 Companion SB 1058 (MM) Reporting Requirements Health Occupations Agencies</p>	<p>Relating to reporting requirements for health occupation regulatory agencies.</p>	<p>Coleman Uresti</p>	<p>Will require a new annual report in a specified format to the legislature.</p>	<p>Effective 9/1/2009 <u>Last Action:</u> Introduced to House Public Health 3/25/09 Set on Senate Local Calendar 4/16/09</p>

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
<p>HB 4506</p> <p>Companion: SB 1092</p> <p>(MH)</p> <p>Heritable Disease Screening</p>	<p>DSHS will establish a newborn screening program phenylketonuria, other heritable diseases, hypothyroidism, sickle-cell trait and other disorders</p>	<p>West</p> <p>Coleman</p>	<p>Amends the Health and Safety Code. No impact to the BON or NPA. May effect nurses who will be providing screening, follow-up or assisting in the treatment of the heritable diseases.</p>	<p>Effective 9/1/2009</p> <p><u>Last Action:</u> Filed on 2/24/09</p> <p>Filed 3/13/09 Referred to House Public Health Committee on 3/25/09</p> <p>Referred to Health & Human Services on 3/13/09</p> <p>Scheduled for Public Hearing on 4/14/09</p>
<p>HB 4569</p> <p>(JH)</p> <p>Child Abuse Investigations</p>	<p>Relating to investigations and other procedures with respect to allegations of child abuse and neglect.</p>	<p>Zerwas</p>	<p>TBD</p>	<p>Effective 9/1/2009</p> <p><u>Last Action:</u> H Filed 3/13/09 Referred to Human Services 3/26/09</p>
<p>HB 4571</p> <p>Companion: SB 2004</p> <p>(DB)</p> <p>Electronic Health Records Bank</p>	<p>Relating to a statewide electronic health records bank.</p>	<p>Zerwas</p> <p>Van de Putte</p>	<p>TBD</p>	<p>Effective immediately with 2/3 vote or on 9/1/09.</p> <p><u>Last Action:</u> 03/26/2009 H Referred to Public Health</p> <p>03/24/2009 S Referred</p>

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
				to Health & Human Services
HB 4630 Companion: SB 2113 (DB) State Employee Wellness Program	Relating to the state employee wellness program.	Lucio III Lucio	TBD	Effective 9/1/2009 <u>Last Action:</u> 03/26/2009 H Referred to State Affairs 03/31/2009 S Referred to State Affairs
HB 4633 (MH) Students With Life-Threatening Allergies	Relates to every public school and charter school will develop an allergy and anaphylaxis management plan.	Lucio	Amends the health and Safety Code. No direct impact on the NPA and BON. School nurses will need to know and comply.	Effective immediately with 2/3 vote or on 9/1/09. <u>Last Action:</u> Filed on 3/13/09 Referred to House Public Education Committee on 3/26/09
HB 4650 Companion: SB 1718 (JZ)	Amends the Education Code to prohibit student participation in any University Interscholastic League sponsored/sanctioned event, including practices, scrimmage, and extracurricular activities without submission of documentation from an	Coleman Companion: Uresti	TBD. APRNs are included in the list of approved providers as stated in the bill.	Effective immediately with 2/3 vote or on 9/1/09. <u>Last Action:</u> H Refer to Public Education 3/26/2009

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
Sports Physicals	approved provider that states the student does not have a medical condition that would make participation in the activity hazardous for the student.			S Refer to Education 3/20/2009
HB 4691 (VA) Long Term Care	Relating to the protection and care of individuals requiring long term care services and supports.	Rep. Coleman	TBD	Effective 9/1/2009 <u>Last Action:</u> H Filed 03/13/09 Referred to Committee on House Human Services 03/26/09
HJR 103 (MM) Annual State Budget Meetings	Proposing a constitutional amendment providing for an annual state budget and annual legislative sessions for budget purposes.	Raymond	Would allow a vote on a constitutional amendment to all for annual legislative sessions to provide for an annual budget instead of the current process of every two years.	Effective 9-1-2011 <u>Last Action:</u> Referred to House State Affairs 3/18/09

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
<p>SB 32 (MBT) Transport of a Person with Mental Illness</p>	<p>Relating to detention and transportation of a person with a mental illness.</p>	<p>Zaffirini</p>	<p>Limits the detention of persons with a mental illness to a maximum of 12 hours and only if a medical facility or other appropriate facility, as determined by a local mental health authority, is more than 75 miles away. Requires the maintenance of short-term detention facilities and prohibits the use of certain forms of restraint.</p>	<p>Effective immediately with 2/3 vote or on 9/1/09.</p> <p><u>Last Action:</u> 3-19-09 Passed on local calendar. Sent to the house. 3-31 - Referred to Public Health Committee</p>
<p>SB 47 (RW) Transfer of Functions from TEA to THECB Career and Technology Education</p>	<p>Relating to the transfer of certain functions regarding career and technology education from TEA to THECB.</p> <p>*Actually the language in the bill appears to do just the opposite.</p>	<p>Zaffirini</p>	<p>Should have minimal impact on the NPA or the BON's activities. Might impact possible partnerships between Independent School Districts and VN programs that the BON approves.</p> <p>Bill would allow the State Board for Career and Technology Education to contract with the Texas Education Agency instead of the THECB or any other state agency to assume the leadership role and administrative responsibility for administration of technical-vocational programs in school districts, charter schools, and other eligible primary or secondary educational institutions. This bill has language similar to HB 1235 related to the Carl D. Perkins funds.</p>	<p>Effective 9/1/2009</p> <p><u>Last Action:</u> Referred to Education 2/10/09.</p>

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
<p>SB 74 (DB) Liability during Declared Disaster</p>	<p><u>Relating to limitation of liability for certain emergency care provided during a declared disaster</u></p>	<p>Nelson</p>	<p>TBD</p>	<p><u>Effective immediately with 2/3 vote or on 9/1/09.</u></p> <p><u>Last Action:</u> 04/02/2009 S Left pending in committee</p>
<p>SB 84 SB 85 (MH) Suicide Prevention Programs in High Schools</p>	<p>TEA and DSHS will be required to develop a comprehensive suicide prevention program to be implemented in public high schools.</p> <p>Pilot programs can be established to implement the comprehensive suicide prevention programs.</p>	<p>Nelson</p> <p>Nelson</p>	<p>Amends the Education Code. No impact on the BON or NPA, Training will include school nurses.</p> <p>Amends the Education Code. No impact on the BON or NPA. Effects school nursing.</p>	<p>Takes effect immediately if 2/3 vote, otherwise on 9/1/09.</p> <p><u>Last Action:</u> Referred to Senate Education Committee on 2/10/09</p>
<p>SB 86 (PW) Alien Doctors in Underserved Areas</p>	<p><u>Relating to the eligibility of certain aliens for a license to practice medicine, serving in health professional shortage area or medically underserved area.</u></p>	<p>Nelson</p>	<p>TBD</p>	<p>Effective 9/1/2009</p> <p><u>Last Action:</u> Referred to House Public Health 3/31/09</p>

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
<p>SB 87 (PW) Adverse Decisions & HHS Agencies</p>	<p>Relating to adverse licensing, listing, or registration decisions by certain health and human services agencies</p>	<p>Nelson</p>	<p>CNA implications if moved under BON jurisdiction</p>	<p>Effective 9/1/2009 Last Action: Referred to House Public Health 4/6/09</p>
<p>SB 151 (JZ) Pharmaceutical Companies</p>	<p>Pharmaceutical companies required to disclose to DSHS and TSBP payments, gifts, fees, subsidies or other economic benefits related to promotion or marketing of pharmaceuticals. Records of free samples for distribution to patients, reimbursement for bonafide clinical trials expenses, gifts under \$25, and student scholarships are not subject to public disclosure. Trade secret information not subject to public disclosure. Annual reports to be available on DSHS website. Imposes penalties for failure to comply.</p>	<p>Ellis</p>	<p>TBD</p>	<p>Effective 9/1/2009 Last Action: Referred to Health & Human Services, 2/10/2009</p>

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
<p>SB 174 (RW) Online School Performance Reports</p>	<p>Relating to online performance reports for public institutions of higher education.</p>	<p>Shapiro</p>	<p>Might have some impact for BON related to the data obtained from nursing educational programs regulated by the BON in the areas of student admission, enrollment, retention, degrees awarded upon graduation, and student success in obtaining licensure/certification.</p> <p>Bill establishes a “Report Card” system for institutions to submit specified performance data to the THECB via online technology.</p>	<p>Effective 9/1/2009</p> <p><u>Last Action:</u> H Referred to Higher Education 2/10/09. Left pending in committee 03/18/09.</p>
<p>SB 182 Companion: HB 36 (JZ) Abortion</p>	<p>Requires physician or designated agent to provide obstetric ultrasound and auscultate fetal heartbeat and explain each in layperson’s terms. Pregnant woman must have opportunity to view ultrasound and hear heart tones. Exceptions made for medical emergency. Defines medical emergency.</p>	<p>Patrick, Dan Corte</p>	<p>TBD</p>	<p>Effective immediately with 2/3 vote or on 9/1/09.</p> <p><u>Last Action:</u> Senate: Substitute reported favorably from committee 3/26/2009 House: Referred to State Affairs, 2/12/2009</p>

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
<p>SB 188</p> <p>Companions HB 142 HB 272 HB 3707</p> <p>(MH)</p> <p>Communicable Disease Program</p>	<p>Establishes a disease control program: anonymous exchange of hypodermic needles and syringes, education, health related services.</p>	<p>Duell</p> <p>McClendon Ortiz Coleman</p>	<p>Amends the Health & Safety Code. No direct impact on the NPA and BON. Nurses working in public health clinics</p>	<p>Effective 9/1/2009</p> <p>Last Action: SB 188 Sent to House Public Health 4/9/09</p> <p>Referred to House Public Health Committee on 2/12/09</p> <p>Referred to House Public Health Committee on 2/17/09</p> <p>Referred to House Public Health Committee on 3/19/09</p>

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
<p>SB 224</p> <p>Companion: HB 2808</p> <p>(Legal)</p> <p>Power of Licensing Agencies to revoke, suspend or Deny Licenses</p>	<p>Relating to the power of a licensing authority to revoke, suspend, or deny a license on the basis of certain criminal proceedings.</p>	<p>West Thompson</p>	<p>This bill allows for fewer licensing restrictions to apply to persons who have had a successfully completed deferred order for a crime. The bill currently exempts its application to health licensing agencies. It is presumed that this bill exempts the BON from its application.</p>	<p>Effective 9/1/2009</p> <p><u>Last Action:</u> Voted favorably from Senate Criminal Justice 4/14/09</p> <p>Meeting in House Licensing and Administrative Procedures 4/15/09</p>
<p>SB 290</p> <p>(RW)</p> <p>Health Professional Education Grant Program</p>	<p>Relating to the creation and implementation of the health professional education grant program.</p>	<p>Nelson Co-author is Zaffirini</p>	<p>Might have some impact for the BON's approval of pre-licensure VN and RN programs and APN programs in the area of new distance learning or community-based education projects or activities.</p> <p>Bill allows the THECB to award grants to pre-licensure VN and RN programs and Advanced Nurse Practitioner programs for new distance learning or community-based education programs at institutions of higher education or for expanding or enhancing existing distance learning or community-based education projects or activities.</p>	<p>Effective 9/1/2009</p> <p><u>Last Action:</u> S Referred to Higher Education 02/11/09. Co-authorized 02/23/09.</p>
<p>SB 291</p> <p>(RW)</p>	<p>Relating to Hepatitis B vaccination for students enrolled in certain health-related courses of study at an institution</p>	<p>Nelson</p>	<p>The BON may need to consider adding this requirement to Rule 214, Vocational Nursing Education, Rule 215, Professional Nursing</p>	<p>Effective 9/1/2009</p> <p><u>Last Action:</u></p>

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
<p>Hepatitis B Vaccination for Health-Related Students</p>	<p>of higher education.</p>		<p>Education and Rule 219, Advanced Practice Nurse Education.</p> <p>Bill will revise current law that requires students enrolled in a course of study that requires students to provide direct patient care to receive the first shot of a series of Hepatitis B vaccine before beginning the course of study and continue the series while training or working and complete the series according to safety protocols adopted by the Centers for Disease Control and Prevention. This bill would eliminate a barrier for economically disadvantaged students who wish to pursue health careers by ensuring that only individuals at risk of contracting and spreading the disease are required to have the hepatitis B vaccine. Deans/directors will need to be aware of the provisions of this bill if it passes.</p>	<p>H Received from the Senate 03/19/09.</p>
<p>SB 292 (PW) Emergency Contact Information Texas Medical Board</p>	<p>Relating to the requirement that licensed physicians provide emergency contact information to the Texas Medical Board</p>	<p>Nelson</p>	<p>Possible implications for similar requirements for nurses</p>	<p>Effective 9/1/2009</p> <p><u>Last Action:</u> Referred to House Public Health 3/31/09</p>

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
<p>SB 296 (JZ) Prescription Drug Manufacturers</p>	<p>Prescription drug, medical device and medical supply manufacturers that exceed \$1 million annual gross revenue required to disclose payments or transfer of value to the attorney general on a quarterly basis with a summary of information to be provided annually. Certain payments or transfers of value are exempt from disclosure. Quarterly and annual summary reports to be published on AG's website. AG to report to the Legislature information collected and enforcement actions taken annually.</p>	<p>West</p>	<p>TBD.</p>	<p>Effective immediately with 2/3 vote or on 9/1/09. <u>Last Action:</u> Referred to State Affairs, 2/11/2009</p>
<p>SB 302 (PW) In-Home Caregiver Pilot Program</p>	<p>Relating to implementation of an in-home caregiver demonstration project under the Medicaid program</p>	<p>Shapleigh</p>	<p>TBD</p>	<p>Effective 9/1/2009 <u>Last Action:</u> Referred to Senate Health and Human Services 2/11/09</p>
<p>SB 345 (MH) Tuberculosis Screening for HCSSA Personnel</p>	<p>Home and Community Support Services Agencies' (HCSSA) health care personnel will be screened for tuberculosis before providing services.</p>	<p>Nelson</p>	<p>Amends the Health and Safety Code Section 2. The Texas Board of Nursing shall adopt rules required by Section 142.012(b), not later than 1/1/10.</p>	<p>Effective 9/1/2009 <u>Last Action:</u> Referred to Senate Higher Education Committee on 2/11/09 Public Hearing on 4/15/09</p>

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
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81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
<p>SB 476 (MH) Nurse staffing, overtime and other employment protections</p>	<p>Will establish a joint process regarding decisions about nurse staffing issues between hospitals and nurses. Hospitals will be required to develop a nurse staffing committee that develops a written plan on nurse staffing. Committee membership, role and reporting requirements are defined. The nurse staffing plan must include a process that takes into account adequate number and skill mix of nurses to be distributed at the beginning of each shift: 1)The nurse staffing committee recommendations and evaluations must be given significant consideration. 2)The plan is based patient care needs. 3)The plan is a component of the nurse staffing budget. 4)Nurses will provide input. 5)Nurses are protected from retaliation after providing input. 6)Rules will be developed by HHSC, therefore compliance. The plan will: 1) Reflect standards from accrediting bodies, government, nursing and healthcare organizations. 2)Set minimum staffing levels based on: nurse and patient considerations, nursing assessment and evidence-based safe nursing standards, flexibility to meet patient needs, contingency plan when needs exceed staff resources. Hospitals may not require mandatory overtime and nurses can refuse to work overtime. Exceptions have been defined with possible remedies. Hospitals may not retaliate. Nurses may refuse mandatory overtime which does not constitute abandonment or neglect. Nurses who work for state/local governmental entities and allege retaliation may sue the state or local government entity.</p>	<p>Nelson</p> <p align="center">84</p>	<p>Amends the NPA, Sections 301.356, 301.413 and the Health and Safety Code.</p> <p>Implications to BON: Section 301.356 may require a definition of abandonment.</p> <p>Section 301.413 Increase in enforcement caseload from complaints received related to Request for Peer Review Determination (Safe Harbor) . Increase in staff time developing informational resources, revision of the workshop materials and jurisprudence prep-course.</p>	<p>Effective 9/1/2009 HHSC rule adoption by 1/1/10.</p> <p><u>Last Action:</u> Senate engrossed on 3/25/09</p> <p>Referred to House Public Health on 3.13.09</p>

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
<p>SB 628 (MM) Action by Public Entity Against State Agency</p>	<p>A public entity may not bring an action for damages or other relief, including a declaratory judgment, against: (1) the state or a state agency; or (2) an employee of the state or a state agency for an act or omission of the employee in the course and scope of the employee's employment with the state or state agency.</p>	<p>Ogden</p>	<p>Would provide sovereign immunity to state agencies from lawsuits of other public entities.</p>	<p>Effective 9/1/2009 <u>Last Action:</u> Referred to Senate State Affairs 2/23/09</p>
<p>SB 643 (MBT) Improvement of Conditions in State Developmental Centers</p>	<p>Relating to the protection and care of individuals with mental retardation who reside in a state developmental center or the ICF-MR component of the Rio Grande State Center.</p>	<p>Nelson</p>	<p>Texas has been working to improve conditions in its state developmental centers (centers) since 2005, when reports of widespread abuse and neglect in centers surfaced. This legislation is intended to improve centers and addresses several federal governmental concerns. Strengthen reporting requirements.</p>	<p>Effective immediately with 2/3 vote or on 9/1/09. <u>Last Action:</u> 3-9-09 Passed Senate 4-1-09 Received in House Human Services</p>
<p>SB 779</p>	<p>Amends Insurance Code to create an expedited credentialing process for non-</p>	<p>Watson</p>	<p>TBD</p>	<p>Effective 9/1/2009</p>

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
(JZ) Reimbursement	physician health care providers providing services under a managed care plan as part of a provider group.			<u>Last Action:</u> CSSB placed on Senate local and uncontested calendar 4/9/2009
SB 785 (PW) Employee Misconduct Registry	Relating to employee misconduct registry and employee certification posting requirements for certain facilities, investigations and reporting of reportable conduct	Nelson	Includes registration for each CNA employed by or working at the facility, including nursing homes, custodial care homes, assisted living facilities, etc.	Immediately (2/3 Majority or 9/1/09 if enacted) <u>Last Action:</u> Voted favorably from Senate Health and Human Services 4/7/09

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
<p>SB 790 (RW)</p> <p>Clinical Practice Hours Available for Nursing Educational Programs</p>	<p>Relating to clinical practice hours available for professional nursing educational programs at certain hospitals. Includes requirement for BON to establish range of clinical practice hours a nursing student enrolled in a school of nursing or educational program at an institution of higher education is required to complete to receive initial license as RN.</p>	<p>Nelson</p>	<p>Would amend the NPA. Rule 215, Professional Nursing Education, will probably need revision if this bill passes..</p> <p>Involves collection and ongoing monitoring of data on clinical hours available in hospitals for professional nursing educational programs. The database is to be maintained by the Health Professions Council. Also requires the BON to contact the professional nursing educational programs to determine what clinical hours are needed for the different education programs in order to establish a range of clinical practice hours for nursing students to complete in order to receive initial licensure as an RN.</p>	<p>Effective 9/1/2009</p> <p><u>Last Action:</u></p> <p>S Referred to Health and Human Services 03/04/09.</p> <p>Left pending in committee 03/17/09.</p>
<p>SB 791 (PW/RW)</p> <p>Nurse Aide Registry Regulation by Board of Nursing</p>	<p>Relating to the certified nurse aide registry and the regulation of certified nurse aides by the Texas Board of Nursing</p>	<p>Nelson</p>	<p>Major amendments to the NPA giving the BON authority to regulate certified nurse aides. Will require new BON rules. Will add new positions to the BON.</p> <p>Transfers regulation of certified nurse aides and maintenance of the certified nurse aide registry to the Texas BON. Creates a new and separate Board for regulation of certified nurse aides.</p>	<p>Effective 9/1/2009</p> <p><u>Last Action:</u></p> <p>S Referred to Health and Human Services 03/04/09.</p> <p>Left pending in committee 03/17/09.</p>

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
<p>SB 819</p> <p>(MH)</p> <p>Bacterial Meningitis</p>	<p>First-time students of public higher education who will reside in dormitory housing will be required to show evidence of vaccination for bacterial meningitis.</p>	<p>Davis</p>	<p>Amends the Education Code. No impact on the NPA or to the BON. Nurses working in college health settings will be effected.</p>	<p>Effective immediately with 2/3 vote or 9/1/09.</p> <p><u>Last Action:</u></p> <p>Referred to Senate Higher Education Committee on 3/4/09</p> <p>Public Hearing on 4/15/09</p>
<p>SB 821</p> <p>(PW)</p> <p>Radiologic Technology</p>	<p>Relating to regulation of medical radiologic technology, adding “radiologist assistant” to provide radiology services under the supervision of a radiologist</p>	<p>Shapiro</p>	<p>TBD</p>	<p>Effective 9/1/2009</p> <p><u>Last Action:</u></p> <p>Filed 2/12/09; Committee substitute 3/30/09</p>

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
<p>SB 850 Companion: HB 50 (RW)</p> <p>Resident Status Tuition</p>	<p>Relating to information required to establish resident status in connection with tuition and fees charged by public institutions of higher education.</p>	<p>Patrick, Dan</p> <p>Riddle</p>	<p>Should have no impact the NPA or the BON's activities.</p> <p>For the purpose of establishing resident status in connection with tuition and fees charged by public institutions of higher education, the bill requires that a person not authorized by law to be present in the US may not be considered a resident of Texas. Also requires that a person shall submit documentation required by the THECB to verify that a person is authorized by law to be present in the US. Gives THECB authority to adopt rules relating to the required documentation needed to establish residency.</p>	<p>Effective 9/1/2009</p> <p><u>Last Action:</u> S Referred to Higher Education 03/04/09.</p> <p>H Referred to House State Affairs 2/12/09</p>
<p>SB 887</p> <p>(PW)</p> <p>Dental Regulation</p>	<p>Relating to licensing and regulation of dentists, dental hygienists, dental assistants, and dental laboratories; providing penalties</p>	<p>Nelson</p>	<p>TBD</p>	<p>Effective 9/1/2009</p> <p><u>Last Action:</u> Received in House 4/9/09</p>
<p>SB 888</p>	<p>Relating to establishing a pill splitting program to reduce health plan costs for certain public employees.</p>	<p>Nelson</p>	<p>TBD</p>	<p>Effective immediately with 2/3 vote or 9/1/09.</p>

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
(DB) Pill Splitting Program				<u>Last Action:</u> 04/09/2009 H Received from the Senate
SB 889 MH Tax deduction for administration of vaccines	Physicians may exclude from total revenue the cost paid to dispense vaccines.	Nelson	Amends the Tax Code. No impact on the NPA or to the BON.	Takes effect on 1/1/10 <u>Last Action:</u> Filed on 2/17/09 Referred to Senate Finance on 3/9/09
SB 904 (JZ) Controlled Substances	Authorizes a prescribing practitioner to issue multiple prescriptions under certain conditions for a Schedule 2 controlled substance for up to a 90-day supply.	Williams	TBD	Effective immediately if 2/3 vote, or 9/1/2009. <u>Last Action:</u> S Local & uncontested calendar 4/9/2009
SB 911	Amends Occupations Code to prohibit pain management clinics from	Williams	TBD.	Effective 9/1/2009

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
<p>Companion HB 4334 (JZ) Pain Clinics</p>	<p>operating in this state without a license. License expires every two years. Requires Texas Medical Board to adopt rules to ensure quality of patient care and personnel requirements for clinic, including requirements for a physician to practice at a clinic. Provisions for discipline of the owner/operator of the clinic.</p>	<p>Companion: Hamilton</p>		<p>S voted favorably from committee 4/7/2009 H referred to Public Health 3/24/2009</p>
<p>SB 912 (JZ) Controlled Substances</p>	<p>Makes diversion of a controlled substance for personal use or benefit by individuals who have access to the substance by virtue of their profession or employment a state jail felony. Diversion for use or benefit of another individual will become a third degree felony.</p>	<p>Williams</p>	<p>Convictions will have implications for enforcement as nurses at all levels of licensure who are convicted will not be eligible for TPAPN. This will decrease the TPAPN enrollment, although it is not possible to determine to what extent.</p>	<p>Effective 9/1/2009 <u>Last Action:</u> Referred to Criminal Justice 3/9/2009</p>
<p>SB 946 Companion: HB 2030 (VA) Medicaid Drug Utilization Review</p>	<p>Would amend Chapter 531, Government Code relating to the Medicaid Drug Utilization Review Program and prescription drug use under the Medicaid program.</p>	<p>Deuell Zerwas</p>	<p>TBD</p>	<p>Effective 9/1/2009 <u>Last Action:</u> Referred to Senate Health and Human Services 3/9/09 Passed by House 4/8/09</p>

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
<p>SB 1064 (MBT) Child Abuse Investigation</p>	<p>Relating to access to certain records and documents in an investigation of child abuse or neglect.</p>	<p>Watson</p>	<p>Clarifies that CPS may have access to any records or documents of children who are under investigation for abuse or neglect</p>	<p>Effective immediately if 2/3 vote, or 9/1/2009.</p> <p><u>Last Action:</u> 4-7-09 Voted favorable from Health & Human Services Committee</p>
<p>SB 1138 (MH) Regional Poison Control Centers</p>	<p>Establishes 7 Regional Poison Control Centers: UTMB in Galveston, Dallas County Hospital District/North Texas Poison Center, UTHSC at San Antonio, RE Thomason General Hospital - El Paso Hospital District, TTUHSC, Scott & White in Temple. DSHS will coordinate services with the Commission on State Emergency Communications. Poison control information will be provided to parents of newborns.</p>	<p>Duncan</p>	<p>Amends the Health and Safety Code. No impact to the BON or NPA. Nurses working in poison control centers and newborn nurseries will be effected. Reflects TTUHSC is the host for Panhandle Poison Center.</p>	<p>Effective 9/1/2009</p> <p><u>Last Action:</u> Senate Engrossed on 4/9/09 Referred to House on 4/9/09</p>
<p>SB 1148 (MH) Change in definition of Professional Nursing</p>	<p>The definition of professional nursing will change allowing RNs to administer medications or treatments as ordered by a therapeutic optometrist.</p>	<p>Averitt</p>	<p>Amends the NPA, Section 301.002(2)(C): the administration of a medication or treatment as ordered by a physician, podiatrist, or dentist, <u>or therapeutic optometrist</u></p>	<p>Takes effect immediately if 2/3 vote otherwise on 9/1/09.</p> <p><u>Last Action:</u> Referred to Senate Health & Human Services 3/13/09</p>

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
SB 1171 (DB) Health Related Reports	Relating to certain health-related reports, records, and information.	Nichols	TBD	Takes effect immediately if 2/3 vote otherwise on 9/1/09. <u>Last Action:</u> 04/07/2009 S Scheduled for public hearing
SB 1182 (MM) Public Information	The bill creates a deadline of 15 business days within which a copy of written comments must be sent to a requestor under Section 552.301(e-1) (relating to a governmental body that submits written comments to the attorney general).	Wentworth	This is procedural clarification.	Effective 9/1/2009 <u>Last Action:</u> Voted favorably from Senate State Affairs 4/9/09
SB 1240 (MM) Expedited Temporary License for Military or Spouses	A state agency that issues a license shall adopt rules for the expedited issuance of a temporary license to an applicant who: (1) is serving on active duty as a member of the military; (2) was honorably discharged from active duty as a member of the military not more than one year before the date of the application; or (3) is the spouse of a person who is serving on active duty as a member of the military.	Van de Putte	No effect on BON.	Effective 9/1/2009 <u>Last Action:</u> Meeting on 4/15/09 in Senate Veteran Affairs/Military Installations

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
<p>SB 1281 (JZ) Controlled Substances</p>	<p>Establishes criminal penalties for fraudulently obtaining prescriptions for controlled substances from practitioners. Concealing that the person has an existing prescription for a controlled substance issued by another practitioner for the same period of time is included as a behavior for which criminal penalties may be applied.</p>	<p>Williams</p>	<p>Convictions will have implications for enforcement as nurses at all levels of licensure who are convicted will not be eligible for TPAPN. This will decrease the TPAPN enrollment, although it is not possible to determine to what extent.</p>	<p>Effective 9/1/2009 <u>Last Action:</u> S voted favorably from committee 4/7/2009</p>
<p>SB 1287 (MH) Release of Certain Reports, Records and Information</p>	<p>Certain communicable disease reports may be released to DSHS, local health authorities, CDC, USPHS, physicians, nurses who have a legitimate need to know the test results to provide for own safety, patient's safety, patient, someone legally authorized to consent for a patient, spouse of a person tested positive for AIDS or HIV.</p>	<p>West</p>	<p>Amends the Health and Safety Code. No direct impact to the NPA or to the BON. Nurses working with releasing certain health information may be effected.</p>	<p>Effective immediately with 2/3 vote or on 9/1/09. <u>Last Action:</u> Referred to Senate Health & Human Services on 3/31/09 Scheduled for Senate Public Hearing on 4/7/09</p>

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
<p>SB 1301</p> <p>SB 1302</p> <p>MH</p> <p>Student Access to Autism Services</p>	<p>Students will have a choice where they can attend school provided the school offers autism services.</p> <p>As above</p>	<p>Shapiro</p> <p>Shapiro</p>	<p>Amends the Education Code. No direct impact on the NPA or to the BON. Nurses working with students will be effected.</p> <p>As above.</p>	<p>Effective 9/1/2009</p> <p><u>Last Action:</u> Filed on 3/3/09. Referred to Senate Education Committee on 3/17/09 Senate Public Hearing on 4/7/09</p> <p>Filed on 3/3/09 Referred to Senate Education Committee on 3/17/09</p>
<p>SB 1312</p> <p>(RW)</p> <p>Funding for Junior Colleges</p>	<p>Relating to programs and funding to support adult and postsecondary education and workforce development at public junior colleges and public technical institutes.</p>	<p>Shapiro</p>	<p>Should have no impact the NPA. Could have impact on the BON's activities related to new program approval.</p> <p>Could increase the number of new nursing programs seeking BON approval. Passage of bill would establish a grant program for funding for JOBS AND EDUCATION FOR TEXANS (JET). The funding can be used to expand and support programs in public junior colleges and public technical institutes that prepare and technical education programs; and provide scholarships for students. Eligibility criteria for programs is outlined in the bill. Bill creates an advisory board of education and workforce stakeholders to assist</p>	<p>Effective 9/1/2009</p> <p><u>Last Action:</u> H Referred to Higher Education 03/17/09.</p>

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Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
			<p>the comptroller in administration and outlines the composition of this advisory board. If this bill is passed, deans/directors of nursing programs need to be aware of the provisions in the bill. Could increase the number of new nursing programs seeking BON approval.</p>	
<p>SB 1313 (RW)</p>	<p>Relating to the quality and accessibility of public school career and technical education programs.</p>	<p>Shapiro</p>	<p>Should have no impact the NPA and only minimal impact the BON's nursing program approval activities.</p> <p>The bill includes provisions for the establishment of education resource centers to create an interest in attendance at institutions of higher education. Provides for development of mathematics and science courses for high-demand occupations. Grant funding would be available for institutions of higher education to partner with ISDs in developing courses in high schools for dual credit. If passed, deans/directors of nursing education programs need to be aware of the provisions in the bill.</p>	<p>Effective 9/1/2009</p> <p><u>Last Action:</u> H Referred to Education 03/17/09.</p>
<p>SB 1314 (PW) Acupuncture</p>	<p>Relating to regulation of the practice of acupuncture</p>	<p>Harris</p>	<p>TBD</p>	<p>Effective 9/1/2009</p> <p><u>Last Action:</u> Filed 3/4/09; Committee substitute 4/2/09</p>

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
<p>SB 1326 (MBT) Statewide Health Coordinating Council</p>	<p>Relating to the functions of the Statewide Health Coordinating Council</p>	<p>Nelson</p>	<p>This council is ensure that health care services and facilities are available to all citizens in an orderly and economical manner. Includes a RN appointed by the Governor on the council</p>	<p>Effective immediately with 2/3 vote or 9/1/09. <u>Last Action:</u> 3-17-09 Referred to Senate Health & Human Services Committee</p>
<p>SB 1328 (MH) Feasibility Study to Provide Immunizations to First Responders</p>	<p>DSHS will conduct a study to determine the feasibility of providing Hepatitis B, Tetanus and other vaccines recommended by CDC to first responders and their families before deployment to disaster areas and their immediate family members.</p>	<p>Nelson</p>	<p>Amends the Health and Safety Code. No direct impact on the NPA or to the BON. Nurses being deployed to disasters or administering immunization will be effected.</p>	<p>Effective immediately with 2/3 vote or 9/1/09. <u>Last Action:</u> Referred to Senate Health and Human Services on 3/17/09 Reported favorably as substituted on 4/6/09</p>
<p>SB 1331 (PW) Texas Physician Health Program</p>	<p>Relating to creation of the Texas Physician Health Program, established to promote: physician and PA wellness; and treatment of health conditions that have the potential to compromise the physician or PA's ability to practice with reasonable skill and safety, including mental health, substance abuse, and addiction issues</p>	<p>Nelson</p>	<p>TBD</p>	<p>Effective 9/1/2009 <u>Last Action:</u> Referred to Senate Local/Uncontested Calendar 4/8/09</p>

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
<p>SB 1394 (RW) Availability of Degree Programs</p>	<p>Relating to notification of an applicant for admission to a general academic teaching institution regarding the availability of degree programs in the applicant's preferred major field of study offered by other institutions.</p>	<p>Zaffirini</p>	<p>Should have no impact the NPA or the BON rules or activities.</p> <p>Passage of this bill will require that when a student applicant applies for admission to a general teaching institution by electronic application form, the applicant must promptly be directed to a notification regarding the availability of degree programs in that field of study offered by general academic teaching institutions. If the institution denies admission to the student, a notice of denial with detailed information must be made available on the application website. This process could have significant impact on increasing the admission and enrollment of nursing students who are denied admission by one or more general teaching institutions if an electronic application process is in place at these institutions.</p>	<p>Effective 9/1/2009</p> <p><u>Last Action:</u> H Referred to Higher Education 03/17/09.</p>
<p>SB 1397 Companion: HB 3230 (Similar) (RW) Equivalency of Competency-Based Nursing</p>	<p>Relating to establishing the equivalency of competency-based nursing education programs in other states that meet standards of quality equivalent to nursing education programs approved by the Texas Board of Nursing.</p> <p>Note: This bill is similar to HB 3230, but this bill specifically addresses only out-of-state competency-based nursing education programs and includes the addition of a new subsection related to a</p>	<p>Deuell Pitts</p>	<p>Passage of this bill would significantly amend the NPA, Section 301.157, Subsection (d-4), Occupations Code and add subsection (d-4-a) to Subsection (d-4) of the NPA.</p> <p>If this bill passes, out-of-state competency-based nursing education programs approved by the regulatory authorities of that state and meeting certain other criteria outlined in the bill, would be considered to meet standards of quality equivalent to the BON's standards. These out-of-state competency-based nursing programs would be</p>	<p>Effective 9/1/2009</p> <p><u>Last Action:</u> Pending in Senate Health and Human Services 4/7/09</p> <p>H Pending in Health Public Health 03/31/09.</p>

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
Education Programs	graduate from this type of professional nursing education program being eligible for licensure as a registered nurse.		exempt from standards that Texas nursing educational programs are required to meet. This bill adds language to the NPA that states that an applicant successfully completing a professional nursing of this type in another meets the requirements to be eligible for licensure as a registered nurse.	
<p>SB 1407 (MBT)</p> <p>Creates State Developmental Center Authority</p>	<p>Relating to the creation of the State Developmental Center Evaluation Authority and the residential placement of individuals with mental retardation.</p>	<p>Shapleigh</p>	<p>Creates a State Developmental Center Authority to evaluate and make recommendation regarding State Developmental Centers which are supported and structured residential facility operated by DADS to provide to clients with mental retardation a variety of services, including medical treatment, specialized therapy, and training in the acquisition of personal, social, and vocational skills. It is not clear in the bill if these centers replace state schools but the definition does include state schools. Appears to take authority away from DADS.</p>	<p>Effective immediately with 2/3 vote or 9/1/09.</p> <p><u>Last Action:</u> 4-16-09 Hearing in Health & Human Services Committee</p>
<p>SB 1409 (MH)</p> <p>First Responder Definition and Immunization Registry</p>	<p>Defines a first responder and any related support personnel who may respond to a disaster</p>	<p>Shapleigh</p>	<p>Amends the Health and Safety Code. No direct impact on the NPA or to the BON. Nurses may be first responders.</p>	<p>Effective immediately with 2/3 vote or 9/1/09.</p> <p><u>Last Action:</u> Senate Engrossed on 4/9/09</p> <p>House Recieved on 4/9/09</p>

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
SB 1474 (DB) Emergency Services Personnel	Relating to compensation for certain emergency services personnel.	Nichols	TBD	Effective 9/1/2009 <u>Last Action:</u> 04/14/2009 S Placed on intent calendar
SB 1500 (PW) Physicians at Certain Hospitals	Relating to the employment of physicians by certain hospitals	Hinojosa	TBD	Effective 9/1/2009 <u>Last Action:</u> Voted from Senate State Affairs 4/9/09
SB 1520 (MBT) Rights Protection for Individuals with Mental Retardation	Relating to the protection and care of individuals with mental retardation residing in certain residential care facilities.	Shapleigh	Defines the incidences when an individual with mental retardation may refuse medications. Also defines when a medication can be administered when the individual refuses.	Effective immediately with 2/3 vote or 9/1/09. <u>Last Action:</u> 4-07-09 Voted favorably out of Health & Human Services Committee

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
SB 1565 (PW) Therapeutic Optometrists & Immunizations	Relating to administration of immunizations and vaccinations by therapeutic optometrists	Van de Putte	TBD	Effective 9/1/2009 <u>Last Action:</u> Referred to Senate Health and Human Services 3/17/09
SB 1612 MH Velocardiofacial Syndrome	HHSC will provide information to assist children and families diagnosed with velocardiofacial syndrome.	Lucio	Amends the Human Resource Code. No direct impact on the NPA and BON. Nurses working in health and human service agency with children will need to know and comply.	Effective 9/1/2009 <u>Last Action:</u> Referred to Senate Public Health Committee on 3/17/09 Schedule for Public Health on 4/14/09
SB 1626 (MBT) Confidential Statements to Mental Health Professionals	Relating to the reporting of certain confidential statements made to a mental health professional.	Wentworth	Provides immunity to a health professional who reports to law enforcement when a patient communicates a threat of violence to a person. Outlines what must be documented by the law enforcement agency.	Effective 9/1/2009 <u>Last Action:</u> 4-14-09 Hearing in Health & Human Services Committee

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Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
<p>SB 1663 (RW) Advance Directives</p>	<p>Relating to the disregard or violation of a resident's advance directive by a nursing institution; providing penalties.</p>	<p>Wentworth</p>	<p>Passage of this bill could have impact on the BON rules related to a nurse's duty to the patient and unprofessional conduct by a nurse. The BON rules (Rule 217.12) would probably need to be revised to include these provisions.</p> <p>Language in this bill states that the act of an institution or person who knowingly disregards or violates a resident's advance directive, constitutes abuse and neglect of the resident and allows assessment of an administrative penalty.</p>	<p>Effective 9/1/2009</p> <p><u>Last Action:</u> H Referred to Health and Human Services 03/20/09.</p>
<p>SB 1706 (JZ) Prescribing Info</p>	<p>Requires HHSC to develop unbiased, evidence-based prescription education service to provide health care professional who prescribe or dispense with information on comparative efficacy, safety, and cost effectiveness of prescription products to practitioners who or are reimbursed by state funded health care programs in their place of business. Prescriber educators and the program will be funded by annual fees imposed on wholesale pharmaceutical distributors that utilize/employ marketing representatives.</p>	<p>West</p>	<p>None specifically.</p> <p>APRNs with prescriptive authority need to be aware.</p>	<p>Effective dates: Rules adopted & fees paid: 1/1/2010 and education service to be established: 9/1/2010</p> <p><u>Last Action:</u> Referred to Senate Health and Human Services 3/20/09</p>
<p>SB 1719 (JZ) Prescriptive Authority</p>	<p>Amends Medical Practice Act to expand authority for physicians to delegate to APRNs prescribing controlled substances in schedules 3-5. Prescription period extended to 90 days. Refill authorizations may be</p>	<p>Uresti</p>	<p>Although not expressly granted rule-making authority, will require rule change to Rule 222 to be consistent with requirements in Medical Practice Act. Will need to educate APRNs with prescriptive authority.</p>	<p>Effective 9/1/2009</p> <p><u>Last Action:</u> Referred to Health & Human Services</p>

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Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
	granted by protocol rather than consultation with physician. Extends delegation authority to five FTE APRNs or PAs in physician's primary practice sites and alternate sites. Alternate sites may be up to 90 miles from physician's residence or primary practice site with physician on site once every ten business days. Allows for electronic chart review in alternate site.			3/20/2009
<p>SB 1749</p> <p>Companion: HB 3376</p> <p>(JZ)</p> <p>Anesthesia Assistants</p>	<p>Creates licensure process for anesthesiologist assistants and creates a board to oversee their practice that would be advisory to the Texas Medical Board. Only anesthesiologists can delegate to anesthesiologist assistants. Practice protocols are required. States anesthesiologist is responsible for oversight of all care provided by anesthesiologist assistants at all times.</p>	<p>Uresti</p> <p>Companion: John Davis</p>	<p>TBD.</p>	<p>Effective 9/1/2009. Licensure not required until 9/1/2010.</p> <p><u>Last Action:</u> SB referred to Health & Human Services</p> <p>HB Referred to Public Health 3/18/2009</p>
<p>SB 1797</p> <p>(RW)</p> <p>Future Scholars Pilot Program</p>	<p>Relating to the creation of the Texas Future Scholars Pilot Program and the Workforce Shortage Education Loan Repayment Program and to the elimination of certain other student financial assistance programs.</p>	<p>Zaffirini</p>	<p>Does not directly affect the NPA. Some implication for nursing educational programs approved by the BON.</p> <p>Provides for tuition and loan repayment funding for qualified students during last two years in highschool and into college, but student must work in a shortage area for a portion of their last two years in high school and into college. Could</p>	<p>Effective 9/1/2009</p> <p><u>Last Action:</u> H Referred to Higher Education 03/20/09.</p>

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Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
			affect admissions and enrollment for nursing education programs. Deans/directors of nursing programs need to be aware of the provisions in this bill.	
SB 1800 (VA) Student Success in Higher Education	Relating to methods for increasing student success and degree completions at institutions of higher education.	Zaffirini	TBD	Effective 9/1/2009 Last Action: S Filed 03/11/09 Referred to Committee on Senate higher Education 03/20/09
SB 1886 Companion: HB 3472 (JZ) Women & children	Adds requirement for HIV testing of pregnant women in 3rd trimester. Provides for testing at time of delivery if results not found in prenatal record. Provisions for testing of newborns within first two hours of life if prior testing not completed.	Ellis Coleman	TBD. Nurse-midwives will need to be aware.	Effective 9/1/2009 for implementation on 1/1/2010 Last Action: SB: Referred to Health & Human Services 3/24/2009 HB: Referred to Public Health 3/19/2009

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Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
<p>SB 2013</p> <p>MH</p> <p>Interoperable Health Information Technology</p>	<p>Relates to interoperable health information technology. Or the exchange of information. The state will develop a network to access health care data, in order to share information. Prescription drugs and diagnostic and treatment services will have computer order entry capability. Patient safety alerts and near miss tools available.</p>	<p>Hinojosa</p>	<p>Amends the Health and Safety Code. No direct impact on the NPA or BON. Potential for collecting, analysis and reporting of data on adverse events, near misses, the quality and efficiency of care and other performance measures.</p>	<p>Effective 9/1/2009</p> <p><u>Last Action:</u> Referred to Senate Health & Human Services Committee on 3/24/09</p>
<p>SB 2078</p> <p>(JZ)</p> <p>Newborn Screens</p>	<p>Requires birthing facilities to perform hearing screening on newborns within 30 days of birth. Requires establishment of standards for hearing screening programs and adds requirement for physician supervision of those programs.</p>	<p>Uresti</p>	<p>TBD</p>	<p>Effective 9/1/2009</p> <p><u>Last Action:</u> Referred to Health & Human Services 3/31/2009</p>
<p>SB 2159</p> <p>MH</p> <p>Nurse-Family Partnership</p>	<p>HHSC will provide grant funding to applicants for at least 2000 families to implement the Nurse-Family Partnership program.</p>	<p>Shapiro</p>	<p>Amends the Government Code. No direct impact on the NPA or BON. Nurses working in the NFP competitive grant program will need to know and comply.</p>	<p>Effective 9/1/2009</p> <p><u>Last Action:</u> Referred to the Senate Health & Human Services Committee on 3/31/09</p>

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
SB 2203 (PW) Surgical Technologists	Relating to qualifications of surgical technologists; imposing penalties	Uresti	TBD	Effective 9/1/2009 <u>Last Action:</u> Referred to Senate Health and Human Services 3/31/09
SB 2260 MH Traumatic Brain Injury	Licensing and regulation of post-acute traumatic brain injury rehabilitation facilities.	Zaffirini	Amends the Health and Safety Code. Nursing care is defined as services provided by nursing personnel prescribed by a physician. Defines staffing ratios.	Effective 9/1/2009 <u>Last Action:</u> Referred to Senate Health & Human Services Committee on 3/31/09
SB 2336 (PW) Texas Medical Board	Relating to powers and duties of the Texas Medical Board and creation of a commission to advise the Board, receiving and investigating complaints by patients and license holders concerning operations of and disciplinary actions taken by the Board	Patrick, Dan	TBD	Effective 9/1/2009 <u>Last Action:</u> Referred to Senate Health and Human Services 3/31/09
SB 2346 Companion HB 2028 Duplicate	Identifies administration of botox, dermal fillers, cosmetic or aesthetic medical treatments or use of laser of intense pulsed light device as the practice of medicine. Limits provision of such services to physicians or	Hinojosa Zerwas Deuell	Appears to remove nurses at all levels of licensure from practice in settings providing cosmetic services. Unknown how many nurses currently practice in this area.	Effective 9/1/2009 <u>Last Action:</u> SB 2346: Filed 3/13/2009

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
SB 2427 (JZ) Cosmetic Procedures	physician assistants.			HB 2028: Referred to Public Health 3/9/2009 SB 2427: Filed 3/13/2009
SB 2397 (PW) Physicians, PAs, Acupuncturists, and Surgical Assistants	Relating to licensing and regulation of physicians, PAs, acupuncturists, and surgical assistants	Nelson	TBD	Effective 9/1/2009 <u>Last Action:</u> Senate Health and Human Services meeting set for 4/14/09
SB 2398 (PW) Texas Medical Board	Relating to the powers and duties of Texas Medical Board; includes meeting at least twice a year on days other than regularly scheduled board meetings to receive public testimony about board conduct and requires Executive Director to be a licensed physician	Nelson	TBD	Effective 9/1/2009 <u>Last Action:</u> Referred to Senate Health and Human Services 3/31/09

81ST TEXAS LEGISLATURE - BILL TRACKING REPORT

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
<p>SCR 45 (MBT) Sovereign Immunity Waived for Injured State School Residents</p>	<p>Granting certain current and former residents of Texas state schools and state centers who have been injured as a result of their residency in those facilities permission to sue the State of Texas and Dept of Aging and Disability Services</p>	<p>Ellis</p>	<p>Overview of grievances of DADS including failure to provide nursing services and treatment critical to ensuring safety of their residents.</p>	<p>No effective date indicated. Last Action: 3-31-09 Referred to Committee on Senate Jurisprudence</p>
<p>SJR 19 (MM) Historical Items</p>	<p>As proposed, S.J.R. 19 adds categories to the list of historical items for which the legislature may appropriate funds in the interest of preserving or perpetuating memorials of the history of Texas. It allows the legislature or a state agency to accept gifts, on behalf of the state, of items of historical value and contributions to purchase items of historical value.</p>	<p>Williams</p>	<p>This would allow the BON to accept funds to purchase historical items.</p>	<p>Effective 9/1/2009 Last Action: Reported favorably from Senate Committee on Administration 2/2/09</p>