

Agenda Item: 7.6
January 21-22, 2016
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**Consideration of Proposed Amendment to 22 Tex. Admin. Code §211.6,
Pertaining to *Committees of the Board***

Background: Section 301.1595 of the Nursing Practice Act requires the Board to adopt rules regarding the purpose, structure, and use of its advisory committees. The section also includes a list of several other issues that the Board must address by rule.

The proposed amendments update the rule to ensure compliance with the requirements of the statute and include provisions that are consistent with proposed amendments to Board Rule §213.23 (relating to *Decision of the Board*)¹.

Board Action: Move to approve the proposed amendments to 22 Tex. Admin. Code §211.6, pertaining to *Committees of the Board*, as set out in Attachment "A", with authority for the General Counsel to make editorial changes as necessary to clarify rule and Board intent and to comply with the formatting requirements of the *Texas Register*. If no negative comments and no request for a public hearing are received, move to adopt the proposed amendments to 22 Tex. Admin. Code §211.6, pertaining to *Committees of the Board*, as proposed.

¹ Authorizes the Eligibility and Disciplinary Committee of the Board to consider and resolve default dismissals from the State Office of Administrative Hearings pursuant to Tex. Gov't Code §2001.058(d-1).

Attachment "A"

§211.6. Committees of the Board.

(a) (No change.)

(b) Eligibility and Disciplinary Committee.

(1) - (2) (No change.)

(3) Duties and powers. The disciplinary committee shall have the authority to determine all matters of eligibility for licensure and discipline of licenses, including temporary suspension of a license, ~~[and]~~ administrative and civil penalties, and consideration and resolution of a default dismissal from the State Office of Administrative Hearings pursuant to Tex. Gov't Code §2001.058(d-1).

(4) - (5) (No change.)

(c) - (e) (No change.)

(f) Advisory Committees. The president may appoint, with the authorization of the board, advisory committees for the performance of such activities as may be appropriate or required by law.

(1) The board has established the following committees that advise the board on a continuous basis or as charged by the Board:

(A) - (D) (No change.)

~~[(E) the Deferred Disciplinary Action Pilot Program Advisory Committee (DDAPPAC) assists the Board in overseeing and evaluating the deferred disciplinary action pilot program under §213.34 of this title (relating to Deferred Disciplinary~~

Action Pilot Program). ~~The DDAPPAC shall be abolished when the deferred disciplinary action pilot program under §213.34 of this title comes to an end, but in no event later than January 1, 2014. The DDAPPAC is comprised of representatives from the following:]~~

~~[(i) Texas Association of Vocational Nurse Educators (TAVNE);]~~

~~[(ii) Licensed Vocational Nurses Association of Texas (LVNAT);]~~

~~[(iii) Texas League of Vocational Nurses (TLVN);]~~

~~[(iv) Texas Organization of Associate Degree Nursing (TOADN);]~~

~~[(v) Texas Organization of Baccalaureate and Graduate Nurse Educators (TOBGNE);]~~

~~[(vi) Texas Nurses Association (TNA);]~~

~~[(vii) Texas Organization of Nurse Executives (TONE);]~~

~~[(viii) Coalition for Nurses in Advanced Practice; and]~~

~~[(ix) other members approved by the Board, including members of public advocacy organizations.]~~

(2) Members shall be appointed by the Board. The Board may amend [the] committee memberships as needed.

(3) A board member or members appointed by the President of the board or the board may serve as a liaison(s) to a committee and report to the Board the

recommendations of the committee for consideration by the Board. The role of a board member liaison, however, is limited to clarifying the board 's charge and intent to the advisory committee.

(4) (No change.)

(5) Each committee's work and usefulness shall be evaluated periodically [annually].

(6) The committees will provide notice of meetings[~~, as feasible,~~] on the Secretary of State's web site to allow the public an opportunity to participate.

(7) (No change.)

(8) Committees may identify topics and/or issues for development and communication to the Board for the consideration and/or issuance of a formal charge. [~~The committee may consult with the board liaison(s) to authorize the committee to investigate identified topics or issues pending the development and communication of a formal charge by the Board].~~

(9) The majority of the members of a Committee must be present at a meeting in order to establish a quorum. Committee members will be expected to attend meetings. The chairperson has the discretion to recommend the dismissal of a member who does not regularly attend. The Board or Executive Director has the authority to approve the dismissal of a member.

(10) - (12) (No change.)

(13) Committee members may request and/or receive training as necessary to assist them in completing their work.