

Summary of Request:

Staff is requesting the Board amend rule 217.4 to allow internationally educated nurses living in Texas to participate in a program that provides education in the United States healthcare system and current nursing and clinical practice.

Historical Perspective:

The Texas Board of Nursing has been approached by a constituent who is providing nursing education to internationally educated nurses in Texas to allow her students to participate in a clinical experience. She prepares them in the current nursing practice of the United States and facilitates language courses to prepare them to take the NCLEX. Her challenge is that her students do not have a legal means of participating in some type of clinical experience in Texas. This is a private venture and voluntary. These students are not enrolled in a Texas school of nursing so they cannot receive a GN permit. We have also had this request from internationally educated nurses on an individual basis. The Board voted at their October, 2008 meeting to direct staff in proposing this revision.

Pros and Cons:

Pros: By allowing internationally educated nurses a clinical experience in Texas, the probability of passing the NCLEX is higher and thus the State of Texas would have more practicing nurses.

Cons: None

Staff Recommendation:

Board Action: Move to approve the proposed amendment to §217.4 *Requirements for Initial Licensure by Examination for Nurses Who Graduate from Nursing Education Programs Outside of United States' Jurisdictions*, and authorize staff to publish the rules with the proposed amendments in the *Texas Register* for a 30-day comment period, with authority for General Counsel to make editorial changes as necessary to clarify rule and Board intent. If negative comments are not received, adopt Rule 217.4 with the proposed amendments.

§217.4. Requirements for Initial Licensure by Examination for Nurses Who Graduate from Nursing Education Programs Outside of United States' Jurisdictions.

(a) – (d) (No change).

(e) Accustomation Permit.

(1) An applicant who has graduated from an accredited nursing program outside the United States may apply to the Board for a six month accustomation permit by completing an application and paying a fee. An applicant holding an accustomation permit under this subsection may participate in nursing education courses and clinical experiences.

(2) An applicant is eligible to apply for an accustomation permit under this subsection only if the applicant has:

(A) graduated from an accredited nursing program outside the United States;

(B) never taken the NCLEX-PN (LVN applicants) or NCLEX-RN (RN applicants); and

(C) successfully completed a credential evaluation service from a board approved credentialing agency.

(3) An applicant holding an accustomation permit under this subsection may only participate in nursing education courses and clinical experiences under the direct supervision of a registered nurse who holds a current and unencumbered Texas license. For purposes of this subsection only, direct supervision requires a registered nurse to be working with the applicant at all times. At no time shall an applicant be left alone with a patient.

~~(f)~~ Upon initial licensure by examination, the license is issued for a period ranging from six months to 29 months depending on the birth month. Licensees born in even-numbered years shall renew their licenses in even-numbered years; licensees born in odd-numbered years shall renew their licenses in odd-numbered years.