

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

### **Legislative Report - 81<sup>st</sup> Regular Texas Legislative Session**

The report that follows includes all bills followed by Board staff which were enacted by the Texas Legislature. Bills included in the April 2009 Board Report (Item 1.3) which were not enacted by the legislature are not included in this report. Nursing, Legal and Operations staff member assistance was instrumental in following and reporting on the bills included in this report. Because bills were distributed to staff members by topic areas determined early in the session, some staff members received a larger number of bills to follow. The staff members which reported on the bills are listed by their initials in the first column of the report. Bills impacting the Nursing Practice Act or other sections of the Occupations Code which are applicable to the Board of Nursing are included first in this report. They are followed by bills related to nursing practice or agency operations.

## Bills Amending Nursing Practice Act:

Bill Number	Bill Summary	Author(s)	Implications for BON/NPA	Effective Date
<p><b>HB 3961</b></p> <p><b>Nurse Evaluation related to Fitness for Practice</b></p> <p>(Legal)</p> <p>(Note: HB 3961 included language related to Nursing Education. See box below.)</p>	<p>HB 3961 (Sections 1; 7-14) amends the Occupations Code Chapter 301 (NPA) and authorizes new renewal surcharge fees, makes a nurse's personal contact information confidential in certain situations, makes information regarding an individual's diagnosis or treatment for a physical or mental condition or chemical dependency confidential, prescribes requirements for physical and psychological evaluations, and authorizes temporary license suspension for drug or alcohol use in certain situations.</p>	<p><b>Author:</b> McReynolds, Pena <b>Sponsor:</b> Nelson</p>	<p>HB 3961 authorizes the Board to charge a renewal surcharge fee of not less than \$3 or more than \$5 for an RN and not less than \$2 and not more than \$3 for a LVN. New §301.206 makes a nurse's personal contact information collected by the Board for use by an emergency relief program confidential and not subject to disclosure. New §301.207 makes information collected by the Board regarding a person's diagnosis or treatment for a physical condition, mental condition, or chemical dependency confidential by law. The definition of <i>minor incident</i> in §301.257 has been amended to reference "minor error" and "minor violation".</p> <p>Under new §301.4521, <u>the Board may require an evaluation to determine fitness to practice if probable cause exists</u> that there is physical or mental impairment, chemical dependency, or abuse of drugs or alcohol. If an individual refuses to submit to a requested evaluation, the individual may request a SOAH hearing on the issue of probable cause. The Board may refuse to issue or renew the individual's license, suspend the individual's license, or issue the individual a limited license <u>if an individual refuses to submit to an evaluation after a SOAH confirming probable cause.</u> <u>Additionally,</u> the Board may request an evaluation from an individual for a reason other than physical or mental impairment, chemical dependency, or abuse of drugs or alcohol. In those cases, if the individual refuses to consent to the evaluation, the individual is prohibited from introducing any <u>independent evaluation evidence</u> at SOAH unless the individual first meets certain, prescribed conditions. The Board is required to establish by rule the qualifications for a licensed practitioner to conduct various evaluation under the new section and guidelines for requiring or requesting an individual to submit to an evaluation under the new section.</p> <p>Section 301.4535(b) has been amended to clarify that the Board may not issue a license, shall refuse to renew a license, and shall revoke a license upon a final conviction or a plea of guilty or nolo contendere for an offense listed in §301.4535(a) (offenses such as murder, sexual assault, endangerment of a child, etc). Further, an individual is not eligible for a probationary, stipulated or otherwise encumbered license for an offense under §301.4535(a) unless the Board has established by rule criteria that would permit such issuance or renewal of the license.</p> <p>New §301.4551 authorizes the Board to temporarily suspend a nurse's license if the nurse is under a Board order prohibiting the use of alcohol or drugs or requiring participating in a peer assistance program and the nurse tests positive for alcohol or drugs, refuses to submit to a drug or alcohol test, or fails to participate in the peer assistance program and the program refers the nurse to the Board for noncompliance.</p> <p>Section 301.468 has been amended to limit a hearing under the section to a determination of whether a person violated the terms of his or her probation order and whether the Board should continue, rescind, or modify the terms of probation or deny, suspend, or revoke the person's license. Further, amended §301.468 provides that a positive drug or alcohol test, refusal to submit to a drug or alcohol test, or a letter of noncompliance from a peer assistance program is sufficient to establish the violation of a condition of probation, where the condition in question required abstinence from drugs and alcohol.</p>	<p>Effective: 6/19/09</p>

<p><b>HB 3961</b></p> <p><b>Implications for Nursing Education</b></p> <p>(RW)</p>			<p>Implications for Texas BON Education:</p> <p>This bill amends the Texas NPA, establishes the terms by which a nursing program is considered to meet standards substantially equivalent to the board's standards, and authorizes the board to issue a license in certain circumstances to a graduate of a program in another state that is approved by the board. The bill requires to the extent funding is available, the Texas Nursing Resource Center to conduct a study of alternate ways to assure clinical competency of graduates of nursing educational programs. The bill requires the Texas Nursing Resource Center to contract with an independent researcher to develop the research design and conduct the research. The independent researcher shall be selected by a nursing advisory committee composed various representatives of nursing as outlined in the bill. The bill also authorizes the Texas Higher Education Coordinating Board to consider the Nursing Resource Center for grants issued to institutions proposing to address the shortage of registered nurses. The bill authorizes the Texas BON to increase the range of the surcharge for renewal for a registered nurse of at least \$3 and no more than \$5 and a surcharge for a vocational nurse of at least \$2 and not more than \$3 to transmit to the Department of State Health Services for the Nursing Resource Center. Additionally, the bill would requires the Nursing Resource Center to apply for the maximum amount of grant funds available through the National Council of State Boards of Nursing and other eligible grants that could be used to fund the study.</p>	<p>Effective: 6/19/09</p>
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<p><b>HB 4353</b></p> <p><b>Border Nurse Licensing</b></p> <p>(MM)</p>	<p>Relating to the licensing of certain nurses who will practice in border counties.</p>	<p><b>Author:</b> 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: 9/1/09</p>
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<p><b>SB 476</b></p> <p><b>Nurse Staffing, Overtime and Other Employment Protections</b></p> <p>(MH)</p>	<p>Will establish a joint process regarding decisions about nurse staffing issues between hospitals and nurses.</p>	<p><b>Author:</b> Nelson</p>	<p>Amends the NPA to read: <u>Sections 301.356. Refusal of Mandatory Overtime. The refusal by a nurse to work mandatory overtime as authorized by Chapter 258, Health and Safety Code, does not constitute patient abandonment or neglect.</u></p> <p>Implications to BON: Section 301.356 may require a definition of abandonment.</p> <p>Amends the NPA Section 301.413, by amending Subsections (b), (c), and (e), and adding Subsection (g). Will increase enforcement caseload from complaints received related to Request for Peer Review Determination (Safe Harbor). Will increase staff time developing informational resources, revision of the workshop materials and jurisprudence prep-course.</p> <p>Amends the Health and Safety Code.</p> <p>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:</p> <ol style="list-style-type: none"> <li>1) The nurse staffing committee recommendations and evaluations must be given significant consideration.</li> <li>2) The plan is based patient care needs.</li> <li>3) The plan is a component of the nurse staffing budget.</li> <li>4) Nurses will provide input.</li> <li>5) Nurses are protected from retaliation after providing input.</li> <li>6) Rules will be developed by HHSC, therefore compliance.</li> </ol> <p>The plan will:</p> <ol style="list-style-type: none"> <li>1) Reflect standards from accrediting bodies, government, nursing and healthcare organizations.</li> <li>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.</li> </ol> <p>Nurses employed in hospital settings will need to know and conform.</p>	<p>Effective: 9/1/09</p>
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<p><b>SB 1415</b></p> <p><b>Deferred Disciplinary Action</b></p> <p>(JA)</p>	<p>Amends the Occupations Code Chapter 301 (NPA) and authorizes a pilot program regarding deferral of final disciplinary actions and the use of corrective actions .</p>	<p><b>Author:</b> Hegar <b>Sponsor:</b> McReynolds</p>	<p>Under new Subchapter D, the Board is required to determine the feasibility of conducting a pilot program regarding deferral of final disciplinary actions by February 1, 2010. If the Board determines that the pilot program is feasible, the Board is required to implement the program by February 1, 2011. The Board is required to appoint an advisory committee to assist in overseeing the pilot program and may contract with a third party to evaluate the pilot program. Under the pilot program, the Board may offer deferral of final disciplinary action in cases that do not involve reprimands, denials, suspensions, or revocations of licenses. The Board may dismiss complaints against persons who complete all required conditions imposed by the Board pursuant to the pilot program. The pilot program must conclude no later than January 1, 2014.</p> <p>Under new Subchapter N, the Board is authorized to impose corrective actions, which may consist of a fine, remedial education, or a combination of a fine and remedial education, for certain violations of the NPA or Board rules and policies. Corrective actions are not disciplinary actions and are not generally subject to disclosure. The Board is required to adopt guidelines for the types of violations for which a corrective action may be imposed. If a person accepts an offer for a corrective action, the matter will be closed. However, if the person chooses not to accept an offer for a corrective action, the Board may dispose of the complaint as a disciplinary action . Periodic reports to the Board on the number of corrective actions, the types of violations for which corrective actions were imposed, and whether the affected persons accepted the corrective actions are required.</p>	<p>Effective: 9/1/09</p>
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Bills Amending Occupations Code relating to Nurse Licensure:

<p><b>HB 963</b></p> <p><b>Eligibility for licensure relating to prior criminal convictions</b></p> <p>(JA)</p>	<p>Amends the Occupations Code Chapter 53 to require a licensing authority to issue a criminal history evaluation letter regarding a person's eligibility for a license under certain conditions and prescribes new requirements for licensing individuals with prior criminal convictions.</p>	<p><b>Author:</b> Guillen <b>Sponsor:</b> Whitmire</p>	<p>Existing Occupations Code §301.257(NPA) authorizes a person to petition the Board for a declaratory order regarding the person's eligibility for licensure. Existing 22 TAC §213.30, concerning <i>Declaratory Order of Eligibility for Licensure</i>, implements the Board's policies and procedures with regard to such declaratory orders.</p> <p>While the provisions of new Subchapter D closely resemble many of the provisions in existing §301.257, new Subchapter D is limited to eligibility issues resulting from prior criminal history (prior conviction or deferred adjudication for a felony or misdemeanor). New Subchapter D authorizes a person to seek a criminal history evaluation letter from the Board. After an investigation into the matter, the Board is required to issue its eligibility determination and provide notice to the inquiring person within 90 days from the date the Board received the person's request. While the Board is required to adopt rules to implement new Subchapter D, staff does not anticipate the need for an immediate rule change since existing Board rule §213.30 currently addresses the Board's policies and procedures regarding all declaratory orders, including those involving prior criminal history. Further, because existing §301.257 is so similar to new Subchapter D, Staff does not anticipate the need for a change in current Board policy or procedures regarding declaratory orders.</p> <p>HB 963 also authorizes the Board to suspend, revoke, or deny a license, disqualify a person from receiving a license, or deny a person the opportunity to take a licensing exam if the person has been convicted of: (1) an offense that directly relates to the duties and responsibilities of nursing, (2) an offense that was committed less than five years before the date the person applies for the license if the offense does not directly relate to the duties and responsibilities of nursing; (3) certain offenses in the Code of Criminal Procedure; and (4) certain sexually violent offenses.</p> <p>HB 963 also adds new §53.0211, which prescribes requirements regarding the licensure of individuals with prior criminal convictions. However, applicants for a nursing license are specifically exempted from the requirements of this new section (under the terms of the new section) because they provide public health, education, or safety services. Therefore, the requirements in this new section do not apply to the Board, either.</p>	<p>Effective: 6/19/09</p>
<p><b>HB 2808</b></p> <p><b>Consideration of Deferred Adjudication</b></p> <p>(JA)</p>	<p>Amends the Occupations Code §53.021 by prescribing new requirements for licensing individuals with prior deferred criminal offenses.</p>	<p><b>Author:</b> Thompson <b>Sponsor:</b> West</p>	<p>New §53.021(c) prohibits a licensing authority from considering a deferred adjudication (and subsequent dismissal) to be a "conviction" for purposes of §53.021. However, the Board is exempted from the requirements of new §53.021(c) by the provisions of new §53.021(e).</p> <p>New §53.021(d) permits a licensing authority to consider an individual's prior deferred adjudication if the licensing authority determines, after the consideration of certain other stated factors, that the individual may pose a continued threat to public safety or employment of the person in the licensed occupation would create a situation in which the person has an opportunity to repeat the prohibited conduct.</p>	<p>Effective: 6/19/09</p>

Bills relating to Nursing/Agency Operations:

<p><b>HB 448</b> <b>Provider Choice System</b>  (MH)</p>	<p>Allows for vaccine providers to select any equivalent licensed vaccines, unless the equivalent vaccine exceeds 115% of the lowest-price equivalent vaccine.</p>	<p><b>Author:</b> Hopson</p>	<p>Amends the Health &amp; Safety Code. No direct impact on the NPA and BON. Nurses ordering and administering vaccine will need to know and conform.</p>	<p>Effective: 9/1/09</p>
<p><b>HB 449</b> <b>Laser Hair Removal Technicians</b>  (PW)</p>	<p>Requires laser hair removal technicians to obtain certification from DSHS and requires laser hair removal facilities to be licensed with the department. Sets up four levels of certification based on education and experience. Requires facilities to have a formal consulting relationship with a physician, who would be available in case of an emergency.</p>	<p><b>Authors:</b> Jackson, Truitt, Chisum, Sheffield, Zerwas</p>	<p>No direct implications to the NPA. Information for nurses.</p>	<p>Effective: 9/1/09</p>

<p><b>HB 605</b></p> <p><b>Travel Reimbursement</b></p> <p>(MM)</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><b>Author:</b> Farabee</p>	<p>Could add number of miles traveled by staff and increase cost to agency.</p>	<p>Effective: 9/1/09</p>
<p><b>HB 643</b></p> <p><b>Surgical Technologists</b></p> <p>(DB)</p>	<p>Relating to the qualifications of surgical technologists; including education/training supervision of the surgical technologist and role in relation to the RN.</p>	<p><b>Author:</b> Zerwas</p>	<p>No direct impact on the NPA and Rules; addresses work of the surgical technologist with the RN.</p>	<p>Effective: 9/1/09</p>
<p><b>HB 675</b></p> <p><b>Retired Status for Optometrists or Therapeutic Optometrists</b></p> <p>(PW)</p>	<p>Creates retired status for optometrists or therapeutic optometrists, allowing for voluntary charity care</p>	<p><b>Author:</b> Bonnen</p>	<p>No direct implications to the NPA. Information for nurses.</p>	<p>Effective: 9/1/09</p>

<p><b>HB 732</b></p> <p><b>Texas Medical Board</b></p> <p>(PW)</p>	<p>Requires Texas Medical Board, during annual update to a physician's profile, to remove records of a formal complain that was dismissed more than five years before the update if the complaint was dismissed more than five years before the update and the complaint was deemed baseless, unfounded, or lacking in evidence to prove the violation, or no action was taken against the physician's license as a result of the complaint.. The Board is also required to remove records about an investigation of medical malpractice claims filed within a five-year period if the investigation was resolved more than five years before the date of the update; and no action was taken against the physician's license as a result of the</p>	<p><b>Author:</b> Hartnett</p>	<p>No direct implications to the NPA. Information for nurses.</p>	<p>Effective: 9/1/09</p>
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<p><b>HB 802</b></p> <p><b>Respite Services</b></p> <p>(VA)</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><b>Authors:</b> Davis, John/ Hardcastle/ Naishtat/ Zerwas/ Leibowitz</p>	<p>No direct implications to the NPA. Information for Nurses.</p>	<p>Effective: 9/01/09</p>
<p><b>HB 1043</b></p> <p><b>Employment Preference for Former Foster Children</b></p> <p>(BH)</p>	<p>Requires state agency employment preference for job candidates ages 25 and younger who were foster children.</p>	<p><b>Author:</b> Orr</p>	<p>No implications to the NPA. May be applicable to future agency hiring decisions.</p>	<p>Effective: 9/1/09</p>

<p><b>HB 1081</b></p> <p><b>Institution Compliance</b></p> <p>(VA)</p>	<p>Amends the Health and Safety Code by requiring the Department of Health Services to post detailed compliance information regarding each institution licensed by DHS on DHS's website. Also requires DHS to update the website once a month to provide the most current compliance information regarding each institution.</p>	<p><b>Authors:</b> Herrero Flores Ortiz, Jr.</p>	<p>No direct implications to the NPA. Information for Nurses.</p>	<p>Effective: 9/1/09</p>
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<p><b>HB 1218</b></p> <p><b>Electronic Health Information Exchange</b></p> <p>(VA)</p>	<p>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.</p>	<p><b>Author:</b> Howard, Donna</p>	<p>No direct implications to the NPA. Information for Nurses.</p>	<p>Effective: 9/1/09</p>
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<p><b>HB 1232</b></p> <p><b>Bexar County Behavioral Health Intervention Pilot Program</b></p> <p>(MBT)</p>	<p>Requires the Department of State Health Services to establish a local behavioral health intervention pilot project for children in Bexar County with several state agencies for a collaborative effort to provide uniform early intervention behavioral health services to identify children who are at risk of placement in an alternative setting for behavior management, or intervention by the juvenile justice or child protective services systems, and divert those children to a system of care services to reduce gaps or inefficiencies in the provision of care.</p>	<p><b>Author:</b> Menendez</p>	<p>No implications for the NPA. Information for Nurses.</p>	<p>Effective: 9/1/09</p>
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<p><b>HB 1233</b></p> <p><b>Psychoactive Medication Treatment</b></p> <p>(MH)</p>	<p>Allows a probate court in its initial hearing to use either the best interest standard or the harm standard to determine whether to order an individual to receive psychoactive medication due to the treating licensed psychiatrist's concern for that individual's health and safety. The bill also allows a correctional facility with licensed psychiatrists to create a continuity of care plan for those individuals awaiting transfer to residential care or an inpatient competency restoration facility. This change in the law restores the criminal court's jurisdiction during this delay in transfer such that inmates who are in crisis and suffering may receive the appropriate medical attention and psychiatric treatment that they</p>	<p><b>Author:</b> Menendez</p>	<p>No implications for the NPA. Information for Nurses.</p>	<p>Effective: 9/1/09</p>
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<p><b>HB 1357</b></p> <p><b>Freestanding emergency medical care facilities</b></p> <p>(DB)</p>	<p>Relating to the regulation of freestanding emergency medical care facilities; providing an administrative penalty; creating an offense. Requires a license, and sets minimum standards.</p>	<p><b>Authors:</b></p> <p>Isett</p> <p>Rios</p> <p>Ybarra</p> <p>Laubenberg</p>	<p>No direct impact on the NPA and Rules; at least one nurse would have to be on staff in this type of facility..</p> <p>Amends the Health and Safety Code and the Insurance Code.</p>	<p>Effective: 9/1/09 (specified sections effective 3/1/2010, 9/1/2010)</p>
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<p><b>HB 1362</b></p> <p><b>MRSA Reporting Procedures</b></p> <p>(MH)</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><b>Author:</b></p> <p>Gutierrez</p>	<p>Amends the Health and Safety Code. No impact to the BON or NPA. Nurses who may be tracking and reporting to DSHS will need to know and conform. May improve reporting procedures for rapid response and efficiency.</p>	<p>Effective: 9/1/09</p>
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<p><b>HB 1363</b></p> <p><b>Diabetes Registry</b></p> <p>(VA)</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><b>Author:</b> Gutierrez</p>	<p>No direct implications to the NPA. Information for Nurses.</p>	<p>Effective: 9/1/09</p>
<p><b>HB 1365</b></p> <p><b>School Nurse Service Records and Salary Schedule</b></p> <p>(MH)</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><b>Author:</b> Eissler</p>	<p>Amends the Education Code. No impact on the NPA or to the BON. Nurses employed with school districts will need to know and conform.</p>	<p>Effective: 6/19/09</p>

<p><b>HB 1409</b></p> <p><b>Pharmacist Vaccination Administration</b></p> <p>(PW)</p>	<p>Allows a pharmacist to administer an influenza vaccination to a patient over seven years of age without an established patient-physician relationship.</p>	<p><b>Author:</b> Hopson</p>	<p>No direct implications to the NPA. Information for nurses.</p>	<p>Effective: 9/1/09</p>
<p><b>HB 1487</b></p> <p><b>Medicaid Diabetic Equipment and Supplies</b></p> <p>(JZ)</p>	<p>Requires HHSC to align Medicaid procedures for ordering diabetic equipment and supplies with Medicare procedures to the extent possible. Providers of diabetic equipment may bill for services if they have been ordered using the format prescribed by HHSC and the order is signed by a medical practitioner licensed to treat diabetics.</p>	<p><b>Author:</b> Pitts</p>	<p>No direct impact on the NPA or rules. Advanced practice registered nurses and nurses working with diabetic patients need to be aware.</p>	<p>Effective: 9/1/2009</p>
<p><b>HB 1510</b></p> <p><b>Prenatal Education Sudden Infant Death Syndrome</b></p>	<p>Requires individuals who provide prenatal care during gestation or at delivery of infant to provide information</p>	<p><b>Author:</b> Bonnen</p>	<p>No direct impact on NPA or rules. Nurse-midwives and certain other APRNs will need to be aware.</p>	<p>Effective: 9/1/2009</p>

<p><b>Education</b></p> <p>(JZ)</p>	<p>regarding sudden infant death syndrome (SIDS) to include current recommendations for infant sleeping conditions to lower risk of SIDS.</p>			
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<p><b>HB 1672</b></p> <p><b>Newborn Screening Sickle Cell Trait</b></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. Requires interim study of newborn screening procedures by a house committee appointed by the speaker.</p>	<p><b>Author:</b> Crownover</p>	<p>No direct impact on NPA or rules. Nurse-midwives will need to be aware.</p>	<p>Effective: 5/27/2009</p>
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<p><b>HB 1795</b></p> <p><b>Newborn Screening</b></p> <p>(JZ)</p>	<p>Allows DSHS to expand newborn screening tests to screen for additional disorders or conditions. Establishes a Newborn Screening</p>	<p><b>Author:</b> Pierson</p>	<p>No direct impact on NPA or rules. Nurse-midwives and certain other APRNs will need to be aware.</p>	<p>Effective: 9/1/2009</p>
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	<p>Advisory Committee that must meet at least three times per year. Adds requirement for those providers who attend women during gestation or delivery to draw and submit a specimen for HIV testing in the third trimester and retain a copy of the results for nine months. If results are not available, provider attending the patient at delivery must draw and submit the specimen with a requirement to obtain the result within six hours of submission. If the specimen is not obtained prior to delivery, a specimen must be drawn from the newborn within the first two hours of life. Patients have the right to object to testing.</p>			
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<p><b>HB 1831</b></p> <p><b>Emergency Management Council - State Agency Disaster Management</b></p> <p>(BH)</p>	<p>Bill amends the Education, Government, Health and Safety, Transportation, and Utilities Codes relating to disaster preparedness and emergency management.</p>	<p><b>Author:</b> Corte</p>	<p>HB 1831 establishes a communications coordination group to facilitate interagency coordination and collaboration to provide efficient planning of communications support to joint, interagency, and intergovernmental task forces responding to emergencies or disasters. The bill requires a state emergency plan annex that addresses initial response planning for providing essential population support supplies, equipment, and service during the first five days immediately following a disaster including fuel availability, backup power, clearance of debris, obtaining food, water and ice, and basic medical support.</p> <p>Processes and procedures for removing individuals who remain in an area that is under an evacuation order are to be developed and a post disaster evaluation shall be conducted to review the entities response to a disaster, identify areas of improvement, and issue an evaluation report. Long term care institutions and assisted living facilities are to register with the Texas Information and Referral Network to identify people needing assistance if an area is evacuated.</p> <p>The Texas Department of State Health Services (DSHS) to create a Disaster and Emergency Education Program to educate citizens on emergency preparedness, response, and recovery. The education materials must include: the types of disasters and emergencies, appropriate response to each type of disaster or emergency, how to prepare for each disaster or emergency, impact of each disaster or emergency for citizens requiring medical assistance or other care, ways to respond to each disaster or emergency or to assist the victims of a disaster or emergency, and the resources or supplies for disaster or emergency recovery.</p> <p>No direct implications to the NPA. Information for nurses.</p>	<p>Effective: 6/19/09</p>
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<p><b>HB 1924</b></p> <p><b>Rural Pharmacies</b></p> <p>(PW)</p>	<p>Establishes circumstances under which a nurse, practitioner, or pharmacy technician in a rural hospital could withdraw medications or devices from the pharmacy when the pharmacy is closed or the pharmacist is off-duty, and how the withdrawal would be documented and verified.</p>	<p><b>Author:</b> Heflin</p>	<p>No direct implications to the NPA. Important information for nurses, especially those practicing in rural hospitals.</p>	<p>Effective: 6/19/09</p>
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<p><b>HB 1935</b></p> <p><b>JET Fund &amp; Texas Green Job Skills Development Fund</b></p> <p>(RW)</p>	<p>Relating to the establishment of certain programs to support adult and post-secondary education and workforce development in high-demand occupations and green jobs.</p>	<p><b>Authors:</b> Villarreal Duncan</p>	<p>This bill does not amend the Texas NPA, but could have implications for approval of new nursing educational programs under the Texas BON Education Rules 214 &amp; Rule 215.</p> <p>The bill amends the Government Code to establish the Jobs and Education for Texans (JET) fund and grant program and the Texas green job skills development fund and grant program. The JET grant program awards grants to public junior colleges, public technical institutes, and eligible nonprofit organizations that prepare low-income students for careers in high-demand occupations, and provides scholarships for students in career and technical education programs who demonstrate financial need.</p> <p>This grant program could affect new VN and ADN nursing educational programs approved by the BON.</p>	<p>Takes effect September 1, 2009, but only if a specific appropriation for the implementation of the Act is provided in a general appropriations act of the 81st Legislature.</p>
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<p><b>HB 2030</b></p> <p><b>Medicaid Drug Utilization</b></p> <p>(VA)</p>	<p>Requires the Health and Human Services Commission (HHSC) to take specific steps to strengthen the Medicaid Drug Utilization Review Program and requires HHSC to implement additional retrospective drug use reviews, improve the evaluation of program activities, and monitor and publish certain prescription drug data.</p>	<p><b>Author:</b></p> <p>Zerwas</p>	<p>No direct implications to the NPA. Information for Nurses.</p>	<p>Effective: 9/1/2009</p>
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<p><b>HB 2163</b></p> <p><b>Medicaid Drug Study for Children</b></p> <p>(JH)</p>	<p>Requires the Health and Human Services Commission to conduct a study on certain medications being provided through the Medicaid vendor drug program to children younger than 16 years of age.</p>	<p><b>Authors:</b></p> <p>Turner, Sylvester Uresti</p>	<p>No direct implications to the NPA. Information for Nurses.</p>	<p>Effective: 9/1/09</p>
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<p><b>HB 2191</b></p> <p><b>Long Term Care Worker Criminal History</b></p> <p>(VA)</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><b>Authors:</b> Veasey/ Pickett/ Leibowitz/ Chavez/ Moody</p>	<p>No direct implications to the NPA. Important information for nurses, especially those working in long-term care.</p>	<p>Effective: 9/1/2009</p>
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<p><b>HB 2480</b></p> <p><b>Joint High School/Junior College Courses</b></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><b>Author:</b> Hochberg</p>	<p>This bill does not amend the Texas NPA, but could have implications for nursing educational programs approved by the Texas BON under Education Rules 214 &amp; Rule 215.</p> <p>VN and ADN programs could enter into agreements with school districts for joint high school and college credit for nursing courses. A public junior college may enter into an agreement with respect to a high school located within the service area of another junior college district only if the other junior college district is unable to provide the requested course to the satisfaction of the school district.</p> <p>The Texas BON would need to review and probably approve these agreements if a nursing educational program is involved.</p>	<p>Effective: 6/19/09</p>
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<p><b>HB 2585</b></p> <p><b>Advance Directives</b></p> <p>(RW)</p>	<p>Relating to digital or electronic signatures and witness signatures on advance directives.</p>	<p><b>Authors:</b> Hartnett Uresti</p>	<p>This bill does not amend the Texas NPA and this bill should not require changes to the Texas BON rules.</p> <p>The bill allows the use of a digital or electronic signature for signing an advance directive or a written revocation of an advance directive. The bill defines a digital or electronic signature and outlines requirements for a valid digital or electronic signature. The bill also permits the principal, in lieu of signing in the presence of the witnesses, may have the signature</p>	<p>Effective: 9/01/09</p> <p>A person may not sign an advance directive or</p>
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			<p>acknowledged before a notary public.</p> <p>Texas BON staff, particularly staff in the Nursing Department, need to be aware of these requirements. Nurses practicing in Texas need to be aware of this bill.</p>	<p>a written revocation of an advance directive using a digital or electronic signature before January 1, 2010.</p>
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<p><b>HB 2626</b></p> <p><b>Forensic Examination of Sexual Assault Victims</b></p> <p>(JZ)</p>	<p>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. Requires DPS to pay for the exam. Establishes procedures for transfer and preservation of evidence.</p>	<p><b>Author:</b> Naishtat</p>	<p>No direct impact on NPA or rules. Sexual assault nurse examiners will need to be aware.</p>	<p>Effective: 6/19/2009</p>
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<p><b>HB 2845</b></p> <p><b>EMS Personnel</b></p> <p>(PW)</p>	<p>Relating to certification of and disciplinary actions against EMS personnel, including criminal background check and authority to revoke, suspend, disqualify, or deny certification for certain criminal offenses.</p>	<p><b>Authors:</b></p> <p>Riddle, Martinez, Fletcher</p>	<p>Information for Nurses.</p>	<p>Effective: 9/1/09</p>
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<p><b>HB 3737</b></p> <p><b>Nurse Aid Registry</b></p> <p>(PW)</p>	<p>Expands Nurse Aid Registry to include facilities serving persons with terminal illnesses and revises agency names to Department of Aging and Disability Services.</p>	<p><b>Authors:</b></p> <p>Anchia, Moody</p>	<p>No direct implications to the NPA. Information for nurses.</p>	<p>Effective: 9/1/09</p>
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<p><b>HB 4471</b></p> <p><b>Nursing Shortage Reduction</b></p> <p>(VA)</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><b>Authors:</b> Kolkhorst/ Howard, Donna/ Shelton/ Ortiz, Jr./ King, Susan</p>	<p>No direct implications to the NPA. Important information for BON staff to work collaboratively with THECB staff in order to ensure that there are no duplicative processes for nursing educational programs of study during initial approval.</p>	<p>Effective: 6/19/2009</p>
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<p><b>SB 1</b></p> <p><b>Budget Bill</b></p> <p>(MM)</p>	<p>Legislative Appropriations Bill</p>	<p><b>Author:</b> Ogden</p>	<p>Increases annual budget by \$1,378,215. Will allow the BON to hire 12 additional staff and complete the criminal background checks on all renewals by August, 2011. Will also fund the Texas Center for Nursing Workforce Studies via interagency contract. The Contingency Revenue rider was eliminated and as the printing of this document, we do not anticipate having to raise fees.</p>	<p>Effective: 9/1/2009</p>
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<p><b>SB 45</b></p> <p><b>Interinstitutional Academic Programs</b></p> <p>(RW)</p>	<p>Relating to tuition exemptions at public institutions of higher education for students enrolled in certain interinstitutional academic programs.</p>	<p><b>Authors:</b></p> <p>Zaffirini</p> <p>Hochberg</p>	<p>This bill does not amend the Texas NPA or should the bill require revisions to the Texas BON rules.</p> <p>Senate Bill 45 amends the Education Code to authorize the governing board of an institution of higher education to exempt from the payment of tuition and required fees a student who is taking a course, including an interdisciplinary course, at the institution under an interinstitutional academic program agreement but who is enrolled primarily at another institution of higher education or at a private or independent institution of higher education that is a party to the agreement and to which the student is responsible for the payment of tuition and fees. Should not impact the Texas BON directly, but does have implications for nursing students, particularly those students taking additional courses at another institution or those students needs to retake specific courses at another institution.</p>	<p>Effective:</p> <p>5/20/09</p>
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<p><b>SB 174</b></p> <p><b>“Online Resumes” for Colleges and Educational Institutions</b></p> <p>(RW)</p>	<p>Relating to accountability of institutions of higher education, including educator preparation programs, and online institution resumes for public institutions of higher education.</p>	<p><b>Authors:</b></p> <p>Shapiro</p> <p>Branch</p>	<p>This bill does not amend the Texas NPA or require revisions to the Texas BON rules.</p> <p>This bill amends the Education Code, Section 3 by adding Chapter 51A. Applies only to public junior colleges; public technical institutes; and public state colleges. Bill establishes “Online Resumes” by which institutions will be required to submit specified performance data to the Texas Higher Education Coordinating Board via online technology.</p> <p>Might have some impact for the Texas BON related to the data obtained from nursing educational programs regulated by the Texas BON in the areas of student admission, enrollment, retention, degrees awarded upon graduation, and student success in obtaining licensure/certification.</p>	<p>Effective:</p> <p>6/19/09</p>
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<p><b>SB 291</b></p> <p><b>Hepatitis B Vaccinations</b></p> <p>(RW)</p>	<p>Relating to Hepatitis B vaccination for students enrolled in certain health-related courses of study at an institution of higher education.</p>	<p><b>Author:</b></p> <p>Nelson</p>	<p>This bill does not amend the Texas NPA. The BON may need to consider adding this requirement to Rule 214, Vocational Nursing Education, Rule 215, Professional Nursing Education and Rule 219, Advanced Practice Nurse Education.</p> <p>This bill amends Section 1 of the Education Code and requires a hepatitis B vaccination only for students enrolled in a course of study that involves potential exposure to human or animal blood or bodily fluids.</p> <p>Deans/directors of nursing educational programs approved by the Texas BON will need to be aware of the provisions of this bill.</p>	<p>Effective:</p> <p>6/19/09</p>
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<p><b>SB 292</b></p> <p><b>Texas Medical Board</b></p> <p>(PW)</p>	<p>1) Requires licensed physicians provide emergency contact information to the Texas Medical Board; the information is not subject to disclosure.</p> <p>2) Establishes confidential, nondisciplinary therapeutic Texas Physician Health Program relating to disorders commonly affecting physicians and physician assistants, including substance abuse disorders, psychiatric disorders, and physical illnesses and impairments.</p>	<p><b>Author:</b></p> <p>Nelson</p>	<p>No direct implications to the NPA. Information for nurses.</p>	<p>Effective:</p> <p>9/1/09</p>
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<p><b>SB 328</b></p> <p><b>Extraction of Blood Samples</b></p> <p>(DB)</p>	<p>Language was added at the end of the session that addressed extraction of blood samples to bill relating to watercraft safety. Bill provides civil liability and licensing/accrediting protections in taking blood samples at request of peace officer or pursuant to a search warrant.</p>	<p><b>Author:</b> Carona</p>	<p>No direct impact on the NPA and Rules; there is reference to extraction of blood samples.</p> <p>Amends the Alcoholic Beverage Code, and the Transportation Code.</p>	<p>Effective: 9/1/09</p>
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<p><b>SB 347</b></p> <p><b>Immunization Registry in a Disaster</b></p> <p>(MH)</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, thus helping to protect the state's public health system.</p>	<p><b>Author:</b> Nelson</p>	<p>Amends the Health and Safety Code. No direct impact on the NPA or to the BON. Nurses working with immunization records or during times of disaster or emergency response will need to know and conform.</p>	<p>Effective: 9/1/2009</p>
<p><b>SB 381</b></p> <p><b>Physician Delegation to Pharmacists</b></p> <p>(JZ)</p>	<p>Amends Medical Practice Act to allow physician delegation of implementation and modification of a patient's drug therapy to a pharmacist acting under protocol. Includes authority to sign prescriptions for dangerous drugs. Pharmacists</p>	<p><b>Author:</b> Van de Putte</p>	<p>No direct impact on NPA or rules. Nurses in these types of practice settings need to be aware.</p>	<p>Effective: 9/1/2009</p>

	<p>to whom the physician delegates must be practicing in a hospital, hospital-based clinic, or academic health center.</p> <p>Requires pharmacists submit protocols to TSBP and requires TSBP to post names of pharmacists authorized to provide these services and the name of the delegating physician on the TSBP website.</p>			
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<p><b>SB 395</b></p> <p><b>Childhood Nutrition Research</b></p> <p>(JH)</p>	<p>Requires the Department of Agriculture (TDA) to establish the Early Childhood Health and Nutrition Interagency Council with representatives from TDA, the HHSC, DSHS, TWC, TEA, DFPS and the Texas AgriLife Extension Service. Requires the council to research various health and nutrition issues for children and develop an early childhood nutrition and physical activity plan to be implemented over a six-year period fo time to be submitted to the Legislature and Governor by 11/1/10.</p>	<p><b>Authors:</b> Lucio Lucio III</p>	<p>Council will include a registered nurse and a nurse practitioner. Information for nurses in pediatric care and school nursing</p>	<p>Effective: 9/1/09</p>
<p><b>SB 532</b></p> <p><b>Prescriptive Authority</b></p> <p>(JZ)</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</p>	<p><b>Author:</b> Patrick</p>	<p>Rule 222 will need to be updated to ensure consistency with the Occupations Code. APRNs will need to be aware.</p>	<p>Effective: 9/1/2009</p>

	<p>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 and to voluntary charity care at a nonprofit clinic. 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. Expands the number of APRNs a physician can delegate prescriptive authority to four. Expands options for Medical Board to grant waivers.</p>			
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<p><b>SB 643</b></p> <p><b>State Schools</b></p> <p>(MBT)</p>	<p>Massive reform to the state system of care for individuals with mental retardation. Intended to improve centers and addresses several federal governmental concerns. Changes the name “State School” to “State Supported Living Centers”. Strengthens reporting requirements. Requires video surveillance in public areas. Employees must have FBI criminal background checks, random drug testing and completion of core training requirements. Creates an independent Office of Independent Ombudsman. Requires a mortality review by an independent federally certified Patient Safety Organization</p>	<p><b>Author:</b> Nelson</p>	<p>No direct implications to the NPA. In order to help advise nursing constituents about applicable Board rules, staff will have to stay apprised of DADS and DSHS changes as an entirely reformed system that delivers care to the mentally retarded is implemented.</p>	<p>Effective: 9/1/2009</p>
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<p><b>SB 646</b></p> <p><b>Pharmacy Board Study</b></p> <p>(JH)</p>	<p>Amends TOC Chapter 562 to require the Board of Pharmacy to conduct a study on the license, transfer, use, and sale of prescription information records containing patient-identifiable and practitioner-identifiable information by pharmacy benefit managers, insurers, electronic transmission intermediaries, pharmacies, and other similar entities for the purpose of advertising, marketing, or promoting pharmaceutical products.</p>	<p><b>Authors:</b> Van de Putte Kolkhorst</p>	<p>Information for advanced practice nurses.</p>	<p>Effective: 6/19/09</p>
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<p><b>SB 650</b></p> <p><b>Board of Pharmacy</b></p> <p>(PW)</p>	<p>Allows certain peace officers commissioned by the Texas State Board of Pharmacy to carry a firearm or make an arrest.</p>	<p><b>Author:</b> Van de Putte</p>	<p>Information for nurses.</p>	<p>Effective: 6/19/09</p>
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<p><b>SB 745</b></p> <p><b>Pre-Approval for State Employee Travel</b></p> <p>(BH)</p>	<p>SB 745 revises procedures and requirements relating to advance written approval, and completion and submission of vouchers, for state employee travel.</p>	<p><b>Author:</b> Duncan</p>	<p>SB 745 specifies that a travel voucher submitted by a state agency to the Comptroller that requests the payment or reimbursement of a travel expense is valid only if, among other requirements, the state employee who incurred the travel expense obtains advance approval by the chief administrator of the agency prior to the travel. State employees are exempt from new requirement for advance approval if another person, by law, is authorized to grant the approval.</p>	<p>Effective: 9/1/2009</p>
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<p><b>SB 904</b></p> <p><b>Controlled Substances</b></p> <p>(JZ)</p>	<p>Authorizes a prescribing practitioner to issue multiple prescriptions under certain conditions for a Schedule 2 controlled substance for up to a 90-day supply. Adds carisoprodol (soma) to Schedule IV.</p>	<p><b>Author:</b> Williams</p>	<p>No direct impact on NPA or rules. Nurses need to be aware.</p>	<p>Effective: 6/19/2009</p>
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<p><b>SB 911</b></p> <p><b>Pain Management Clinics</b></p> <p>(JZ)</p>	<p>Amends Occupations Code to prohibit pain management clinics from 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><b>Author:</b> Williams</p>	<p>No direct impact on NPA or rules. Nurses who practice in these settings need to be aware.</p>	<p>Effective: 9/1/2009</p>
<p><b>SB 1058</b></p> <p><b>Agency Reporting Requirements</b></p> <p>(MM)</p>	<p>Relating to reporting requirements for health occupation regulatory agencies.</p>	<p><b>Author:</b> Uresti</p>	<p>Will require a new annual report in a specified format to the legislature.</p>	<p>Effective: 9/1/2009</p>

<p><b>SB 1171</b></p> <p><b>Health Information</b></p> <p>(DB)</p>	<p>Relating to certain health-related reports, records, and information. Provides guidance on the release of the minimal necessary data from reports, records, and information from any source related to confidential health conditions.</p>	<p><b>Author:</b> Nichols</p>	<p>No direct impact on the NPA and Rules; however, nurses will need to know and comply.</p> <p>Amends the Health and Safety Code.</p>	<p>Effective: 6/19/2009</p>
<p><b>SB 1182</b></p> <p><b>Copies of Written Comments</b></p> <p>(MM)</p>	<p>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).</p>	<p><b>Author:</b> Wentworth</p>	<p>This is procedural clarification.</p>	<p>Effective: 9/1/2009</p>
<p><b>SB 1225</b></p> <p><b>Temporary Licenses for Medical School Faculty</b></p> <p>(PW)</p>	<p>Expands temporary medical licensure for faculty in medical schools and related institutions.</p>	<p><b>Authors:</b> Huffman/ Hinojosa</p>	<p>Information for nurses.</p>	<p>Effective: 6/19/09</p>

<p><b>SB 1326</b></p> <p><b>SHCC Advisory Boards</b></p> <p>(MBT)</p>	<p>SB 1326 updates references to federal statutes, state statutes, and state agencies in the SHCC statute and authorizes individuals from the public and private sectors to serve on SHCC advisory boards and ad hoc committees. This council ensures that health care services and facilities are available to all citizens in an orderly and economical manner.</p>	<p><b>Author:</b> Nelson</p>	<p>No direct implications to the NPA. Includes a RN appointed by the Governor on the council. Amends Section 104.0155 of the Health and Safety Code to change the reference to the BON by updating the term “nurse licensing board” to the Texas Board of Nursing.</p>	<p>Effective: 6/19/2009</p>
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<p><b>SB 1328</b></p> <p><b>Feasibility Study to Provide Immunizations to First Responders</b></p> <p>(MH)</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><b>Author:</b> 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 need to know and conform.</p>	<p>Effective: 6/19/2009</p>
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<p><b>SB 1409</b></p> <p><b>First Responder Definition and Immunization Registry</b></p> <p>(MH)</p>	<p>Defines a first responder and any related support personnel who may respond to a disaster for the purposes of an immunization registry.</p>	<p><b>Author:</b> Shapleigh</p>	<p>Amends the Health and Safety Code. No direct impact on the NPA or to the BON. Nurses who may be first responders will need to know and conform.</p>	<p>Effective: 6/19/2009</p>
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<p><b>SB 1484</b></p> <p><b>Consumer Directed Services</b></p> <p>(MH)</p>	<p>Aligns the Government Code with the Occupations Code Section 301.251(a) and BON Rule 225. During the 80<sup>th</sup> Legislative Session this language was inadvertently deleted.</p>	<p><b>Author:</b> 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 need to know and conform.</p>	<p>Effective: 5/27/09</p>
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<p><b>SB 1629</b></p> <p><b>Copies of Public Information</b></p> <p>(JA)</p>	<p>Amends the Government Code §552.275 to provide an exemption from the requirements of the section for certain individuals and entities.</p>	<p><b>Author:</b> Wentworth</p> <p><b>Sponsor:</b> Rose</p>	<p>Existing §552.275 authorizes a governmental body to establish a reasonable limit on the amount of time that personnel of the governmental body are required to spend producing public information for inspection or duplication by a requestor, or providing copies of public information to a requestor, without recovering the costs attributable to that personnel time. SB 1629 prohibits a governmental body from applying its policies under §552.275 to certain individuals and entities, such as newspapers published on the Internet, certain magazines, certain radio or television broadcast stations, and certain individuals who gather, compile, prepare, collect, photograph, record, write, edit, report, investigate, process, or publish news or information as a substantial portion of their livelihood.</p>	<p>Effective: 9/1/2009</p>
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<p><b>SB 2298</b></p> <p><b>State Employee Work Performed in Response to Disasters or Emergencies</b></p> <p>(BH)</p>	<p>Addresses compensation for state employees assisting with disaster or emergency relief.</p>	<p><b>Author:</b> Watson</p>	<p>SB 2298 authorizes employees, with authorization from the Executive Director or designee, to 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. Work may be performed at worker's home, provided that pre-approval granted by Executive Director.</p>	<p>Effective: 6/19/09</p>
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