

**Consideration of Proposed Amendments to 22 Tex. Admin. Code §221.1,
Pertaining to *Definitions* and §221.3, Pertaining to *Education***

Summary of Request: Consider proposal of amendments to §221.1, Pertaining to *Definitions* and §221.3, Pertaining to *Education*.

Background: The Advanced Practice Nursing Advisory Committee (APNAC) met on February 17, 2010, and considered Board Rule 221. Certain members of the Committee expressed concern that the rule did not provide clear enough guidance regarding the completion of an advanced practice nursing program beyond a master's degree level, such as an advanced practice nursing doctorate program. Members felt that additional clarification was needed to specify that the completion of a post-master's certificate or doctoral degree program would satisfy the requirements of Rule 221. The Committee recommended changes to §221.1(2) and §221.3(c)(4) and (d)(1) to address this issue.

The Committee's recommended changes are consistent with the Board's historic interpretation and application of the advanced practice educational requirements. The Board's rules have required an applicant for advanced practice recognition to complete a qualifying program of study at the master's degree level since January 1, 2003. An applicant completing a program of study at a level higher than a master's degree level, such as a doctoral program, would necessarily meet, and even exceed, the Board's requirements because the completion of a qualifying master's level program of study has been the *minimum* standard since 2003.

The Committee also recommended other, minor changes to §221.1(2) and §221.3(c) and (d) for consistency with the 2008 National Council State Boards of Nursing (NCSBN) Advanced Practice Registered Nurse Model Act/Rules and Regulations, which were promulgated by NCSBN during its August, 2008, Delegate Assembly. These changes include references to the terms "population focus area" and "advanced practice *registered* nurse". These proposed changes are also consistent with changes made to Board Rule 222, relating to *Advanced Practice Registered Nurses with Prescriptive Authority*, which were effective on February 14, 2010. Further, the proposed changes also include references to the term "licensure" instead of "authorization" for consistency with changes made to §221.4 and §221.6, which were effective on November 23, 2008.

Board Action: Move to approve the proposed amendments to 22 Tex. Admin. Code §221.1, Pertaining to *Definitions* and §221.3, Pertaining to *Education*, and authorize Staff to publish the proposals 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 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 §221.1, Pertaining to *Definitions* and §221.3, Pertaining to *Education*, as proposed.

Attachment "A"

§221.1. Definitions. The following words and terms, when used in this chapter, shall have the following meanings unless the context clearly indicates otherwise:

(1) (No change.)

(2) Advanced educational program--A post-basic advanced practice nurse program at the certificate, ~~[or]~~ master's degree, or higher level. Beginning January 1, 2003, a minimum of a master's degree in the advanced practice role and population focus area ~~[specialty]~~ will be required for recognition as an Advanced Practice Registered Nurse

(3) - (4) (No change.)

(5) Board--The Texas Board of Nursing ~~[Board of Nurse Examiners for the State of Texas]~~.

(6) - (15) (No change.)

§221.3. Education.

(a) - (b) (No change.)

(c) Applicants for licensure ~~[authorization]~~ to practice in an advanced practice role and population focus area ~~[specialty]~~ recognized by the Board must submit verification of completion of all requirements of an advanced educational program that meets the following criteria:

(1) - (3) (No change.)

(4) Beginning January 1, 2003, the program of study shall be at the master's ~~[graduate]~~ degree or higher level.

(5) (No change.)

(d) Applicants for licensure [~~authorization~~] as clinical nurse specialists must submit verification of the following requirements in addition to those specified in subsection (c) of this section:

(1) completion of a master's degree or higher level in the discipline of nursing, and

(2) (No change.)

(e) - (f) (No change.)