

By: Powell

S.B. No. 1856

A BILL TO BE ENTITLED

AN ACT

relating to certain vocational nursing students providing essential services during a declared state of disaster.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 242, Health and Safety Code, is amended by adding Subchapter T to read as follows:

SUBCHAPTER T. CERTAIN VOCATIONAL NURSING STUDENTS PROVIDING ESSENTIAL SERVICES

Sec. 242.951. DEFINITIONS. In this subchapter:

(1) "Disaster" has the meaning assigned by Section 418.004, Government Code.

(2) "Governmental entity" means:

(A) this state;

(B) a board, commission, council, department, or other agency in the executive branch of state government that is created by the state constitution or a statute, including an institution of higher education as defined by Section 61.003, Education Code;

(C) the legislature or a legislative agency;

(D) a state judicial agency or the State Bar of Texas;

(E) a political subdivision of this state, including a county, municipality, or special district or authority;
or

1 (F) an officer, employee, or agent of an entity
2 described by Paragraphs (A) through (E).

3 Sec. 242.952. APPLICABILITY. This subchapter applies only
4 to a student who is:

5 (1) enrolled in an accredited school or program that
6 is preparing the student for licensure as a licensed vocational
7 nurse; and

8 (2) participating in a clinical program at a facility
9 licensed under this chapter.

10 Sec. 242.953. ESSENTIAL SERVICE. (a) Notwithstanding any
11 other law, the services provided by a student to whom this
12 subchapter applies in a facility licensed under this chapter are
13 essential services at all times in this state, including during a
14 declared state of disaster.

15 (b) A governmental entity may not, at any time, including
16 during a declared state of disaster, prohibit a student to whom this
17 subchapter applies from providing essential services.

18 (c) A facility licensed under this chapter may require a
19 student to comply with the facility's policies regarding health
20 screenings or the use of personal protective equipment.

21 SECTION 2. This Act takes effect September 1, 2021.