

1-1 By: Powell S.B. No. 1856  
 1-2 (In the Senate - Filed March 12, 2021; March 26, 2021, read  
 1-3 first time and referred to Committee on Health & Human Services;  
 1-4 April 20, 2021, reported favorably by the following vote: Yeas 8,  
 1-5 Nays 0; April 20, 2021, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11			X	
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			

1-17 A BILL TO BE ENTITLED  
 1-18 AN ACT

1-19 relating to certain vocational nursing students providing  
 1-20 essential services during a declared state of disaster.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Chapter 242, Health and Safety Code, is amended  
 1-23 by adding Subchapter T to read as follows:

1-24 SUBCHAPTER T. CERTAIN VOCATIONAL NURSING STUDENTS PROVIDING  
 1-25 ESSENTIAL SERVICES

1-26 Sec. 242.951. DEFINITIONS. In this subchapter:

1-27 (1) "Disaster" has the meaning assigned by Section  
 1-28 418.004, Government Code.

1-29 (2) "Governmental entity" means:

1-30 (A) this state;

1-31 (B) a board, commission, council, department, or  
 1-32 other agency in the executive branch of state government that is  
 1-33 created by the state constitution or a statute, including an  
 1-34 institution of higher education as defined by Section 61.003,  
 1-35 Education Code;

1-36 (C) the legislature or a legislative agency;

1-37 (D) a state judicial agency or the State Bar of  
 1-38 Texas;

1-39 (E) a political subdivision of this state,  
 1-40 including a county, municipality, or special district or authority;  
 1-41 or

1-42 (F) an officer, employee, or agent of an entity  
 1-43 described by Paragraphs (A) through (E).

1-44 Sec. 242.952. APPLICABILITY. This subchapter applies only  
 1-45 to a student who is:

1-46 (1) enrolled in an accredited school or program that  
 1-47 is preparing the student for licensure as a licensed vocational  
 1-48 nurse; and

1-49 (2) participating in a clinical program at a facility  
 1-50 licensed under this chapter.

1-51 Sec. 242.953. ESSENTIAL SERVICE. (a) Notwithstanding any  
 1-52 other law, the services provided by a student to whom this  
 1-53 subchapter applies in a facility licensed under this chapter are  
 1-54 essential services at all times in this state, including during a  
 1-55 declared state of disaster.

1-56 (b) A governmental entity may not, at any time, including  
 1-57 during a declared state of disaster, prohibit a student to whom this  
 1-58 subchapter applies from providing essential services.

1-59 (c) A facility licensed under this chapter may require a  
 1-60 student to comply with the facility's policies regarding health  
 1-61 screenings or the use of personal protective equipment.

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

2-2 \* \* \* \* \*