

By: Howard, Shofner, Darby

H.B. No. 2187

A BILL TO BE ENTITLED

AN ACT

relating to hospital staffing report and complaint processes and to
retaliation and mandatory overtime protections for nurses.

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

SECTION 1. Section 257.001, Health and Safety Code, is
amended by amending Subdivision (1) and adding Subdivision (1-a) to
read as follows:

(1) "Commission" means the Health and Human Services
Commission.

(1-a) "Committee" means a nurse staffing committee
required by this chapter.

SECTION 2. Section 257.005, Health and Safety Code, is
amended by adding Subsections (a-1) and (d) to read as follows:

(a-1) The chief nursing officer of each hospital shall
attest to the accuracy of information reported under Subsection
(a).

(d) The department shall provide the information reported
under Subsection (a) to the commission.

SECTION 3. Chapter 257, Health and Safety Code, is amended
by adding Sections 257.006 and 257.007 to read as follows:

Sec. 257.006. PROHIBITED RETALIATION. A hospital may not
retaliate against a nurse who provides information to the committee
or reports violations of this chapter to hospital management or the
commission.

1 Sec. 257.007. ENFORCEMENT; COMPLAINT RESOLUTION. (a) The
2 commission shall enforce this chapter in accordance with:

3 (1) Subchapter C, Chapter 241, against a hospital
4 licensed under that chapter as if the hospital violated that
5 chapter;

6 (2) Chapter 577 and rules adopted under Sections
7 577.010 and 577.013, against a hospital licensed under Chapter 577
8 as if the hospital violated that chapter; and

9 (3) rules adopted under Section 241.026(a).

10 (b) The commission shall establish a process to provide
11 prompt review and timely resolution of each complaint submitted
12 under this chapter. The commission must:

13 (1) develop a procedure, or designate an existing
14 procedure, through which a party may submit a written or verbal
15 complaint;

16 (2) establish a time to review and respond to the
17 complaint; and

18 (3) provide the complainant written notice of the
19 commission's decision regarding the complaint, including:

20 (A) the contact information of the commission
21 employee responsible for the complaint;

22 (B) commission actions in reviewing, evaluating,
23 or investigating the complaint;

24 (C) the results of the commission's review of the
25 complaint;

26 (D) for each reviewed complaint for which an
27 investigation is not conducted, an explanation of the reason the

1 commission resolved the complaint without investigation; and

2 (E) the date the complaint is resolved.

3 (c) All information and materials in the possession of or
4 obtained or compiled by the commission in connection with a
5 complaint and investigation are confidential and not subject to
6 disclosure in accordance with:

7 (1) Section 241.051(d) for a complaint submitted
8 against a hospital licensed under Chapter 241; or

9 (2) Section 577.013(e) for a complaint submitted
10 against a hospital licensed under Chapter 577.

11 SECTION 4. Section 258.001, Health and Safety Code, is
12 amended by amending Subdivision (1) and adding Subdivision (1-a) to
13 read as follows:

14 (1) "Commission" means the Health and Human Services
15 Commission.

16 (1-a) "Hospital" means:

17 (A) a general hospital or special hospital, as
18 those terms are defined by Section 241.003, including a hospital
19 maintained or operated by this state; or

20 (B) a mental hospital licensed under Chapter 577.

21 SECTION 5. Section 258.005, Health and Safety Code, is
22 amended to read as follows:

23 Sec. 258.005. RETALIATION PROHIBITED. A hospital may not
24 suspend, terminate, or otherwise discipline or discriminate
25 against a nurse who refuses to work mandatory overtime or reports
26 violations of this chapter to hospital management or the
27 commission.

SECTION 6. Chapter 258, Health and Safety Code, is amended by adding Section 258.006 to read as follows:

Sec. 258.006. ENFORCEMENT; COMPLAINT RESOLUTION. (a) The commission shall enforce this chapter in accordance with:

(1) Subchapter C, Chapter 241, against a hospital licensed under that chapter as if the hospital violated that chapter;

(2) Chapter 577 and rules adopted under Sections 577.010 and 577.013, against a hospital licensed under Chapter 577 as if the hospital violated that chapter; and

(3) rules adopted under Section 241.026(a).

(b) The commission shall establish a process to provide prompt review and timely resolution of each complaint submitted under this chapter. The commission must:

(1) develop a procedure, or designate an existing procedure, through which a party may submit a written or verbal complaint;

(2) establish a time to review and respond to the complaint; and

(3) provide the complainant written notice of the commission's decision regarding the complaint, including:

(A) the contact information of the commission employee responsible for the complaint;

(B) commission actions in reviewing, evaluating, or investigating the complaint;

(C) the results of the commission's review of the complaint;

1 (D) for each reviewed complaint for which an
2 investigation is not conducted, an explanation of the reason the
3 commission resolved the complaint without investigation; and

4 (E) the date the complaint is resolved.

5 (c) All information and materials in the possession of or
6 obtained or compiled by the commission in connection with a
7 complaint and investigation are confidential and not subject to
8 disclosure in accordance with:

9 (1) Section [241.051](#)(d) for a complaint submitted
10 against a hospital licensed under Chapter [241](#); or

11 (2) Section [577.013](#)(e) for a complaint submitted
12 against a hospital licensed under Chapter [577](#).

13 SECTION 7. Not later than December 31, 2025, the executive
14 commissioner of the Health and Human Services Commission shall
15 adopt any rules necessary to implement the changes in law made by
16 this Act.

17 SECTION 8. This Act takes effect September 1, 2025.