

Amend SB 161 by adding the following appropriately numbered SECTIONS to read as follows and renumbering subsequent SECTIONS accordingly:

SECTION _____. Section 203.002(1), Occupations Code, is amended to read as follows:

(1) "Board" means the [~~Texas~~] Board of Nurse Examiners [~~Health~~].

SECTION _____. Subchapter A, Chapter 203, Occupations Code, is amended by adding Section 203.007 to read as follows:

Sec. 203.007. BOARD OF NURSE EXAMINERS. (a) The board shall administer this chapter. If, in administering this chapter, there is a conflict between this chapter and Chapter 301, Chapter 301 controls.

(b) A reference in this chapter to the board or the department means the Board of Nurse Examiners.

SECTION _____. Section 203.101, Occupations Code, is amended to read as follows:

Sec. 203.101. PROGRAM COORDINATOR. The board [~~department~~] shall, [~~with the approval of the board and~~] after consultation with the midwifery board, employ a coordinator for the midwifery program and the staff necessary to administer the program.

SECTION _____. Section 203.002(4), Occupations Code, is repealed.

SECTION _____. Not later than February 1, 2004, the Board of Nurse Examiners shall review all rules adopted before that date and effective under Section 203.151(a)(2), Occupations Code, and determine whether to approve those rules. A rule that is not approved by the board under this section has no effect.

SECTION _____. (a) On February 1, 2004:

(1) all functions and activities performed by the Texas Board of Health or the Texas Department of Health related to Chapter 203, Occupations Code, immediately before that date are transferred to the Board of Nurse Examiners;

(2) a form adopted by the Texas Board of Health or the Texas Department of Health related to Chapter 203, Occupations Code, is a form of the Board of Nurse Examiners and remains in effect until amended or replaced by that board;

(3) a reference in law or an administrative rule to the Texas Board of Health or the Texas Department of Health related to Chapter 203, Occupations Code, means the Board of Nurse Examiners;

(4) a complaint, investigation, or other proceeding before the Texas Board of Health or the Texas Department of Health related to Chapter 203, Occupations Code, is transferred without change in status to the Board of Nurse Examiners, and the Board of Nurse Examiners assumes, as appropriate and without a change in status, the position of the Texas Board of Health or the Texas Department of Health in an action or proceeding related to Chapter 203, Occupations Code, to which the Texas Board of Health or the Texas Department of Health is a party;

(5) all money, contracts, leases, property, and obligations of the Texas Board of Health or the Texas Department of Health related to Chapter 203, Occupations Code, are transferred to the Board of Nurse Examiners;

(6) a documentation issued by the Texas Board of Health or the Texas Department of Health under Chapter 203, Occupations Code, is a documentation of the Board of Nurse Examiners;

(7) an employee of the Texas Board of Health or the Texas Department of Health who primarily performs duties related to Chapter 203, Occupations Code, becomes an employee of the Board of Nurse Examiners; and

(8) the unexpended and unobligated balance of any money appropriated by the legislature to the Texas Board of Health or the Texas Department of Health in connection with the administration of Chapter 203, Occupations Code, is transferred to the Board of Nurse Examiners.

(b) Before February 1, 2004, the Texas Board of Health or the Texas Department of Health may agree with the Board of Nurse Examiners to transfer any property of the Texas Board of Health to the Board of Nurse Examiners to implement the transfer required by this section.

(c) In the period beginning on the effective date of this Act and ending on January 31, 2004, the Texas Board of Health or the Texas Department of Health shall continue to perform functions and

activities under Chapter 203, Occupations Code, or other law as if that law had not been repealed or amended by this Act, and the former law is continued in effect for that purpose.