

By: Janek

S.B. No. 1167

A BILL TO BE ENTITLED

AN ACT

relating to increasing the number of registered nurses and other health care professionals.

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

SECTION 1. Subsection (a), Section 61.923, Education Code, is amended to read as follows:

(a) A grant from the professional nursing shortage reduction program to a professional nursing program or other entity involved with a professional nursing program in the preparation of students for initial licensure as registered nurses must be:

(1) expended exclusively on costs related to:

(A) enrolling additional students; or

~~(B) [assuring the retention of an adequate number of qualified faculty, including providing faculty salaries; or~~

~~[(C)] encouraging innovation in the recruitment and retention of students, including the recruitment and retention of Spanish-speaking and bilingual students;~~

(2) contingent on the professional nursing program's having been approved as a professional nursing program by the board or the Board of Nurse Examiners, as appropriate, by September 1, 2001;

(3) contingent on the professional nursing program's not being on probation with the Board of Nurse Examiners or other accrediting body; and

1           (4) if granted to increase enrollments, contingent on  
2 the professional nursing program's ability to enroll additional  
3 students, including having the necessary classroom space and  
4 clinical slots.

5           SECTION 2. Subchapter U, Chapter 61, Education Code, is  
6 amended by adding Sections 61.9235 and 61.9236 to read as follows:

7           Sec. 61.9235. FACULTY GRANT PROGRAM. (a) A nursing  
8 faculty enhancement grant program is established to assist  
9 professional nursing programs in the education, recruitment, and  
10 retention of an adequate number of faculty members with master's or  
11 doctoral degrees to enable professional nursing programs to enroll  
12 the number of students required to meet the needs for registered  
13 nurses in the state.

14           (b) The board may appoint an advisory committee to advise it  
15 on the best strategies for educating, recruiting, and retaining  
16 qualified faculty members with master's or doctoral degrees.

17           (c) Under the grant program established by this section the  
18 board may make grants to professional nursing programs. Any grants  
19 shall be used by the professional nursing programs exclusively for  
20 the education, recruitment, and retention of qualified faculty  
21 members with master's or doctoral degrees including salary  
22 supplements and enhancements and release time or reduced teaching  
23 loads. In making grants, the board may require matching funds from  
24 the professional nursing program or give preference in awarding  
25 grants to programs providing matching funds. A grant under the  
26 grant program established by this section shall be awarded only to  
27 professional nursing programs eligible to receive a grant under

1 Section 61.923.

2 Sec. 61.9236. HEALTH CARE WORKER TRANSITION GRANT PROGRAM.

3 A health care worker transition grant program is established to  
4 assist health care workers who are not registered nurses to obtain  
5 the educational preparation needed for licensure as a registered  
6 nurse. Under the grant program established by this section the  
7 board may make grants to professional nursing programs that  
8 collaborate with health care employers. Any grants shall be used by  
9 such programs exclusively to assist health care workers who are not  
10 registered nurses to obtain the educational preparation required  
11 for licensure as a registered nurse. In making grants, the board  
12 may require matching funds from the collaborating health care  
13 employer and professional nursing program or give preference in  
14 awarding grants to programs providing matching funds. A grant  
15 under the grant program established by this section shall be  
16 awarded only to professional nursing programs eligible to receive a  
17 grant under Section 61.923.

18 SECTION 3. Subchapter U, Chapter 61, Education Code, is  
19 amended by adding Sections 61.927 and 61.928 to read as follows:

20 Sec. 61.927. DISBURSEMENT AND ACCOUNTING OF APPROPRIATED  
21 FUNDS. (a) The board shall adopt procedures for assuring that  
22 funds appropriated by the legislature specifically to fund  
23 enrollment growth in a professional nursing program are:

24 (1) distributed in a timely manner including the  
25 forfeiture and reallocation of funds if an institution fails to  
26 provide in a timely manner the information needed for the funds to  
27 be disbursed and that failure prevents the timely disbursement of

1 funds to other institutions; and

2 (2) expended by institutions receiving the funds on  
3 the professional nursing program.

4 (b) The procedures adopted under Subsection (a) shall  
5 include requiring each professional nursing program receiving  
6 funds appropriated by the legislature to fund enrollment growth to  
7 file a report annually with the board accounting for all funds  
8 received.

9 Sec. 61.928. ADMINISTRATIVE COSTS. A reasonable amount of  
10 the funds appropriated by the legislature to fund the programs  
11 established under this subchapter or to increase enrollments in  
12 professional nursing programs, not to exceed five percent of the  
13 amount of such funds, may be used by the board to pay administrative  
14 costs of implementing this subchapter or administering those  
15 appropriations.

16 SECTION 4. Subsections (f) and (g), Section 63.202,  
17 Education Code, are amended to read as follows:

18 (f) Notwithstanding the limitation provided by Subsection  
19 (b), ~~[in awarding]~~ grants awarded under Subsection (c) for the  
20 state fiscal biennium ending on August 31, 2005 and the fiscal  
21 biennium ending August 31, 2007, by [2003,] the Texas Higher  
22 Education Coordinating Board shall be awarded[+]

23 ~~[(1) may make awards]~~ to programs [any program]  
24 preparing students for initial licensure as registered nurses or  
25 programs preparing qualified faculty members with a master's or  
26 doctoral degree for such program, including programs of two-year  
27 institutions of higher education, four-year general academic

1 teaching institutions, health science centers, and independent or  
2 private institutions of higher education. In awarding grants under  
3 this subsection, the coordinating board may:

4 (1) give priority to~~+~~

5 ~~[(2) shall give priority in awarding grants to:~~

6 ~~[(A)]~~ institutions proposing to address the  
7 shortage of registered nurses by promoting innovation in education,  
8 recruitment and retention of nursing students and qualified  
9 faculty; and

10 (2) award grants on a competitive basis

11 ~~[(B) institutions seeking to increase enrollments in their~~  
12 ~~nursing programs through financial incentives to faculty to provide~~  
13 ~~clinical and classroom instruction in addition to carrying a full~~  
14 ~~teaching load]; and~~

15 (3) ~~may~~ consider the availability of matching funds

16 ~~[in awarding grants].~~

17 (g) Subsection (f) and this subsection expire September 1,  
18 2007 ~~[2003]~~.

19 SECTION 5. Section 304.013, Occupations Code, is amended to  
20 read as follows:

21 Sec. 304.013. FUNDING. (a) In addition to funds  
22 appropriated by the legislature, the center may solicit, receive,  
23 and spend grants, gifts, and donations from public or private  
24 sources for the purposes of this chapter.

25 (b) The board and the Board of Vocational Nurse Examiners  
26 may add a surcharge of not more than \$10 to its license or license  
27 renewal fee to fund the center. Each board must adopt the surcharge

1 in accordance with the procedures the board uses to initiate and  
2 adopt an increase in its license or license renewal fee.

3 (c) Money collected under this section may be used only to  
4 implement this chapter.

5 SECTION 6. Subchapter M, Chapter 56, Education Code, as  
6 added by Chapter 1590, Acts of the 76th Legislature, Regular  
7 Session, 1999, is amended by adding Section 56.3075 to read as  
8 follows:

9 Sec. 56.3075. HEALTH CARE PROFESSION STUDENT GRANT.

10 (a) The coordinating board may award a grant in an amount that is  
11 equal to not more than three times the amount that can be awarded  
12 under Section 56.307 to a student that:

13 (1) is enrolled in a program that fulfills the  
14 educational requirements for licensure or certification by the  
15 state in a health care profession that the coordinating board, in  
16 consultation with the Texas Workforce Commission and the statewide  
17 health coordinating council, has identified as having a critical  
18 shortage in the number of licensees needed in this state;

19 (2) has completed at least one-half of the work toward  
20 a degree or certificate that fulfills the educational requirement  
21 for licensure or certification; and

22 (3) meets all the requirements to receive a grant  
23 award under Section 56.307.

24 (b) In awarding grants under Subsection (a), the  
25 coordinating board may:

26 (1) give priority to students from a group  
27 underrepresented in the programs preparing students for licensure

1 or certification by the state; and

2 (2) award different amounts based on the amount of  
3 coursework a student has completed toward earning the degree  
4 required for licensure or certification.

5 SECTION 7. Subchapter O, Chapter 56, Education Code, as  
6 added by Chapter 624, Acts of the 77th Legislature, Regular  
7 Session, 2001, is amended by adding Section 56.3575 to read as  
8 follows:

9 Sec. 56.3575. HEALTH CARE PROFESSION STUDENT GRANT.

10 (a) The coordinating board may award a grant in an amount that is  
11 equal to not more than three times the amount that can be awarded  
12 under Section 56.357, as added by Chapter 624, Acts of the 77th  
13 Legislature, Regular Session, 2001, to a student that:

14 (1) is enrolled in a program that fulfills the  
15 educational requirements for licensure or certification by the  
16 state in a health care profession that the coordinating board, in  
17 consultation with the Texas Workforce Commission and the statewide  
18 health coordinating council, has identified as having a critical  
19 shortage in the number of licensees needed in this state;

20 (2) has completed at least one-half of the work toward  
21 a degree or certificate that fulfills the educational requirement  
22 for licensure or certification; and

23 (3) meets all the requirements to receive a grant  
24 award under Section 56.357, as added by Chapter 624, Acts of the  
25 77th Legislature, Regular Session, 2001.

26 (b) In awarding grants under Subsection (a), the  
27 coordinating board may:

1           (1) give priority to students from a group  
2 underrepresented in the programs preparing students for licensure  
3 or certification by the state; and

4           (2) award different amounts based on the amount of  
5 coursework a student has completed toward earning the degree  
6 required for licensure or certification.

7           SECTION 8. (a) This Act takes effect immediately if it  
8 receives a vote of two-thirds of all the members elected to each  
9 house, as provided by Section 39, Article III, Texas Constitution.  
10 If this Act does not receive the vote necessary for immediate  
11 effect, this Act takes effect September 1, 2003.

12           (b) The Texas Higher Education Coordinating Board is  
13 required to implement Sections 61.9235 and 61.9236, Education Code,  
14 as added by this Act, only if the legislature appropriates money for  
15 the grant programs established under those sections.