

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION**

**May 3, 2007**

**TO:** Honorable Rodney Ellis, Chair, Senate Committee on Government Organization

**FROM:** John S. O'Brien, Director, Legislative Budget Board

**IN RE: HB2426** by Truitt (Relating to the regulation of the practice of nursing and the renaming of the Board of Nurse Examiners as the Texas Board of Nursing.), **As Engrossed**

**No significant fiscal implication to the State is anticipated.**

The bill would amend Occupations Code to continue the Board of Nurse Examiners until 2017. The bill would change the name of the Board of Nurse Examiners to the Texas Board of Nursing. The bill would amend grounds for removal of a member of the board. The bill would provide for per diem travel expenses, as provided by the General Appropriations Act for board members.

The bill would require the Texas Board of Nursing to create or amend rules on numerous topics such as: establishing guidelines concerning the consequences of criminal conviction or deferred adjudication; the accreditation of nursing and education programs through one or more national nursing accrediting agencies recognized by the United States Department of Education; establishing the purpose, role, responsibility, and goal of an advisory committee; the establishment of rules which encourage the use of negotiated rulemaking procedures and alternative dispute resolution; establishing examination requirements, administration, and procedures; amending requirements of a person who is required to report a nurse who is impaired or suspected of being impaired; the peer assistance program; and providing a schedule of sanctions.

The bill would require the Texas Board of Nursing to accept the requirements for accrediting the governing institution of a school of nursing of the Texas Higher Education Coordinating Board. The bill would require the collaboration of the Texas Board of Nursing, the Workforce Commission, and the Texas Higher Education Coordinating Board to establish guidelines for the initial approval of schools of nursing or educational programs. The bill would require the Texas Board of Nursing, the Texas Higher Education Coordinating Board, and the Texas Health Care Policy Council to implement a plan for the creation of innovative nursing education models that promote increased enrollment in the state's nursing programs.

The bill would allow employees of the board to dismiss a complaint under certain criteria. The bill would establish a jurisprudence examination.

The bill would enact the Advanced Practice Registered Nurse Multi-state Compact.

Based on information provided by the Board of Nurse Examiners, the Sunset Advisory Commission, the Comptroller of Public Accounts, the Texas Workforce Commission, and the Higher Education Coordinating Board, it is assumed that any additional costs related to the duties and responsibilities associated with implementing the provisions of the bill could be covered by utilizing existing resources.

Not later than January 1, 2008 the Texas Board of Nursing would have to adopt the policies and rules required by the bill. Not later than September 1, 2008, the Texas Board of Nursing would have to develop the jurisprudence examination required by the bill, implement the plan for creating innovative nursing education models as required by the bill. The bill would take effect September 1, 2007.

## **Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 116 Sunset Advisory Commission, 320 Texas Workforce Commission, 507 Board of Nurse Examiners, 304 Comptroller of Public Accounts, 781 Higher Education Coordinating Board

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