

By: Nelson

S.B. No. 790

A BILL TO BE ENTITLED

AN ACT

relating to clinical practice hours available for professional nursing educational programs at certain hospitals.

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

SECTION 1. Chapter 105, Health and Safety Code, is amended by adding Section 105.0021 to read as follows:

Sec. 105.0021. CLINICAL PRACTICE HOURS DATABASE; REPORTING REQUIREMENTS. (a) In this section:

(1) "Hospital" has the meaning assigned by Section 108.002.

(2) "Institution of higher education" has the meaning assigned by Section 61.003, Education Code.

(3) "Reporting year" means a period beginning August 1 and ending on the succeeding July 31.

(b) The council shall establish and maintain a database of clinical practice hours, disaggregated by hospital location, that are available at hospitals for professional nursing educational programs regulated by the Texas Board of Nursing that are offered at institutions of higher education in this state. The council shall administer the database through the nursing resource section of the health professions resource center created under Section 105.002.

(c) Not later than August 1 of each year, each hospital shall report to the nursing resource section:

(1) the projected number of clinical practice hours

1 that will be available to professional nursing educational programs
2 at institutions of higher education in this state at the hospital
3 during the reporting year that begins on that August 1;

4 (2) the actual number of clinical practice hours that
5 were available to professional nursing educational programs at the
6 hospital during the preceding reporting year; and

7 (3) the actual number of clinical practice hours used
8 by professional nursing educational programs at the hospital, by
9 institution of higher education, during the preceding reporting
10 year.

11 (d) The council may exempt from the reporting requirement in
12 Subsection (c) a hospital that is unable to provide clinical
13 practice hours to professional nursing educational programs.

14 (e) The nursing resource section shall report to
15 professional nursing educational programs the following
16 information disaggregated by hospital location:

17 (1) the actual number of clinical practice hours
18 available during the preceding reporting year;

19 (2) the actual number of unused clinical practice
20 hours during the preceding reporting year;

21 (3) the projected number of clinical practice hours
22 available for the following reporting year; and

23 (4) a comparison of the variation between projected
24 and available clinical practice hours for the preceding reporting
25 year.

26 (f) Not later than January 1 of each odd-numbered year, the
27 council shall submit a report to the legislature that:

1 (1) lists the number of unused clinical practice hours
2 for reporting hospitals;

3 (2) identifies specific professional nursing
4 educational programs at institutions of higher education that could
5 be targeted for growth based on geographical proximity to
6 facilities with unused clinical practice hours; and

7 (3) provides an analysis of the variation between
8 projected and available clinical practice hours in preceding
9 reporting years.

10 (g) The executive commissioner of the Health and Human
11 Services Commission may adopt rules as necessary to administer this
12 section.

13 SECTION 2. Section 301.157, Occupations Code, is amended by
14 adding Subsection (i) to read as follows:

15 (i) The board by rule shall establish a range of clinical
16 practice hours a nursing student enrolled in a school of nursing or
17 educational program at an institution of higher education is
18 required to complete to receive an initial license as a registered
19 nurse in this state. In establishing the range of hours, the board
20 shall consult with each institution of higher education that
21 provides a school of nursing or educational program in this state
22 and is regulated by the board. The board may vary the number of
23 clinical practice hours required for a school of nursing or
24 educational program based on the type of nursing degree offered by
25 the school or program.

26 SECTION 3. (a) The Texas Board of Nursing shall establish
27 the range of clinical practice hours a professional nursing student

1 is required to complete under Section 301.157(i), Occupations Code,
2 as added by this Act, not later than March 1, 2010.

3 (b) The range of clinical practice hours established by the
4 Texas Board of Nursing under Section 301.157(i), Occupations Code,
5 as added by this Act, applies only to a student who initially
6 enrolls in a school of nursing or educational program at an
7 institution of higher education on or after September 1, 2010. A
8 student who was enrolled in a school of nursing or educational
9 program at an institution of higher education before September 1,
10 2010, and continues to be enrolled in the same school or program on
11 or after that date is subject to the law in effect at the time of the
12 student's initial enrollment in the school or program, and the
13 former law is continued in effect for that purpose. This subsection
14 expires August 31, 2016.

15 (c) Notwithstanding Section 105.0021, Health and Safety
16 Code, as added by this Act:

17 (1) a hospital shall submit the initial report
18 required under Section 105.0021(c), Health and Safety Code, not
19 later than August 1, 2010;

20 (2) the nursing resource section of the health
21 professions resource center shall report:

22 (A) the information required under Sections
23 105.0021(e)(1) through (3), Health and Safety Code, not later than
24 November 1, 2010; and

25 (B) the information required under Section
26 105.0021(e)(4), Health and Safety Code, not later than November 1,
27 2011; and

1 (3) the statewide health coordinating council shall
2 submit the initial report required under Section 105.0021(f)(3),
3 Health and Safety Code, not later than January 1, 2013.

4 SECTION 4. This Act takes effect immediately if it receives
5 a vote of two-thirds of all the members elected to each house, as
6 provided by Section 39, Article III, Texas Constitution. If this
7 Act does not receive the vote necessary for immediate effect, this
8 Act takes effect September 1, 2009.