

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION**

**May 1, 2009**

**TO:** Honorable Jane Nelson, Chair, Senate Committee on Health & Human Services

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

**IN RE: HB3961** by McReynolds (Relating to the regulation of nursing.), **As Engrossed**

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

The bill would amend language in Section 301 of the Occupations Code from registered nurse to nurse. The bill would establish confidentiality requirements of information the Board of Nursing collects for emergency relief programs and health information provided for licensure. The bill would authorize the Board of Nursing to require a nurse or license applicant submit to a physical or psychological evaluation based on probable cause that the nurse or applicant is unable to practice nursing with reasonable skill and safety to patients. The bill would also authorize the Board of Nursing to temporarily suspend a license for drug or alcohol use.

The bill would repeal Section 301.202 (b) that requires the Board of Nursing to enter into a memorandum of understanding with each state agency that licenses health care facilities or agencies to coordinate reporting requirements regarding the Board of Nursing's contact information.

The bill would require the Board of Nursing to adopt rules to implement the provisions of the bill. The Board of Nursing indicates that any costs associated with implementing the provisions of the bill could be absorbed within the agency's existing resources.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 507 Texas Board of Nursing

**LBB Staff:** JOB, CL, ES