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H.B. No. 2696

A BILL TO BE ENTITLED

1 AN ACT

2 relating to a grant program for and a study on reducing workplace  
3 violence against nurses.

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

5 SECTION 1. Section 105.001, Health and Safety Code, is  
6 amended by adding Subdivisions (3), (4), (5), and (6) to read as  
7 follows:

8 (3) "Freestanding emergency medical care facility"  
9 means a facility licensed under Chapter 254.

10 (4) "Home health agency" means a home and community  
11 support services agency licensed under Chapter 142.

12 (5) "Hospital" means a general or special hospital  
13 licensed under Chapter 241, a private mental hospital licensed  
14 under Chapter 577, or a hospital that is maintained or operated by  
15 this state or an agency of this state.

16 (6) "Nursing facility" means an institution licensed  
17 under Chapter 242.

18 SECTION 2. Chapter 105, Health and Safety Code, is amended  
19 by adding Sections 105.009 and 105.010 to read as follows:

20 Sec. 105.009. STUDY ON WORKPLACE VIOLENCE AGAINST NURSES.

21 (a) To the extent funding is available, the nursing resource  
22 section established under Section 105.002 shall conduct a study on  
23 workplace violence against nurses in hospitals, freestanding  
24 emergency medical care facilities, nursing facilities, and home

1 health agencies. The nursing resource section, in conducting the  
2 study, shall:

3 (1) distinguish between verbal and physical violence;

4 (2) determine the practice areas, environments, and  
5 settings in which verbal or physical violence is likely to occur;

6 (3) identify practices that prevent or reduce verbal  
7 and physical violence against nurses;

8 (4) survey nurses regarding the type and frequency of  
9 verbal and physical violence the nurses have experienced in the  
10 preceding year and throughout the nurses' careers; and

11 (5) survey hospitals, freestanding emergency medical  
12 care facilities, nursing facilities, and home health agencies  
13 regarding the occurrence of verbal and physical violence against  
14 nurses and specific strategies implemented to prevent verbal and  
15 physical violence, including:

16 (A) required reporting of verbal and physical  
17 violence;

18 (B) reporting of physical assaults to law  
19 enforcement; and

20 (C) implementation of a violence prevention plan  
21 and the contents of and personnel covered by the plan.

22 (b) The nursing resource section may contract with an  
23 independent researcher to conduct all or part of the study.

24 (c) The nursing advisory committee established by Section  
25 104.0155 shall serve as the oversight committee for the study.

26 (d) To the extent possible, the nursing resource section  
27 shall cooperate with the department and the Texas Board of Nursing

1 to conduct the study and coordinate the surveys required by this  
2 section with surveys required by other provisions of law.

3 (e) Not later than December 1, 2016, the nursing resource  
4 section shall complete the study and publish the study findings.

5 (f) The nursing resource section may use money transferred  
6 to the department from the Texas Board of Nursing under Section  
7 301.155, Occupations Code, to conduct the surveys required by this  
8 section.

9 (g) This section expires December 31, 2017.

10 Sec. 105.010. WORKPLACE VIOLENCE PREVENTION GRANT PROGRAM.

11 (a) To the extent funding is available, the nursing resource  
12 section established under Section 105.002 shall administer a grant  
13 program to fund innovative approaches to reducing verbal and  
14 physical violence against nurses in hospitals, freestanding  
15 emergency medical care facilities, nursing facilities, and home  
16 health agencies.

17 (b) The nursing resource section shall require a grant  
18 recipient to submit periodic reports describing the outcome of the  
19 activities funded through the grant, including any change in the  
20 severity and frequency of verbal and physical violence against  
21 nurses.

22 (c) The nursing advisory committee established by Section  
23 104.0155 shall serve in an advisory capacity for the grant program.

24 (d) The department shall provide administrative assistance  
25 to the nursing resource section in administering the grant program  
26 under this section.

27 (e) The executive commissioner shall adopt rules to

1 implement the grant program, including rules governing the  
2 submission and approval of grant requests and establishing a  
3 reporting procedure for grant recipients.

4 (f) The nursing resource section may use money transferred  
5 to the department from the Texas Board of Nursing under Section  
6 301.155, Occupations Code, to fund the grants authorized by this  
7 section.

8 (g) At least annually, the nursing resource section shall  
9 publish a report describing the grants awarded under this section,  
10 including the amount of the grant, the purpose of the grant, and the  
11 reported outcome of the approach adopted by the grant recipient.

12 SECTION 3. As soon as practicable after the effective date  
13 of this Act, the executive commissioner of the Health and Human  
14 Services Commission shall adopt the rules necessary to implement  
15 Sections 105.009 and 105.010, Health and Safety Code, as added by  
16 this Act.

17 SECTION 4. This Act takes effect immediately if it receives  
18 a vote of two-thirds of all the members elected to each house, as  
19 provided by Section 39, Article III, Texas Constitution. If this  
20 Act does not receive the vote necessary for immediate effect, this  
21 Act takes effect September 1, 2015.