

House Bill 2696
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

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

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

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

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

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

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

Sec. 105.009. STUDY ON WORKPLACE VIOLENCE AGAINST NURSES. (a) To the extent funding is available, the nursing resource section established under Section 105.002 shall conduct a study on workplace violence against nurses in hospitals, freestanding emergency medical care facilities, nursing facilities, and home health agencies. The nursing resource section, in conducting the study, shall:

- (1) distinguish between verbal and physical violence;
- (2) determine the practice areas, environments, and settings in which verbal or physical violence is likely to occur;
- (3) identify practices that prevent or reduce verbal and physical violence against nurses;
- (4) survey nurses regarding the type and frequency of verbal and physical violence the nurses have experienced in the

SENATE VERSION (CS)

SECTION 1. Same as House version.

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

Sec. 105.009. STUDY ON WORKPLACE VIOLENCE AGAINST NURSES. (a) To the extent existing funding is available, the nursing resource section established under Section 105.002 may conduct a study on workplace violence against nurses in hospitals, freestanding emergency medical care facilities, nursing facilities, and home health agencies. A study conducted under this section must:

- (1) distinguish between verbal and physical violence;
- (2) determine the practice areas, environments, and settings in which verbal or physical violence is likely to occur;
- (3) identify practices that prevent or reduce verbal and physical violence against nurses;
- (4) survey nurses regarding the type and frequency of verbal and physical violence the nurses have experienced in the

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preceding year and throughout the nurses' careers; and
(5) survey hospitals, freestanding emergency medical care facilities, nursing facilities, and home health agencies regarding the occurrence of verbal and physical violence against nurses and specific strategies implemented to prevent verbal and physical violence, including:

(A) required reporting of verbal and physical violence;

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

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

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

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

(d) To the extent possible, the nursing resource section shall cooperate with the department and the Texas Board of Nursing to conduct the study and coordinate the surveys required by this section with surveys required by other provisions of law.

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

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

(g) This section expires December 31, 2017.

Sec. 105.010. WORKPLACE VIOLENCE PREVENTION GRANT PROGRAM. (a) To the extent funding is available,

SENATE VERSION (CS)

preceding year and throughout the nurses' careers; and
(5) survey hospitals, freestanding emergency medical care facilities, nursing facilities, and home health agencies regarding the occurrence of verbal and physical violence against nurses and specific strategies implemented to prevent verbal and physical violence, including:

(A) required reporting of verbal and physical violence;

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

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

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

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

(d) To the extent possible, the nursing resource section shall cooperate with the department and the Texas Board of Nursing to conduct the study and coordinate the surveys under this section with surveys required by other provisions of law.

(e) If the nursing resource section conducts a study under this section, not later than December 1, 2016, the nursing resource section shall complete the study and publish the study findings.

(f) This section expires December 31, 2017.

No equivalent provision.

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the nursing resource section established under Section 105.002 shall administer a grant program to fund innovative approaches to reducing verbal and physical violence against nurses in hospitals, freestanding emergency medical care facilities, nursing facilities, and home health agencies.

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

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

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

(e) The executive commissioner shall adopt rules to implement the grant program, including rules governing the submission and approval of grant requests and establishing a reporting procedure for grant recipients.

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

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

SECTION 3. As soon as practicable after the effective date of

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this Act, the executive commissioner of the Health and Human Services Commission shall adopt the rules necessary to implement Sections 105.009 and 105.010, Health and Safety Code, as added by this Act.

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

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this Act, the executive commissioner of the Health and Human Services Commission shall adopt the rules necessary to implement ~~Section~~ 105.009, Health and Safety Code, as added by this Act.

SECTION 4. Same as House version.

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