

BILL ANALYSIS

C.S.H.B. 3296
By: Klick
Public Health
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Interested parties contend that too few nurses are afforded the protections of a nursing peer review committee when a nurse takes or refuses to take an action on the basis of a nurse's duty to a patient. C.S.H.B. 3296 seeks to extend these protections to more nurses by providing for increased establishment of nursing peer review committees.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 3296 amends the Occupations Code to decrease from 10 nurses to eight nurses the minimum number of nurses regularly employed, hired, or contracted for services by a person that triggers the requirement for the person to establish a nursing peer review committee to conduct nursing peer review for vocational nurses. The bill decreases the minimum number of nurses regularly employed, hired, or contracted for services by a person that triggers the requirement for the person to establish a nursing peer review committee to conduct nursing peer review for professional nurses from 10 nurses, at least 5 of whom are registered nurses, to eight nurses, at least four of whom are registered nurses.

EFFECTIVE DATE

September 1, 2017.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 3296 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

SECTION 1. Section 303.0015(a), Occupations Code, is amended to read as follows:

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Section 303.0015(a), Occupations Code, is amended to read as follows:

85R 25312

17.111.865

Substitute Document Number: 85R 22950

(a) A person shall establish a nursing peer review committee to conduct nursing peer review under this chapter and Chapter 301:

- (1) for vocational nurses, if the person regularly employs, hires, or contracts for the services of five [~~10~~] or more nurses; and
- (2) for professional nurses, if the person regularly employs, hires, or contracts for the services of five [~~10~~] or more nurses, at least three [~~five~~] of whom are registered nurses.

SECTION 2. This Act takes effect September 1, 2017.

(a) A person shall establish a nursing peer review committee to conduct nursing peer review under this chapter and Chapter 301:

- (1) for vocational nurses, if the person regularly employs, hires, or contracts for the services of eight [~~10~~] or more nurses; and
- (2) for professional nurses, if the person regularly employs, hires, or contracts for the services of eight [~~10~~] or more nurses, at least four [~~five~~] of whom are registered nurses.

SECTION 2. Same as introduced version.