By:  Powell S.B. No. 1856

(In the Senate - Filed March 12, 2021; March 26, 2021, read first time and referred to Committee on Health & Human Services; April 20, 2021, reported favorably by the following vote: Yeas 8, Nays 0; April 20, 2021, sent to printer.)

COMMITTEE VOTE

                 Yea Nay Absent  PNV

Kolkhorst         X

Perry             X

Blanco            X

Buckingham                  X

Campbell          X

Hall              X

Miles             X

Powell            X

Seliger           X

A BILL TO BE ENTITLED

AN ACT

relating to certain vocational nursing students providing essential services during a declared state of disaster.

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

SECTION 1.  Chapter 242, Health and Safety Code, is amended by adding Subchapter T to read as follows:

SUBCHAPTER T. CERTAIN VOCATIONAL NURSING STUDENTS PROVIDING ESSENTIAL SERVICES

Sec. 242.951.  DEFINITIONS. In this subchapter:

(1)  "Disaster" has the meaning assigned by Section 418.004, Government Code.

(2)  "Governmental entity" means:

(A)  this state;

(B)  a board, commission, council, department, or other agency in the executive branch of state government that is created by the state constitution or a statute, including an institution of higher education as defined by Section 61.003, Education Code;

(C)  the legislature or a legislative agency;

(D)  a state judicial agency or the State Bar of Texas;

(E)  a political subdivision of this state, including a county, municipality, or special district or authority; or

(F)  an officer, employee, or agent of an entity described by Paragraphs (A) through (E).

Sec. 242.952.  APPLICABILITY. This subchapter applies only to a student who is:

(1)  enrolled in an accredited school or program that is preparing the student for licensure as a licensed vocational nurse; and

(2)  participating in a clinical program at a facility licensed under this chapter.

Sec. 242.953.  ESSENTIAL SERVICE. (a) Notwithstanding any other law, the services provided by a student to whom this subchapter applies in a facility licensed under this chapter are essential services at all times in this state, including during a declared state of disaster.

(b)  A governmental entity may not, at any time, including during a declared state of disaster, prohibit a student to whom this subchapter applies from providing essential services.

(c)  A facility licensed under this chapter may require a student to comply with the facility's policies regarding health screenings or the use of personal protective equipment.

SECTION 2.  This Act takes effect September 1, 2021.

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