

By: Garcia

H.B. No. 3221

A BILL TO BE ENTITLED

AN ACT

relating to certain information regarding disciplinary actions by the Texas Board of Nursing.

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

SECTION 1. Section 301.466, Occupations Code, is amended by amending Subsections (c) and (d) and adding Subsection (e) to read as follows:

(c) The filing of formal charges against a nurse by the board, a list ~~[the nature]~~ of those charges, disciplinary proceedings of the board, and final disciplinary actions, including warnings and reprimands, by the board are not confidential and are subject to disclosure in accordance with Chapter 552, Government Code.

(d) Notwithstanding Subsection (c), if the board orders a nurse to participate in a peer assistance program approved by the board under Section 467.003, Health and Safety Code, the complaint, filing of formal charges, ~~[nature of those charges]~~ final board order, and disciplinary proceedings are subject to disclosure:

(1) only to the same extent as information regarding a complaint is subject to disclosure under Subsection (b); or

(2) in a subsequent matter relating to the board order or a subsequent violation of this chapter or a board rule that occurs not later than the second anniversary of the date the nurse successfully completed the program.

1 (e) A disciplinary action published on the nurse licensure
2 verification page on the board's Internet website:

3 (1) must include:

4 (A) the name of the nurse subject to the
5 disciplinary action;

6 (B) a list of any formal charges against the
7 nurse; and

8 (C) any final disciplinary action taken by the
9 board, including warnings and reprimands; and

10 (2) may not include:

11 (A) the personal telephone number, home address,
12 place of work name or address, or other contact information for the
13 nurse; or

14 (B) the nature of any formal charge filed against
15 the nurse.

16 SECTION 2. Not later than December 1, 2023, the Texas Board
17 of Nursing shall update the nurse licensure verification page on
18 the board's Internet website to meet the requirements of Section
19 [301.466](#)(e), Occupations Code, as added by this Act.

20 SECTION 3. This Act takes effect September 1, 2023.