

BILL ANALYSIS

C.S.H.B. 2188
By: Howard
Public Health
Committee Report (Substituted)

BACKGROUND AND PURPOSE

In 2024, the governor charged the Texas Higher Education Coordinating Board with creating the Health Care Workforce Task Force to help address shortages in the health care workforce. In its report, the task force noted that 224 of Texas' 254 counties are designated as health professional shortage areas (HPSA), with 6,066,420 Texas residents living in a HPSA, based on data from the Health Resources and Services Administration. Furthermore, the Texas Center for Nursing Workforce Studies found that by 2036 Texas will have a shortage of 3,839 licensed vocational nurses in North Texas, Central Texas, and the Gulf Coast, and the center has also projected that all regions, except the Panhandle, will have a shortage of 56,370 RNs by that time.

The task force recommended improving the alignment of the nursing profession career pathway and creating a clear career pathway that facilitates the transition of certain allied health professionals into the nursing profession. C.S.H.B. 2188 seeks to address the task force's recommendations by directing the Health and Human Services Commission (HHSC) and the Texas Board of Nursing to create an operational plan to transition the Certified Nurse Aide certification program from HHSC to the board and by creating a workgroup charged with assessing the feasibility of better aligning the certification and career pathways of nurse aides, medication aides, and personal care technicians into the nursing profession. The bill also implements the task force's recommendation to create a gold ribbon panel on the future of nursing.

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. 2188 provides for the transition of the nurse aide certification program from the Health and Human Services Commission (HHSC) to the Texas Board of Nursing for the creation of a workgroup on nursing career pathways and a gold ribbon panel on the future of nursing.

Transition of Nurse Aide Certification Program

C.S.H.B. 2188 requires the Texas Board of Nursing and HHSC to jointly develop an operational plan for transitioning the nurse aide certification program from HHSC to the board. The study must include all financial, operational, and other relevant considerations necessary for the transition. The bill requires the board and HHSC to submit the plan to the governor, the

lieutenant governor, the speaker of the house of representatives, and each standing committee of the legislature with primary jurisdiction over nursing not later than December 1, 2026.

Workgroup on Nursing Career Pathways

C.S.H.B. 2188 requires the Texas Center for Nursing Workforce Studies to establish and oversee a workgroup to assess the feasibility of better aligning the certification and career pathways of nurse aides, medication aides, and personal care technicians into the nursing profession. The workgroup must include relevant academic or health care professionals and the executive heads, or their designated representatives, of the Texas Board of Nursing, HHSC, the Texas Workforce Commission, the Texas Education Agency, and the Texas Higher Education Coordinating Board (THECB). The bill requires the workgroup, in conducting the assessment, to consider and evaluate the following:

- the standards, regulations, and laws currently impacting the nursing profession;
- the feasibility of alignment in certification requirements for nurse aides, medication aides, and personal care technicians to minimize duplicative efforts in the educational pathways in nursing; and
- the present and future impact of new business practices and advancing technologies in health care.

The bill requires the workgroup to submit a report summarizing the results of the assessment to the governor, the lieutenant governor, the speaker of the house of representatives, and each standing committee of the legislature with primary jurisdiction over nursing not later than December 1, 2026.

Gold Ribbon Panel on the Future of Nursing

C.S.H.B. 2188 requires the Texas Board of Nursing, in consultation with the Texas Center for Nursing Workforce Studies, to oversee a gold ribbon panel to review and examine the current nursing program standards and educational and other accreditation requirements to identify any changes needed to prepare for the future of the nursing profession. The panel consists of not more than 13 members appointed by the governor as follows:

- one member who is a registered nurse;
- one member who is a licensed vocational nurse;
- one member who is an advanced practice registered nurse;
- three members representing nursing education programs, with at least one representing each of the following:
 - an associate degree program;
 - a baccalaureate degree program; and
 - a nursing program provided by a private institution of higher education;
- three members representing hospitals, including representation of at least three of the following:
 - a hospital in a rural community;
 - a hospital in an urban community;
 - a trauma hospital;
 - a teaching hospital; and
 - a children's hospital; and
- not more than four members with relevant experience representing alternative practice settings such as a nursing home, a community health clinic, or at-home health.

The bill requires the board, not later than the 60th day after the date the panel is appointed, to publish on the board's website and in the Texas Register a request for written comments regarding nursing program standards and educational and other accreditation requirements from stakeholders in nursing programs and the nursing profession. The board must forward relevant comments to the panel.

C.S.H.B. 2188 requires the board to assist the panel in conducting at least three public hearings in accessible locations to obtain oral and written comments regarding nursing program standards

and educational and other accreditation requirements and to provide notice of the hearings on the board's website and in the manner provided by state open meetings law. The bill establishes that for purposes of state open meetings law and state public information law, the gold ribbon panel is a governmental body. The bill requires the panel, in conducting the review, to evaluate and consider the following:

- innovative nursing industry programs across the United States, in the military, and in other countries;
- published literature regarding effective methods for educating and regulating nurses that result in measurable improved outcomes; and
- the effect on the practice of nursing of changes in technology that impacts the nursing profession, in the role of nurses in health practice, and in nursing education, including the teaching of soft skills and patient interaction.

The bill requires the board and the THECB to provide administrative support to the panel. The bill requires the panel to submit a report summarizing the results of the review and including the panel's recommendations to the governor, the lieutenant governor, the speaker of the house of representatives, and each standing committee of the legislature with primary jurisdiction over nursing not later than December 1, 2026.

Expiration

C.S.H.B. 2188 expires January 1, 2027.

EFFECTIVE DATE

September 1, 2025.

COMPARISON OF INTRODUCED AND SUBSTITUTE

While C.S.H.B. 2188 may differ from the introduced in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute includes provisions absent from the introduced providing for the creation and operation of a gold ribbon panel on the future of nursing.