

BILL ANALYSIS

Senate Research Center

H.B. 3801
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Health & Human Services
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Texas Healthcare Workforce Taskforce, hosted by the Texas Higher Education Coordinating Board, examined the statewide shortage of health care professionals. It developed recommendations to expand healthcare programs at institutions and provide students with the tools to succeed in health-related careers. Healthcare workforce development in Texas is currently managed by 15 state agencies, boards, chambers of commerce, industry groups, and local partners. The existing model has produced gaps in coordination and outcome disparities across the state. Some regions have robust collaborative training models. Some struggle to keep up with demand.

H.B. 3801 creates the Statewide Health Professions Workforce Coordinating Council (HPWCC). The HPWCC will conduct a comprehensive assessment of the health professions workforce, yielding the most accurate recommendations and projections for future health system needs. The HPWCC is modeled after the existing Statewide Behavioral Health Coordinating Council and will replace the Statewide Healthcare Coordination Council. H.B. 3801 will bring together all 15 state agencies to more efficiently participate in the planning, education, and preparation of the healthcare workforce; and create a biennial Statewide Health Professions Workforce Blueprint (blueprint) to plan and dedicate resources toward healthcare workforce needs. The blueprint will include an inventory of all programs and services available for the preparation and education of health professionals

H.B. 3801 amends current law relating to the establishment of the Health Professions Workforce Coordinating Council and a workgroup on nursing career pathways and the abolition of the statewide health coordinating council and the nursing advisory committee of that council.

RULEMAKING AUTHORITY

Rulemaking authority previously granted to the state health coordinating council is rescinded in SECTION 10 (Section 104.012, Health and Safety Code) of this bill.

Rulemaking authority previously granted to the executive commissioner of the Health and Human Services Commission is rescinded in SECTION 10 (Section 104.042, Health and Safety Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subtitle E, Title 2, Health and Safety Code, by adding Chapter 104A, as follows:

CHAPTER 104A. HEALTH PROFESSIONS WORKFORCE COORDINATING COUNCIL

Sec. 104A.001. DEFINITION. Defines "council."

Sec. 104A.002. ESTABLISHMENT; ADMINISTRATIVE ATTACHMENT. (a) Provides that the Health Professions Workforce Coordinating Council (council) is established to study and develop a strategic approach for ensuring a thriving health care system and health professions workforce in this state.

(b) Provides that the council is administratively attached to the Department of State Health Services (DSHS). Requires DSHS to provide administrative support to the council.

Sec. 104A.003. MEMBERSHIP. (a) Provides that the council is composed of certain persons.

(b) Provides that a council member serves at the pleasure of the appointing authority.

(c) Requires that a vacancy on the council be filled in the same manner as the original appointment.

Sec. 104A.004. DUTIES. Requires the council to:

(1) compile from each state agency with a representative appointed to the council under Section 104A.003(a)(1) (relating to providing that the council include representatives appointed by certain state agencies) certain information regarding the health professions workforce;

(2) prepare the strategic plan described by Section 104A.005; and

(3) establish the work group described by Section 104A.006.

Sec. 104A.005. STRATEGIC PLAN. (a) Requires the council to examine the health professions in this state based on the information compiled under Section 104A.004(1) and biennially prepare a health professions strategic plan. Requires that the plan meet certain requirements.

(b) Requires the council, not later than October 1 of each even-numbered year, to complete and publish on the council's Internet website the strategic plan described by Subsection (a).

Sec. 104A.006. WORK GROUP. (a) Requires the council to establish a work group to examine the health professions and health care education programs that provide a gateway into a variety of health professions. Provides that the work group consists of members of the council or their designees.

(b) Requires that the work group identify sources for gathering information on gateway health professions and build a data analysis model to monitor the historical growth of gateway health professions.

Sec. 104A.007. NURSING ADVISORY COMMITTEE. (a) Requires the council to establish a nursing advisory committee to assist the council with its duties. Requires a majority of the members of the advisory committee to be nurses, and provides that the advisory committee is required to include certain persons and is authorized to include other members who are public or private sector health care experts, nurses, nurse educators, employers of nurses, or consumers of nursing services.

(b) Requires the nursing advisory committee to:

(1) review policies governing data collection and reports published under Chapter 105 (Health Professions Resource Center) that relate to the nursing profession;

(2) subject to approval of the council, develop priorities and an operations plan for the nursing resource section established under Section 105.002(b); and

(3) review reports and information before dissemination by the council.

(c) Requires a nurse member of the nursing advisory committee and a nurse member of the council to co-chair the committee.

(d) Provides that Chapter 2110 (State Agency Advisory Committees), Government Code, does not apply to the nursing advisory committee formed under this section.

(e) Provides that meetings of the nursing advisory committee under this section are subject to Chapter 551 (Open Meetings), Government Code.

Sec. 104A.008. DEPARTMENT AUTHORITY TO COLLECT DATA. Provides that nothing in this chapter is authorized to be construed to limit the collection of health care facility data by DSHS or a program DSHS administers in accordance with other law.

SECTION 2. Amends Section 56.3075(a), Education Code, as follows:

(a) Authorizes the Texas Higher Education Coordinating Board (THECB), if the money available for TEXAS grants in a period for which grants are awarded is sufficient to provide grants to all eligible applicants in amounts specified by Section 56.307 (Grant Amount), to use any excess money available for TEXAS grants to award a grant in an amount not more than three times the amount that is authorized to be awarded under Section 56.307 to a student who meets certain criteria, including who is enrolled in a program that fulfills the educational requirements for licensure or certification by the state in a health care profession that THECB, in consultation with the Texas Workforce Commission and DSHS, rather than the statewide health coordinating council (SHCC), has identified as having a critical shortage in the number of license holders needed in this state.

SECTION 3. Amends Section 56.4075(a), Education Code, to make a conforming change.

SECTION 4. Amends Section 61.9641, Education Code, to redefine "nursing advisory committee."

SECTION 5. Amends Sections 32.046(c) and (d), Health and Safety Code, as follows:

(c) Deletes existing text requiring the Texas Health and Human Services Commission (HHSC) to coordinate with SHCC in developing the postpartum depression strategic plan.

(d) Makes a conforming change to this subsection.

SECTION 6. Amends Sections 32.047(d) and (e), Health and Safety Code, to make conforming changes.

SECTION 7. Amends Section 105.001(2), Health and Safety Code, to redefine "council."

SECTION 8. Amends Section 105.002(b), Health and Safety Code, as follows:

(b) Requires the council, in conjunction with the nursing advisory committee formed under Section 104A.007, rather than under Section 104.0155 (Nursing Advisory Committee), to avoid duplication of effort, and to the extent funding is available through fees collected under Section 301.155(c) (relating to a surcharge to renew a nursing license), Occupations Code, to establish a nursing resource section within the center for the collection and analysis of educational and employment trends for nurses in this state.

SECTION 9. Amends Section 222.022(2), Health and Safety Code, to redefine "health care facility."

SECTION 10. (a) 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, personal care technicians, and persons trained in nursing during service in the United States armed forces into the nursing profession.

(b) Requires the workgroup to include certain persons.

(c) Requires the workgroup, in conducting the assessment under this section, to consider and evaluate the standards, regulations, and laws currently impacting the nursing profession and the feasibility of alignment in licensure and certification requirements for nurse aides, medication aides, personal care technicians, and persons trained in nursing during service in the United States armed forces to minimize duplicative efforts in the educational pathways in nursing.

(d) Requires the workgroup established under this section, not later than December 1, 2026, to submit a report summarizing the results of the assessment conducted under this section 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.

(e) Provides that this section expires January 1, 2027.

SECTION 11. Repealer: Chapter 104 (Statewide Health Coordinating Council and State Health Plan), Health and Safety Code.

Repealers: Sections 105.011(c) (relating to requiring the committee to serve in an advisory capacity for the workplace violence prevention grant program) and 311.033(d) (relating to providing that a hospital that does not submit certain data to DSHS is subject to civil penalties), Health and Safety Code.

SECTION 12. (a) Provides that, on the effective date of this Act:

(1) SHCC established under Subchapter B (Statewide Health Coordinating Council), Chapter 104 (Nursing Advisory Committee), Health and Safety Code, is abolished and SHCC member terms expire; and

(2) the committee established under Section 104.0155, Health and Safety Code, is abolished and the committee member terms expire.

(b) Provides that, on the effective date of this Act, any appropriation to and any unexpended, unobligated funds of, SHCC or the committee, is an appropriation to DSHS for purposes of establishing and providing administrative support to the council. Provides that DSHS and the council assume all obligations, property, rights, and duties of SHCC and the committee.

SECTION 13. (a) Requires the appropriate entities, not later than October 1, 2025, to designate members of the council established under Chapter 104A, Health and Safety Code, as added by this Act.

(b) Requires the council established under Chapter 104A, Health and Safety Code, as added by this Act, not later than December 1, 2026, to appoint the members of the nursing advisory committee established under Section 104A.007, Health and Safety Code, as added by this Act. Authorizes an individual who is a member of the SHCC nursing advisory committee established under Section 104.0155, Health and Safety Code, as repealed by this Act, to be appointed as a member of the nursing advisory committee established under Section 104A.007, Health and Safety Code, as added by this Act.

(c) Requires the council established under Chapter 104A, Health and Safety Code, as added by this Act, not later than October 1, 2026, to publish its initial strategic plan as required by Section 104A.005, Health and Safety Code, as added by this Act.

SECTION 14. Effective date: September 1, 2025.