

By: Garcia Hernandez

H.B. No. 3194

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the grounds for denial of a license or disciplinary
3 action by the Texas Board of Nursing.

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

5 SECTION 1. Section 301.452(b), Occupations Code, is amended
6 to read as follows:

7 (b) A person is subject to denial of a license or to
8 disciplinary action under this subchapter for:

9 (1) a violation of this chapter, a rule or regulation
10 not inconsistent with this chapter, or an order issued under this
11 chapter;

12 (2) fraud or deceit in procuring or attempting to
13 procure a license to practice professional nursing or vocational
14 nursing;

15 (3) a conviction for, or placement on deferred
16 adjudication community supervision or deferred disposition for, a
17 felony or for a misdemeanor involving moral turpitude;

18 (4) conduct that results in the revocation of
19 probation imposed because of conviction for a felony or for a
20 misdemeanor involving moral turpitude;

21 (5) use of a nursing license, diploma, or permit, or
22 the transcript of such a document, that has been fraudulently
23 purchased, issued, counterfeited, or materially altered;

24 (6) impersonating or acting as a proxy for another

1 person in the licensing examination required under Section 301.253
2 or 301.255;

3 (7) directly or indirectly aiding or abetting an
4 unlicensed person in connection with the unauthorized practice of
5 nursing;

6 (8) revocation, suspension, or denial of, or any other
7 action relating to, the person's license or privilege to practice
8 nursing in another jurisdiction or under federal law;

9 (9) intemperate use of alcohol or drugs that the board
10 determines endangers or could endanger a patient;

11 (10) unprofessional conduct in the practice of nursing
12 that is likely to deceive, defraud, or injure a patient or the
13 public;

14 (11) adjudication of mental incompetency;

15 (12) lack of fitness to practice because of a mental or
16 physical health condition that could result in injury to a patient
17 or the public;

18 (13) performing or delegating to another individual
19 the performance of a pelvic examination on an anesthetized or
20 unconscious patient in violation of Section 167A.002, Health and
21 Safety Code; ~~or~~

22 (14) failure to care adequately for a patient or to
23 conform to the minimum standards of acceptable nursing practice in
24 a manner that, in the board's opinion, exposes a patient or other
25 person unnecessarily to risk of harm; or

26 (15) without the consent of the patient, taking
27 photographs of a patient with a personal electronic device and

1 disseminating the photographs on a social media platform.

2 SECTION 2. The change in law made by this Act applies only
3 to conduct that occurs on or after the effective date of this Act.
4 Conduct that occurs before the effective date of this Act is
5 governed by the law in effect on the date the conduct occurred, and
6 the former law is continued in effect for that purpose.

7 SECTION 3. This Act takes effect September 1, 2025.