

By: Orr

H.B. No. 3801

A BILL TO BE ENTITLED

AN ACT

relating to the establishment of the Health Professions Workforce Coordinating Council and the abolition of the statewide health coordinating council and the nursing advisory committee of that council.

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

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

CHAPTER 104A. HEALTH PROFESSIONS WORKFORCE COORDINATING COUNCIL

Sec. 104A.001. DEFINITION. In this chapter, "council" means the Health Professions Workforce Coordinating Council.

Sec. 104A.002. ESTABLISHMENT; ADMINISTRATIVE ATTACHMENT.

(a) The Health Professions Workforce Coordinating 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) The council is administratively attached to the department. The department shall provide administrative support to the council.

Sec. 104A.003. MEMBERSHIP. (a) The council is composed of:

(1) at least one representative appointed by each of the following state agencies:

(A) the department;

(B) the commission;

1 (C) the Texas Education Agency;
2 (D) the Texas Higher Education Coordinating
3 Board;
4 (E) the Texas Workforce Commission;
5 (F) the Texas Board of Chiropractic Examiners;
6 (G) the Texas State Board of Dental Examiners;
7 (H) the Texas Medical Board;
8 (I) the Texas Board of Nursing;
9 (J) the Texas Optometry Board;
10 (K) the Texas State Board of Pharmacy;
11 (L) the Executive Council of Physical Therapy and
12 Occupational Therapy Examiners;
13 (M) the Texas Behavioral Health Executive
14 Council; and
15 (N) the State Board of Veterinary Medical
16 Examiners; and

17 (2) four members with relevant health care experience,
18 including experience in health professions workforce planning or
19 complex health care data analysis, appointed by the governor.

20 (b) A council member serves at the pleasure of the
21 appointing authority.

22 (c) A vacancy on the council shall be filled in the same
23 manner as the original appointment.

24 Sec. 104A.004. DUTIES. The council shall:

25 (1) compile from each state agency with a
26 representative appointed to the council under Section
27 104A.003(a)(1) information regarding the health professions

workforce, including:

(A) high school graduation rates from the Texas Education Agency;

(B) higher education graduation and certification rates from the Texas Higher Education Coordinating Board;

(C) health professions workforce shortages;

(D) the number of licensed health care professionals regulated by each participating licensing state agency;

(E) federal labor statistics regarding health professions; and

(F) any other information relevant to the supply and demand of health care professionals;

(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) The council shall 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. The plan must:

(1) include a data analysis model demonstrating the supply, demand, production, and projected need for the next 10 years of the health professions workforce;

(2) define targeted goals and objectives for the health professions workforce, including short-term and long-term

1 strategies for each state agency participating in the council and
2 local workforce planning agencies to build a thriving health care
3 system;

4 (3) identify immediate shortages in health
5 professions;

6 (4) define goals for this state to support the health
7 care needs of a growing population;

8 (5) examine this state's capacity to satisfy future
9 health profession demands based on the existing education programs
10 offered and current trends of interstate migration, attrition, and
11 other relevant workforce factors;

12 (6) propose recommendations to realign existing
13 workforce and education programs;

14 (7) propose the development of additional education
15 programs for health professions that align with the long-term goals
16 and projections identified in the plan;

17 (8) identify systemic causes of workforce shortages
18 for health professions; and

19 (9) inventory programs and services, including state
20 funding amounts provided for workforce planning and preparation and
21 for health professional education.

22 (b) Not later than October 1 of each even-numbered year, the
23 council shall complete and publish on the council's Internet
24 website the strategic plan described by Subsection (a).

25 Sec. 104A.006. WORK GROUP. (a) The council shall establish
26 a work group to examine the health professions and health care
27 education programs that provide a gateway into a variety of health

1 professions. The work group consists of members of the council or
2 their designees.

3 (b) The work group shall:

4 (1) identify sources for gathering information on
5 gateway health professions; and

6 (2) build a data analysis model to monitor the
7 historical growth of gateway health professions.

8 SECTION 2. Section 56.3075(a), Education Code, is amended
9 to read as follows:

10 (a) If the money available for TEXAS grants in a period for
11 which grants are awarded is sufficient to provide grants to all
12 eligible applicants in amounts specified by Section 56.307, the
13 coordinating board may use any excess money available for TEXAS
14 grants to award a grant in an amount not more than three times the
15 amount that may be awarded under Section 56.307 to a student who:

16 (1) is enrolled in a program that fulfills the
17 educational requirements for licensure or certification by the
18 state in a health care profession that the coordinating board, in
19 consultation with the Texas Workforce Commission and the Department
20 of State Health Services [~~statewide health coordinating council~~],
21 has identified as having a critical shortage in the number of
22 license holders needed in this state;

23 (2) has completed at least one-half of the work toward
24 a degree or certificate that fulfills the educational requirement
25 for licensure or certification; and

26 (3) meets all the requirements to receive a grant
27 award under Section 56.307.

SECTION 3. Section 56.4075(a), Education Code, is amended to read as follows:

(a) The coordinating board may award a grant in an amount not more than three times the amount that may be awarded under Section 56.407 to a student who:

(1) is enrolled in a program that fulfills the educational requirements for licensure or certification by the state in a health care profession that the coordinating board, in consultation with the Texas Workforce Commission and the Department of State Health Services [~~statewide health coordinating council~~], has identified as having a critical shortage in the number of license holders needed in this state;

(2) has completed at least one-half of the work toward a degree or certificate that fulfills the educational requirement for licensure or certification; and

(3) meets all the requirements to receive a grant award under Section 56.407.

SECTION 4. Section 61.9641, Education Code, is amended to read as follows:

Sec. 61.9641. DEFINITION [~~DEFINITIONS~~]. In this subchapter, "clinical [~~+~~

~~(1) "Clinical]~~ site" means an acute care or rehabilitation facility, a primary care setting, a long-term care facility, a nursing home, a residential care setting, or any other site identified by the board as providing clinical learning experiences for nursing students.

~~(2) "Nursing advisory committee" means the nursing~~

~~advisory committee established under Section 104.0155, Health and Safety Code.]~~

SECTION 5. Section 61.9642(a), Education Code, is amended to read as follows:

(a) The board~~[, in consultation with the nursing advisory committee,]~~ shall establish and administer a program to award grants to eligible clinical sites to support the use of nurse preceptors in providing clinical training to nursing students.

SECTION 6. Section 61.9646(a), Education Code, is amended to read as follows:

(a) The ~~[In consultation with the nursing advisory committee, the]~~ board shall allocate funds appropriated for purposes of this subchapter and any other funds received as described by Subsection (b) as the board considers appropriate to further the purposes of this subchapter.

SECTION 7. Section 61.9647, Education Code, is amended to read as follows:

Sec. 61.9647. RULES. The ~~[In consultation with the nursing advisory committee, the]~~ board shall adopt rules for the administration of the grant programs established under this subchapter. The rules must include:

(1) administrative provisions relating to the awarding of grants under this subchapter, such as:

(A) eligibility criteria for clinical sites or institutions of higher education, as applicable;

(B) grant application procedures;

(C) guidelines relating to grant amounts;

(D) procedures for evaluating grant applications; and

(E) procedures for monitoring the use of grants; and

(2) methods for tracking the effectiveness of grants that:

(A) use data reasonably available to the board or the Texas Center for Nursing Workforce Studies; and

(B) evaluate transferability and scalability of innovation programs.

SECTION 8. Sections 32.046(c) and (d), Health and Safety Code, are amended to read as follows:

(c) The commission shall coordinate with the department, ~~[the statewide health coordinating council],~~ the office of mental health coordination, and the statewide behavioral health coordinating council in developing the strategic plan.

(d) The commission, in consultation with the department, ~~[the statewide health coordinating council],~~ the office of mental health coordination, and the statewide behavioral health coordinating council, shall annually review and update, as necessary, the strategic plan.

SECTION 9. Sections 32.047(d) and (e), Health and Safety Code, are amended to read as follows:

(d) The commission shall coordinate with the department ~~[and the statewide health coordinating council]~~ in the development of the strategic plan.

(e) The commission, in consultation with the department

1 ~~[and the statewide health coordinating council]~~, shall annually
2 review the strategic plan and update the plan as necessary.

3 SECTION 10. Section 105.001(2), Health and Safety Code, is
4 amended to read as follows:

5 (2) "Council" means the Health Professions Workforce
6 Coordinating Council ~~[statewide health coordinating council]~~.

7 SECTION 11. Section 105.002(b), Health and Safety Code, is
8 amended to read as follows:

9 (b) To ~~[In conjunction with the committee formed under~~
10 ~~Section 104.0155, to]~~ avoid duplication of effort, and to the
11 extent funding is available through fees collected under Section
12 301.155(c), Occupations Code, the council shall establish a nursing
13 resource section within the center for the collection and analysis
14 of educational and employment trends for nurses in this state.

15 SECTION 12. Section 222.022(2), Health and Safety Code, is
16 amended to read as follows:

17 (2) "Health care facility" means a public or private
18 hospital, skilled nursing facility, intermediate care facility,
19 ambulatory surgical center, family planning clinic that performs
20 ambulatory surgical procedures, rural or urban health initiative
21 clinic, end stage renal disease facility, and inpatient
22 rehabilitation facility. The term does not include the office of
23 physicians or practitioners of the healing arts practicing
24 individually or in groups or ~~[has the meaning assigned by Section~~
25 ~~104.002, except that the term does not include]~~ a chemical
26 dependency treatment facility licensed by the Department of State
27 Health Services under Chapter 464.

SECTION 13. The following provisions of the Health and Safety Code are repealed:

- (1) Chapter 104;
- (2) Section 105.011(c); and
- (3) Section 311.033(d).

SECTION 14. (a) On the effective date of this Act, the following are abolished:

- (1) the statewide health coordinating council established under Subchapter B, Chapter 104, Health and Safety Code, and the council member terms expire; and
- (2) the nursing advisory committee established under Section 104.0155, Health and Safety Code, and the committee member terms expire.

(b) On the effective date of this Act, any appropriation to and any unexpended, unobligated funds of the statewide health coordinating council or the nursing advisory committee is an appropriation to the Department of State Health Services for purposes of establishing and providing administrative support to the Health Professions Workforce Coordinating Council. The department and council assume all obligations, property, rights, and duties of the statewide health coordinating council and the nursing advisory committee.

SECTION 15. (a) Not later than October 1, 2025, the appropriate entities shall designate members of the Health Professions Workforce Coordinating Council established under Chapter 104A, Health and Safety Code, as added by this Act.

(b) Not later than October 1, 2026, the Health Professions

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1 Workforce Coordinating Council established under Chapter 104A,
2 Health and Safety Code, as added by this Act, shall publish its
3 initial strategic plan as required by Section 104A.005, Health and
4 Safety Code, as added by this Act.

5 SECTION 16. This Act takes effect September 1, 2025.