

- SUBJECT:** Lowering the number of nurses required for nursing peer review
- COMMITTEE:** Public Health — committee substitute recommended
- VOTE:** 10 ayes — Price, Sheffield, Arévalo, Burkett, Coleman, Cortez, Guerra, Klick, Oliverson, Zedler
- 0 nays
- 1 present not voting — Collier
- WITNESSES:** For — Ellen Martin, Texas Nurses Association; (*Registered, but did not testify*: Wendy Wilson, Consortium of Certified Nurse-Midwives; Will Francis, National Association of Social Workers-Texas Chapter; Andrew Cates, Nursing Legislative Agenda Coalition & Texas Nurses Association; Erin Cusack, Texas Nurse Practitioners; Karen Schwind; Chanthini Thomas)
- Against — None
- BACKGROUND:** Occupations Code, sec. 303.001 defines "peer review" to mean the evaluation of nursing services, the qualifications of a nurse, the quality of patient care rendered by a nurse, the merits of a complaint concerning a nurse or nursing care, and a determination or recommendation regarding a complaint. Under Occupations Code, sec. 303.0015(a), a person must establish a nursing peer review committee to conduct nursing peer review if the person regularly employs, hires, or contracts 10 or more vocational nurses, or 10 or more professional nurses, five of whom were registered nurses.
- DIGEST:** CSHB 3296 would require a person to establish a nursing peer review committee to conduct nursing peer review if the person regularly employed, hired, or contracted for the services of eight or more vocational nurses and, for professional nurses, if the person regularly employed, hired, or contracted for the services of eight or more nurses, at least four of whom were registered nurses.

The bill would take effect September 1, 2017.

**SUPPORTERS
SAY:**

CSHB 3296 would offer peer review to more Texas nurses by reducing the number of nurses who would need to be employed, hired, or contracted by a person before that person, such as a hospital, or other health care facility, would be required to establish a nursing peer review committee to conduct nursing peer review. Too few nurses have the protections of a nursing peer review committee when a nurse takes or refuses to take an action on the basis of the nurse's duty to a patient. The bill also would allow more minor infractions to be addressed locally instead of requiring a nurse to travel to the Board of Nursing in Austin. The bill would allow nurses to best perform their duty to patients, as nurses are ethically and legally bound to the interest of patients ahead of all other considerations.

The bill would keep the required number of nurses at a high enough level to exempt certain rural hospitals from offering nursing peer review if they did not have the financial resources to implement it.

**OPPONENTS
SAY:**

No apparent opposition.