

- SUBJECT:** Requiring Board of Nursing to waive certain regulations
- COMMITTEE:** Public Health — favorable, without amendment
- VOTE:** 8 ayes — Klick, Guerra, Allison, Jetton, Oliverson, Price, Smith, Zwiener
2 nays — Campos, Collier
1 absent — Coleman
- WITNESSES:** For — Elizabeth Clark, Texas Nurses Association; (*Registered, but did not testify*: Christine Yanas, Methodist Healthcare Ministries of South Texas, Inc.; Calvin Tillman; Al Zito)
Against — None
- BACKGROUND:** Occupations Code sec. 301.261 authorizes the Texas Board of Nursing to place on inactive status the license of a person who is not actively engaged in the practice of professional nursing or vocational nursing if the person submits a written request to the board. Sec. 301.261(d) requires the board to remove a person's license from inactive status if the person:
- requests that the board remove the person's license from inactive status;
 - pays each appropriate fee; and
 - meets requirements as determined by the board.
- Suggestions have been made to codify certain nursing regulation waivers implemented by the governor in response to the COVID-19 pandemic to allow inactive and retired nurses to more easily return to work and assist an overwhelmed health care industry.
- DIGEST:** HB 2409 would require the Texas Board of Nursing to waive a requirement that a person pay a fee or complete any required continuing education to remove the person's license from inactive status if the license had been on inactive status for less than four years. The board would have

to waive these requirements as necessary to mitigate a nursing workforce shortage caused by a state of disaster.

This bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2021.