

BILL ANALYSIS

Senate Research Center

S.B. 1081
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Jurisprudence
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As Filed

DIGEST

Currently, the law provides limited protection for nurses who refuse to engage in certain conduct. This bill will provide regulations regarding peer review protections for registered nurses when advocating for patients or refusing to engage in unsafe care and when an employer reports inappropriate patient care.

PURPOSE

As proposed, S.B. 1081 provides regulations regarding peer review protections for registered nurses when advocating for patients or refusing to engage in unsafe care and when an employer reports inappropriate patient care.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Article 4525d, V.T.C.S., as follows:

Art. 4525d. PROTECTION FOR REFUSAL TO ENGAGE IN CERTAIN CONDUCT

Sec. 1. Prohibits a person from suspending, terminating, or otherwise disciplining or discriminating against a registered nurse because the nurse engages in certain conduct. Provides that an act by a person under Subsection (a) does not constitute a violation of this article if a nursing peer review committee finds that the act or omission was not an act or omission that a reasonable, prudent registered nurse would not have refused to commit. Makes a conforming change.

Sec. 2. Prohibits an employer, employment agency, employment clearinghouse, or other person from providing certain information to certain persons about a registered nurse. Requires this subsection to apply regardless of whether the person states the conduct is reportable as long as the act or omission described is conduct reportable under Section 1, Article 4525a. Prohibits Subsection (a) from applying if a nursing peer review committee has found the act or omission of the registered nurse constitutes conduct reportable to the Board of Nurse Examiners under Section 1, Article 4525a.

Sec. 3. Created from existing text.

Sec. 4. Provides that a registered nurse has a cause of action against a person violating this article. Sets forth remedies. Authorizes an action under this article to be brought in certain district courts.

Sec. 5. Created from existing text.

SECTION 2. Effective date: September 1, 1997.

SECTION 3. Emergency clause.