BILL ANALYSIS

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

S.B. 1397 assures professional, working adult Texans continued access to an alternative path to becoming a registered nurse (RN) and assures that Texas will benefit from approximately 200 new RNs every year that graduate from Excelsior College's nationally recognized associate degree nursing program. According to the latest projections from the Texas Center for Nursing Workforce Studies, demand for full-time registered nurses in Texas exceeds supply by 22,000. Without major increases in funding for nurse education, this gap is projected to widen to 77,000 by 2020, as the state's population ages and older nurses leave the workforce. Excelsior is the third largest producer of registered nurses in Texas, providing more than 1,000 RNs within the past five years at no cost to the state. Enrollment is restricted to those with health care experience such as licensed vocational nurses, paramedics, and military corpsmen. Because of the strong clinical experience of their students, Excelsior does not use a traditional clinical educational model, but rather an outcomes-oriented, rigorous performance examination to test the clinical competency of their students before graduation. This has worked successfully in Texas for 25 years. Excelsior's graduates consistently pass the national RN licensing exam (NCLEX-RN) at a rate equal to or exceeding the national average, and have a lower disciplinary rate when compared to graduates of other Texas-based associate degree programs.

As proposed, S.B. 1397 authorizes the Texas Board of Nursing (BON) to recognize and accept a nontraditional, outcomes-oriented, competency-based nursing education program. This bill requires BON to develop policies to ensure that other states' standards are equivalent to BON's standards.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 301.157, Occupations Code, by amending Subsection (d-4) and adding Subsection (d-4-a), as follows:

> (d-4) Authorizes the Texas Board of Nursing (BON) to recognize and accept as approved under this section a school of nursing or educational program operated in another state and approved by a state BON or other regulatory body of that state, rather than of another state. Requires BON to develop policies to ensure that the other state's standards, rather than state board's standards, are substantially equivalent to BON's standards. Requires a nursing program, for purposes of this subsection, to be deemed to meet standards substantially equivalent to BON's standards if it:
>
> > (1) is part of an institution of higher education located outside this state that is approved by the appropriate regulatory authorities of that state;
> >
> > (2) holds regional accreditation by an accrediting body recognized by the United States secretary of education and the Council for Higher Education Accreditation;
> >
> > (3) holds specialty accreditation by an accrediting body recognized by the United States secretary of education and the Council for Higher Education Accreditation, including the National League for Nursing Accrediting Commission;

(4) requires program applicants to be a licensed practical or vocational nurse, military service corpsman, or paramedic or to hold a degree in a clinically oriented health care field with demonstrated experience providing direct patient care; and

(5) graduates students who achieve faculty-determined program outcomes including passing criterion-referenced examinations of nursing knowledge essential to beginning a registered nurse practice, including a transition to the role of registered nurse; pass a criterion-referenced summative performance examination developed by faculty subject matter experts that measures clinical competencies essential to beginning a registered nurse practice and that meets nationally recognized standards for educational testing, including the educational testing standards of the American Educational Research Association, the American Psychological Association, and the National Council on Measurement in Education; and pass the National Council Licensure Examination for Registered Nurses at a rate equivalent to the pass rate for students of approved in-state programs.

(d-4-a) Provides that an applicant for licensure under this chapter who has successfully completed a professional nursing education program in another state meeting the requirements of Subsection (d-4) and who satisfies the other requirements of this chapter is eligible for licensure as a registered nurse.

SECTION 2. Effective date: upon passage or September 1, 2009.