

BILL ANALYSIS

Senate Research Center
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AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Nursing schools require students to complete a defined number of clinical practice hours to be eligible to sit for a licensure examination. Clinical practice hours are taught at external, independent medical facilities. Many nursing schools do not know how many clinical practice hours and locations are available in their area, worsening the nursing shortage.

As proposed, S.B. 790 requires hospitals to report their available clinical practice hours and requires the Statewide Health Coordinating Council (SHCC) to establish and maintain a database of the available clinical practice hours. S.B. 790 requires SHCC to report certain information relating to unused clinical practice hours to the legislature. The bill also requires the Board of Nursing to establish a range of clinical practice hours required of a nursing student to be eligible to receive an initial license as a registered nurse.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the executive commissioner of the Health and Human Services Commission in SECTION 1 (Section 105.0021, Health and Safety Code) of this bill.

Rulemaking authority is expressly granted to the Texas Board of Nursing in SECTION 2 (Section 301.157, Occupations Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 105, Health and Safety Code, by adding Section 105.0021, as follows:

Sec. 105.0021. CLINICAL PRACTICE HOURS DATABASE; REPORTING REQUIREMENTS. (a) Defines "hospital," "institution of higher education," and "reporting year."

(b) Requires the statewide health coordinating council (SHCC) to establish and maintain a database of clinical practice hours, disaggregated by hospital location, that are available at hospitals for professional nursing educational programs regulated by the Texas Board of Nursing (BON) that are offered at institutions of higher education in this state. Requires SHCC to administer the database through the nursing resource section of the health professions resource center created under Section 105.002 (Establishment of Center).

(c) Requires each hospital, not later than August 1 of each year, to report to the nursing resource section:

(1) the projected number of clinical practice hours that will be available to professional nursing educational programs at institutions of higher education in this state at the hospital during the reporting year that begins on August 1;

(2) the actual number of clinical practice hours that were available to professional nursing educational programs at the hospital during the preceding reporting year; and

(3) the actual number of clinical practice hours used by professional nursing educational programs at the hospital, by institution of higher education, during the preceding reporting year.

(d) Authorizes SHCC to except from the reporting requirement in Subsection (c) a hospital that is unable to provide clinical practice hours to professional nursing educational programs.

(e) Requires the nursing resource section to report to professional nursing educational programs the following information disaggregated by hospital location:

(1) the actual number of clinical practice hours available during the preceding reporting year;

(2) the actual number of unused clinical practice hours during the preceding reporting year;

(3) the projected number of clinical practice hours available for the following reporting year; and

(4) a comparison of the variation between projected and available clinical practice hours for the preceding reporting year.

(f) Requires SHCC, not later than January 1 of each odd-numbered year, to submit a report to the legislature that:

(1) lists the number of unused clinical practice hours for reporting hospitals;

(2) identifies specific professional nursing educational programs at institutions of higher education that could be targeted for growth based on geographical proximity to facilities with unused clinical practice hours; and

(3) provides an analysis of the variation between projected and available clinical practice hours in preceding reporting years.

(g) Authorizes the executive commissioner of the Health and Human Services Commission (HHSC) to adopt rules as necessary to administer this section.

SECTION 2. Amends Section 301.157, Occupations Code, by adding Subsection (i), as follows:

(i) Requires BON by rule to establish a range of clinical practice hours a nursing student enrolled in a school of nursing or educational program at an institution of higher education is required to complete to receive an initial license as a registered nurse in this state. Requires BON, in establishing the range of hours, to consult with each institution of higher education that provides a school of nursing or educational program in this state and is regulated by BON. Authorizes BON to vary the number of clinical practice hours required for a school of nursing or educational program based on the type of nursing degree offered by the school or program.

SECTION 3. (a) Requires BON to establish the range of clinical practice hours a professional nursing student is required to complete under Section 301.157(i), Occupations Code, as added by this Act, not later than March 1, 2010.

(b) Provides that the range of clinical practice hours established by BON under Section 301.157(i), Occupations Code, as added by this Act, applies only to a student who initially enrolls in a school of nursing or educational program at an institution of higher education on or after September 1, 2010. Provides that a student who was enrolled in a

school of nursing or educational program at an institution of higher education before September 1, 2010, and continues to be enrolled in the same school or program on or after that date is subject to the law in effect at the time of the student's initial enrollment in the school or program, and the former law is continued in effect for that purpose. Provides that this subsection expires August 31, 2016.

(c) Provides that, notwithstanding Section 105.0021(c), Health and Safety Code, as added by this Act:

(1) a hospital is required to submit the initial report required under Section 105.0021(c), Health and Safety Code, not later than August 1, 2010;

(2) the nursing resource section of the health professions resource center is required to report the information required under Section 105.0021(e)(1)-(3), Health and Safety Code, not later than November 1, 2010; and the information required under Section 105.0021(e)(4), Health and Safety Code, not later than November 1, 2011; and

(3) the SHCC is required to submit the initial report required under Section 105.0021(f)(3), Health and Safety Code, not later than January 1, 2013.

SECTION 4. Effective date: upon passage or September 1, 2009.